

RAY BRYANT  
MAYOR

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FORWARDED: NOVEMBER 8, 2012

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 TUESDAY, NOVEMBER 13, 2012 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. LAND USE AMENDMENT BYLAW NO. 17-2012

- i) Explanation of Purpose of Proposed Bylaw No. 17-2012

**That Bylaw 4-2006 (Land Use Bylaw) be amended to re-district:**

**6123 54 AV**

**Plan 9411926, Block 26, Lot 20**

**From Low Density Residential District (LR-2) to Narrow Lot Residential District (R-2)**

- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 17- 2012.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 17-2012.

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.

**TOWN OF TABER**

**BYLAW 17-2012**

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. 04/06;

**AND WHEREAS** Council has received an application from the landowner to amend Land Use Bylaw No. 04/06 to re-designate 6123-54<sup>TH</sup> ST; LOT 20, BLOCK 26, PLAN 9411926; containing 0.093 ha more or less, from Low Density Residential District (LR-2) to Narrow Lot Residential District (R-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 Municipal District;

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

1. The Land Use Map contained in Land Use Bylaw No. 04-2006 is amended by the re-districting of:

CIVIC ADDRESS 6123-54<sup>TH</sup> ST  
LOT 20  
BLOCK 26  
PLAN 9411926  
EXCEPTING THEREOUT ALL MINES AND MINERALS

as identified in the attached figure, "Schedule A" from Low Density Residential District (LR-2) to Narrow Lot Residential District (R-2).

RES. 280/12 READ A FIRST TIME THIS 9<sup>TH</sup> DAY OF OCTOBER, 2012.

RES. READ A SECOND TIME THIS \_\_\_ DAY OF \_\_\_, 2012.

RES. READ A THIRD TIME THIS \_\_\_ DAY OF \_\_\_, 2012.

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CHIEF ADMINISTRATIVE OFFICER

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MAYOR

**"SCHEDULE A"**

53	5311A
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6205
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54	54
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**62<sup>nd</sup> AVE**

6118
6114
6110

**54<sup>th</sup> Street**

6127	5406
6123	
6113	



5410
6118
6114
6110

**55<sup>th</sup> Street**

**Subject portion of 6123 – 54<sup>th</sup> St. Lot 20, Block 26, Plan 9411926  
From: LR-2 District  
To: R-2 District**

**Land Use Bylaw Amendment  
FORM F**



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

TOWN OF  
**TABER**

APPLICATION NO: 17-2012 BYLAW NO: 17-2012  
RECEIVED DATE: Aug 21/2012 ROLL NO: 6054010  
FEE RECEIVED:

**Applicant**

I/We hereby make application to amend the Land Use bylaw:

Name: Prime Auto Accessories Ltd (Ray Tymko) Phone: [REDACTED]  
Address: 6003A - 60th Avenue, Taber, AB, T1G 2G1 Cell No: \_\_\_\_\_  
Postal Code

**Legal Description of Land Subject to Amendment:**

Municipal Address: 6123 - 54th Street, Taber, AB

Legal Description: Lot: 20

Block: 26 Plan: 941 1926

Amendment Proposed: From: LR-2  
To: R-2

If applying for a text amendment, please provide the proposed text, the relevant Section, if any, and an explanation of the proposed amendment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Reasons in Support of Application** (in order to properly evaluate an application for amendment, the Town must be provided with a complete concept for the land. Please indicate everything which is presently built on the land, and any use or development proposed for that land and provide whatever maps, diagrams, and text you feel are needed)

Please see attached subdivision application sketch

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: SEPT 17/2012 Signed: Dat

The personal information requested on this form is being collected for the processing of a land use bylaw amendment application, under the authority of the Municipal Government Act (MGA) and is protected by the Freedom of Information and Protection of Privacy (FOIP) Act. If you have any questions about the collection, contact our FOIP Coordinator at (403) 223-5500.

**Registered Owner(S) Or Person Acting On Their Behalf**

I, David Amantea, ALS, CLS, P.Eng. hereby certify that I/We:

am the registered owner, **or**  
 am authorized to act on behalf of the registered owner(s)

and that the information given on the form is complete and is, to the best of my knowledge, a true statement of the facts relating to this application for approval. I/We hereby give my/our consent to allow Council or a person appointed by it the right to enter the above land with respect to this application only.

Signed 

Date September 17, 2012

Phone (hm): \_\_\_\_\_

Phone (wk): (403) 329-4688 x29

**Authorization From Registered Owner(S) Of Land Subject To Amendment**

I/We, Prime Auto Accessories Ltd. (Ray Tymko) the registered owner(s) of the land subject to this amendment, do hereby authorize David Amantea, ALS, CLS, P.Eng. to act on our behalf with respect to this proposal to amend the Land Use Bylaw.

Registered Owners' Signature 

Date SEPT. 19 / 12

The personal information requested on this form is being collected for the processing of a land use bylaw amendment application, under the authority of the Municipal Government Act (MGA) and is protected by the Freedom of Information and Protection of Privacy (FOIP) Act. If you have any questions about the collection, contact our FOIP Coordinator at (403) 223-5500.

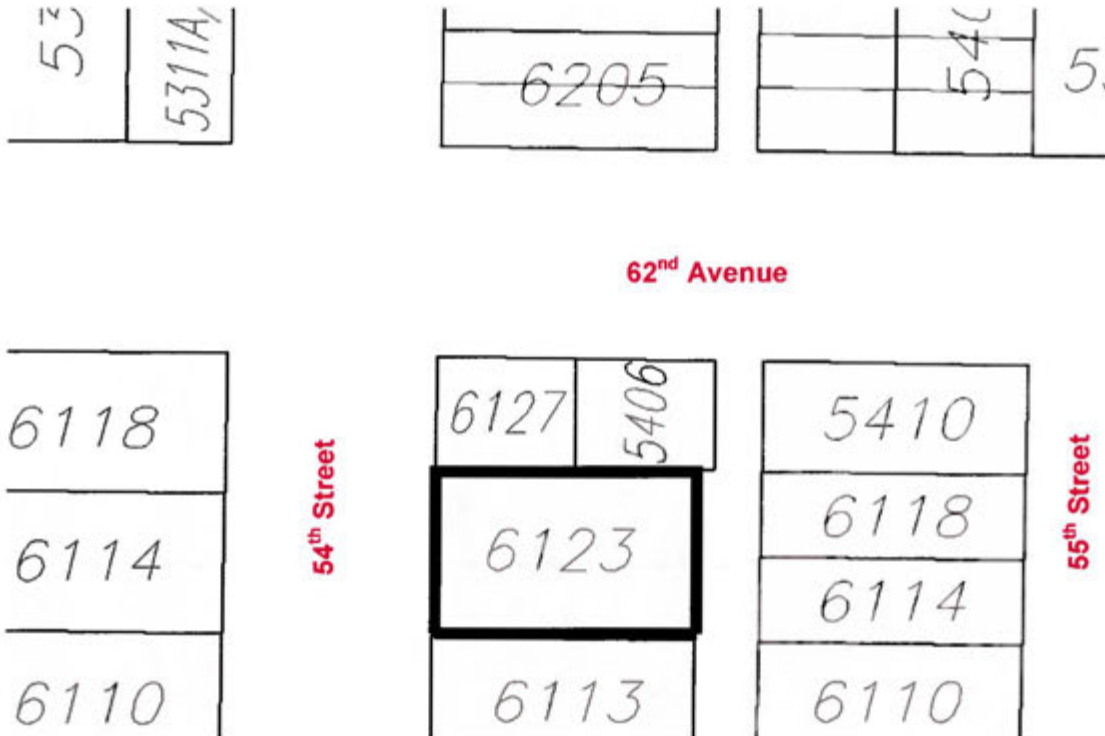
**Public Notice  
Amendment to Land Use Bylaw 4-2006  
Proposed Bylaw 17-2012**

Take notice that the Town of Taber has received an application to amend Land Use Bylaw 4-2006 by introducing proposed Bylaw 17-2012.

A public hearing and discussion of the proposed amendment will be held on Tuesday, November 13<sup>th</sup>, 2012 at 5:00PM in the Town Council Chambers, Administration Building, A4900 – 50 Street, Taber, Alberta.

The bylaw proposes that Schedule "B", the Land Use District Map of Bylaw 4-2006 be amended by rezoning the following lands:

**6123 54<sup>th</sup> Street, Plan 9411926, Block 26, Lot 20  
indicated in the sketch below:**



Copies of the proposed amendment to Bylaw 4-2006 will be available at the Town Office, A4900 – 50 Street, Taber, Alberta.

All those who are interested or who may be affected, are invited to attend the Public Hearing. Oral briefs may be put forward at the Public Hearing and those persons attending may ask questions about the proposed amendment to Land Use Bylaw 4-2006 or any other related matters.

Written briefs may be submitted to the Planning and Development Office. Such briefs should reach the Town Office no later than Monday, November 5<sup>th</sup>, 2012.

Jilliann Koroluk  
Development Officer  
Phone: 223-5500, ext 5527  
Email: [planning@taber.ca](mailto:planning@taber.ca)

**Note: Public Notice was advertised  
in the October 17, 2012 and the  
October 24, 2012 issues of the Taber  
Times**

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## **SECTION 6: Low Density Residential (LR-2) DISTRICT**

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### **1. PURPOSE**

This district is intended to allow for a variety of low density housing styles. Although intended to be applied primarily to existing residential areas, it may also be applied to new development. Development legally approved prior to adoption of this Bylaw that does not conform to these regulations is intended to be legal non-conforming development.

### **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) Garage
- (b) Park
- (c) Single detached dwelling
- (d) Utilities

#### **Discretionary Uses**

- (a) Accessory Building, Structure or Use
- (b) Duplex
- (c) Home Occupation
- (d) Modular Home
- (e) Public Use
- (f) Semi-detached Dwelling
- (g) Sign

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## **SECTION 6: Low Density Residential (LR-2) DISTRICT**

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### **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.

	<u>Single Detached</u>	<u>Semi-detached Duplex</u>
Minimum Lot Area:		
Fully serviced lot	420m <sup>2</sup>	300 m <sup>2</sup> /unit
Minimum Lot Width:		
Fully serviced lot:	14 metres	18 metres (9 m/side)
Minimum Front Yard:	6 metres	6 metres
Minimum Rear Yard:	6 metres	6 metres
Minimum Interior Side Yard:		
a) Rear Lanes:	1.2 metres	
b) Laneless:	1.2 metres when garage attached	
	3 metres on one side if no attached garage and 1.2 metres on the other, except semis must have 3 metres on both sides with zero (0) metres for semi-detached dwelling units on common lot line only.	
Minimum Exterior Side Yard:	3.0 metres	3.0 metres
Maximum Building Height:	10.5 metres	10.5 metres
Maximum Coverage:	45%	45%
Minimum Landscaped Area:	25%	25%

### **4. SPECIAL REQUIREMENTS: GARAGES, ACCESSORY BUILDINGS AND STRUCTURES**

- (a) No accessory building or structure shall be erected in any yard other than the interior side yard or rear yard and shall be no closer to any lot line than 1 metre (3 feet). This special requirement shall not be applied to garages.
- (b) Garages accessed from a lane shall be setback a minimum of 1.5 metres from the lane right-of-way.



**TOWN OF TABER**  
**BY-LAW NO. 5-2008**

**BEING A BY-LAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, TO AMEND  
BY-LAW NO. 4-2006, THE LAND USE BY-LAW OF THE TOWN OF TABER**

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Pursuant to Section 692(1)(f) of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1, as amended, the Council of the Town of Taber, in the Province of Alberta, duly assembled enacts as follows:

1. By-Law 4-2006 is hereby amended to include the following:
2. That Section 28: Narrow Lot Residential (R-2) be created:

**Narrow Lot Residential (R-2) District**

**1. Purpose**

This district is intended to allow for low density, narrow lot housing styles in both established and developing neighbourhoods. Development legally approved prior to adoption of this Bylaw that does not conform to these regulations is intended to be legal non-conforming development.

**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) Garage
- (b) Park
- (c) Single detached dwelling
- (d) Utilities

**Discretionary Uses**

- (a) Accessory Building, Structure or Use
- (b) Duplex
- (c) Home Occupation
- (d) Modular Home
- (e) Public Use
- (f) Semi-detached dwelling
- (g) Sign

**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.

	<u>Single Detached</u>	<u>Semi-detached / Duplex</u>
Minimum Lot Area:	350 m <sup>2</sup>	225 m <sup>2</sup>
Minimum Lot Width:	11 metres	15 metres (7.5m / side)
Minimum Front Yard:	5.5 metres	5.5 metres
Minimum Rear Yard:	6 metres	6 metres
Minimum Interior Side Yard:		
a) Rear Lanes:	1.2 metres	
b) Laneless:	1.2 metres when garage attached	
	3 metres on one side if no attached garage and 1.2 metres on the other, except semi-detached must have 3 metres on both sides with zero (0) metres for semi-detached dwelling units on common lot line only.	

Minimum Exterior Side Yard:	3.0 metres	3.0 metres
Maximum Building Height:	10.5 metres	10.5 metres
Maximum Building Coverage:	50%	50%
Minimum Landscaped Area:	25%	25%

**4. Special Requirements: Garages, Accessory Buildings and Structures**

- (a) No accessory building or structure shall be erected in any yard other than the interior side yard or rear yard and shall be no closer to any lot line than 1 metre (3 feet). This special requirement shall not be applied to garages.
- (b) Garages accessed from a lane shall be setback a minimum of 1.5 metres from the lane right-of-way.

**5. Special Requirements: Building Design**

Further to Section 3 (19) regarding building design, when this district is applied to existing communities new infill housing shall be designed to complement the existing neighbourhood character and nearby housing designs, to the satisfaction of the Development Authority.

**6. Special Requirements: Modular Home**

Modular homes may only be approved by the Development Officer if the proposal meets the following criteria:

- 1) Where a developer's architectural controls, guidelines or standards are registered on title, the Development Officer shall address those guidelines when issuing a development permit on the property and may use these as a basis for refusal of modular construction where the proposal does not comply with those controls, guidelines or standards.
- 2) The proposed roof pitch of a proposed modular home must be consistent with the majority of homes within 100 metres of the proposal or must meet architectural controls, guidelines, or standards put in effect by the subdivision's developer;
- 3) Exterior finishing materials (i.e. siding, brick, stucco, or combinations thereof) and the amount used must be consistent with the majority of homes within 100 metres of the proposal or must meet architectural controls, guidelines, or standards put in effect by the subdivision's developer;
- 4) Modular homes must have a foundation consistent with the majority of homes within 100 metres of the proposal or must meet architectural controls, guidelines, or standards put in effect by the subdivision's developer.

Proposals not meeting these requirements for Modular Homes in this district may be forwarded by the Development Officer to the Municipal Planning Commission for a decision. The Municipal Planning Commission may use these criteria as a basis for refusing the proposal but may also approve non-compliant proposals based on the merits of each particular application.

- 3. The remainder of By-Law 4-2006 and its amendments thereof not amended by this By-Law remains in full force and effect.

RES.77/08 READ a first time this 24<sup>th</sup> day of MARCH, 2008.

RES.96/08 READ a second time this 28<sup>th</sup> day of APRIL, 2008.

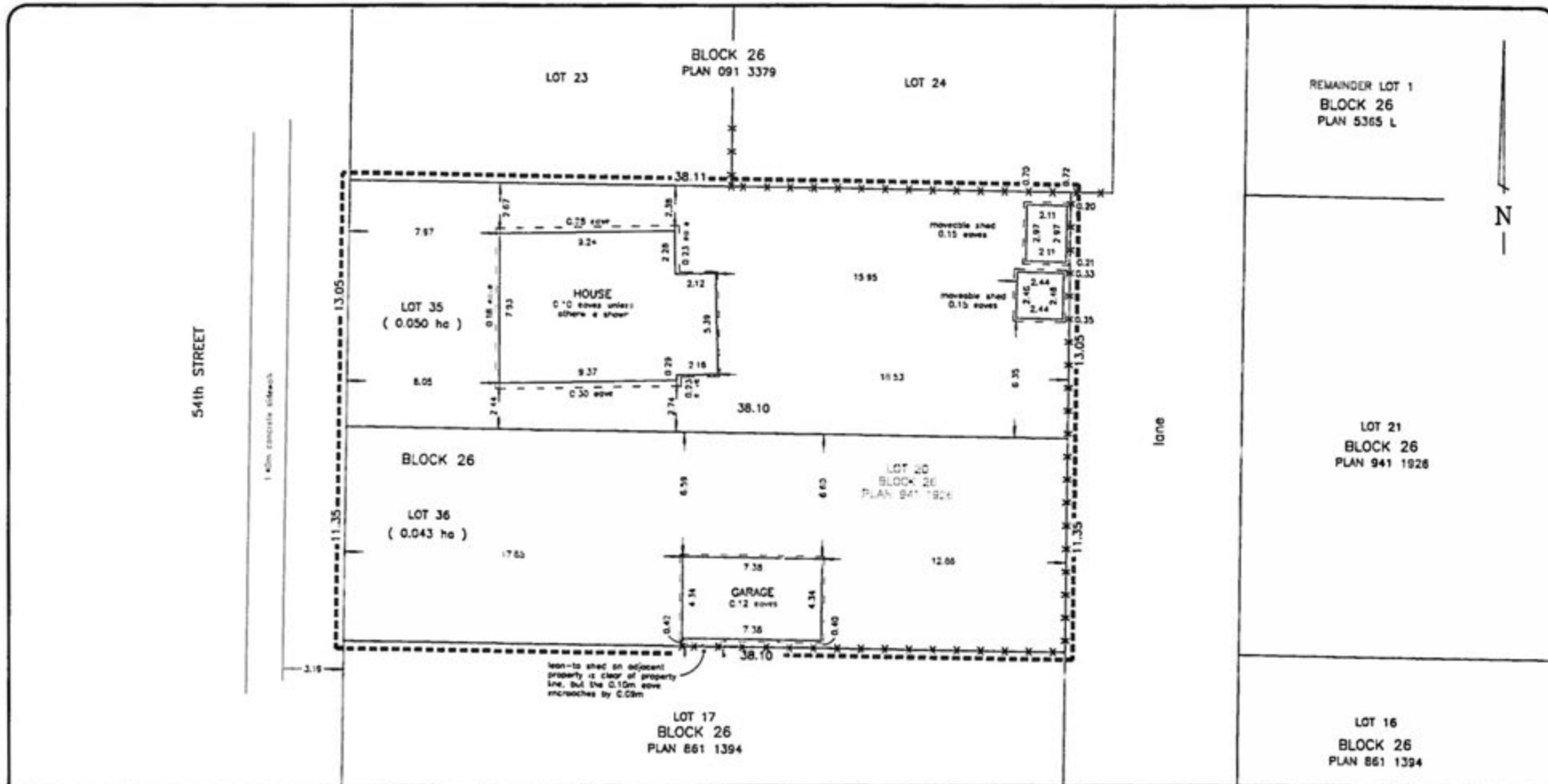
RES.97/08 READ a third time and finally passed this 28<sup>TH</sup> day of APRIL, 2008.

  
 \_\_\_\_\_  
 MAYOR

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

# Area Map -Land Use District Boundaries





NO.	REVISION	DATE	BY

NOTE : Part to be approved is outlined thus ----- and contains approximately 0.093 ha. Distances are in metres and decimal parts thereof. Distances and areas are approximate and are subject to change upon final survey.

**JEN-KO RENTALS LTD.**

TENTATIVE PLAN SHOWING SUBDIVISION  
of  
LOT 20, BLOCK 26, PLAN 941 1926  
within  
N.W.1/4 SEC. 5 TWP. 10, RGE. 16, W. 4 M.  
Town of Taber

**boa** brown okamura & associates ltd.  
Professional Surveyors  
514 Stafford Drive, Lethbridge, Alberta

APPROVED	DRAWN TH	DATE August 3 <sup>rd</sup> 12
	CHECKED DJA	JOB 12-11518
D. J. Amantea, A.L.S.	SCALE 1:200	DRAWING 12-11518TA