AGENDA

REGULAR MEETING OF THE MUNICIPAL PLANNING COMMISSION OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING ON JANUARY 16, 2012 AT 4:30 PM.

MOTION

ITEM NO 1. CALL TO ORDER

ITEM NO 2. ADOPTION OF THE AGENDA

X

ITEM NO 3. DELEGATIONS

ITEM NO 4. ADOPTION OF THE MINUTES

X

A) RFD - Minutes of the Regular Meeting - November 21, 2011

ITEM NO 5. BUSINESS ARISING FROM THE MINUTES

ITEM NO 6. HOME OCCUPATION APPLICATIONS

A) None

ITEM NO 7. DEVELOPMENT APPLICATIONS

A) DP 12-01 - Jolene Transportation: 5525 66 AV- Lot 1, Block 2, Plan 9712240; Discretionary Use- Industrial Building.

ITEM NO 8. INFORMATION ITEMS

- a) Land Use Bylaw Amendment- 4833 57 Av, Lots 34-36, Block 39, Plan 4348R, LR-2 (Low Density Residential) to R-2 (Narrow Lot Residential).
- b) <u>DP 11-0093 Maple Leaf Construction –5905 43 St; Lot 2, Block 5, Plan 1113664; Side yard waiver</u>
- c) <u>DP 11-0100 Jenko Rentals- 5116 60 Av, Lot 44, Block 47, Plan 1111940, Waiver rear yard setback.</u>
- d) <u>DP 11-0102- RC Construction- 6305 55 St; Lot 57, Block 2, Plan 9912315, Front yard, exterior sideyard and landscaping requirement waiver.</u>
- e) Building Permit Stats 2011.
- f) Home Occupation Reports- 2011.

ITEM NO 9. OTHER BUSINESS - None
ITEM NO 10. MEDIA INQUIRIES

ITEM NO 11. CLOSE OF MEETING

X



Agenda Item No. 4A

TOWN OF TABER MUNICPAL PLANNING COMMISSION REQUEST FOR DECISION

	Subjec	t: Regu	ar Minutes of MPC	Date		ry 12, 2012
		I D-	Di	Agend		
	pared B		anger, Planning and Ecor	nomic Development /	Assistant	
Att	<u>achment</u>					
	Topic:	Minutes of	of the Regular Meeting of	the Municipal Plannir	g Commis	sion
Background:						
Options:	2.	of the Mur That the M	lunicipal Planning Commi icipal Planning Commissi Iunicipal Planning Commi	on held on Novembe ssion adopts the min	r 21, 2011 utes of the	as presented. Regular Meeting
is:		of the Mur	icipal Planning Commissi	on, November 21, 20	11 as ame	ended.
Recommendation:		ndation:	Option #1- That the Muminutes of the Regular I held on November 21, 2	Meeting of the Munic	nmission a pal Plannii	dopts the ng Commission
Approval Date:			January 12, 2012	Acting Director of Planning & Economic Development		

MINUTES OF THE MEETING OF THE MUNICIPAL PLANNING COMMISSION OF THE TOWN OF TABER, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, NOVEMBER 21, 2011 AT 4:30 P.M.

PRESENT:

Councilor John Papp

Raymond Sheen Edwyn Ellingson

ALSO PRESENT:

John Henricks, Acting Director of Planning and Economic Development Lorraine Belanger, Planning and Economic Development Assistant Jeff and Sherry Barrett

ITEM #1 - CALL TO ORDER

R. Sheen called the Meeting of the Municipal Planning Commission to order at 4:35 p.m.

ITEM #2 - ADOPTION OF THE AGENDA

MOVED by R. Sheen that the Municipal Planning Commission adopt the agenda as amended to include discussion regarding the December 2011 meeting schedule.

CARRIED UNANIMOUSLY

ITEM#3 - DELEGATIONS

John Henricks acknowledged the applicants for DP-11-0087, Jeff and Sherry Barrett were in attendance.

ITEM #4 - ADOPTION OF THE MINUTES

MOVED by Edwyn Ellingson that the Municipal Planning Commission adopts the minutes of the Regular Meeting of the Municipal Planning Commission held on October 25, 2011.

CARRIED UNANIMOUSLY

ITEM #5- BUSINESS ARISING FROM THE MINUTES

John Henricks noted that he did not have any further information on the Taber Small Engine file since the last MPC meeting.

ITEM #6 HOME OCCUPATION APPLICATIONS

None

ITEM #7 - Development Applications

DP 11-0087 Jeff Barrett- 5725 51 ST- Steel Accessory Building

J. Henricks summarized the application. He noted that this was a subjective decision on what best reflects neighborhood/community standards and the input of MPC could help to provide guidance to Administration for future applications. He also noted that the applicant had obtained support from the neighbors adjacent to their home and that a 50m perimeter circulation to other neighbors in the area had not generated any further comments.

Sherry Barrett spoke to the application and supplied photos of 2 other metal clad garages within the Town. She noted the purpose of building the structure would be to store their RV and given the size and layout of their yard they would maintain a 35ft setback from the rear property line. They had previously had a fabric structure for this purpose and had obtained a good price quote on this structure.

Discussion among commission members raised the following concerns and comments:

- 1- The look of the purposed structure was different from a traditional "stick built" structure as there was a not a distinct roof line.
- 2- Metal clad siding was not an acceptable finish in any residential neighborhood in Taber as it was a finish more suited to rural properties.
- 3- Though the current neighbors had given their approval to the project, future re-sale of properties could be affected.
- 4- Though in an older neighborhood this structure, it may set a precedent for applications in newer neighborhoods where this type of structure would not be a good fit.
- J. Henricks noted that the examples supplied by the applicant were from some time ago and in reflecting on the final result perhaps should not have been approved. He noted this is why on this application he wanted better guidance from the community (MPC) as to what was an acceptable standard for Taber.

Further discussion noted that it was a subjective and difficult decision, the structure was not suitable for residential purposes within the Town of Taber given its appearance and that it may have a negative re-sale impact on nearby homes as well may set an undesirable precedent.

MOVED by Edwyn Ellingson that the Municipal Planning Commission Not Approve DP 11 0087, 5725 51 ST, because the proposal, a Quonset building, is inconsistent with the design, character and appearance of the surrounding community and inconsistent with accepted design standards for accessory buildings in all residential areas in Taber.

CARRIED UNANIMOUSLY

ITEM #8 – INFORMATION ITEMS

Strong industrial activity was noted in the building permit stats.

ITEM #9 – OTHER BUSINESS

R. Sheen noted that he would be away during the month of December and would not be able to attend that meeting that month. It was also noted that due to a conflict with the Council meeting agenda the meeting needed to be moved to December 20, 2011.

ITEM #10 - MEDIA INQUIRIES

None

ITEM #11 - CLOSE OF MEETING

MOVED by Councilor Papp that this meeting of the Municipal Planning Commission be closed.

CARRIED UNANIMOUSLY AT 5:35 P.M.

- OLIAIDA		
CHAIRI	MAN	

INFORMATION ITEM 7 (A) 5525 66 AV PRELIMINARY DRAWINGS ARE ATTACHED AT

END OF THE PACKAGE DUE TO SIZE



Agenda Item No. 7

TOWN OF TABER MUNICPAL PLANNING COMMISSION REQUEST FOR DECISION

Subject:	Industrial Building – Jolene Transportation (Josh Wurz)	Date of Meeting:	January 16, 2012
Prepared By:	Lorraine Belanger, Planning and Economic Dev	velopment Assistant	
Attachments:	Application Form, Plans, Definitions Land Use	Bylaw 4-2006	
Topic: Dev	velopment Permit Application		

Background

This application is brought to MPC for either a decision to approve or advice to Council. It is our understanding that the applicant intends to run a trucking operation from this property. If the business is determined to be a transport/truck operation as defined in the Land Use Bylaw (see definitions included at the end of this report) and can only be approved as such, this use is not currently allowed in the LM district. Therefore, a land use bylaw amendment is required to add this use to the discretionary list for this district.

However, in our review, we determined that it may be possible and appropriate to consider the use as an outdoor storage use (yard) as well as allowing for indoor storage of vehicles and truck trailers. Offices are also permitted in this district. These definitions can also be found at the end of this report.

We can approve those uses (Storage, indoor and outdoor, and offices - accessory) without an amendment to the Land Use Bylaw. Again however, we cannot currently approve a Transport/Truck Operation.

We want to give the applicant an opportunity to better describe the nature of his business so both staff and MPC can assess this proposal and ensure that it is given a fair and appropriate hearing prior to giving approval to the Development Permit or first requiring a Land Use Bylaw Amendment.

If MPC advises planning staff that a land use amendment that adds Transport/Truck operation to the list of discretionary uses is the most appropriate way to proceed in this case, we are asking MPC for advice to that affect that will be included in our report to Council when processing the zoning amendment.

Regardless of the technical disposition of this proposal, it is our opinion that the use is appropriate at this location and that the Town should approve the development. Unfortunately, a land use by-law does not always offer ideal solutions and this is an example of a potential shortcoming that can be addressed. However, if the amendment is needed, it will cause some delay for the applicant.

Options

- 1) That the Municipal Planning Commission approve DP 12-001, 5525 66 AV, with standard conditions as follows:
 - The site to be developed as per the site plan submitted.
 - 2. Must comply with Town of Taber licensing requirements.
 - 3. The development conforms to the district requirements of the Limited Industrial (LM) Land Use District.
 - 4. The applicant must obtain a Building Permit to ensure the development complies with the Alberta Fire Code and Alberta Building Code. It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits.
 - 5. All outstanding taxes, if any, are paid to the Town of Taber prior to proceeding with development.
 - Prior to occupancy, the applicant will provide an Updated Real Property Report to the Town of Taber.

or

- That the Municipal Planning Commission NOT approve DP 12-001, 5525 66 Av because the use needs an amendment to the Land Use By-law.
- 3) That MPC recommends "Transport/Truck Operation" be added to the list of discretionary uses contained in the Light Industrial (LM) District.

Approval Date:	January 12, 2011	Director of Planning & Filiam Morallic
		Economic on her all of Development Anhan was not to

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

Land Use District: _____ Roll Number: 5566010 Application Number 1201

Date of Application: **Date Application Deemed Complete:** 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: Discretionary Use: Moved in Building: Waiver: Other: (explain: ____ ___ Phone Res: 403-223-70.6° Bus: Address: Cell: Fax: Registered Owner: ____Phone Res: Bus: Address: Cell: Fax: Postal Code: Legal Description of Property to be Developed: Lot: Block: 2 Plan: Municipal Address: Proposed Use of Site: (describe in detail attach additional information if necessary) Existing Use of Site: If Development is Temporary, State for What Period Adjacent to Highway: Yes: _____ No: Proposed Setback from Property Lines: Front Yard: Side Yards: Rear Yard: Present Use of Adjacent Properties:

•		Existing Pi	oposed	N/A	
Access: Provincial Highway #		_	•		
Municipal Road	•••••••	۲.,	r 3	.,	
Internal Subdivision Road	d t		[]		
Undeveloped Road Allow	/ance	ii			
Private Road (i.e. Condo	minium)	[j	ii		
Other (specify) Services:		•		A.t.	
Water Supply					
Municipally owned and or	perated piped water system	[]	M	[]	
Sewage Disposai					
	perated sanitary sewer system	£ 3	10 A		
Other (specify)	poration samuary server system	[]	14	[]	

Storm Drainage					
Ditchee		[]	[]	M	
Swales			[]	[]	
	***************************************	······································	[]	[]	
Additional Information (Based on 2 Copies of Site Plan Attached? Drainage Plan/Elevations include Will you be applying for a Buildin Will you be applying for a Busine					
Lot Width:	166'	Lot Depth:		411 PT	
Lot Area:	75-188 FT/2	•			
Lot Coverage By New		New Construction Area (ft²)		12320	
Construction (%):	16,38%	Total Site Coverage (%)		16.30%	
Number of Loading Spaces:	ø	Building Height:		70.3078	
Driveway Width:	30'		•	7-01	
·		Landscaped Open Space (%)	•	3/.	
Number of Units:		No. Off Street Parking Space	6 :	_Ø	
	· *		-	7	
Estimated Commencement Date	: APRIL 2017	Estimated Completion Da	ate:	DEC 2012	
–				(/	
Application Fee:		Construction Value \$:		616000 -	
NOTE: THIS	S DEVELOPMENT PERMIT AP	PLICATION WILL NOT BE A	CCEPTE		
7	THE APPROPRIATE FEE IS SU	IBMITTED WITH THE APPLI	CATION.	D UNLESS	
The personal information provided as Section 32(c) of the Freedom of Inform	part of this application is collected un	der Section 303 and 205 of the Mar	minimal On		
Section 32(c) of the Freedom of Informenforcement and property assessment	nation and Protection of Privacy Act.	The information is required and w	Hicipau Gov	vernment Act and in accordance	with
enforcement and property assessment If you have any questions about the col	purposes. The name of the permit ho	ider and the nature of the permit are	available t	to the public upon request	/law
If you have any questions about the coi Street, Taber, Alberta T1G 1T1 or phon	lection or use of the personal informat	ion provided, please contact the Tov	vn of Tabe	r FOIP Coordinator at A4900 - 50	th
provide the providence of the	e (403) 223-3300.				
I concord affirm the informati					
I swear/ affirm the informat	ion contained in this applic	cation is true to the best	of mv ki	nowledge, and that no	
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Signature of Applicant or A Letter of Authorization from Registered Owner or Signature of Registered Ov	gent:	Print Name	of my ki	nowledge, and that no n rendered.	
Signature of Applicant or A Letter of Authorization from Registered Owner or	gent:	Print Name	of my ki	nowledge, and that no n rendered.	****

SECTION 15: Limited Industrial (LM) DISTRICT

1. Purpose

This district is intended to be applied to small existing industrial parcels that are generally or somewhat isolated from planned industrial areas and parks. This zone is not intended to be applied to new industrial sites or to implement approved Area Structure Plans but may be appropriate to address existing industrial sites adjacent to established residential areas.

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) Contracting Services, Minor
- (b) Equipment Rental/Repair
- (c) Offices or Office building
- (d) Offices accessory to the Principal use of the Land or Building
- (e) Utilities

Discretionary Uses

- (a) Accessory Buildings, Structures, and Use
- (b) Agricultural Processing
- (c) Auto Body and Repair Shop
- (d) Automotive/Recreation Vehicle Sales and Rental
- (e) Automobile Service Station
- (f) Automobile Supply Store
- (g) Oilfield Support Service
- (h) Park
- (i) Public Use
- (j) Recreation Facility, Indoor
- (k) Sign
- (l) Storage, Indoor
- (m) Storage, Outdoor
- (n) Veterinary Clinics
- (o) Warehouse

SECTION 15: Limited Industrial (LM) DISTRICT

3. District Requirements

No person shall use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

Minimum Lot Area: 900 m²

Minimum Lot Width: 25 metres

Minimum Front Yard: 7.0 metres

Minimum Rear Yard: 7.0 metres

Minimum Interior Side Yard: 3.0 metres

Minimum Exterior Side Yard: 4.5 metres

Maximum Coverage: 40%

4. Special Requirement: Accessory Buildings

No accessory building or structure shall be erected in any yard other than an interior side yard or rear yard and shall be no closer than three (3) metres to any lot line.

5. Special Requirement: Screening and Fencing

- (a) All sites abutting a residential district shall be screened from view of residential districts to the satisfaction of the Development Authority.
- (b) Outside storage areas, parking areas and equipment storage areas shall be screened to the satisfaction of the Development Authority.

6. Special Requirement: Landscaping

All sites abutting a residential or institutional district or facing a public highway shall provide a minimum of ten (10) percent of the site area in the form of landscaping (including the provision of mature trees) to the satisfaction of the Development Authority. All sites shall provide no less than the minimum landscaping prescribed in Section 3 (General Provisions) of this by-law.

7. Special Requirement: Environmental Impacts

All sites abutting a residential district shall not produce any off-site environmental nuisances such as noise, dust, or odours.

Section 1: Definitions and Operative Clauses

- (211) "MUNICIPAL ROAD" means a public roadway subject to the direction, control and management of the Town but not including an internal subdivision road.
- (212) "MUSEUM" means a use of a building, or part of a building for the preservation and presentation of works of art, or cultural or historical or scientific objects and information and open to the recreation and education of the public.
- (213) "NON-CONFORMING" means a use that exists but is not permitted in the zone in which the said use is situated.
- (214) "NURSERY AND GARDEN STORE" means the use of land, buildings or structures, or part of buildings or structures, where trees, shrubs or plants are grown or stored for the purpose of transplanting, for use as stock, for grafting, or for the purpose of retail or wholesale.
- (215) "OFFICE, MEDICAL/DENTAL" means an office or offices in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out.
- (216) "OFFICE OR OFFICE BUILDING" means a facility providing for the administration of business or government, or the provision of professional services.
- (217) "OILFIELD CONTRACTOR, SUPPLY, MAINTENANCE, SERVICE, STORAGE, AND OFFICES" (see OILFIELD SUPPORT SERVICES).
- (218) "OILFIELD MANUFACTURE" (see "INDUSTRY").
- (219) "OILFIELD SUPPORT SERVICES" means a development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies, provided such storage does not exceed 5,000m³ for all organic or inorganic chemicals and 10,000m³ for all petroleum products and that such storage is in accordance with all applicable provincial and federal statutes. This definition applies to oil and gas industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

Section 1: Definitions and Operative Clauses

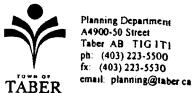
- (294) "SOD FARM" means the commercial growing of sod through seeding and stripping of topsoil to sell the final product.
- (295) "STORAGE, INDOOR" means a self-contained building or group of buildings available for the storage of goods. This use includes "mini-storage" or private storage facilities. This does not include "WAREHOUSE".
- (296) "STORAGE, OUTDOOR" means a site or a portion of a site designed for the storage of goods, materials and/or equipment, or the display and sale of goods and materials, including vehicles for hire or sale, located outside permanent buildings or structures on the site. This use includes "LUMBER STORAGE" and "LUMBER YARD". This use is not a "PARKING LOT".
- (297) "STRUCTURE" means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground not including pavement, curbs, walks, open air surfaced areas and movable vehicles.
- (298) "STRUCTURAL STEEL AND STORAGE" (see "STORAGE, OUTDOOR", "INDUSTRY/MANUFACTURING, SMALL SCALE", and INDUSTRY/MANUFACTURING, LARGE SCALE").
- (299) "SUBDIVISION" means the division of a parcel of land into one or more smaller parcels by a plan of subdivision or other instrument.
- (300) "SUBDIVISION AUTHORITY", as established pursuant to the Act, means that person(s) or body defined by the Subdivision Authority By-law of the Town of Taber.
- (301) "SUPERMARKET" means a retail store devoted to the sale of food and associated small household items.
- (302) "TANKER TRUCK WASHING FACILITY" means a commercial building for cleaning the interior of the tanks of tanker trucks.
- (303) "TAXI/BUS DEPOT" means a use, site or building used as a dispatch office for taxis, limousines or buses and may include an area, site or location intended for the parking of taxis, limousines or buses or for loading and unloading of passengers.

Section 1: Definitions and Operative Clauses

- (304) "TEMPORARY" means such time limit as set by the Development Authority.
- (305) "TEMPORARY STRUCTURE" means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.
- (306) "THEATRE" means a building, or part thereof, used for the presentation of the performing arts.
- (307) "THEATRE, DRIVE-IN" means a facility used for the showing or viewing of motion pictures with a viewing area(s) designed for motor vehicles such that the audience can view the screen from each vehicle.
- (308) "THEATRE, MOVIE" means a building, or part thereof, used for the showing or viewing of motion pictures for a fee.
- (309) "TIRE SHOP" (see "AUTOMOBILE REPAIR GARAGE").
- (310) "TOP SOIL" means that depth of soil containing the major portion of organic matter, generally the depth that the land is ploughed.
- (311) "TRADE/COMMERCIAL SCHOOLS" means a building, structure or land that provides for technical instruction to students for profit.
- (312) "TRANSPORT/TRUCK OPERATION" means a development involving the storing, parking, servicing and dispatching of trucks. This use may also involve the transfer of goods primarily involving loading and unloading of freight-carrying trucks.
- (313) "TRUCK DEPOT" means any building, or land or portion thereof, in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles and/or transport trailers is conducted or rendered. This includes the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles.
- (314) "TRUCK AND MANUFACTURED HOME SALES AND RENTAL" means a development used for the retail sale or rental of new or used trucks exceeding

INFORMATION ITEM 8 (A) LAND USE BYLAW AMENDMENT 4833 57 AV

Land Use Bylaw Amendment



APPLICATION NO: BYLAW NO: RECIEVED DATE: **ROLL NO: FEE RECEIVED: Applicant** I/We hereby make application to amend the Land Use bylaw: Name: Phone: Address: Cell No: Legal Description of Land Subject to Amendment: Municipal Address: Legal Description: Lot: Block: Plan: Amendment Proposed: 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) Date:

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 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. Authorization From Registered Owner(S) Of Land Subject To Amendment \mathcal{N}/\mathcal{A} the registered owner(s) of I/We, _____

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.

the land subject to this amendment, do hereby authorize ______ to act on

our behalf with respect to this proposal to amend the Land Use Bylaw.

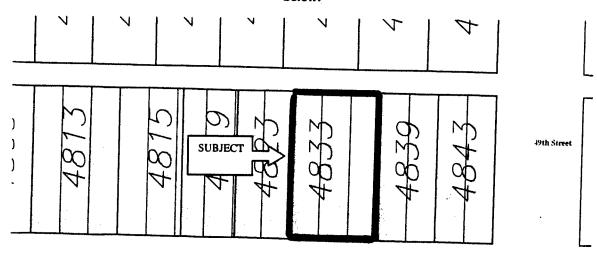
TOWN OF TABER **BY-LAW NO. 6-2011**

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

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 Schedule "B", District Maps of the said By-Law is hereby amended by rezoning:

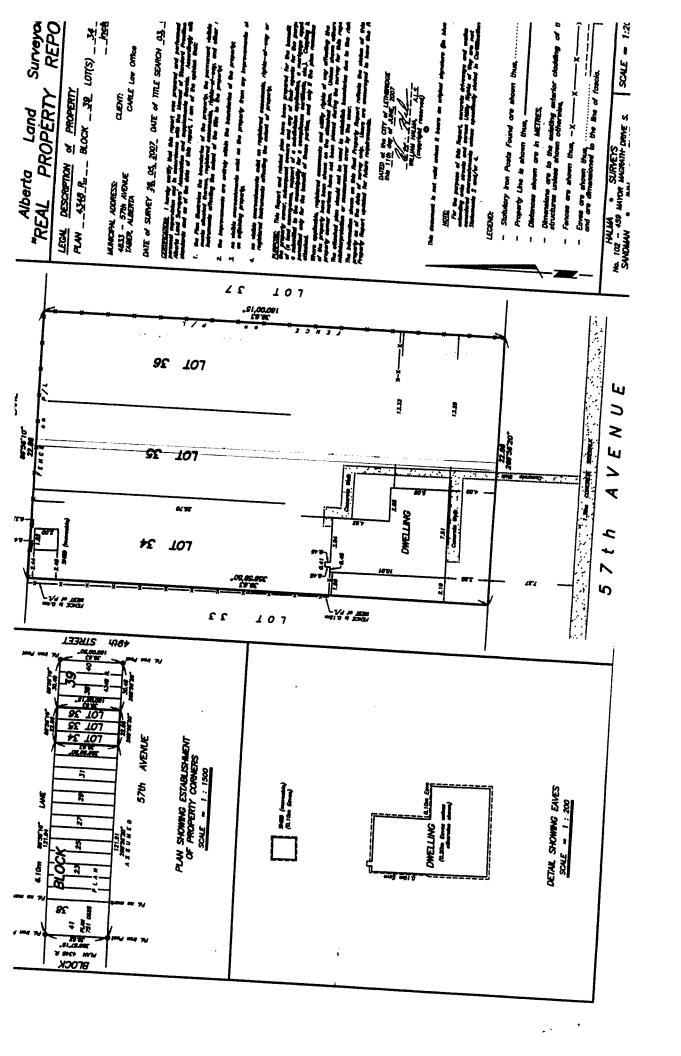
4833 57 AV Plan 4348R, Block 39, Lots 34-36 From Low Density Residential (LR-2) to Narrow Lot Residential (R-2) as indicated in the sketch below:



57th Avenue

3.

3.	The remainder remains in full	of By-Law 4-2006 and its amendments thereof not amended by this By-Law force and effect.
	RES	READ a first time this day of, 2011.
	RES	READ a second time this day of, 2012.
	RES	READ a third time and finally passed this day of, 2012.
		MAYOR
		CHIEF ADMINISTRATIVE OFFICER



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

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

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

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.

	Single Detached	Semi-detached <u>Duplex</u>
Minimum Lot Area:	•	-
Fully serviced lot	$420m^2$	300 m²/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 w	hen garage attached
	3 metres on	one side if no attached garage
	and 1.2 metr	res on the other, except semis
	must have 3	metres on both sides with
	zero (0) metr	es for semi-detached dwelling
	units on com	mon 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.

ECTION 28: NARROW LOT RESIDENTIAL (R-2) DISTRICT

As amended by BY-LAW NO. 5-2008 - April 28, 2008

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
 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. <u>District Requirements</u>

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

Single Detached Semi-detached / Duplex

Minimum Lot Area: 350 m^2 225 m^2

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:

Rear Lanes: 1.2 metres

a) 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.

Gnimum Exterior Side Yard:
ximum Building Height:3.0 metres
10.5 metres3.0 metres
10.5 metresMaximum 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:

- 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.





TOWN OF TABER

Municipal Planning Commission

Report of Decision by the Development Officer

Subject: Decision of Waiver Date of January 16, 2012

Agenda:

Prepared By: Jilliann Koroluk Reviewed By: John Henricks

Attachments: Site Plan

Topic: Development Application 11-0093, Shaun/Stacey Kinniburgh

A waiver reducing the side yard setback on a new single family dwelling

5095-43rd St; Lot 2; Block 5; Plan 1113664; District LR-1

Background

A development permit was submitted for the above noted property requesting a 0.13m sideyard setback waiver from 1.2m to 1.07m, between the dwelling and the north property line.

The site plan for this property was adjusted from the original plans submitted. The adjustments to the original site plans were completed to accommodate sideyard requirements on the south side of the building that addressed recent changes to the Alberta Fire and Building code regulations.

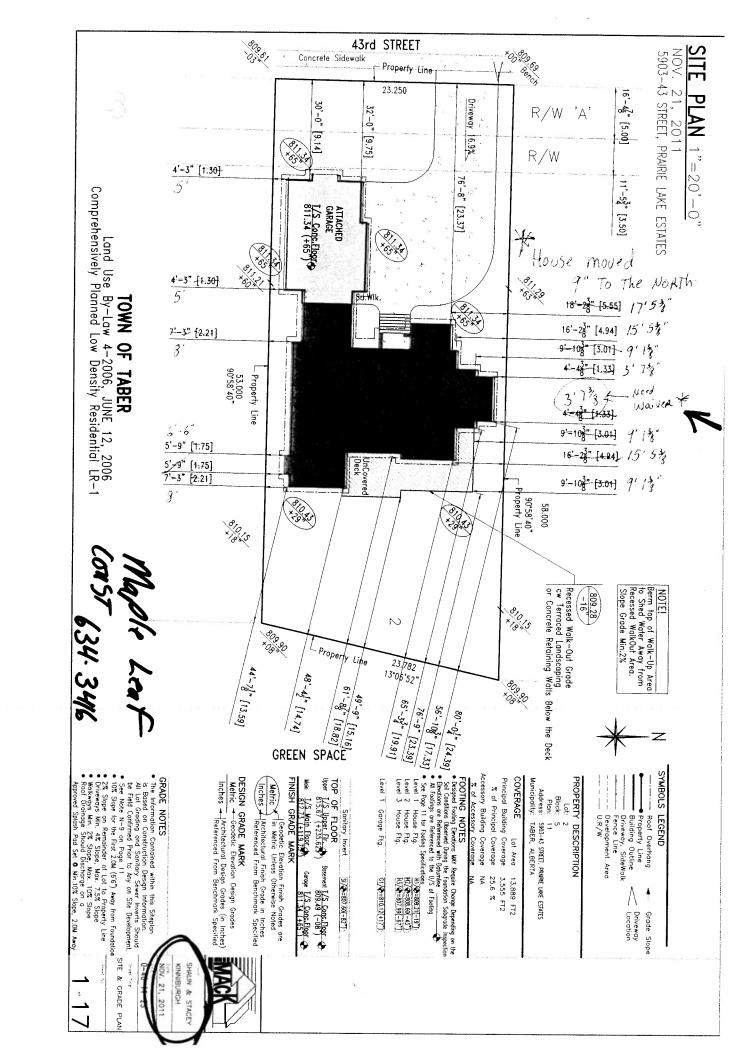
Rationale

A 0.13m sideyard setback waiver was granted from the dwelling to the north property line. The waiver has been granted because only 9.4sqft (0.27%) of the 3,316sqft house will be over the required setback. Since only a small portion of the house will be located over the required setback, the adjacent property will not be overwhelmed. The waiver applies only to portion of the house located over the 1.2m setback requirement, as per the site plan submitted.

Note: This waiver is not something that would be considered typically, however due to the unique circumstances the Planning Department was advised by the Town's Building Inspector that this waiver in combination with changes to the building materials, will in no way negatively impact the development potential of adjacent lots.

The above noted waiver was advertised in the *Taber Times* newspaper on December 28, 2011. The appeal period for the above noted waiver ended on January 12, 2012.

Approval Date: January 12, 2012







TOWN OF TABER

Municipal Planning Commission

Report of Decision by the Development Officer

Subject:	Decision of Waiver	Date of	January 16, 2012
		Agenda:	

Prepared By: Jilliann Koroluk Reviewed By: John Henricks

Attachments: Site Plan

Topic: Development Application 11-100, Jen-Ko Rentals Ltd.

Decision for Rear yard waiver for a Single Family Dwelling 5116 60th Ave; Lot 44; Block 47; Plan 1111940; District LR-2

Backgroun

The town received a development permit application for the above noted property requesting a rearyard waiver from 6m to 4.9m (1.1m) for a single family dwelling.

The noted property is located in the Low Density Residential (LR-2) District. The parcel backs onto the rearyard of an existing single family dwelling and will not unduly interfere with the use and enjoyment of the adjoining private properties.

Rationale

The garage was granted a 1.1m waiver from the south property line to the dwelling. The waiver was granted as per the site plan submitted. The waiver for the attached garage was granted to allow more driveway space in front of the garage and achieve some articulation to an otherwise simple building design. The rear yard setback to the back of the dwelling will be on excess of the minimum leaving future residents with more than ample amenity space in the rear yard.

The above noted waiver was advertised in the Taber Times newspaper on December 28, 2011. The appeal period for the above noted waiver ended on January 12, 2012.

Approval Date: January 12, 2012

4,40% 5,02m GO AVE 22.881 m 11.584

LANE 20:114 M 4.99 7.62 1.52 6.0 M BCK 47 HOUSE 1.82 6.49 m 7.62 m 6.0 M

SCALE . 1-125





TOWN OF TABER

Municipal Planning Commission

Report of Decision by the Development Officer

Subject: Decision of Waiver Date of January 16, 2012

Agenda:

Prepared By: Jilliann Koroluk Reviewed By: John Henricks

Attachments: Site Plan

Topic: Development Application 11-102, 506199 Alberta Ltd.

A waiver reducing the setback and landscaped area requirements for a new

highway industrial business

5311-48th Ave: Lot 57; Block 2; Plan 9912315: District M-4

Background

A development application was submitted for the above noted property requesting an exterior sideyard setback waiver, a frontyard waiver and a landscaped area requirement waiver. These waivers accommodate the existing structure and allow the building addition to have the same setbacks.

The property has an existing 16,938 square foot building. The existing building is non-conforming has an 10.55m exterior sideyard shortfall between the existing building and the north property line, as well as a 7.5m frontyard shortfall between the existing building and the west property line. There is no landscaped area currently.

Rationale

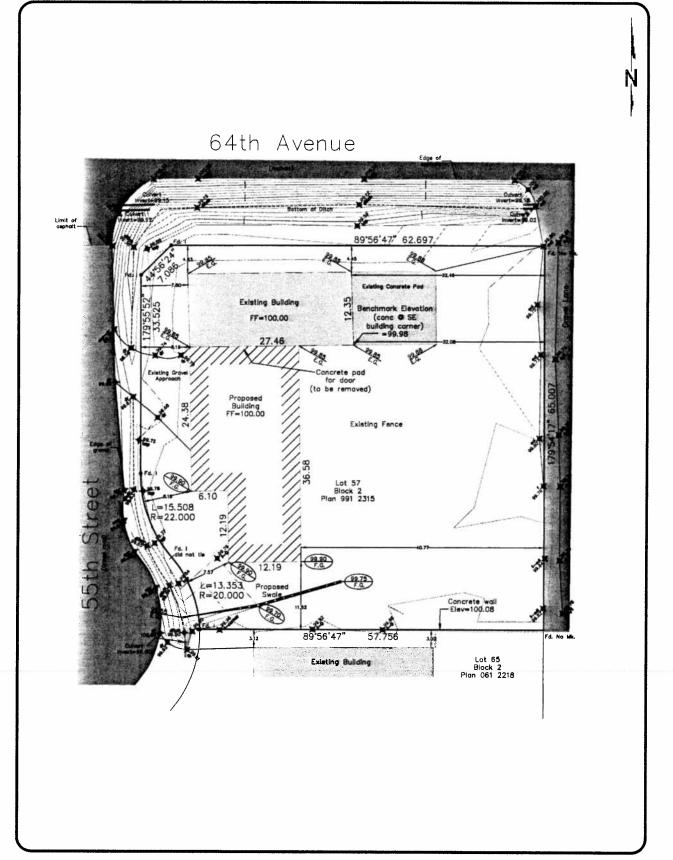
Due to the fact that the development on the property is an addition to the existing building and under Section 643(5)(c) of the Municipal Government Act; where variance powers may be exercised on non-conforming buildings, and as outlined by the Land Use Bylaw, the development as proposed could reasonably be allowed.

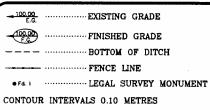
A 10.55m waiver from the exterior sideyard setback requirement (from 15m to 4.45m) on the north side of the existing building to the property line has been granted, to recognize the existing structure and the fact that it was previously constructed legally. A 7.5m waiver from the frontyard setback requirement has been granted on the west side of the existing building to the property line to recognize the existing structure as well as the addition.

A 4% landscape area requirement waiver was also granted. Currently there is no landscaping on the site. In reviewing this application, few sites in the area have any landscaping and none meet the minimum standard at this time. The area is transitioning to a quasi-commercial/industrial area and while the landscaped area standard is appropriate ultimately, it may not be reasonable to require all new development to meet this minimum until the Town has achieved consistent results for landscaping.

The waivers noted above were advertised in the *Taber Time* newspaper on December 28, 2011. The appeal period for the above noted waivers ends on January 12, 2012.

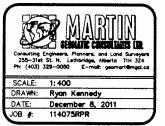
Approval Date: January 12, 2012





TABER LOT 57, BLOCK 2 PLAN 991 2315

GRADING PLAN OF PROPOSED SITE



TOWN OF TABER



BUILDING PERMIT STATISTICS

Dec-11

TABER	2011 DECEMBER		2010 DECEMBER			
	No. of Permits	No. of Units	Construction Value	No. of Permits	No. of Units	Construction Value
SINGLE FAMILY DWELLINGS	1	1	538,310	2	2	437,455
2 FAMILY DWELLING						
SEMI DETACHED DWELLING						
MULTI FAMILY DWELLING						
RESIDENTIAL ADDITIONS & ACCESS.	3		15,060	1		54,520
GARAGES & CARPORTS	1		28,000			
MANUFACTURED HOMES					175.54	
SWIMMING POOLS						
FARM & AGRICULTURE BUILDINGS						
NEW COMMERCIAL						
COMMERCIAL ADDITIONS/ALTER	1		25,000			
NEW INDUSTRIAL	2		228,833			
INDUSTRIAL ADDITIONS/ALTER				1		105,000
NEW INSTITUTIONAL						
INSTITUTIONAL ADDITIONS/ALTER						
MOBILE HOME PARK		100				
DEMOLITIONS						
OCCUPANCY/INSPECTION ONLY						
PERMANENT SIGNS				1		4,000
	8	1	835,203	5	2	600,975

	2011 2010 YEAR TO DATE (DEC 2011) YEAR TO DATE		Avenue a service de la constante			
	No. of Permits	No. of Units	Construction Value	No. of Permits	No. of Units	Construction Value
SINGLE FAMILY DWELLINGS	25	25	5,673,160	26	26	5,350,003
2 FAMILY DWELLING	1	2	638,760	2	2	260,240
SEMI DETACHED DWELLING	4	4	798,840			
MULTI FAMILY DWELLING	1	4	697,050			
RESIDENTIAL ADDITIONS & ACCESS.	18		393,734	43		696,328
GARAGES & CARPORTS	15		427,141	10	0.117.00	235,200
MANUFACTURED HOMES					开发 的	
SWIMMING POOLS	SNEW STATE					
FARM & AGRICULTURE BUILDINGS						
NEW COMMERCIAL		COLUMN 1	SCHOOL STATE	1	DOM:	48,000
COMMERCIAL ADDITIONS/ALTER	14	1 2	2,024,693	13		691,916
NEW INDUSTRIAL	4	0.00	1,094,258			
INDUSTRIAL ADDITIONS/ALTER	6	No. of	1,169,440	6		627,547
NEW INSTITUTIONAL	F-112					
INSTITUTIONAL ADDITIONS/ALTER	5		1,135,650	1		17,295
MOBILE HOME PARK					1	
DEMOLITIONS	5		25,000	4		20,000
OCCUPANCY/INSPECTION ONLY						
PERMANENT SIGNS	3		90,000	6		30,620
	101	35	14,167,726	112	300	7,977,149

BUILDING PERMITS - DECEMBER 2011

COMMERCIAL ADDITIONS OR ALTERATIONS

1 Permit		
	13-Dec-11	\$25,000.00
		\$25,000.00
GARAGES AND CARPORTS		
1 Permit		
	15-Dec-11	\$28,000.00
		\$28,000.00
NEW INDUSTRIAL		
2 Permits		
	08-Dec-11	\$108,000.00
	08-Dec-11	\$120,833.00
		\$228,833.00
RESIDENTIAL ADDITION AND ACCESS		
3 Permits		
	08-Dec-11	\$5,000.00
	23-Dec-11	\$5,500.00
	23-Dec-11	\$4,560.00
		\$15,060.00
SINGLE FAMILY DWELLINGS		
1 Permit		
	23-Dec-11	\$538,310.00
		\$538,310.00

\$835,203.00

Town of Taber Building Permits DECEMBER 2011

Bldg Permit # Issue Date		Owner Contr		ractor			
TT BB 0055 11 MU 15-Dec-11		SID STONE HOUSE SAME					
Project Site Add	ress Pi	oject Description		Value of Project	Tax Roll #		
4930 62 AV DET		TACHED GARAGE AND CARPORT		\$28,000.00	6149200		

Bldg Permit #	Issue Date	Owner	Contractor	
TT BB 0094 11 MU	23-Dec-11	IDA TAMS	PREMIERE CUSTOM HOME	ES
Project Site Add	ress Pr	oject Description	Value of Project	Tax Roll #
5909 43 ST	NE	W SFD	\$538,310.00	5943010

Bldg Permit #	Issue Date	Owner	Cont	ractor	
TT BB 0096 11 MU	08-Dec-11	TABER EXCAVATING	ROBIN	MARTENS	
Project Site Add	ress Pr	oject Description		Value of Project	Tax Roll #
5205 64 AV	NE	W INDUSTRIAL BUILDING		\$108,000.00	5364019

Bldg Permit #	Issue Date	Owner	Contrac	ctor	
TT BB 0098 11 MU	08-Dec-11	DUSTIN DOWNEY	SAME		
Project Site Add	ress Pr	oject Description	V	alue of Project	Tax Roll #
4321 57 AV	BA	SEMENT DEVELOPMENT		\$5,000.00	The second secon

Bldg Permit#	Issue Date	e Owner	Contractor	
TT BB 0099 11 MU	08-Dec-11	FORTIS ALBERTA		
Project Site Add	ress Pi	roject Description	Value of Project	Tax Roll #
6502 53 ST	QI	JONSET	\$120,833.00	8101645

Bldg Permit#	Issue Date	Owner	Contractor	
TT BB 0101 11 MU	23-Dec-11	LISE LESTER		
Project Site Add	ress P	oject Description	Value of Project	Tax Roll #
5819 54 ST	AS	BUILT DECK	\$4,560.00	5854070

Bldg Permit #	Issue Date	Owner	Cont	ractor	
TT BB 0102 11 MU	13-Dec-11	AR TECH	SAME		
Project Site Add	ress Pre	oject Description		Value of Project	Tax Roll #
6209 60 ST	co	NVERSION TO PAINT SHOP USE		\$25,000.00	6260050

Bldg Permit#	Issue Date	Owner	Cont	ractor	
TT BB 0103 11 MU	23-Dec-11	HOLGER JUST	SAME		
Project Site Add	ress Pre	oject Description		Value of Project	Tax Roll #
5022 43 AV	DEC	CK ON NEW HOME		\$5,500.00	4250090

Wednesday, January 11, 2012

Home Occupations Applications - 2011

DateApplied by Month				
January 2011				
17-Jan-11 HO 11 001	MOCHA SALON	VALERIE ZAMORA	5613 52 ST	HO FOR SALON
20-Jan-11 HO 11 002	AJ SQUEEKIE CLEANING SERVICE AMY THOMAS	AMY THOMAS	12, 6202 52 ST	OFFICE FOR CLEANING COMPANY
21-Jan-11 HO 11 003	SPARKLE PRO CLEANING	LORNA GILBERSTON	5812 47 ST	OFFICE- JANITORIAL COMPANY
24-Jan-11 HO 11 004	TOLSMA SANDBLASTING	JEREMY TOLSMA	5302 57 ST	OFFICE ONLY FOR SANDBLASTING SERVICE
February 2011				
07-Feb-11 H0 11 005	THE FRAMERS	LORI VALGARDSON	3902 52 ST	FRAMING BUSINESS
16-Feb-11 HO 11 006	EB CONSTRUCTION	ED AND CAROL BOOTH	5715 52 ST	OFFICE CONSTRUCTION BUSINESS
25-Feb-11 HO 11 007	BAREMAN CONSTRUCTION LTD	TRAVIS BAREMAN	4624 63 AV	HO FOR A CONSTRUCTION COMPANY
March 2011				
02-Mar-11 HO 11 008	SHT DOERS ENTERPRISES	RICK BURLEY	5224 44 AV	OFFICE- MOBILE HANDYMAN BUSINESS
17-Mar-11 HO 11 009	SS CATERING	SUSAN SRAN	5909 50 ST	

DateApplied by Month				
21-Mar-11 HO 11 010	ALLURING MOMENTS PHOTOGRAPHY	SARAH HOOPER	4925 53 AV	OFFICE FOR MOBILE PHOTOGRAPHY BUSINESS
April 2011				
06-Apr-11 HO 011 11	BLACK ROSE CABS	SHAWNA AND SIMON LAW	5709 52 ST	HOME OFFICE ONLY FOR TAXI COMPANY
May 2011				
26-May-11 HO 11 012	DRAGON SECURITY	DAVE WATLAND	5403 56 ST	HO FOR SECURITY COMPANY
June 2011				
24-Jun-11 HO 11 014	CDN ENTERPRISES	CHARLIE NICHOLS	3914 53 ST	OFFICE ONLY FOR SLAB JACKING BUSINESS
July 2011				
07-Jul-11 HO 11 015	jsfisher Computer Consulting	James Fisher	5412 45 ST	OFFICE FOR COMPUTER CONSULTING BUSINESS
21-Jul-11 HO 11 017	E&R IMPORT AND EXPORT	EDWARD ZHANG	5401 38 AV	OFFICE ONLY FOR IMPORT EXPORT COMPANY
August 2011				
16-Aug-11 HO 11 018	PARROT DRYWALL	NEIL FEHR	3909 HOMESTEAD PLACE	OFFICE ONLY FOR A DRWALL COMPANY
16-Aug-11 HO 11 019	TOMS GLASS SERVICE	TOM DALTON	5706 47 ST	OFFICE FOR A MOBILE GLASS REPAIR COMPANY

DateApplied by Month				
16-Aug-11 HO 11 020	STAGE II DÉCOR AND DESIGN	LAUREL ZUCHIATTI	5219 50 ST	OFFICE FOR DESIGN AND DÉCOR COMPANY
26-Aug-11 HO 11 021	CREATIVE CONCRETE AND CONSTRUCTION	BRAD ILCZYNSKI	5209 53 ST	OFFICE FOR A CONCRETE CONSTRUCTION COMPANY
31-Aug-11 HO 11 022	LOEWENS YARD MAINTENANCE	PAUL LOEWEN	6018 54 ST	HO YARD MAINTENANCE COMPANY
September 2011				
07-Sep-11 HO 11 023	CONVENIENT MOBILE CUTS	VAL WITMER	5003 52 AV	HO FOR MOBILE HAIR STYLIST
07-Sep-11 HO 11 024	PLENTY OF PROMOS	TINA HAMILTON	5227 45 AV	HO FOR PROMOTIONAL ITEM DISTRIBUTOR
14-Sep-11 HO 11 025	PETE WIEBE AND NAOMI BREWIN	SAME	4347 63 AV	HO FOR PORTABLE SIGN BUSINESS - OFFICE ONLY
22-Sep-11 HO 11 026	MANJIT PARHAR	1520660 AB LTD	4609 PROMINENCE PLACE	OFFICE ONLY FOR VEHICLE SALES OUTSIDE OF TABER
October 2011				
21-Oct-11 HO 11 027	WINKS LASH STUDIO	GLENDA OBERHOLTZER	5104 46 ST	HO FOR LASH APPLICATION STUDIO
November 2011				
30-Nov-11 HO 11 028	JRZ SOLUTIONS	JOHN ZELENKA	4702 HEIRLOOM CRES	OFFICE FOR CLEANING COMPANY

DateApplied by Month