

MINUTES OF THE MEETING OF THE MUNICIPAL PLANNING COMMISSION OF THE TOWN OF TABER, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, JULY 16, 2013 AT 4:30 P.M.

PRESENT: Ray Sheen
Councilor Louie Tams
Edwyn Ellingson
Ron Levagood

ABSENT: Councilor John Papp

ALSO PRESENT: Greg Birch, CAO
Jill Koroluk- Development Officer
Lorraine Belanger- Planning and Economic Development Assistant

ITEM #1 - CALL TO ORDER

R. Sheen called the Meeting of the Municipal Planning Commission to order at 4:30 p.m.

ITEM #2 - ADOPTION OF THE AGENDA

MOVED by R. Levagood to adopt the agenda as presented.

CARRIED UNANIMOUSLY

ITEM#3 - DELEGATIONS

None

ITEM #4 - ADOPTION OF THE MINUTES

MOVED by Councilor L. Tams. that the Municipal Planning Commission adopt the minutes of the Meeting of the Municipal Planning Commission held on June 17, 2013 as presented.

CARRIED UNANIMOUSLY

ITEM #5- BUSINESS ARISING FROM THE MINUTES

None

ITEM #6 - HOME OCCUPATION APPLICATIONS

None

ITEM # 7 Development Applications

7a) DP 13-54- 4635 60 Ave.

Rear yard shed with setback waivers

J. Koroluk summarized the application and noted the older shed had come to attention of Administration through a request for a compliance certificate. She noted the size of the shed exempted it from needing a development or building permit, but the structure still needed to meet set back requirements.

Discussion among members centered around the frequency of this type of situation occurring and remedies available to applicants. A suggestion was made by Councillor L. Tams that Administration investigate the possibility of a bylaw amendment to allow Administration be able to handle these situations more easily.

MOVED by Councillor L. Tams that the Municipal Planning Commission approve DP 13 54, David and Cindy Lauwen (Rear shed waiver), 4635 – 60th Ave., Lot 70, Block 45, Plan 9311561, with the following conditions:

- 1) Pursuant to Section 2(12)(a)(i) of Land Use Bylaw No. 4-2006, as amended, a rear yard setback waiver is granted, from 1.20m to 0.77m, between the north property line and the north side of the shed only.
- 2) Pursuant to Section 2(12)(a)(i) of Land Use Bylaw No. 4-2006, as amended, a side yard setback waiver is granted, from 1.20m to 0.80m, between the west property line and the west side of the shed only.

CARRIED UNANIMOUSLY

7b) DP 13-52 5035 42 Ave.

Front deck with setback waivers

J. Koroluk summarized the application and noted that the rear deck of the home was compliant but the setback of the proposed front deck was not.

Questions from the members included whether the deck was shown on the original development permit application and if construction had started.

J. Koroluk responded the deck had not been shown in the original application and explained that stairs are a permitted encroachment in a front yard setback and for that reason, are not always shown in the initial drawings.

R. Rombough, (owner) spoke on behalf of the application. He noted the error was on his developer/ builder for not checking if the deck was placed appropriately. He added that moving forward this would be an error that would not be repeated.

Discussion among members noted that there were no clearly defined setbacks in the neighbourhood and overall the front deck enhanced the appearance of the home.

MOVED by Councillor Tams that the Municipal Planning Commission approve DP 13 52, Total Construction and Foundations Ltd. (Front and Rear Deck), 5035 – 42nd Ave., Lots 33 & 34, Block 38, Plan 575 T with the following conditions:

- 1) Pursuant to Section 2(12)(a)(i) of Land Use Bylaw No. 4-2006, as amended, a front yard setback waiver is granted, from 6.00m to 3.71m, between the south property line and the south side of the front deck.
- 2) The site is to be developed as per site plan submitted.
- 3) 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 any necessary Plumbing, Electrical, or Gas permits.

CARRIED UNANIMOUSLY

**7c) DP 13-55 5306 55 St.
Front deck with setback waivers**

J. Koroluk summarized that application and noted the builder had made the same error at approximately the same time as the previous application.

R. Rombough noted they were trying to enhance the appearance of the front of the home in this case as well.

Moved by R. Levagood that the Municipal Planning Commission approve DP 13 55, Total Construction and Foundations Ltd. (Front and Rear Deck), 5306 – 55th St., Lot 21, Block 20, Plan 5365 L with the following conditions:

- 1) Pursuant to Section 2(12)(a)(i) of Land Use Bylaw No. 4-2006, as amended, a front yard setback waiver is granted, from 6.00m to 4.92m, between the west property line and the west side of the front deck.
- 2) The site is to be developed as per site plan submitted.
- 3) The applicant must obtain a Building Permit to ensure the development complies with the Alberta Building Code. It shall be the responsibility of the applicant to obtain any necessary Plumbing, Electrical, or Gas permits.

CARRIED UNANIMOUSLY

ITEM # 8. INFORMATION ITEMS

TT 13-0-002 Subdivision – 4803 52 AV Kelly Degen

J. Koroluk summarized the application. She noted that the application had been brought to MPC for recommendation to the Subdivision Authority on August 19, 2013. She added that the application had been circulated externally to agencies, internally to TOT staff and to neighbours within a 100m perimeter. Comments from the external and internal circulation were noted, there had been no comments from effected neighbours brought to the attention of the Planning Department to date.

Questions raised by MPC members with the application were as follows:

- 1- The site would be fronting 48 ST rather than 52 Av.
- 2- Servicing to the newly created lot to the north may be challenging.
- 3- Endorsement conditions.
- 4- Warranty conditions in the servicing agreement
- 5- Building Code/ HIRF considerations.

MOVED by Councillor L. Tams that the Municipal Planning Commission recommends that the Subdivision Authority approves Subdivision Application TT-13-0-002 on August 19, 2013 subject to the following conditions:

1. That this approval shall apply to **LOTS 21-24, BLOCK 12, PLAN 4348R - 4803 – 52 AV.**
2. The applicant shall provide municipal water and sewer lines across proposed Lot 42 to service proposed Lot 41 from 52 Ave, including a sewer clean out manhole if necessary and register an easement to accommodate said lines, all to the satisfaction of the Development Authority.
3. The applicant shall provide a site grading plan suitable to the Town that establishes construction grades.
4. Servicing drawing shall be provided to Taber administration and approved for both future parcels prior to endorsement.
5. Pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes, if any, shall be paid to the Town of Taber prior to endorsement.
6. The subdivision shall be registered in a manner satisfactory to the Land Titles Office.
7. The applicant shall provide an access / driveway onto the proposed lot(s) to the satisfaction of the Town of Taber and in accordance with Town Standards.
8. Easements or rights of way shall be registered against the land for the provision of gas, power and other utilities as required. The developer is responsible for making suitable arrangements with the relevant utility companies for the provision of services prior to final endorsement of the plan.
9. The applicant shall, prior to endorsement, provide the Town with a tentative development plan for both of the two lots to be created, showing building sites, services

alignments and tentative easement widths, vehicle accesses, driveways and parking spaces, all in accordance with the Town's Land Use Bylaw.

10. The applicant covenants and agrees to provide Taber with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the activation of all new addresses to be serviced by Community Mailbox (CMB) as required by Canada Post Corporation.
11. In the event the applicant does not meet the municipal servicing requirements or construct vehicle accesses prior to seeking endorsement, the applicant shall enter into a development agreement with the Town, to be registered on the title by Caveat and post security suitable to the Town in an amount sufficient to cover the costs of construction, estimated at +/- \$12,500.00

Carried Unanimously

ITEM # 9. OTHER BUSINESS

None

ITEM NO 10. CLOSE OF MEETING

MOVED by E. Ellingson this meeting of the Municipal Planning Commission be closed.

CARRIED UNANIMOUSLY AT 5:05 P.M.



CHAIRMAN