

**MUNICIPAL DISTRICT OF TABER  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1778**

BEING a bylaw of the Municipal District of Taber in the Province of Alberta for the purpose of adopting Bylaw No. 1778 being the Scott Davidson Area Structure Plan.

WHEREAS the Council of the Municipal District of Taber has redesignated a portion of the SE¼ Sec 28, Twp 9, Rge 16, W4M (Lots 1-4, Block 3, Plan 0810413) to the "Grouped Country Residential" land use district;

AND WHEREAS the purpose of proposed Bylaw No. 1778 is to to establish statutory standing for the regulations and development standards in support of lands recently redesignated to "Grouped Country Residential" and subsequently subdivided on land described as Lots 1-4, Block 3, Plan 0810413 in the SE ¼ Sec 28, Twp 9, Rge 16, W4M;

AND WHEREAS the municipality wishes to provide for orderly growth and development to occur while minimizing land use conflicts;

AND WHEREAS the municipality may adopt an area structure plan pursuant to section 633 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, and provide for its consideration at a public hearing.


NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, the Council of the Municipal District of Taber in the Province of Alberta, duly assembled does hereby adopt Bylaw No. 1778 being the Scott Davidson Area Structure Plan.

READ a first time this 10 day of June, 2008.

  
Reeve - Hank Van Beers

  
Municipal Administrator - Derrick Krizan

READ a second time this 8 day of July, 2008.

  
Reeve - Hank Van Beers

  
Municipal Administrator - Derrick Krizan

READ a third time and finally PASSED this 8 day of July, 2008.

  
Reeve - Hank Van Beers

  
Municipal Administrator - Derrick Krizan

**MUNICIPAL DISTRICT OF TABER  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 1768**

**BEING** a bylaw of the Municipal District of Taber in the Province of Alberta, to amend Bylaw No. 1722, being the municipal Land Use Bylaw.

**WHEREAS** the Municipal District Council is in receipt of a request to redesignate lands legally described as:

**Portion of the SE ¼ 28-9-16 W4M**

from "Rural Agriculture - RA" to "Grouped Country Residential - GCR" as shown on the map in Schedule 'A' attached hereto.

**AND WHEREAS THE PURPOSE** of proposed Bylaw No. 1768 is to accommodate a proposed subdivision and subsequent development on the above-noted lands for country residential use in compliance with the municipal Land Use Bylaw.

**AND WHEREAS** the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing.

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Taber in the Province of Alberta duly assembled does hereby enact the following:

1. Lands legally described as a portion of the SE ¼ 28-9-16 W4M presently designated as "Rural Agriculture - RA" be redesignated to "Grouped Country Residential - GCR".
2. The Land Use District Map be amended to reflect this redesignation.
3. Bylaw No. 1722, being the municipal Land Use Bylaw, is hereby amended.
4. This bylaw comes into effect upon third and final reading hereof.

READ a **first** time this 8th day of May, 2007.

  
Reeve - *Hank Van Beers*

  
Municipal Administrator - *Derrick Krizsan*

READ a **second** time this 12th day of June, 2007.

  
Reeve - *Hank Van Beers*

  
Municipal Administrator - *Derrick Krizsan*

READ a **third** time and finally PASSED this 12th day of June, 2007.

  
Reeve - *Hank Van Beers*

  
Municipal Administrator - *Derrick Krizsan*

June 7/07  
Scott Davidson

## **Area Structure Plan**

### **A) Detailed Site Plan**

The lot layout is better shown on the Aerial overhead photo of parcel to be subdivided. Dimensions and seizes are approximated at four (plus) acres each. There will be four lots created in total with two lots west of the house and one lot east of the house. With the house being a separate lot, total of four lots.

### **B) Road Network**

The lot east of the existing residence will require its own approach from the M.D. road. The two remaining empty lots on the west side of the existing residence will have a shared approach between them, from the M.D. road (that runs East and West). Approach locations will depend on the buyers, as there building plans of the house and garage will dictate the road way into the residence. Typically the access road will be in or close to the centre of the lots. Road access construction from the M.D. road to house will be at home owner's expense. This leaving the surfacing and width at the home owner's discession. M.D. must be contacted to determine the approach width and if a culvert is required. The M.D. may make you use one approach for two lots.

### **C) Storm Water Management**

Given as the lots are four (plus) acres each, the distance between lots should not create any issue in regards to drainage. In an extreme case of excess water the direction of flow would be away from the center of the lots, and towards the north end of the properties.

### **D) Lot Servicing**

A separate third party Percolation Tests have been done and are included. Water supply (domestic drinking water) will have to be hauled from Town of Taber at the lot owner's expense. The irrigation water runs along the North of each property line and they will be the responsibility of the lot owner to put into place. A letter from the T.I.D. (included) states it has no objections to the rezoning.

Utility services for electricity, gas and phone will be the responsibly of the new owner. It is noted that the power will be accessible by Fortis and runs along the M.D. road. Fortis representative Dean Krusesk at (403) 514-4257 reference number 213-7382 is aware of proposed plan and assures that there are not any issues with power accessibility.

Atco Gas lines run along side of M.D. road (East, West) and on new lots property and also easily accessible (picture provided).

### **E) Design Detail**

#### **I) Architectural Controls**

The following are architectural controls that will be required:

- a) Any prebuilt, manufactured home must have more than 1 peak on the roof design and a basement must be built under the structure of the home.
- b) Any ranch style, one level bungalow must have a minimum 1220 square foot floor plan.
- c) All garages' must be attached on to the existing home.
- d) No single wide homes will be allowed.

**II) Keeping of Animals**

As lots are four acres (plus) lot owners would be allowed up to a maximum of three horses. No other animals other than domestic will be allowed.

**III) Home Occupation**

Home Occupation is a discretionary use and will be determined by the M.D. of Taber. The land use By-Law.

**F) Affected Agency Comments**

- Chinook Health Region, Michael Swysten (letter included)
- Irrigation District, Kent Bullock (letter included)
- Oil, Gas Companies Not applicable

**G) No Waiver**

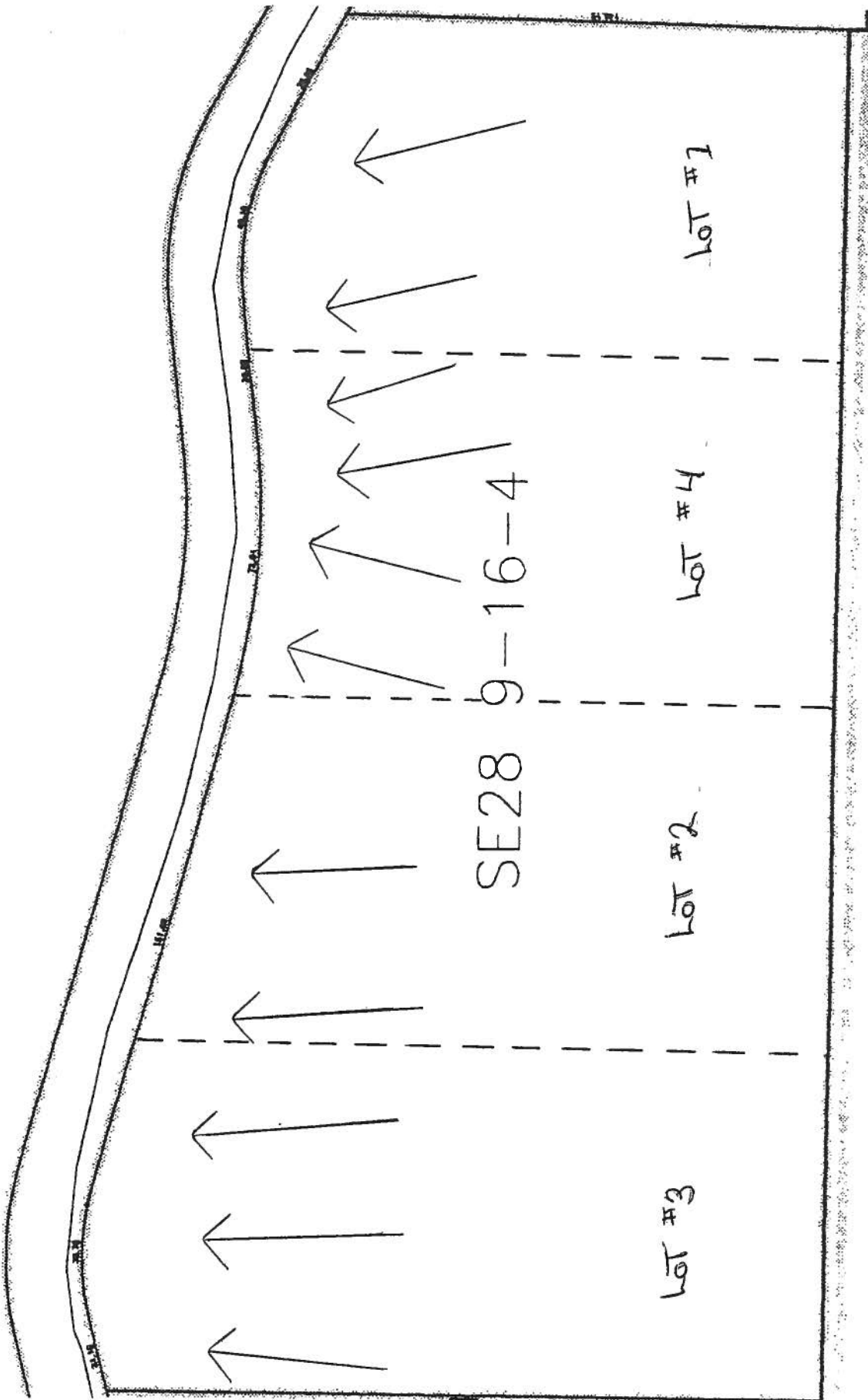
Failure by the M.D. or any third party to enforce or require compliance with any provision hereof shall not render any such provision in any way unenforceable or invalid. No provision hereof shall be waived except in writing duly signed and delivered by the M.D. of Taber.

**H) Right to Farm**

It is a provision hereof that the owner of the lands may not hold liable any person in an action in nuisance resulting from agricultural operations. The owner of any agricultural operation is not to be prevented by injunction or other order of a court from carrying on the agricultural operation because it causes or creates a nuisance.

**I) Further Subdivision of Land**

It is a provision hereof that the owner of the lands may not further subdivide the land unless under the provisions of the M.D. of Taber Land Use By-Law.



C) Storm Water Management

# The Leishman Company Ltd.

10 Concordia Place  
Lethbridge, Alberta T1K 3X7

July 27, 2006

Mr. Scott Davidson  
P.O. Box 4520  
Taber, AB T1G 2C9

Dear Mr. Davidson:

Re: Results of Grain Size Analyses – SE ¼ 28-9-16-w4m.

For the record, on the morning of July 24, 2006, the soil samples we obtained from each of three prospective lots adjacent to your residence on the SE ¼ section 28-9-16-w4m, south of the irrigation canal, were delivered to Sandberg Laboratories in Lethbridge, Alberta for grain size analysis. The purpose of these analyses was to determine the feasibility of establishing septic fields on three proposed lots.

This afternoon, as did you, we received the results of the analyses from Sandberg Laboratories. We have summarized them and some field data below:

## Grain Size Analyses – Scott Davidson Property – SE ¼ Sec. 28-9-16-w4m.

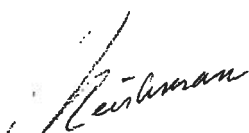
No.	Loc'n.	Hole Depth	Water Table	Sample Depth	Sand (%)	Clay (%)	Silt (%)	Soil Texture	Perc. Rate
1	80 m east of House	3.0 m (10')	2.68 m (8.8')	0.65 m (2.15')	37.6	31.8	30.6	Clay Loam	10.78 l/m <sup>2</sup> 0.22 gal/ft <sup>2</sup>
2	80 m west of House	3.0 m (10')	No Water	0.65 m (2.15')	38.6	23.8	37.6	Loam	17.15 l/m <sup>2</sup> 0.35 gal/ft <sup>2</sup>
3	180 m west of House	3.0 m (10')	No Water	0.65 m (2.15')	62.4	18.0	19.6	Sandy Loam & Sandy Clay Loam	17.9 l/m <sup>2</sup> 0.36 gal/ft <sup>2</sup>

The calculated percolation rate for the three samples varies from 10.78 l/m<sup>2</sup>, for the lot located east of your house, to approximately 17.5 l/m<sup>2</sup> in the two lots lying west of your house.

Although there is some variance in the soil type and the percolation rates obtained from the samples, all are in the acceptable range for establishing septic fields.

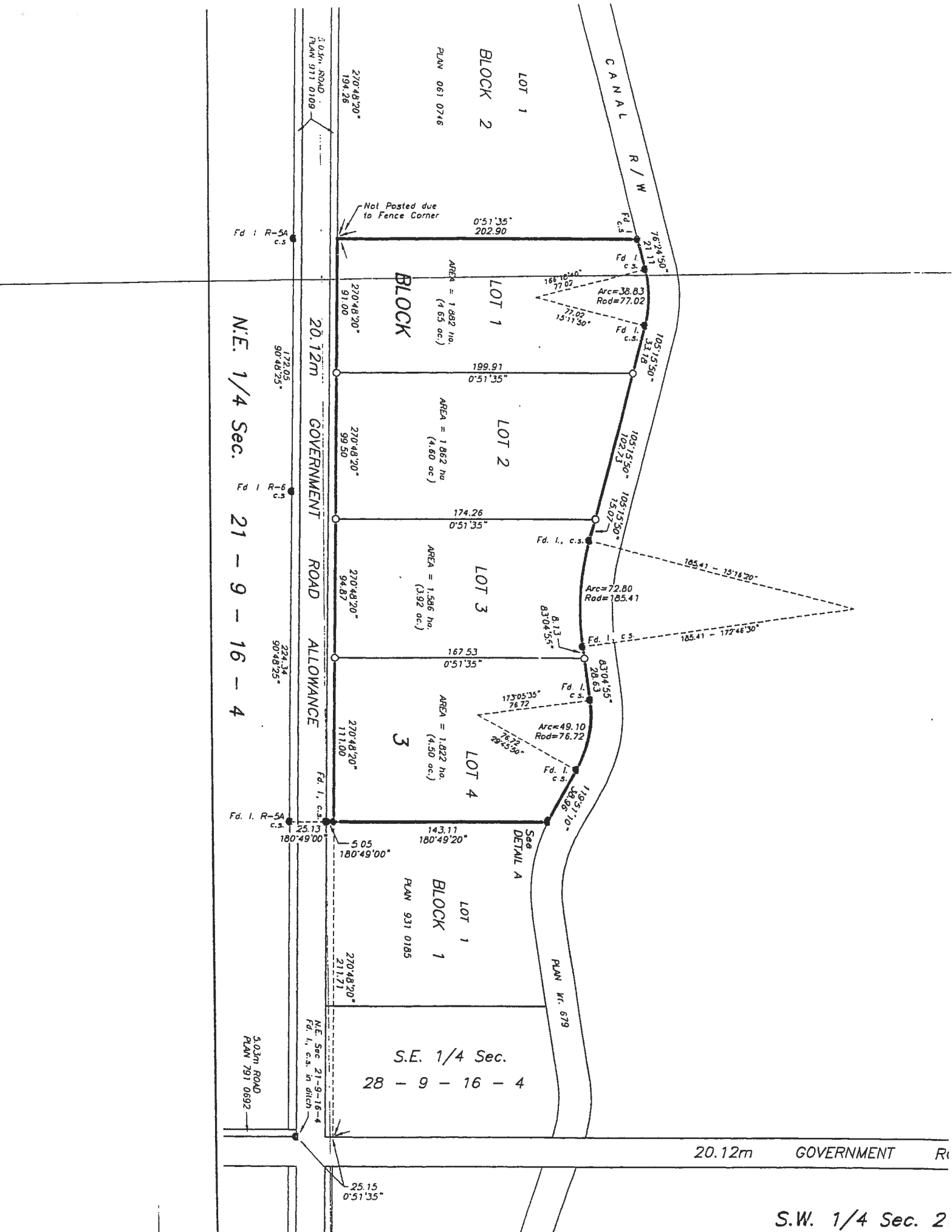
We trust this information will be of assistance to you. Thank you for this opportunity to have been of service.

Yours truly,



Calvin J Leishman, P. Eng.

/cjl



N.E. 1/4 Sec. 21 - 9 - 16 - 4

S.E. 1/4 Sec. 28 - 9 - 16 - 4

20.12m GOVERNMENT R/W

S.W. 1/4 Sec. 2

5.03m ROAD  
PLAN 971 0109

172.05  
90°48'25"

224.34  
90°48'25"

224.34  
90°48'25"

25.13  
180°49'00"

5.03m ROAD  
PLAN 791 0692

270°48'20"  
194.26

270°48'20"  
91.00

270°48'20"  
99.50

270°48'20"  
94.87

270°48'20"  
111.00

270°48'20"  
211.71

PLAN 061 0716

AREA = 1,882 h.a.  
(4.65 ac.)

AREA = 1,862 h.a.  
(4.60 ac.)

AREA = 1,586 h.a.  
(3.92 ac.)

AREA = 1,822 h.a.  
(4.50 ac.)

PLAN 931 0185

See  
DETAIL A

Not Posted due  
to Fence Corner

0°51'35"  
202.90

199.91  
0°51'35"

174.26  
0°51'35"

167.53  
0°51'35"

143.11  
180°49'20"

5.05  
180°49'00"

25.15  
0°51'35"

CANAL  
R / W

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105°15'50"

83°04'55"

119°51'10"

180°49'20"

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