

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 MONDAY, MARCH 23, 2015 AT 5:00 PM.

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. 6-2015

- i) Explanation of Purpose of Proposed Bylaw No. 6-2015.
- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 6-2015.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 6-2015.

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.



Council Request for Decision	
Meeting Date: March 23, 2015	
Subject: Bylaw 6-2015 Public Hearing	
Recommendation:	That Council accepts the information received at the Public Hearing for Bylaw 6-2015.
Background:	<p>On February 23rd, Council passed 1st Reading of proposed Bylaw 6-2015. The proposed bylaw will rezone 4 lots which are currently zoned as Limited Institutional/Recreation (L-IR) and General Industrial (M-2) to Highway Industrial (M-4). The lots to be rezoned are 6216 – 60th St.; Lot 31 Block 27 Plan 8210712, 6210 – 60th St.; Lot 32 Block 27 Plan 8210712, 6204 – 60th St.; Lot 33 Block 27 Plan 8210712, and a portion of Lot 29 Block 27 Plan 8210712.</p> <p>The reason for the rezoning is on August 18, 2014 Council made a resolution to sell a portion of a Town-owned parcel (Lot 29 Block 27 Plan 8210712) to B&H Tank Systems Inc. One of the conditions of the land sale was the Town of Taber would rezone the portion of the parcel to be subdivided at the Town's expense. The subdivision of the parcel also includes the consolidation of the adjacent parcels owned by B&H Tank Systems Inc. thus the reason for the rezoning of the other 3 lots.</p> <p>In accordance with the Bylaw process in the MGA, a public hearing is being held as well as Administration has circulated the proposed bylaw to affected parties and advertised it for 2 weeks in the Taber Times.</p> <p>There have been no public inquiries to Administration on the proposed bylaw and Administration has not received any written submissions at the time of writing this.</p>
Legislation / Authority:	Section 692 of the MGA requires Council to hold a public hearing before 2nd Reading of a bylaw and Section 606 sets out the advertising requirements for a public hearing.
Strategic Plan Alignment:	Strategic Plan Economic Goal #1: Create conditions for business success and economic development, taking advantage of the Town's unique climate and location in Southern Alberta.
Financial Implication:	As per the Council Resolution 390/14 made on August 18, 2014 regarding the sale of land to B&H Tank Systems Inc., the amendment of the Land Use Bylaw will be at the expense of the Town of Taber. Please see attachments for the full resolution.



Service Level / Staff Resource Implication:	The staff resource implication is the time required by staff to review the proposed bylaw and prepare the advertisement and documents for Council and the Public Hearing.
Justification:	By accepting the information received from the Public Hearing, Council will be able to make a more informed decision on the proposed bylaw.
Alternative(s):	Alternative #1: That Council does not accept the information received at the Public Hearing for Bylaw 6-2015.

Attachment(s):	Bylaw 6-2015 Limited Institutional/Recreation (L-IR) District General Industrial (M-2) District Highway Industrial (M-4) District Council Motion for Land Sale Tentative Subdivision Plan
-----------------------	--

APPROVALS:	
Originated By:	Katie Tyo
Chief Administrative Officer (CAO) or Designate:	

**TOWN OF TABER
BYLAW NO. 6-2015**

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 an application from the landowner to amend Land Use Bylaw No. 4-2006 to re-designate 6216 – 60th STREET; LOT 31 BLOCK 27 PLAN 8210712, 6210 – 60th STREET; LOT 32 BLOCK 27 PLAN 8210712, 6204 60th STREET; LOT 33 BLOCK 27 PLAN 8210712, and a portion of LOT 29 BLOCK 27 PLAN 8210712; containing 2.861 hectares more or less, from Limited Institutional/Recreation (L-IR) and General Industrial (M-2) to Highway Industrial (M-4) in order to better achieve the economic development objectives of the landowner 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. The Land Use Map contained in Land Use Bylaw No. 4-2006 is amended by the re-districting of:
CIVIC ADDRESS 6216 – 60th STREET
LOT 31
BLOCK 27
PLAN 8210712
EXCEPTING THEREOUT ALL MINES AND MINERALS

CIVIC ADDRESS 6210 – 60th STREET
LOT 32
BLOCK 27
PLAN 8210712
EXCEPTING THEREOUT ALL MINES AND MINERALS

CIVIC ADDRESS 6204 – 60th STREET
LOT 33
BLOCK 27
PLAN 8210712
EXCEPTING THEREOUT ALL MINES AND MINERALS

and a portion of:

LOT 29

BLOCK 27

PLAN 8210712

EXCEPTING THEREOUT ALL MINES AND MINERALS

as identified in the attached figure, "Schedule A", from Limited Institutional/Recreation (L-IR) and General Industrial (M-2) to Highway Industrial (M-4).

RES. ___ **READ** a first time this ___ day of _____, 2015.

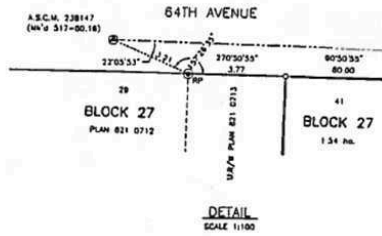
RES. ___ **READ** a second time this ___ day of _____, 2015.

RES. ___ **READ** a third time this ___ day of _____, 2015.

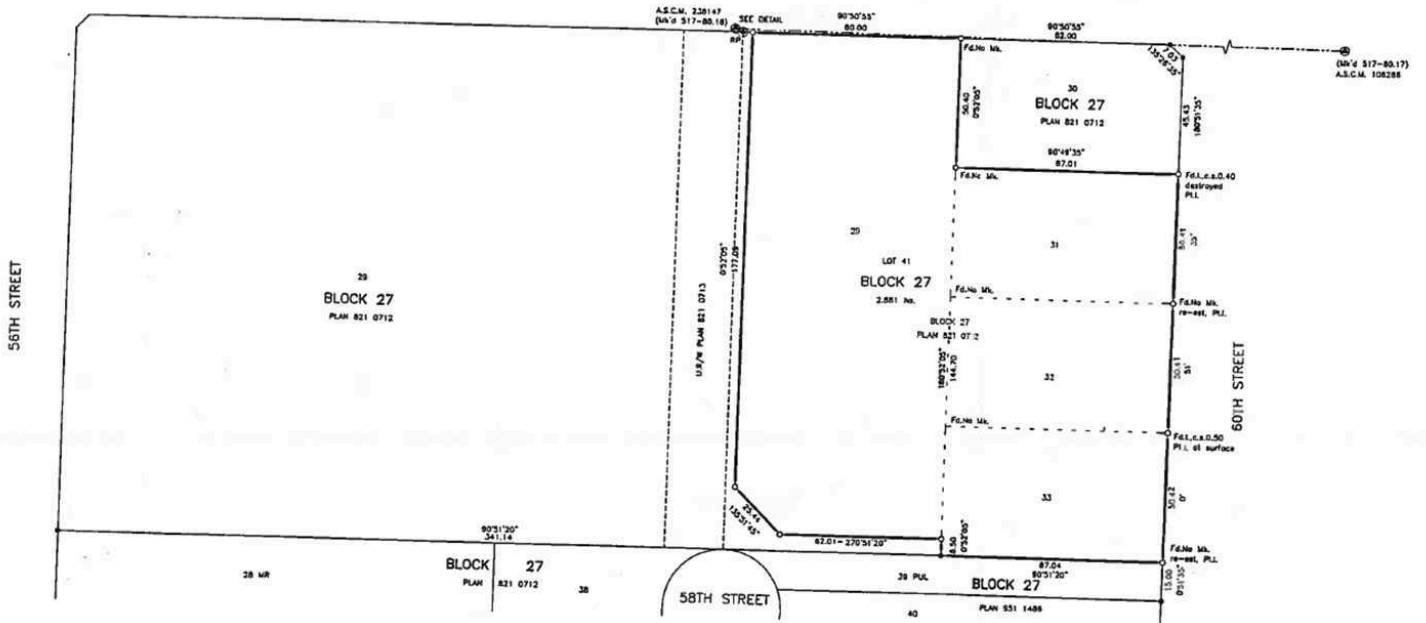
Mayor

Chief Administrative Officer

“SCHEDULE A”



64TH AVENUE



Subject portion of 6216 – 60th St.; Lot 31 Block 27 Plan 8210712, 6210 – 60th St.; Lot 32 Block 27 Plan 8210712, 6204 60th St.; Lot 33 Block 27 Plan 8210712, and a portion of Lot 29 Block 27 Plan 8210712

From: Limited Institutional/Recreation (L-IR) and General Industrial (M-2)

To: Highway Industrial (M-4)

SECTION 24: Limited Institutional / Recreation (L-IR) DISTRICT

1. Purpose

This district is to provide zoning primarily for schools and institutional uses with limited recreation uses in the Town.

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) Park
- (b) School, Elementary
- (c) Utilities

Discretionary Uses

- (a) Accessory Building or Structure
- (b) Cemetery
- (c) Clinic
- (d) Community Hall
- (e) Day Care Facility
- (f) Institutional Use
- (g) Museum
- (h) Office, Medical/Dental
- (i) Public Use
- (j) Recreation Facility, Indoor
- (k) Recreation Facility, Outdoor
- (l) Religious Assembly*
- (m) School, Secondary
- (n) Senior Citizens' Complex

*Note Section 3(26) of this Bylaw.

3. District Requirements

The district requirements (lot area, yard requirements) shall be at the discretion of the Development Authority.

SECTION 18: General Industrial (M-2) DISTRICT

1. Purpose

This district is to provide areas for industries and businesses that require larger open storage areas and/or may create a nuisance by reason of noise, smell, appearance but are generally not considered to be hazardous. This District will generally be applied to interior portions of industrial 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) Any Uses Permitted in the M-1 District
- (b) Agricultural Processing
- (c) Agricultural Supply Depot
- (d) Automobile, Truck, and Recreational Vehicle Storage
- (e) Automotive Repair Garage
- (f) Construction Yard
- (g) Electrical and Electronic Products Industry
- (h) Food Processing Plant
- (i) Heavy Equipment Sales, Service, Storage and Rentals
- (j) Oilfield Support Services
- (k) Printing Establishment
- (l) Public Uses
- (m) Railroad Yard
- (n) Transport/Truck Operation

Discretionary Uses

- (a) Abattoir
- (b) Accessory Buildings, Structures, and Uses
- (c) Auto Body and Repair Shop
- (d) Automotive/Recreation Vehicle Sales and Rental
- (e) Automobile Service Station
- (f) Bank/Financial Institution
- (g) Bottled Gas, Sales and Storage
- (h) Bulk Sales Establishment
- (i) Commercial Fertilizer Supply

SECTION 18: General Industrial (M-2) DISTRICT

- (j) Communication Tower
- (k) Contracting Services, Major
- (l) Dry Cleaning and Laundry Plant
- (m) Electricity Production
- (n) Feed Mills
- (o) Gas Bar
- (p) Grain Elevator
- (q) Greenhouse, Commercial
- (r) Kennel
- (s) Laboratory
- (t) Offices accessory to the Principal Industrial Use of the Land or Building
- (u) Pharmaceutical and Medical Products Industry
- (v) Printing, Reproduction and Data Processing Industry
- (w) Recreation Facility, Commercial
- (x) Recycling Depot
- (y) Signs
- (z) Storage, Outdoor
- (aa) Tanker Truck Washing Facility
- (bb) Truck and Manufactured Home Sales and Rentals
- (cc) Truck Depot
- (dd) Warehouse

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:	1,000 m ²
Minimum Lot Width:	30 metres
Minimum Front Yard:	7.5 metres
Minimum Rear Yard:	10 metres
Minimum Side Yard:	7 metres
Minimum Exterior Side Yard:	7.5 metres
Maximum Building Height:	15 metres
Maximum Lot Coverage:	60%
Minimum Landscaped Area:	5%

SECTION 18: General Industrial (M-2) DISTRICT

4. Special Requirement: Signs

A single park entrance or directional sign may be permitted at the entrance of an industrial park indicating the name and location of the park. Other requirements for signs shall be determined at the discretion of the Development Authority and in accordance with Section 3 (General Provisions).

5. Special Requirement: Site Plans and Development Agreements

All applications for a development permit shall provide a detailed site plan for the proposed development. The site plan shall include all information identified on 'Form A' and in 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.

6. Special Requirement: Parking and Access

Further to the parking requirements contained in Section 3 – General Regulations, all required parking shall be on site and the site plan shall clearly illustrate the parking and the traffic circulation on site as well as access to the site.

7. Special Requirement: Landscaping

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

- (a) A *buffer* strip of 20 metres shall be provided along any boundary of this district that is immediately adjacent to a primary or secondary highway or watercourse as well as any Land Use District other than the LM, M-1, M-3, and M-4 Land Use Districts. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the 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.

SECTION 18: General Industrial (M-2) DISTRICT

- (c) Any additional landscaping requirements shall be to the satisfaction of the Development Authority.

8. Special Requirement: Outdoor Storage Requirements

- (a) All outdoor storage areas shall be appropriately fenced and may be required to be concealed from view from the street by the fence or other suitable screening.
- (b) All storage sites abutting residential districts shall be screened from view of the residential district to the satisfaction of the Development Authority, although General Industrial sites should not be located adjacent to residential districts.
- (c) All outdoor storage should be located only to the rear of the main building but may be located in the front or exterior side yard at the discretion of the Development Authority. All outdoor 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.

SECTION 20: Highway Industrial (M-4) DISTRICT

1. Purpose

This district is intended to ensure a high quality design standard for industrial development adjacent to provincial highways or Town arterial roads. This District may serve as a transition between industrial areas and commercial 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) Automotive/Recreation Vehicle Sales and Rental
- (b) Automobile Repair Garage
- (c) Automobile Service Station
- (d) Automobile Supply Store
- (e) Banks/Financial Institution
- (f) Building Supply Outlet
- (g) Convenience Food Store
- (h) Drive-through Restaurant
- (i) Eating Establishment
- (j) Gas Bar
- (k) Heavy Equipment Sales, Service, Storage and Rentals
- (l) Hotels
- (m) Motels
- (n) Nursery and Garden Store
- (o) Offices accessory to the principal industrial use of the land or building
- (p) Office or Office Building
- (q) Restaurant
- (r) Storage, Indoor
- (s) Truck Stop
- (t) Utilities
- (u) Vehicle Wash

Discretionary Uses

- (a) Accessory Buildings and Structures
- (b) Caterer
- (c) Clinic

SECTION 20: Highway Industrial (M-4) DISTRICT

- (d) Contracting Services, Minor
- (e) Data Processing Establishment
- (f) Day Care Facility
- (g) Duplicating Shop
- (h) Equipment Rental/Repair
- (i) Farmers'/Flea Market
- (j) Food and/or Beverage Service Facility
- (k) Industry/Manufacturing, Small Scale
- (l) Office, Medical/Dental
- (m) Oilfield Support Services
- (n) Printing Establishment
- (o) Public Assembly
- (p) Public Uses
- (q) Recreation Facility, Commercial
- (r) Recreation Facility, Outdoor
- (s) Recreation Facility, Indoor
- (t) Religious Assembly *
- (u) Retail Store
- (v) Signs
- (w) Storage, Outdoor
- (x) Taxi/Bus Depot
- (y) Theatre, Drive-In
- (z) Tourist Information Facility
- (aa) Truck Depot
- (bb) Transport/Truck Operation
- (cc) Truck and Manufactured Home Sales and Rental
- (dd) Veterinary Clinic
- (ee) Warehouse
- (ff) Warehouse Store

*Note Section 3(26) of this Bylaw.

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:	1000 m ²
Minimum Lot Width:	30 metres

SECTION 20: Highway Industrial (M-4) DISTRICT

Minimum Front and Exterior Side Yard:	15 metres
Minimum Rear Yard:	7.0 metres
Minimum Interior Side Yard:	7.0 metres
Building Height:	Discretion of the Development Authority
Maximum Coverage:	50%
Minimum Landscaped Area:	10%

4. **Special Requirements: Landscaping**

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

- (a) A **buffer** strip of 15 metres shall be provided along any boundary of this district that is immediately adjacent to a provincial highway, town arterial road, or watercourse as well as any Land Use District other than the CC, LM, M-1, M-2, and M-3 Land Use Districts. This buffer strip shall be provided on private lands unless an alternative has been provided as part of the subdivision review process and is acceptable to the Development Authority.
- (b) The minimum landscaped area shall be concentrated in the 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) Any additional landscaping requirements shall be to the satisfaction of the Development Authority. Areas not covered by buildings and parking should be landscaped. Barriers with a minimum height of 15 cm (6 inches) shall be used to protect the landscaping areas.

5. **Special Requirement: Building Location and Front Yard**

Notwithstanding any other provision in this Bylaw, the yard of any lot abutting a highway or arterial road 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.

SECTION 20: Highway Industrial (M-4) DISTRICT

6. Special Requirement: Site Plans and Development Agreements

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 in Section 2.7 of this Bylaw. In addition, the application shall include a rendering of the proposed development, a description of the external building material, colour of said material, and proposed fencing material. 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.

7. Special Requirement: Storage Areas

- (a) All outdoor storage areas shall be appropriately fenced or screened and should be concealed from view from the street by the fence or other suitable screening. All sites abutting residential districts shall be screened and landscaped from view of the residential district to the satisfaction of the Development Authority.
- (b) All outdoor storage shall be located to the rear of the main building and shall not be located in the front or exterior side yard.

8. Special Requirement: Parking and Access

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. The Site Plan shall clearly illustrate the parking areas, spaces, and traffic circulation on site as well as access to the site.

9. Special Requirement: Signs

In addition to the regulations governing signs found in Section 3, a single entrance or directional sign may be permitted at the entrance of an industrial park indicating the name and location of the park. Other requirements for signs shall be determined at the discretion of the Development Authority.

10. Special Requirement: Storage of Hazardous Goods and Materials

The storage of hazardous goods and materials shall not be allowed within the district.

SECTION 20: Highway Industrial (M-4) DISTRICT

11. Special Requirement: Environmental Impacts

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

OPEN SESSION – CONT'D

RES.389/14 MOVED by Councillor Sparks that the Town of Taber enters into a Small Cell Licensing Agreement with TM Mobile Inc. (TELUS) and authorizes the Mayor and CAO to sign the Agreement on the Town's behalf.

CARRIED UNANIMOUSLY

RES.390/14 MOVED by Councillor Strojwas that Administration proceed with the subdivision and sale of a portion of Lot 29, Block 27, Plan 8210712, comprising approximately 4.0 acres and situated east of the storm water retention pond, to B & H Tank Systems Inc. for the price of \$75,000.00 per acre with the provisions that:

- The subdivision be undertaken by the Town at B & H Tank Systems Inc.'s expense;
- The new lot created be re-districted to Highway Industrial (M-4) District at the Town's expense;
- That said new lot exclude the storm water drainage ditch and a suitable working area that is located in the southeastern portion of Lot 29, Block 27, Plan 8210712 as well as a suitable working area on the east side of the storm water retention pond; and,
- That the sales agreement between B & H Tank Systems Inc. contains provisions for the removal of the existing dirt pile on the subject land in a manner independent of the sale.

CARRIED

RES.390/14 MOVED by Councillor Brewin that the Town of Taber enters into six lease agreements with Alberta Petroleum Energy Limited regarding well sites and access roads on: 8-26-10-17-W4M; 9-26-10-17-W4M; 10-26-10-17-W4M; 13-25-10-17-W4M; 16-26-10-17-W4M; and 16-26-10-17-W4M, and authorizes the Mayor and CAO to sign the lease agreements on the Town's behalf.

CARRIED UNANIMOUSLY

RES.391/14 MOVED by Councillor Sparks that the Town of Taber enters into a Right-of-Way Agreement and a Temporary Working Space Agreement with Canadian Natural Resources Limited for a pipeline to be located in NE-1-10-17-W4M and SW-1-10-17-W4M, and authorizes the Mayor and CAO to sign the two agreements on the Town's behalf.

CARRIED UNANIMOUSLY

TSB

REGISTERED
LAND TILES OFFICE

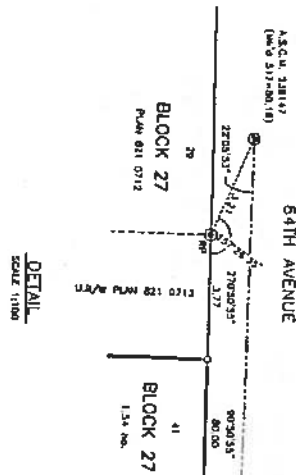
PLAN NO. _____

DATED AND RECORDED

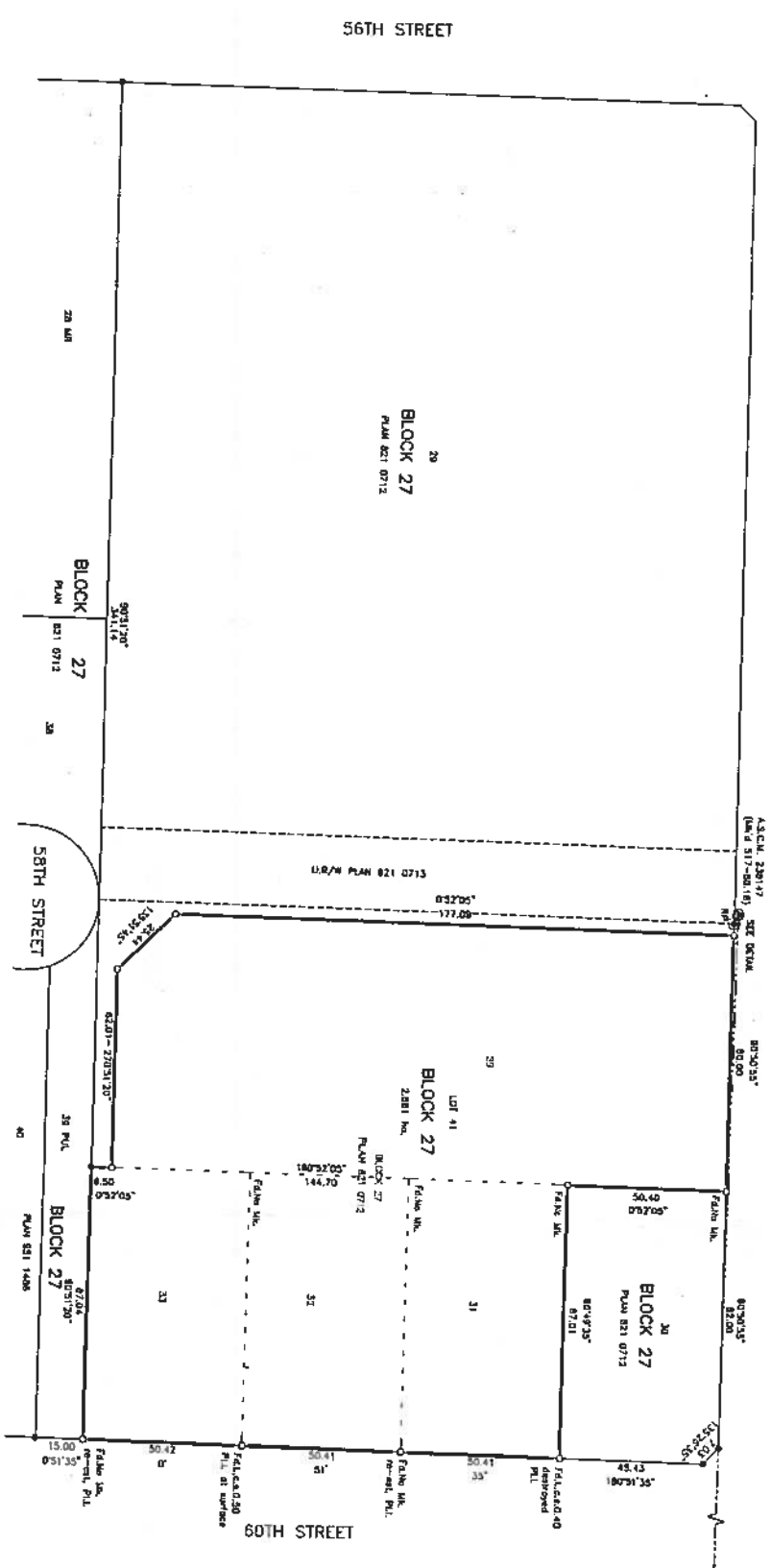
ON _____

INSTRUMENT NO. _____

A. A. ROSS



64TH AVENUE



TOWN OF TABER

PLAN SHOWING SURVEY OF
SUBDIVISION

OF PART OF

LOT 29, BLOCK 27, PLAN 821 0712

AND ALL OF

LOTS 31, 32 & 33, BLOCK 27, PLAN 821 0712

ALL WITHIN

N.E. 1/4 SEC. 5, TWP. 10, RGE. 16, W. 4 M.

BY: D.J. AMANTEA, A.L.S.

SCALE 1:1000

NOTE: - Alberta Survey Central Station found shown that
 P.L. - Stationary iron pins placed above them
 Temporary points placed above them
 Bearings are given in degrees and minutes and seconds
 Bearings are given in degrees and minutes and seconds
 ASCE PLAN 22017 and ASCE PLAN 10028
 DATED - 14/07/11
 DISTRICT REGISTRAR
 DISTRICT OF ALBERTA
 Coordinates with reference point is N201871420 E-81777.26
 Points to be registered is bound in heavy book case and contains 22811 lot.

TABLE OF AREAS
 within Lot 29, Block 27, Plan 821 0712 = 1.341 ha
 within Lot 31, Block 27, Plan 821 0712 = 0.439 ha
 within Lot 32, Block 27, Plan 821 0712 = 0.439 ha
 within Lot 33, Block 27, Plan 821 0712 = 0.439 ha
 TOTAL = 22811 ha

SURVEYOR
 NAME: D.J. AMANTEA, A.L.S.
 SURVEYED BETWEEN THE DATES OF OCTOBER 14,
 2014 & FEBRUARY 2nd, 2015 IN ACCORDANCE WITH
 THE PROVISIONS OF THE SURVEYS ACT.



REGISTERED OWNER
 E & H TRAK SYSTEMS INC.

SUBDIVISION AUTHORITY
 NAME: TOWN OF TABER
 FILE NO.: T14-0-008
 DATE APPROVED:

DRAWING FILE: 14-12483.DWG
 CLIENT: TOWN OF TABER
 FILE NO.: 14-12483