

AGENDA

REGULAR MEETING OF THE COUNCIL OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, SEPTEMBER 11, 2017 AT 5:00 PM.

		<u>MOTION</u>
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	
ITEM No. 4.A.	MINUTES OF REGULAR MEETING OF COUNCIL: AUGUST 21, 2017	X
ITEM No. 5.	BUSINESS ARISING FROM THE MINUTES	
ITEM No. 6.	BYLAWS	
ITEM No. 6.A.	BYLAW 9-2017 2ND AND 3RD READING	X
ITEM No. 6.B.	BYLAW 10-2017 FIRST READING	X
ITEM No. 7.	ACTION ITEMS	
ITEM No. 7.A.	PROPOSED ALBERTA URBAN MUNICIPALITY ASSOCIATION (AUMA) RESOLUTION VIDEO	X
ITEM No. 7.B.	PHIL ABELL – EXEMPLARY SERVICE RECOGNITION AND DEDICATION OF 54 AVE FROM 58 ST. TO 64 ST. “ABELL AVENUE”	X
ITEM No. 7.C.	STANDING ITEM - COUNCIL REQUESTS	X
ITEM No. 8.	MEDIA INQUIRIES	
ITEM No. 9.	CLOSED SESSION	X
ITEM No. 9.A.	FOIPP ACT, SECTION 19: CONFIDENTIAL EVALUATIONS	
ITEM No. 9.B.	FOIPP ACT, SECTION 24: ADVICE FROM OFFICIALS	
ITEM No. 9.C.	FOIPP ACT, SECTION 23: LOCAL PUBLIC BODY CONFIDENCES	
ITEM No. 9.D.	FOIPP ACT, SECTION 23: LOCAL PUBLIC BODY CONFIDENCES	
ITEM No. 10.	OPEN SESSION	X
ITEM No. 11.	CLOSE OF MEETING	X



Council Request for Decision	
Meeting Date: September 11, 2017	
Subject: Minutes of Regular Meeting of Council: August 21, 2017	
Recommendation:	Council adopts the minutes of the Regular Meeting of Council held on August 21, 2017, as presented.
Background:	N/A
Legislation / Authority:	MGA, Section 208(1)(a)(c).
Strategic Plan Alignment:	N/A
Financial Implication:	N/A
Service Level / Staff Resource Implication:	N/A
Justification:	Approval of minutes is in accordance with the <i>Municipal Government Act</i> , Section 208.
Alternative(s):	Council adopts the minutes of the Regular Meeting of Council held on August 21, 2017, as amended.



Attachment(s):	Minutes
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APPROVALS:	
Originated By:	Raeanne Keer
Chief Administrative Officer (CAO) or Designate:	

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON MONDAY, AUGUST 21, 2017, AT 5:00 PM.

Mayor

Prokop, Andrew

Councillors

Brewin, Jack
Popadynetz, Rick
Ross-Giroux, Laura
Sparks, Randy

Absent

Strojwas, Joe

Chief Administrative Officer

Armfelt, Cory

Staff

Brennan, Meghan
Holmen, Aline
Lahiji, Ramin
Malcolm, Andrew
Munshaw, Steve
Orwa, John
Scherer, Gary
Van Ham, Kerry

CALL TO ORDER

Mayor Prokop called the meeting to Order at 5:00 PM.

ADOPTION OF THE AGENDA

Mayor Prokop inquired if there were any additions or deletions to the Agenda, and there were none.

RES. 321/2017 MOVED by Councillor Popadynetz that Council adopts the Agenda, as presented.

CARRIED UNANIMOUSLY

DELEGATIONS

None.

ADOPTION OF THE MINUTES

A) Minutes of Regular Meeting of Council: July 17, 2017

RES. 322/2017 MOVED by Councillor Brewin that Council adopts the minutes of the Regular Meeting of Council held on July 17, 2017, as presented.

CARRIED UNANIMOUSLY

B) Minutes of Special Meeting of Council: August 2, 2017

RES. 323/2017 MOVED by Councillor Ross-Giroux that Council adopts the minutes of the Special Meeting of Council held on August 2, 2017, as presented.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM THE MINUTES

A) West Trail Extension Tender Award

A. Holmen, Director of Recreation, and R. Lahiji, Manager of Engineering and Public Works, presented the tenders for the West Trail Extension Request For Proposal (RFP).

Council reviewed the projects included with the West Trail Extension RFP and future phases.

RES. 324/2017 MOVED by Councillor Brewin that Council awards the West Trail Extension project to Ground Tech Enterprises Inc. for the amount of \$831,270.83, inclusive of GST.

CARRIED UNANIMOUSLY

BYLAWS

A) Bylaw 8-2017 - Long Term Borrowing Bylaw; Sewer Truck

J. Orwa, Director of Finance, and G. Scherer, Director of Engineering and Public Works, presented Bylaw 8-2017, also known as the Sewer Truck Borrowing Bylaw, to Council.

RES. 325/2017 MOVED by Councillor Ross-Giroux that Council gives First Reading to Bylaw No. 8-2017 being the Sewer Truck Borrowing Bylaw of the Town of Taber, at this meeting.

CARRIED UNANIMOUSLY

RES. 326/2017 MOVED by Councillor Popadynetz that Council gives Second Reading to Bylaw No. 8-2017 being the Sewer Truck Borrowing Bylaw of the Town of Taber, at this meeting.

CARRIED UNANIMOUSLY

BYLAWS – CONT'D

A) Bylaw 8-2017 - Long Term Borrowing Bylaw; Sewer Truck – CONT'D

RES. 327/2017 MOVED by Councillor Brewin that Council unanimously agrees to proceed with Third and Final Reading to Bylaw No. 8-2017 being the Sewer Truck Borrowing Bylaw of the Town of Taber, at this meeting.

CARRIED UNANIMOUSLY

RES. 328/2017 MOVED by Councillor Sparks that Council gives Third and Final Reading to Bylaw No. 8-2017 being the Sewer Truck Borrowing Bylaw of the Town of Taber, at this meeting.

CARRIED UNANIMOUSLY

B) First Reading of Bylaw 9-2017

A. Malcolm, Director of Planning and Economic Development, presented proposed Bylaw 9-2017 being an amendment to Bylaw 14-2016 being the Land Use Bylaw. He stated that the Planning Department received an application requesting that a parcel of land, approximately three acres in Prairie Lake Estates, be rezoned from a Residential Single and Two Dwelling District (R-2) to a Residential Street Oriented Multiple Dwelling District (R-3), as defined in Bylaw 14-2016 being the Land Use Bylaw.

RES. 329/2017 MOVED by Councillor Brewin that Council gives First Reading for Bylaw 9-2017 for the purpose of amending Land Use Bylaw 14-2016, and sets September 11, 2017, as the Public Hearing date.

CARRIED UNANIMOUSLY

ACTION ITEMS

A) RFP Award for an Automated Side Load Garbage Truck

G. Scherer presented the tenders received for the new Automated Side Load Garbage Truck Request For Proposal (RFP).

RES. 330/2017 MOVED by Councillor Sparks that Council awards the RFP for a new Automated Side Load Garbage Truck to Superior Truck Equipment Inc. (2018 International Chassis) with the amount not to exceed \$273,476.50, exclusive of GST.

CARRIED UNANIMOUSLY

B) Westview Phase 1 Road Restoration Project

G. Scherer presented the Westview Phase 1 Road Restoration project for Council's consideration in future capital budgets.

Council discussed their concerns of standing water in the area and the importance of moving forward with this project in 2018.

RES. 331/2017 MOVED by Councillor Ross-Giroux that Council provides direction to Administration on the Westview Phase 1 Road Restoration project to move forward in conjunction with the 2018 Asphalt and Concrete project and allocates \$80,000.00 for additional work.

CARRIED UNANIMOUSLY

C) Taber Mennonite School Request

A. Holmen presented a request from the Taber Mennonite School for the Town to waive the rental fees for the Community Centre Auditorium for the upcoming school year. She stated that previously the Taber Mennonite School used the gymnasium in D.A. Ferguson School for physical education, but D.A. Ferguson will be undergoing renovations in the 2017/2018 school year.

ACTION ITEMS – CONT'D

C) Taber Mennonite School Request – CONT'D

Council discussed their disappointment in the school divisions for not planning their renovations accordingly, a potential agreement between the Town and the school divisions for shared facilities, and requested that Administration draft a letter to the Minister of Education regarding the amount the Town has donated for the educational facility.

MOVED by Councillor Ross-Giroux that Council authorizes the Taber Mennonite School to utilize the Community Centre Auditorium for the times requested with a reduction in the rental rate totalling \$1096.60 to be funded through the Community Grant Fund.

Councillor Popadynetz requested a friendly amendment that the motion include Administration drafting a letter to the Minister of Education and Horizon School Division regarding funding for educational facilities.

Councillor Ross-Giroux declined the friendly amendment and stated that it should be a separate motion.

Councillor Popadynetz withdrew his friendly amendment.

RES. 332/2017 MOVED by Councillor Ross-Giroux that Council authorizes the Taber Mennonite School to utilize the Community Centre Auditorium for the times requested with a reduction in the rental rate totalling \$1096.60 to be funded through the Community Grant Fund.

CARRIED

RES. 333/2017 MOVED by Councillor Popadynetz that Council requests Administration to draft a letter on behalf of the Mayor, to the Minister of Education including the exact amount Council has donated to this sole educational facility and ensure a copy is sent to Horizon School Division.

CARRIED UNANIMOUSLY

ACTION ITEMS – CONT'D

D) Bid Request 2020 Alberta Summer Games

A. Holmen stated that the Bid Request for the 2020 Alberta Summer Games was presented to the Recreation Board, who determined significant upgrades would be needed for the track and field facility in order for the Town to host the event, and therefore the Recreation Board recommends that Council declines the invitation to submit a bid to host the 2020 Alberta Summer Games.

Council discussed the financial responsibility and the potential revenue of hosting the 2020 Alberta Summer Games.

RES. 334/2017 MOVED by Councillor Sparks that Council declines the invitation from the Minister of Culture and Tourism, Ricardo Miranda, to submit a bid application for the 2020 Alberta Summer Games and accepts the invitation for information, as presented.

CARRIED UNANIMOUSLY

E) Proposed Alberta Urban Municipality Association (AUMA) Resolution

C. Armfelt presented the AUMA Resolution Committee's suggested changes to the title, whereas, and operative clauses, in order to provide further clarity and requested that Council rescind their previous resolution, and consider the amended resolution.

RES. 335/2017 MOVED by Councillor Sparks that Council rescinds Resolution 279/2017, made on June 26, 2017; and,

Council authorizes the resolution titled Repeal the Cannabis Act, which states:

WHEREAS the Government of Canada has tabled Bill C-45, known as the Cannabis Act, to legalize the use and possession of recreational marijuana; and,

ACTION ITEMS – CONT'D

E) Proposed Alberta Urban Municipality Association (AUMA) Resolution – CONT'D

WHEREAS Bill C-45 (the Cannabis Act) does not adequately outline the individual powers Provincial and Municipal Governments will have in enforcing the consumption and possession of marijuana in their own boundaries; and,

WHEREAS Bill C-45 does not provide sufficient preventive measures from young persons (defined as 12-18 years of age) buying, possessing or consuming cannabis; and,

WHEREAS healthy residents, families and neighborhoods are fundamental to the effective operation and success of municipalities; and,

WHEREAS there is not adequately-proven technology to test for cannabis impairment in safety-sensitive positions; and,

WHEREAS the impairment of municipal workers and citizens constitutes a high risk liability towards the safety for all municipalities; and,

WHEREAS the short timeline for municipalities to create regulations may not be sufficient to create policies and regulatory strategies by July 1, 2018, creating the situation where business enterprises would have the opportunity to develop in the municipality contrary to the policy desires of Councils; and,

WHEREAS the impact of Bill C-45 will result in increased operating expenditures for municipalities to enforce a new suite of regulations.

ACTION ITEMS – CONT'D

E) Proposed Alberta Urban Municipality Association (AUMA) Resolution – CONT'D

THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) lobby the Government of Canada to repeal the Cannabis Act (Bill C-45), and request that the Government of Alberta work with AUMA to advocate for the repeal of that Act.

And,

Requests that Administration forward the resolution to the Alberta Urban Municipality Association (AUMA) Chief Executive Officer of the AUMA Board for consideration by the Municipal Governance Committee for furthering to the annual convention.

CARRIED UNANIMOUSLY

F) First Time Hunters Program: Request to Access Wastewater Irrigation Land

K. Van Ham, Administrative Services Manager, presented a request from Mr. Allen Herbst requesting access the Town's wastewater irrigation lands in the fall for the First Time Hunter's Program for the big game and game bird seasons. He stated that Mr. Herbst has been accessing the property for the same program for over twenty years.

RES. 336/2017

MOVED by Councillor Popadynetz that Council authorizes access to the Town's wastewater irrigation lanes, legally described as NE 35-10-17W4M, NW 36-10-17W4M, SW 36-10-17W4M, NW 25-10-17W4M, and SW 25-10-17W4M, by the First Time Hunter's Program during the month of November in the years 2017 -2021 as requested by program leader Allen Herbst.

CARRIED UNANIMOUSLY

ACTION ITEMS – CONT'D

G) Information for Council

C. Armfelt presented information to Council regarding Administration working with MPE Engineering to develop an RFP and draft floor plan for the new fire hall, the conditions and risks of the firework permits for Cornfest on August 25th and 26th, Traffic Committee draft minutes, the annual shutdown of the Aquafun Centre from September 5th, 2017 to September 17th, 2017, and the installation of the anti-entrapment devices at the Auqafun Centre as per Alberta Pool Standards.

RES. 337/2017 MOVED by Councillor Popadynetz that Council accepts the information received in this Agenda Item, as information.

CARRIED UNANIMOUSLY

H) Department Reports

RES. 338/2017 MOVED by Councillor Sparks that Council accepts the Department Reports for information.

CARRIED UNANIMOUSLY

I) Standing Item - Council Requests

Council requested an update on the initiative for traffic control lights at the intersection of Highway 3 and Highway 864, and speed signage in Town.

NO MOTION

J) Mayor and Councillor Reports (Verbal)

Council provided and discussed their verbal reports.

RES. 339/2017 MOVED by Councillor Ross-Giroux that Council accepts Mayor and Councillor reports, as information.

MEDIA INQUIRIES

Bill Schnarr, of the Taber Times, inquired if the West Trail Extension Public Hearing will include a public information session in the future, how big of an improvement was the water treatment plan audit, and why it was important to have the warranty work done in Taber for the new Automated Side Load Garbage truck.

C. Armfelt stated that the public hearing is for property in Prairie Lake Estates that is going through a re-zoning, not the West Trail Extension Project, and that the Town would not have known the audit numbers for the water treatment plant, because it was previously an EPCOR operation.

G. Scherer stated that at times warranty work that has been done to Town machines either have to go to Calgary or have a mechanic travel to Taber from another location, which involved the Town incurring some unnecessary costs, and therefore if the warranty work can be done locally the Town would save on those costs.

CLOSED SESSION

RES. 340/2017 MOVED by Councillor Ross-Giroux that Council moves into Closed Session to discuss matters related to FOIPP Act, Section 16: Disclosure Harmful to Business Interests of a Third Party, Section 19: Confidential Evaluations, Section 21: Disclosure Harmful to Business Interests of a Third Party, and Section 24: Advice from Officials.

CARRIED UNANIMOUSLY AT 6:12 PM

OPEN SESSION

RES. 341/2017 MOVED by Councillor Brewin that Council reconvenes into Open Session.

CARRIED UNANIMOUSLY AT 8:22 PM

OPEN SESSION – CONT'D

RES. 342/2017 MOVED by Councillor Brewin that Council authorizes the lease renewal of the property located at the Community Centre, specifically a room immediately south of the large ice arena main entrance, located at 4700 50 Street, to Orban Holdings Ltd.; and,

Directs the Mayor and Chief Administrative Officer to sign the lease renewal documents.

CARRIED UNANIMOUSLY

RES. 343/2017 MOVED by Councillor Sparks that Council authorizes the addendum to the existing lease to the Taber Curling Club for the location described as Plan 7282JK, Block C of the Community Centre; and,

Directs the Mayor and Chief Administrative Officer to sign the addendum document.

CARRIED UNANIMOUSLY

RES. 344/2017 MOVED by Councillor Ross-Giroux that Council directs Administration to apply for grant funding under the Building Canada Fund for the East Storm Water Management Facility.

CARRIED UNANIMOUSLY

OPEN SESSION – CONT'D

RES. 345/2017 MOVED by Councillor Brewin that Council authorizes Administration to examine the feasibility of locating the fire hall either on the southeast corner of Plan 6403JK, Block P1 or Plan 7282JK, Block C, northwest of the curling rink, as these sites are the top two highest ranked sites evaluated; and,

Directs Administration to undertake a public engagement process to present the advantages and disadvantages of both of these sites to the public for their input.

CARRIED UNANIMOUSLY

RES. 346/2017 MOVED by Councillor Popadynetz that Council directs Administration to draft a letter of support to the Legislative Assembly of Alberta from the Town of Taber, also including the Municipal District of Taber and MLA Grant Hunter, for the establishment of a new social service center in the former Family and Community Support Services (FCSS) Barons-Eureka-Warner building, located at 5099 56 Street, which would include accomodation for FCSS, Taber Adult Learning, and the Native Friendship Centre.

CARRIED UNANIMOUSLY

RES. 347/2017 MOVED by Councillor Ross-Giroux that Council accepts the Town of Taber's Growth Management Study, as information.

CARRIED UNANIMOUSLY

CLOSE OF MEETING

RES. 348/2017 MOVED by Councillor Brewin that this Regular Meeting of Council is hereby Closed.

CARRIED UNANIMOUSLY AT 8:25 PM

MAYOR

CHIEF ADMINISTRATIVE OFFICER

DRAFT



Council Request for Decision	
Meeting Date: September 11, 2017	
Subject: Bylaw 9-2017 2nd and 3rd Reading	
Recommendation:	<ol style="list-style-type: none"> 1. That Council gives Second Reading for Bylaw 9-2017 for the purpose of amending Land Use Bylaw 14-2016. 2. That Council gives Third and Final Reading for Bylaw 9-2017 for the purpose of amending Land Use Bylaw 14-2016.
Background:	<p>Administration has received an application for a land use bylaw amendment to the land use district maps. Administration has created bylaw 9-2017 to show the amendment to the maps for Land Use Bylaw 14-2016. On August 21st, 2017, Council passed 1st reading of proposed bylaw 9-2017. The public hearing was held on September 11, 2017.</p> <p>Second and third reading is required to adopt Bylaw 9-2017.</p>
Legislation / Authority:	Section 692 of the MGA allows for amendments to the Land-Use Bylaw.
Strategic Plan Alignment:	Strategic Plan Family / Community Goal #1: Build a community that is affordable and attractive.
Financial Implication:	The applicant has paid the appropriate fees.
Service Level / Staff Resource Implication:	Staff time is required to bring to Council.
Justification:	The 2 nd and 3 rd reading of Bylaw 9-2017 is required to move forward with the Land-Use Bylaw amendment process.
Alternative(s):	That Council does not approve 2 nd and 3 rd reading of Bylaw 9-2017 with reasons.



Attachment(s):	Bylaw 9-2017
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APPROVALS:	
Originated By:	Emily Hembrough
Chief Administrative Officer (CAO) or Designate:	

**TOWN OF TABER
BYLAW NO. 9-2017**

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. 14-2016;

AND WHEREAS Council has received an application from the landowner to amend Land Use Bylaw No. 14-2016 to re-designate 5702 43rd Street, NW ¼ 6-10-16 W4M; containing 3.45 acres more or less, from Residential Single and Two Dwelling District (R-2) to Residential Street-Oriented Multiple Dwelling District (R-3) in order to better achieve the development objectives of the landowners in accordance with the Town of Taber Land Use Bylaw 14-2016;

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. 14-2016 is amended by the re-districting of:
CIVIC ADDRESS 5702 43 Street
LOT 1
BLOCK 100
PLAN 1012068
EXCEPTING THEREOUT ALL MINES AND MINERALS

as identified in the attached figure, "Schedule A", from Residential Single and Two Dwelling District (R-2) to Residential Street-Oriented Multiple Dwelling District (R-3).

RES. 329/2017 **READ** a first time this 21 day of August, 2017.

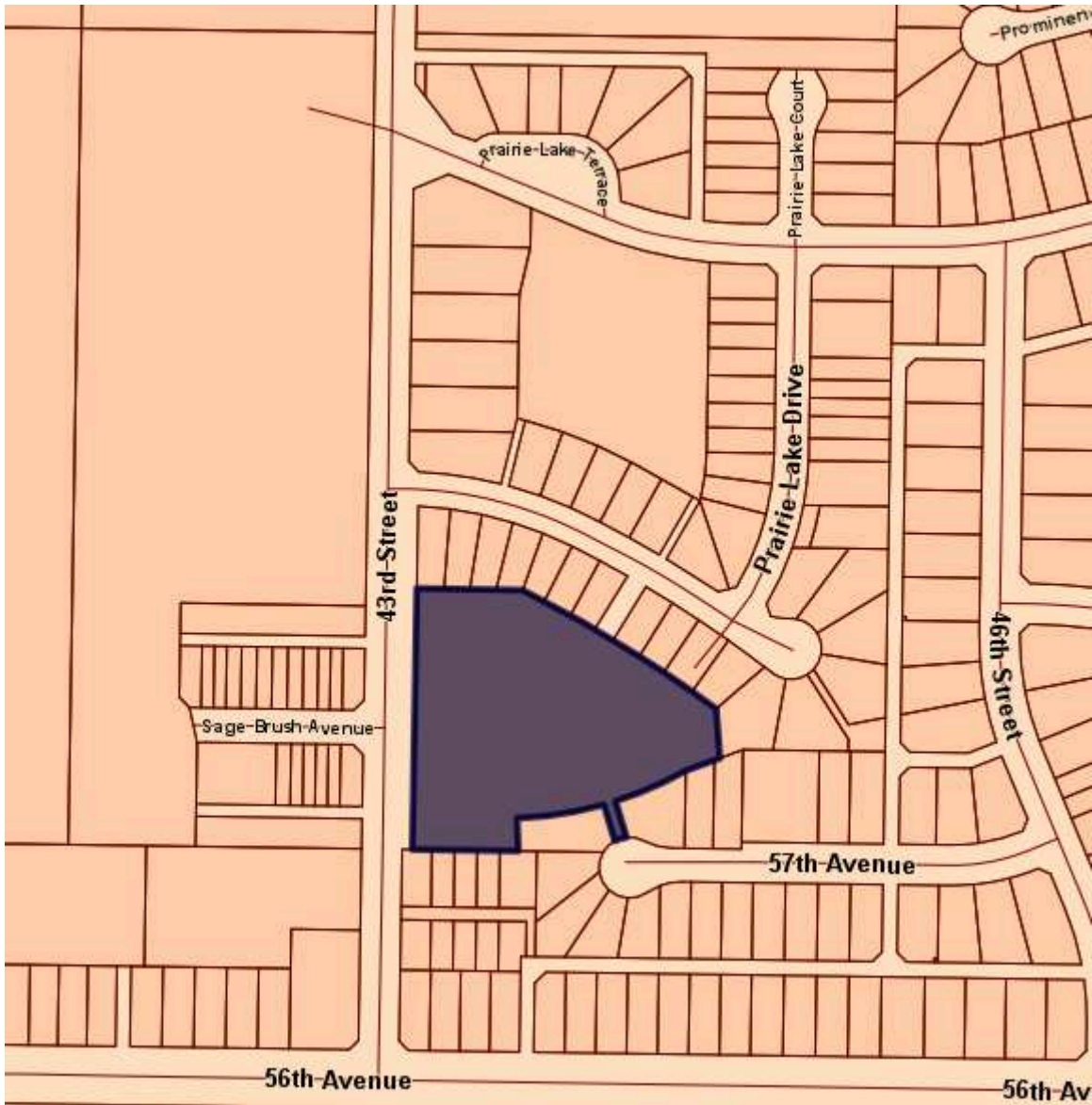
RES. ____ **READ** a second time this ____ day of _____, 2017.

RES. ____ **READ** a third time this ____ day of _____, 2017.

Mayor

Chief Administrative Officer

“SCHEDULE A”



**Subject portion of 5702 43 Street. Lot 1, Block 100, Plan 1012068
From: Residential Single & Two Dwelling District (R-2)
To: Residential Street – Oriented Multiple Dwelling District (R-3)**



Council Request for Decision	
Meeting Date: September 11, 2017	
Subject: Bylaw 10-2017 First Reading	
Recommendation:	That Council gives First Reading for Bylaw 10-2017 for the purpose of amending Land Use Bylaw 14-2016 and sets September 25, 2017 as the public hearing date.
Background:	<p>The Federal government is currently advancing legislation (Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, the “Cannabis Act”) to legalize cannabis, with the intent to create a regulatory environment in which the production, distribution, and consumption of cannabis-related products is controlled in a safe and efficient manner. The Federal government has stated that they intend to legalize cannabis as early as July 2018.</p> <p>At April 24th’s regular council meeting the following Council resolution was made:</p> <p>RES. 172/2017 MOVED by Councillor Strojwas that Council directs Administration, and Chief Abela, to review current Bylaws, policies, and procedures, as well as review the funding for required resources for the passing of marijuana legislation in 2018.</p> <p>Upon review, administration wishes to update Land Use Bylaw 14-2016 related to cannabis related activities. The amendment will provide clarity of interpretation of the bylaw prior to a future date when cannabis legalization is in effect. These amendments include definitions for Cannabis and new land uses for Cannabis Production and Distribution, Cannabis Retail Sales and Cannabis Lounges; and the refinement to existing land use classifications to clarify activities related to the production, sale or consumption of cannabis.</p> <p>The proposed amendments ensure Land Use Bylaw 14-2016 is prepared for future federal legislation legalizing non-medical cannabis. These amendments allow the Town to take proactive steps to regulate potential cannabis-related activities.</p> <p>Further amendments to assign uses to zones, specific development regulations, potential separation distances and other regulations to mitigate the impact of legalization will occur at a later date when Federal and Provincial legislation define the role of municipalities in regulating the production, access, and consumption of non-medical cannabis.</p> <p>Administration will continue to monitor the current state of the proposed</p>

	Federal legislation, the development of provincial distribution legislation, and will consult with stakeholders on future amendments to Land Use Bylaw 14-2016 for non-medical cannabis related activities.
Legislation / Authority:	Section 692 of the MGA allows for amendments to the Land-Use Bylaw.
Strategic Plan Alignment:	Strategic Plan Family / Community Goal #1: Build a community that is affordable and attractive. Strategic Plan Family / Community Goal #4: Maintain a safe community that is healthy, innovative and environmentally aware.
Financial Implication:	The amendments to the Land Use Bylaw have no financial implications. However, the legalization of cannabis will likely have significant financial implications on the municipality in regulation and enforcement.
Service Level / Staff Resource Implication:	Staff time is required to bring to Council.
Justification:	Passing the 1st reading of Bylaw 10-2017 is required to move forward with the Land-Use Bylaw amendment process.
Alternative(s):	That Council does not pass 1st reading of Bylaw 10-2017 with reasons.

Attachment(s):	Bylaw 9-2017 Marijuana Bylaw Amendment Supporting Information
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APPROVALS:	
Originated By:	Emily Hembrough



Chief Administrative Officer (CAO) or Designate:	
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**TOWN OF TABER
BYLAW NO. 10-2017**

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. 14-2016;

AND WHEREAS Council wishes to amend Land Use Bylaw No. 14-2016 to make textual amendments and additions that were previously omitted to better achieve the orderly, economical and beneficial use of land in the Town of Taber.

NOW THEREFORE, the Council of the Town of Taber in the Province of Alberta, duly assembled in Council, hereby amends No. Bylaw 14-2016 as follows:

1. Add the following to Part 5.0 in accordance with the numerical order of the list and renumbering accordingly:

- Cannabis** Means a cannabis plant and anything referred to in subsection 1.2.1.x.a but does not include anything referred to in subsection 1.2.1.x.b:
- a. Cannabis includes:
 - I. any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection 1.2.1.x.b.
 - II. any substance or mixture of substances that contains or has on it any part of such a plant;
 - III. any substance that is identical to any phytocannabinoid produced by or found in, such a plant, regardless of how the substance was obtained.
 - b. Notwithstanding subsection 1.2.1.x.a, Cannabis does not include:
 - I. a non-viable seed of a cannabis plant;
 - II. a mature stalk, without any leaf, flower, seed or branch, of such plant;
 - III. fibre derived from a stalk referred in subsection 1.2.1.x.b.ii; and
 - IV. the root or any part of the root of such a plant.

- Cannabis Lounge** means development used principally for one or more of the following activities as it relates to Cannabis;
- a. the production, cultivation, and growth of Cannabis;
 - b. the processing of raw materials;
 - c. the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
 - d. the storage or transshipping of materials, goods, and products; or
 - e. the distribution and sale of materials, goods, and products to Cannabis Retail Sales stores or to individual customers.

Must be licensed and operating pursuant to federal legislation.

Cannabis Production and Distribution means development used principally for one or more of the following activities as it relates to Cannabis;

- a. the production, cultivation, and growth of Cannabis;
- b. the processing of raw materials;
- c. the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
- d. the storage or transshipping of materials, goods, and products; or
- e. the distribution and sale of materials, goods, and products to Cannabis Retail Sales stores or to individual customers.

Must be licensed and operating pursuant to federal legislation.

Cannabis Retail Sales Means development used for the retail sale of Cannabis that is authorized by federal and provincial legislation. This Use does not include Cannabis Production and Distribution.

2. Deleting the following definitions entirely and replacing with the following in accordance with the numerical order of the list and renumbering accordingly:

(9) **Agricultural Operations** means a use involving:

- (a) the cultivation of land
- (b) the raising of livestock, but excluding “Confined Feeding Operations” as defined by the Agricultural Operations and Practices Act (AOPA),
- (c) the production of agricultural field crops,
- (d) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (e) the production of milk and eggs,
- (f) the production of honey,
- (g) the operation of agricultural machinery and equipment including irrigation pumps and the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides including application by ground and aerial spraying for agricultural purposes.

This use does not include a Seed Cleaning Plant (see “Agricultural Processing”) and Cannabis Production and Distribution Facility.

(10) **Agricultural Processing** means a use comprising a small scale facility, employing 50 or fewer people where agricultural produce such as grains, legumes, honey, etc. – is collected, sorted, washed, cleaned, dusted, waxed, cooked, or otherwise prepared or processed into finished or semi finished products and from which such produce is shipped to a wholesale or retail outlet or for further processing. This use may be a bakery, dairy, or other similar small scale facility and includes “Seed Cleaning Plant,” and may include limited processing of meat products prior to shipment to a retail outlet but this

excludes an “Abattoir” or any activity used for the slaughtering of animals or the boiling of blood, tripe or bones.

This use does not include Cannabis Production and Distribution Facility.

- (35) **Clinic** means a use for the purpose of consultation, diagnosis and office treatment by physicians, dentists, drugless practitioners, opticians, optometrists, chiropractors, their staff and their patients and; without limiting the generality of the foregoing, including waiting rooms, treatment rooms, laboratories and dispensaries, directly associated with the clinic. Includes medical Cannabis clinics and counseling services provided by a medical professional on location who is licensed/authorized to prescribe medical marijuana and provide advice on best strain, dosage, and delivery methods.
- (45) **Convenience Food Store** means a use that specializes in convenience type retail items such as groceries, soft drinks and other similar goods. This Use does not include Cannabis Retail Sales.
- (47) **Drinking Establishment** means a use, licensed by the Alberta Liquor Control Board, where the main purpose is to serve alcoholic beverages for consumption on the premises, and any preparation or serving of food and entertainment is ancillary to such use. This Use does not include Cannabis Lounges.
- (61) **Food and/or Beverage Service Facility** means a building or portion thereof, in which food and/or beverages are prepared to be sold for consumption on the premises or for take-out, and without limiting the generality of the foregoing, may include such facilities as restaurants, drive-through in food establishments, taverns, bars, cocktail lounges and catering services. This Use does not include Cannabis Lounges.
- (71) **Greenhouse, Commercial** means a use for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, and are sold directly from the site either wholesale or retail.
- (76) **Home Occupation – Class 1** means a use:
- (a) that comprises business that is incidental and subordinate to the principal residential use of the dwelling unit in which it is located;
 - (b) that due to its scale and intensity, no impacts of the business are observed or felt outside of the dwelling unit;
 - (c) that has a maximum of one (1) visit per day;
 - (d) that does not require any person other than the resident of the dwelling unit, to work at the residence where the use is located; and

(e) that does not require a private garage or other accessory buildings of the dwelling unit to be used in the operation of the use;

(f) that does not exceed a maximum of two per dwelling unit; and

(g) that does not cause electronic interference, dust, noise, odour, smoke, or anything of offensive or objectionable nature, which is detectable to normal sensory perception, outside of the building containing the use.

This Use does not include Cannabis Retail Sales or Cannabis Production and Distribution.

This use does not include Cannabis Retail Sales and Cannabis Production and Distribution Facility.

(77) Home Occupation – Class 2 means a use:

(a) that comprises business that is incidental and subordinate to the principal residential use of the dwelling unit in which it is located;

(b) that due to its scale and intensity, no impacts of the business are observed or felt outside of the dwelling unit;

(c) that does not require any person other than the resident of the dwelling unit, to work at the residence where the use is located;

(d) a use that may have one person, other than the resident of the Dwelling Unit, working at the residence where the use is located; and

(e) a use that may require a private garage or other accessory building of the dwelling unit to be use in the operation of the Home Occupation;

(f) that does not exceed a maximum of one per dwelling unit; and

(g) that does not create electronic interference, dust , noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable no normal sensory perception, outside the building containing the use.

This Use does not include Cannabis Retail Sales or Cannabis Production and Distribution.

(80) Industry / Manufacturing, Small Scale means an industry engaged in the assembly, processing, manufacture, cleaning, testing, repairing, storage, or distribution of various materials into a new product and the industry may include most or all of the following characteristics:

(a) can be developed on smaller parcels of land,

(b) is suitable for industrial parks,

(c) most of the activities are confined to the building,

(d) does not require large areas of outdoor storage,

(e) does not produce emissions which are obnoxious or hazardous,

(f) employs 50 or fewer people on site.

This use does not include a Seed Cleaning Plant (see “Agricultural Processing”) and Cannabis Production and Distribution Facility.

- (83) **Laboratory** Means the use for scientific, medical and/or dental testing experimentation and/or research.
This use does not include Cannabis related experimentation.
- (89) **Medical Office** means a use consisting of an office in which the practice of the professions of medicine, psychiatry, psychotherapy, dentistry or optometry is carried on or in which the treatment by osteopathy, naturopathy or chiropractic is carried out. Includes medical Cannabis clinics and counseling services provided by a medical professional on location who is licensed/authorized to prescribe medical marijuana and provide advice on best strain, dosage, and delivery methods.
- (95) **Nursery and Garden Store** means the use 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.

This use does not include Cannabis Retail Sales and Cannabis Production and Distribution Facility.
- (101) **Pharmaceutical and Medical Products Industry** means a use for the manufacture, fabrication and processing of drugs in pharmaceutical preparations for human or veterinary use, and the manufacture of orthopaedic, prosthetic and surgical appliances and supplies.

This use does not include Cannabis Production and Distribution Facility.
- (102) **Pharmacy** means a retail use that dispenses prescription drugs and sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.

This use does not include Cannabis Retail Sales.
- (122) **Retail Store** means a use:
(a) where merchandise is sold or rented to the public;
(b) where merchandise is stocked on the premises in quantities sufficient only to supply the premises;
(c) that may display the items for sale within the use outside of a building a maximum distance of 6.0 metres from the public entrance to the use; and
(d) must not locate any outdoor display area in a required setback if it impedes pedestrian movement.
This Use does not include Cannabis Retail Sales.
3. The remainder of Bylaw 14-2016 is not amended by this Bylaw 4-2017 and remains in full force and effect.

4. It is the intention of the Town Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of the Town Council that if any provision of the Bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

RES. **READ** a first time this ____ day of _____, 20__.

RES. **READ** a second time this ____ day of _____, 20__.

RES. **READ** a third time this ____ day of _____, 20__.

Mayor

Chief Administrative Officer

Marijuana Related Land Use Bylaw Amendments

Purpose

Based on direction of Town Council (RES.172/2017) Administration and Chief Abela have reviewed current bylaws, policies, and procedures related to the potential legalization of marijuana in 2018. The review will continue as more information is made available by the Federal and Provincial governments. In the meantime, administration proposes amending Land Use Bylaw 14-2016 related to cannabis related activities. The amendment will provide clarity of interpretation of the bylaw prior to a future date when cannabis legalization is in effect. These amendments include definitions for Cannabis and new land uses for Cannabis Production and Distribution, Cannabis Retail Sales and Cannabis Lounges; and the refinement to existing land use classifications to clarify activities related to the production, sale or consumption of cannabis.

Background

The Federal government is currently advancing legislation (Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, the "*Cannabis Act*") to legalize cannabis, with the intent to create a regulatory environment in which the production, distribution, and consumption of cannabis-related products is controlled in a safe and efficient manner. The Federal government has stated that they intend to legalize cannabis as early as July 2018.

The proposed amendments are in response to FCM's "Cannabis Legalization Primer" and municipal best practices – particularly the process of the City of Edmonton for which these amendments are based on. The intent of the proposed text amendments is to ensure that the Land Use Bylaw 14-2016 is prepared for a future state when cannabis legalization has occurred. These text amendments provide clarity of interpretation but do not assign these new uses to zones, nor do they set out specific development regulations, or mitigation approaches (such as separation distances) with the bylaw as these elements must be informed by a provincial regulatory framework currently under development. Further work will be required of administration to support the development of a zoning, development permitting, and business licensing framework. This work will happen at a later date once there is greater clarity of municipal roles subsequent to the finalization of federal and provincial legislation. The Medical and Recreational Marijuana Report developed by the Planning and Economic Development Department should be referenced at this point.

Proposed Definitions

The proposed bylaw introduces a definition for Cannabis. As cannabis will continue to be treated as a controlled substance, the definition for cannabis within Land Use Bylaw 14-2016 is consistent with federal definitions for cannabis and its derivatives found in the *Cannabis Act*.

Proposed Uses

The proposed bylaw introduces three uses to Land Use Bylaw 14-2016, Cannabis Lounges, Cannabis Retail Sales and Cannabis Productions and Distribution, and clarifies that a number of existing uses are not to include the sale or consumption of cannabis. The intent of these changes is to provide clarity through defined land uses with Land Use Bylaw 14-2016, and ensure that these uses are not inadvertently classified within existing uses. The amendments will also ensure that future regulations for

these uses can be applied from the outset, rather than creating a potential for legal non-conforming uses to results after federal legalization occurs.

For example, without the proposed amendments it could be interpreted that the activity of selling cannabis could fall within the current General Retail Store Use if retail sale of cannabis is legalized. However, the proposed new Cannabis Retail Sales use will include the sale of cannabis and cannabis derived products to clarify that this activity is to be excluded from Convenience Retail Stores and General Retail Stores.

For Cannabis Production and Distribution, it is difficult to predict the variety of products and applications that will develop after federal legalization therefore the definition is intended to be general, to capture all activities related to production and distribution of any cannabis related product, such as the processing of raw materials; making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products; and the distribution of these goods and products to Cannabis Retail Sales stores or to individual customers.

The Cannabis Lounges use is introduced to describe a circumstance where cannabis and cannabis-derived products are sold and consumed within the business premises. This new classification is intended to differentiate this use from other eating and drinking uses already defined in Land Use Bylaw 14-2016 (for example, Drinking Establishment).

Administration does not anticipate a need to regulate recreational home production of cannabis through Land Use Bylaw 14-2016, as the proposed *Cannabis Act* clearly limits home production to four plants less than 100cm in height per dwelling. However, Administration will continue to monitor the current state of the proposed federal legislation and will review possible municipal bylaw amendments for recreational home production of cannabis and cannabis-related products as needed.

Conclusion

The proposed amendments ensure Land Use Bylaw 14-2016 is prepared for future federal legislation legalizing non-medical cannabis. These amendments allow the Town to take proactive steps to regulate potential cannabis-related activities. **Further amendments to assign uses to zones, specific development regulations, potential separation distances and other regulations to mitigate the impact of legalization will occur at a later date when Federal and Provincial legislation define the role of municipalities in regulating the production, access, and consumption of non-medical cannabis.**

Administration will continue to monitor the current state of the proposed Federal legislation, the development of provincial distribution legislation, and will consult with stakeholders on future amendments to Land Use Bylaw 14-2016 for non-medical cannabis related activities.

Mark-Up of Proposed Text Amendments to Land Use Bylaw 14-2016

Black Font	Existing Text in Land Use Bylaw 14-2016
Strikethrough	Proposed deletion from Land Use Bylaw 14-2016
<u>Underline</u>	Proposed addition to Land Use Bylaw 14-2016
Blue Font	Rationale

1.2 General Definitions

1.2.1 Definitions

- 1.2.1.x** **Cannabis** means a cannabis plant and anything referred to in subsection 1.2.1.x.a but does not include anything referred to in subsection 1.2.1.x.b:
- a. Cannabis includes:
- I. any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than a part of the plant referred to in subsection 1.2.1.x.b.
 - II. any substance or mixture of substances that contains or has on it any part of such a plant;
 - III. any substance that is identical to any phytocannabinoid produced by or found in, such a plant, regardless of how the substance was obtained.
- b. Notwithstanding subsection 1.2.1.x.a, Cannabis does not include:
- I. a non-viable seed of a cannabis plant;
 - II. a mature stalk, without any leaf, flower, seed or branch, of such plant;
 - III. fibre derived from a stalk referred in subsection 1.2.1.x.b.ii; and
 - IV. the root or any part of the root of such a plant.

New Cannabis definition to align with the federal definitions for cannabis in the *Cannabis Act*.

2.4 Parking

2.4.3 Parking and Loading Requirements

Table 2-1: Parking Standards

ADD new uses Cannabis Lounges (1/ 10 m² of Floor Area, plus a minimum of 3 staff parking stalls), Cannabis Production and Distribution (1/ 100 m² of Floor Area), and Cannabis Retail Sales (1/ 25 m² of Floor Area) into table.

5.0 Use Definitions

Agricultural Operations

means a use involving:

- (a) the cultivation of land
- (b) the raising of livestock, but excluding “Confined Feeding Operations” as defined by the Agricultural Operations and Practices Act (AOPA),
- (c) the production of agricultural field crops,
- (d) the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops,
- (e) the production of milk and eggs,
- (f) the production of honey,
- (g) the operation of agricultural machinery and equipment including irrigation pumps and the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides including application by ground and aerial spraying for agricultural purposes.

Clarify the intent of the use to exclude any production, cultivation or growth of Cannabis.

This use does not include a Seed Cleaning Plant (see “Agricultural Processing”) [and Cannabis Production and Distribution Facility](#).

Agricultural Processing

means a use comprising a small scale facility, employing 50 or fewer people where agricultural produce such as grains, legumes, honey, etc. – is collected, sorted, washed, cleaned, dusted, waxed, cooked, or otherwise prepared or processed into finished or semi finished products and from which such produce is shipped to a wholesale or retail outlet or for further processing. This use may be a bakery, dairy, or other similar small scale facility and includes “Seed Cleaning Plant,” and may include limited processing of meat products prior to shipment to a retail outlet but this excludes an “Abattoir” or any activity used for the slaughtering of animals or the boiling of blood, tripe or bones.

Clarify the intent of the use to exclude any production, cultivation or growth of Cannabis.

[This use does not include Cannabis Production and Distribution Facility](#).

<u>Cannabis Lounges</u>	<u>Means development where the primary purpose of the facility is the sale of Cannabis to the public, for the consumption within the premises that is authorized by federal and provincial legislation. This Use does not include Cannabis Production and Distribution.</u>	New Cannabis Lounges Use to provide ability to regulate and mitigate the potential impacts and to ensure the activities of this use do not inadvertently become classified under other eating and drinking establishment uses.
<u>Cannabis Production and Distribution</u>	<u>means development used principally for one or more of the following activities as it relates to Cannabis;</u> <ol style="list-style-type: none"> a. <u>the production, cultivation, and growth of Cannabis;</u> b. <u>the processing of raw materials;</u> c. <u>the making, testing, manufacturing, assembling or in any way altering the chemical or physical properties of semi-finished or finished goods and products;</u> d. <u>the storage or transshipping of materials, goods, and products; or</u> e. <u>the distribution and sale of materials, goods, and products to Cannabis Retail Sales stores or to individual customers.</u> <u>Must be licensed and operating pursuant to federal legislation.</u>	New Cannabis Production and Distribution definition to provide ability to appropriately regulate and mitigate potential impacts of specific development.
<u>Cannabis Retail Sales</u>	<u>Means development used for the retail sale of Cannabis that is authorized by federal and provincial legislation. This Use does not include Cannabis Production and Distribution.</u>	New Cannabis Retail Sales Use to provide ability to regulate and mitigate the potential impacts and to ensure the activities of this use do not inadvertently become classified under other retail uses.
Clinic	means a use for the purpose of consultation, diagnosis and office treatment by physicians, dentists, drugless practitioners, opticians, optometrists, chiropractors, their staff and their patients and; without limiting the generality of the foregoing, including waiting rooms, treatment rooms, laboratories and dispensaries, directly associated with the clinic. <u>Includes medical Cannabis clinics and counseling services provided by a medical professional on location who is licensed/authorized to prescribe medical marijuana and provide advice on best strain, dosage, and delivery methods.</u>	Clarify intent of the use to include medical cannabis clinics and counselling services when licensed medical professionals are on location.

Convenience Food Store	means a use that specializes in convenience type retail items such as groceries, soft drinks and other similar goods. <u>This Use does not include Cannabis Retail Sales.</u>	Clarify intent of the use to exclude Cannabis Retail Sales.
Drinking Establishment	means a use, licensed by the Alberta Liquor Control Board, where the main purpose is to serve alcoholic beverages for consumption on the premises, and any preparation or serving of food and entertainment is ancillary to such use. <u>This Use does not include Cannabis Lounges.</u>	Clarify intent of the use to exclude Cannabis Lounge.
Food and/or Beverage Service Facility	means a building or portion thereof, in which food and/or beverages are prepared to be sold for consumption on the premises or for take-out, and without limiting the generality of the foregoing, may include such facilities as restaurants, drive-through in food establishments, taverns, bars, cocktail lounges and catering services. <u>This Use does not include Cannabis Lounges.</u>	Clarify intent of the use to exclude Cannabis Lounge.
Greenhouse, Commercial	means a use for the growing of flowers, fruits, vegetables, plants, shrubs, trees and similar vegetation which are not necessarily transplanted outdoors on the same lot containing such greenhouse, and are sold directly from the site either wholesale or retail. <u>This use does not include Cannabis Retail Sales and Cannabis Production and Distribution Facility.</u>	Clarify the intent of the use to exclude Cannabis Retail Sales and any production, cultivation or growth of Cannabis.
Home Occupation – Class 1	means a use: (a) that comprises business that is incidental and subordinate to the principal residential use of the dwelling unit in which it is located; (b) that due to its scale and intensity, no impacts of the business are observed or felt outside of the dwelling unit; (c) that has a maximum of one (1) visit per day; (d) that does not require any person other than the resident of the dwelling unit, to work at the residence where the use is located; and (e) that does not require a private garage or other accessory buildings of the dwelling unit to be used in the operation of the use; (f) that does not exceed a maximum of two per dwelling unit; and (g) that does not cause electronic interference, dust, noise, odour, smoke, or anything of offensive or objectionable nature, which is detectable to normal sensory perception, outside of the building containing the use. <u>This Use does not include Cannabis Retail Sales or Cannabis Production and Distribution.</u>	Clarify intent of the use to exclude Cannabis Retail Sales and Cannabis Production and Distribution.
Home Occupation – Class 2	means a use: (a) that comprises business that is incidental and subordinate to the principal residential use of the dwelling unit in which it is located;	Clarify intent of the use to exclude Cannabis Retail Sales and Cannabis Production

- (b) that due to its scale and intensity, no impacts of the business are observed or felt outside of the dwelling unit;
- (c) that does not require any person other than the resident of the dwelling unit, to work at the residence where the use is located;
- (d) a use that may have one person, other than the resident of the Dwelling Unit, working at the residence where the use is located; and
- (e) a use that may require a private garage or other accessory building of the dwelling unit to be use in the operation of the Home Occupation;
- (f) that does not exceed a maximum of one per dwelling unit; and
- (g) that does not create electronic interference, dust , noise, odour, smoke or anything of an offensive or objectionable nature, which is detectable no normal sensory perception, outside the building containing the use.

and Distribution.

This Use does not include Cannabis Retail Sales or Cannabis Production and Distribution.

Industry/Manufacturing, Small Scale

means an industry engaged in the assembly, processing, manufacture, cleaning, testing, repairing, storage, or distribution of various materials into a new product and the industry may include most or all of the following characteristics:

Clarify the intent of the use to exclude any production, cultivation or growth of Cannabis.

- (a) can be developed on smaller parcels of land,
- (b) is suitable for industrial parks,
- (c) most of the activities are confined to the building,
- (d) does not require large areas of outdoor storage,
- (e) does not produce emissions which are obnoxious or hazardous,
- (f) employs 50 or fewer people on site.

This use does not include a Seed Cleaning Plant (see "Agricultural Processing") and Cannabis Production and Distribution Facility.

Laboratory

Means the use for scientific, medical and/or dental testing experimentation and/or research.

This use does not include Cannabis related experimentation.

Clarify the intent of the use to exclude any production, cultivation or growth of Cannabis.

Medical Office	<p>means a use consisting of an office in which the practice of the professions of medicine, psychiatry, psychotherapy, dentistry or optometry is carried on or in which the treatment by osteopathy, naturopathy or chiropractic is carried out. <u>Includes medical Cannabis clinics and counseling services provided by a medical professional on location who is licensed/authorized to prescribe medical marijuana and provide advice on best strain, dosage, and delivery methods.</u></p>	<p>Clarify intent of the use to include medical cannabis clinics and counselling services when licensed medical professionals are on location.</p>
Nursery and Garden Store	<p>means the use 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.</p> <p><u>This use does not include Cannabis Retail Sales and Cannabis Production and Distribution Facility.</u></p>	<p>Clarify the intent of the use to exclude Cannabis Retail Sales and any production, cultivation or growth of Cannabis.</p>
Pharmaceutical and Medical Products Industry	<p>means a use for the manufacture, fabrication and processing of drugs in pharmaceutical preparations for human or veterinary use, and the manufacture of orthopaedic, prosthetic and surgical appliances and supplies.</p> <p><u>This use does not include Cannabis Production and Distribution Facility.</u></p>	<p>Clarify the intent of the use to exclude any production, cultivation or growth of Cannabis.</p>
Pharmacy	<p>means a retail use that dispenses prescription drugs and sells, among other things, non-prescription medicines, health and beauty products, and associated sundry items.</p> <p><u>This use does not include Cannabis Retail Sales.</u></p>	<p>Clarify the intent of the use to exclude Cannabis Retail Sales.</p>
Retail Store	<p>means a use:</p> <ul style="list-style-type: none"> (a) where merchandise is sold or rented to the public; (b) where merchandise is stocked on the premises in quantities sufficient only to supply the premises; (c) that may display the items for sale within the use outside of a building a maximum distance of 6.0 metres from the public entrance to the use; and (d) must not locate any outdoor display area in a required setback if it impedes pedestrian movement. <p><u>This Use does not include Cannabis Retail Sales.</u></p>	<p>Clarify intent of the use to exclude Cannabis Retail Sales.</p>

Council Request for Decision	
Meeting Date: September 11, 2017	
Subject: Proposed Alberta Urban Municipality Association (AUMA) Resolution Video	
Recommendation:	Council direction is requested.
Background:	<p>Following their August 21, 2017 meeting, Council passed a resolution called "Repeal the Cannabis Act" to be presented at the upcoming AUMA Convention in November.</p> <p>In order to provide context for municipalities who will vote at this conference on this resolution, Council has come up with the idea that a video explaining Council's reasoning be created. This video will also aid in educating the public on the various "whereas" clauses that outline Council's position on the future of Bill C-45 in Alberta.</p> <p>Administration has determined that we have the capability to create such a video should Council authorize it, however more direction from Council is required. Direction as to Council's vision and member direct participation for this video are required so Administration can move forward with preparations.</p> <p>A potential idea for a video would be as such: the Mayor would begin by discussing the three main issues regarding Bill C-45 (those being the 12-18 year old youth social issues, safety-sensitive position liabilities, and the downloading of expenses to municipalities), and those issues resulting in the proposed AUMA resolution. The second section of the video would involve Councillors each speaking on one "whereas" from the resolution, and discuss their context to each issue. This would afford each Councillor to speak on the resolution while still acting as one unit. Finally, the video would end with Mayor Prokop speaking on the "now therefore" portion of the resolution, and the direction this resolution hopes to achieve at the upcoming AUMA conference.</p> <p>This format is only one potential idea, and Council can provide their own ideas for discussion.</p> <p>As the election is in October and the AUMA convention is not until November, there is a possibility of a new Council having different thoughts on the presentation of this resolution to the AUMA. However, Administration will move forward however Council directs given the tight timeline and the time that will be needed to prepare any format Council directs.</p>
Legislation / Authority:	MGA, Section 3



Strategic Plan Alignment:	Family/Community: Maintain a safe community that is healthy, innovative and environmentally aware.
Financial Implication:	There appears to be no financial implication at this time.
Service Level / Staff Resource Implication:	Staff members will be required to draft scripts and prepare the video.
Justification:	To create clarity to potential voting municipalities regarding this resolution, and to help educate the public on Council's intent with this resolution.
Alternative(s):	That Council directs Administration to script the format of the video to reflect that each member of Council shall be assigned a portion of the resolution to speak on and discuss. That Council delays this project until after the election, when the new Council can provide their thoughts and ideas on how they wish to present the resolution to the AUMA. Council may choose to not move forward with the video idea and provide information in another format.
Attachment(s):	None.

APPROVALS:	
Originated By:	Meghan Brennan
Chief Administrative Officer (CAO) or Designate:	



Council Request for Decision

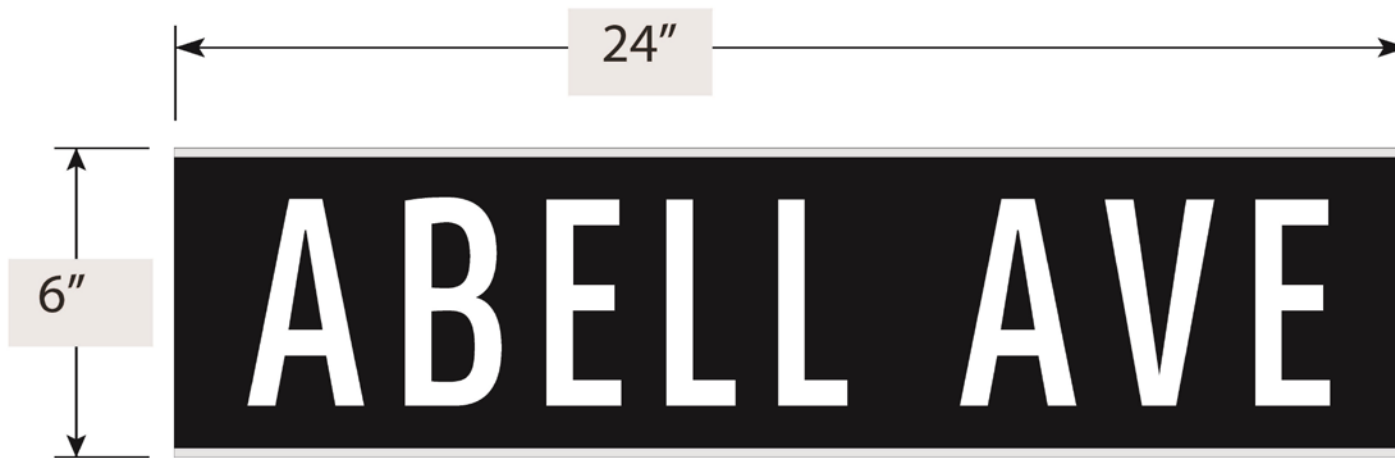
Meeting Date: September 11, 2017	
Subject: Phil Abell – Exemplary Service Recognition and dedication of 54 Ave from 58 St. to 64 St. “Abell Avenue”	
Recommendation:	Council recognizes the exemplary service to the Town of Taber from retired long time employee Phil Abell, and dedicates 54 Avenue from 58 Street to 64 Street as “Abell Avenue”.
Background:	<p>Council and Administration agreed to find a way to celebrate and recognize Mr. Phil Abell on his dedication and excellence over his 30-plus years as a Town of Taber employee and supervisor, as well all of the volunteer work he has done for many different organizations in Taber.</p> <p>The street blade signs are 6” x 24” and of the same type and material as our regular street address signs except for being opposite colors to distinguish between the actual street name (54 Ave) and the dedicated street name (Abell Ave). Proof artwork of the sign is attached, the signs including shipping will total \$160.00.</p> <p>The public celebration for this recognition took place on Thursday, August 24, 2017 at the community’s Cornfest Event.</p>
Legislation / Authority:	MGA., S.5; Powers, duties and functions.
Strategic Plan Alignment:	<p>Governance:</p> <p>Make the Town of Taber an employer of choice, where employees are self-assured, valued, respected and viewed as the corporation’s strongest asset.</p>
Financial Implication:	The 3 custom sign blades and installation would cost \$160.00 from the operating budget under signage and will be installed on existing poles by the Public Works department.
Service Level / Staff Resource Implication:	Service level will remain status quo.
Justification:	That a lifelong commitment and dedication to one’s Town and job with outstanding results deserves recognition and shows that the Town of Taber values and appreciates these efforts.



Alternative(s):	Council directs Administration to provide more information about the purchase.
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Attachment(s):	Proof Artwork of Sign "Abell Ave"
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APPROVALS:	
Originated By:	Lisa DeBona
Chief Administrative Officer (CAO) or Designate:	



Council Request for Decision

Meeting Date: September 11, 2017	
Subject: Standing Item - Council Requests	
Recommendation:	That Council uses this standing agenda item opportunity to address administration about their concerns, ask questions and direct municipal resources.
Background:	<p>The Municipal Government Act only allows Mayor and Council to act by resolution or bylaw, not separately through individual direction to administration. If one member wishes to see action on a certain item that requires the deployment or diversion of municipal resources, that does not mean all or even a majority of the other six members want Town resources used in that manner. Also, it is likely that all of Council and the public want to know about issues of concern and interest in Taber, so this conversation should be shared for better governance.</p> <p>To assist in this information sharing and ensure agreement on the relative importance of activities, and to facilitate a common understanding, Council established a standing item on Council agendas that would allow the Mayor and Councillors to raise issues of individual concern. This allows discussion amongst Council and with administration on how best to deal with these concerns. It is an opportunity for Council to provide suggestions or direction to administration as to how best to proceed.</p> <p>The intention of this RFD is for items to be brought forward from the floor at the meeting.</p>
Legislation / Authority:	MGA Section 153 (General Duties of Councillors), Section 154 (General Duties of Chief Elected Official, Section 180 (Methods in Which Council May Act); Section 249 (Civil Liability of Councillors)
Strategic Plan Alignment:	Goal: Make the Town of Taber an employer of choice, where employees are self-assured, valued, respected and viewed as the corporation's strongest asset.
Financial Implication:	The financial implication will vary depending on the discussion outcomes but should consider the alignment of Town facility and service provision with the approved budget.



Service Level / Staff Resource Implication:	Having a regular Council discussion about service levels will improve the ability of administration to meet the expectations of Council rather than dealing with the requests of individuals on an ad hoc basis.
Justification:	This will bring administration efficiencies and the better alignment of services and expenditures with the budget. It will also help improve communication protocols and adherence to the Municipal Government Act.
Alternative(s):	Alternatives will vary based on the discussion.

Attachment(s):	Standing Item Chart
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APPROVALS:	
Originated By:	Raeanne Keer
Chief Administrative Officer (CAO) or Designate:	

Council Date	Resolution #	Resolution	Assigned To	Completed?	Request Return To Council? By?
July 17/17	307/2017	MOVED by Councillor Ross-Giroux that Council requests Administration to review how Councillors can apply for the Town of Taber Employee health benefit plan and bring that information back to a future meeting.	Human Resources	<i>In Progress – Administration is waiting for information from the benefit provider and will prepare a Request for Decision for a future meeting.</i>	Yes Future Council meeting
July 17/17	308/2017	MOVED by Councillor Popadynetz that Council request Administration to contact the private business who had a dump service previously, and then look into providing a location and the possibility of a sanity sewer dump for RV's.	Public Works	<i>In Progress</i>	Not Stated

** Once items have been designated completed, they will be removed from this listed at the next Council meeting*