



## **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, JUNE 22, 2015 AT 5:00 PM.

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### **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. 11-2015**

- i) Explanation of Purpose of Proposed Bylaw No. 11-2015.
- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 11-2015.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 11-2015.

### **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.



<b>Council Request for Decision</b>	
<b>Meeting Date: June 22, 2015</b>	
<b>Subject:</b> Bylaw 11-2015 Public Hearing	
<b>Recommendation:</b>	That Council accepts the information heard at the Public Hearing.
<b>Background:</b>	<p>On May 25, 2015 Council passed 1<sup>st</sup> Reading of proposed Bylaw 11-2015 and subsequently amended the bylaw through resolution on June 8, 2015. The proposed bylaw will amend Land Use Bylaw 4-2006 to create a Direct Control (DC-3) district. The district will contain approximately 10 hectares (25 acres) located in the northeast corner of NW-8-10-16-W4M and the northwest corner of NE-8-10-16-W4M immediately south of 80<sup>th</sup> Avenue.</p> <p>Proposed Bylaw 11-2015 will amend the Land Use Bylaw 4-2006 to include Section 31: Direct Control (DC-3) district. This section will allow for the development of a composting materials handling facility and recycling depot at the discretion of Council. This section is in Schedule "A" of proposed Bylaw 11-2015.</p> <p>Proposed Bylaw 11-2015 will also amend the Land Use Bylaw map to rezone 10 hectares of land from Urban Reserve Industrial (UR-M) to Direct Control (DC-3). The land to be rezoned is a portion of 5190 – 80<sup>th</sup> Ave.; Block A1 Plan 7819AQ and a portion of Block B1 Plan 7819AQ. The area of land to be rezoned can be seen in Schedule "B" of proposed Bylaw 11-2015.</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 has been one public inquiry on the proposed bylaw to Administration at the time of writing this. This inquiry expressed concern over smell, garbage, and traffic and the individual was seeking more information which Administration provided them with. In addition, Administration has not received any written submissions at the time of writing this.</p>
<b>Legislation / Authority:</b>	Section 692 of the MGA requires Council to hold a public hearing before 2 <sup>nd</sup> Reading of a bylaw and Section 606 sets out the advertising requirements for a public hearing.
<b>Strategic Plan Alignment:</b>	Strategic Plan Family/Community Goal #4: Maintain a safe community that is healthy, innovative and environmentally aware.



<b>Financial Implication:</b>	There was no application fee for the proposed bylaw as the bylaw has been created at the direction of Council. There will be a financial cost for circulating the bylaw to affected parties, advertising in the Taber Times, and the preparation time for the Council meetings and the Public Hearing.
<b>Service Level / Staff Resource Implication:</b>	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.
<b>Justification:</b>	By accepting the information received from the Public Hearing, Council will be able to make a more informed decision on the proposed bylaw.
<b>Alternative(s):</b>	Alternative #1: That Council does not accept the information received at the Public Hearing for Bylaw 11-2015.

<b>Attachment(s):</b>	Bylaw 11-2015 UR-M District Internal Comments External Comments Advertisement
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<b>APPROVALS:</b>	
<b>Originated By:</b>	Katie Tyo
<b>Chief Administrative Officer (CAO) or Designate:</b>	

**TOWN OF TABER  
BYLAW NO. 11-2015**

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, having adopted a Municipal Development Plan, in accordance with Section 641 of the Municipal Government Act, may exercise particular control over the use and development of land or buildings within an area of the Town and may designate that area as a direct control district in its land use bylaw;

**AND WHEREAS** Council wishes to amend Land Use Bylaw No. 4-2006 to allow for the possible development of a Municipal Solid Waste Management facility at the northern corner of the junction of NW-8-10-16-W4M and NE-8-10-16-W4M;

**AND WHEREAS** Council believes that the best way to allow for this development possibility while also allowing flexibility in approving and regulatory such facility and incorporating public comment is to create a Direct Control District;

**AND WHEREAS** the subject land is currently designated Urban Reserve – Industrial (UR-M) District through the Town’s Land Use Bylaw No. 4-2006;

**AND WHEREAS** Council, having advertised the public hearing in the newspaper in accordance with Section 606 of the Municipal Government Act and 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 4-2006 should be allowed in order to 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 4-2006 as follows:

1. A new Section 31: Direct Control (DC-3) District, as per attached “Schedule A”, is added after the current Section 30.
2. The Land Use Map contained in Land Use Bylaw No. 4-2006 is amended by the re-districting of:

A PORTION OF CIVIC ADDRESS 5190 – 80<sup>th</sup> AVENUE  
BLOCK A1  
PLAN 7819AQ  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
COMPRISING THE EASTERNLY 278 METRES LYING IN THE NORTHERNLY 200  
METRES IN THE NORTH WEST QUARTER OF SECTION 8-10-16-W4M

CONTAINING 5.56 HECTARES MORE OR LESS

and

A PORTION OF  
BLOCK B1  
PLAN 7819AQ  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
COMPRISING THE WESTERNLY 222 METRES LYING IN THE NORTHERNLY 200  
METRES IN THE NORTH EAST QUARTER OF SECTION 8-10-16-W4M  
CONTAINING 4.44 HECTARES MORE OR LESS

as identified in the attached figure, "Schedule B", from Urban Reserve Industrial (UR-M) to Direct Control (DC-3).

3. The remainder of Bylaw 4-2006 is not amended by this Bylaw 11-2015 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 \_\_\_\_\_, 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”**

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**SECTION 31: Direct Control (DC-3) DISTRICT**

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**1. Purpose**

The purpose of this District is to permit and regulate a Municipal Solid Waste (MSW) handling operations, and other similar uses as well as uses allowed on the adjoining Urban Reserve – Industrial (UR-M) district, in the northeast corner of NW-8-10-16-W4M and the northwest corner of NE-8-10-16-W4M.

**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) Existing Agricultural Operations

**Discretionary Use**

- (a) Accessory Buildings, Structure, or Use
- (b) Public Uses
- (c) Utilities
- (d) Dugouts
- (e) Kennel
- (f) Sign
- (g) Stripping of Topsoil
- (h) Sod Farming
- (i) Compostable Materials Handling Facility
- (j) Recycling Depot
- (k) Storage, Outdoor

**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:	4 hectares
Maximum Lot Density:	As Council deems necessary
Minimum Front Yard:	As Council deems necessary
Minimum Rear Yard:	As Council deems necessary
Minimum Side Yard:	As Council deems necessary
Maximum Height:	As Council deems necessary
Minimum Landscaped Area:	As Council deems necessary
Signage:	As Council deems necessary

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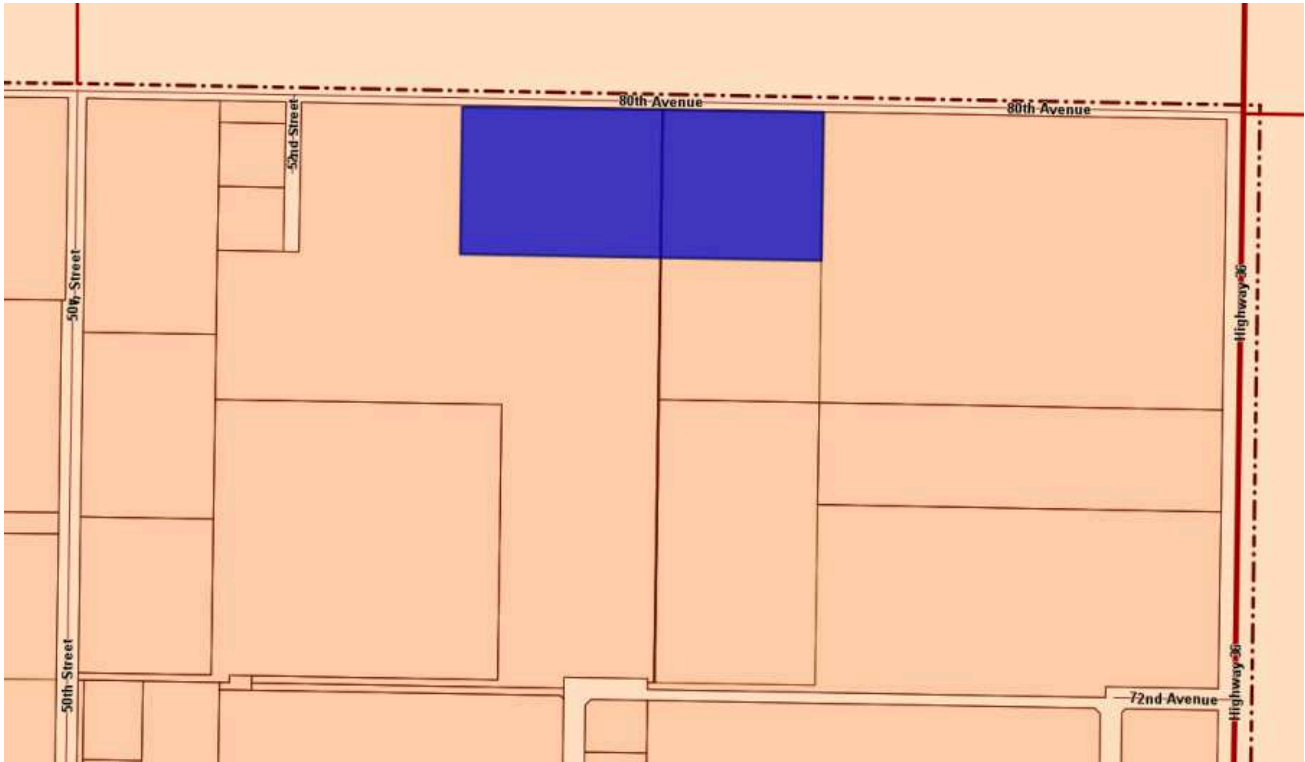
## **SECTION 31: Direct Control (DC-3) DISTRICT**

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### **4. Approval Procedures**

- (a) Before Council considers an application for a use in the Direct Control district, Council shall:
  - (i) Cause notice to be issued by the Development Officer in accordance with the notification procedures of Section 2 of this by-law to all those located within 100 metres of the boundaries of the property subject to the application;
  - (ii) Hold a Public Hearing, and said Public Hearing shall be advertised in at least 1 edition of a newspaper circulating in the area and the Public Hearing shall be conducted in accordance with municipal public hearing procedures; and
  - (iii) At the Public Hearing, hear any persons that claim to be affected by the decision on the application.
  
- (b) Council may then approve the application with or without conditions, or refuse the application.
  
- (c) Council hereby delegates to the Development Officer decision-making authority for all permitted uses listed for this district, including district requirements.
  
- (d) All facilities constructed must meet the requirements of the Alberta Building Code and any other provisions under the Alberta Safety Codes Act at the time of development.

**“SCHEDULE B”**



**Subject portion of 5190 – 80th AVENUE; BLOCK A1 PLAN 7819AQ and a portion of BLOCK B1  
PLAN 7819AQ**

**From: Urban Reserve Industrial (UR-M)**

**To: Direct Control (DC-3)**



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## **SECTION 27: Urban Reserve Industrial (UR-M) DISTRICT**

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### **1. Purpose**

The purpose of this District is to regulate the subdivision and development of land in anticipation of eventual development for urban industrial uses.

### **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) Existing Agricultural Operations

#### **Discretionary Uses**

- (a) Accessory Building, Structure, or Use
- (b) Dugouts
- (c) Home Occupation
- (d) Kennel
- (e) Manufactured Home
- (f) Modular Home
- (g) Public Use
- (h) Sign
- (i) Single Detached Dwelling
- (j) Stripping of Topsoil
- (k) Sod Farming
- (l) Utilities

### **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:	Discretion of the Development Authority
Maximum Lot Density Per Quarter Section:	1 lot plus the balance
Minimum Lot Width:	30 metres
Minimum Front Yard:	30 metres

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**SECTION 27: Urban Reserve Industrial (UR-M) DISTRICT**

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Minimum Rear Yard:  
Minimum Side Yard:

7.5 metres

June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

**INTERNAL REFERRAL  
FOR PROPOSED LAND USE BYLAW (LUB) AMENDMENT**

**Subject: LUB AMENDMENT 11-2015 as amended June 8, 2015;  
A portion of 5190 – 80<sup>th</sup> AVENUE; BLOCK A1 PLAN 7819AQ and a  
portion of BLOCK B1 PLAN 7819AQ,  
Taber, AB.**

**Proposed LUB Amendment:** The application proposes to amend the current zoning from Urban Reserve-Industrial (UR-M) to Direct Control District (DC-3). The purpose of the Direct Control (DC-3) district is to allow for the development of a composting materials handling facility (including composting) and recycling depot. If the application is successful, the attached concept drawing has been proposed on a preliminary basis.

Preliminary Stage:

Application Submitted:

Greg Birch, CAO  
 Aline Holmen  
 D. Culler, CSD  
 Superior Safety Codes

Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

**Your Comments:**

*- ENSURE SUFFICIENT WATER FLOW IS PROVIDED.  
& CONSTRUCT ACCORDING TO MOST RECENT  
VERSION OF THE ABC.*

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

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Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

**Your Comments:**

My only concern, which is small is the proximity to KMSF but I understand that smell will be minimal.

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

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 Superior Safety Codes

Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

Your Comments:

AS CHIEF ADMINISTRATIVE OFFICER, I WILL  
BE SPEAKING IN SUPPORT OF THIS  
PROPOSAL AT THE PUBLIC HEARING.  
THUS MY COMMENTS ARE NOT WITHOUT  
BIAS AND WILL NOT BE OFFERED IN  
RESPONSE TO THIS REFERRAL.

Greg Birch

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

INTERNAL REFERRAL  
FOR PROPOSED LAND USE BYLAW (LUB) AMENDMENT

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 Superior Safety Codes

Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

Your Comments:

*No police issues*  
*Alf Rudd*  
*6/23/15*  
*COF*

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

**INTERNAL REFERRAL  
FOR PROPOSED LAND USE BYLAW (LUB) AMENDMENT**

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Greg Birch, CAO  
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 D. Culler, CSD  
 Superior Safety Codes

Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

Your Comments:

*No concerns*

*No concern*

*LOOK FINE TO MR PA*

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

June 4, 2015



Proposed Bylaw 11-2015

**INTERNAL REFERRAL  
FOR PROPOSED LAND USE BYLAW (LUB) AMENDMENT**

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Preliminary Stage:

Application Submitted:



Greg Birch, CAO  
Rob Cressman, PSD  
D. Culler, CSD  
Superior Safety Codes



Gary Scherer/ Phil Abel  
Chris Zuidhof, Epcor  
Steve Munshaw, Fire Chief  
Alf Rudd, Chief of Police

**Your Comments:**

I have no concerns with the rezoning of this property. My concerns lie with how the compost leachate will be handled. If it will be going to the sanitary system, what will be the composition and strengths.

Please return comments to Planning Department by June 15, 2015.

cc: Tax & Utility Clerk



June 9, 2015



Proposed Bylaw 11-2015 as amended June 8, 2015

INTERNAL REFERRAL  
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Preliminary Stage:

Application Submitted:

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 Aline Holmen  
 D. Culler, CSD  
 Superior Safety Codes

Gary Scherer/ Phil Abel/Ramen Lahiji  
 Chris Zuidhof, Epcor  
 Steve Munshaw, Fire Chief  
 Alf Rudd, Chief of Police

Your Comments:

*No Concerns*      *JUNE 15/2015*      *SAH*

Please return comments to Planning Department by June 16, 2015.

cc: Tax & Utility Clerk

## Alberta Health Services

5009 - 56 Street Taber, AB T1G 1M8

Phone Number: 403-223-7230 Fax Number: 403-223-8733

### LAND USE INSPECTION REPORT

<b>Mail To:</b> A - 4900 50 Street Taber, AB T1G 1T1	<b>Our File Number:</b> 541-0004005-31
	<b>Inspection Date:</b> June 11, 2015
	<b>Report Date:</b> June 16, 2015
<b>Attention:</b> Town of Taber	
<b>Facility Inspected:</b> Town of Taber Facility Contact: Town of Taber Site Phone: 403-223-5500 Site Fax: 403-223-5530	<b>Site Address:</b> A - 4900 50 Street Taber, AB T1G 1T1
Facility Category: Land Use, Development	
Inspection Type: Demand Inspection: Subdivision	
Action(s) Taken: No Objection	
Delivery Method: Hand Delivery	

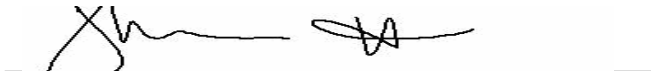
File 11-2015 Amendent to Land Use Bylaw; 5190 - 80th Avenue; Town of Taber

Attn: Katie Tyo

After a review of the information provided and an on-site visit, this office has no objections with the proposed bylaw amendment and facility development. However, this office does has the following comments related to the proposed facility development:

1. The facility should be constructed and operated in a manner that limits/minimizes dust, odors, VOCs (volatile organic compounds) and bioaerosols released from the premises to prevent potential health related impacts.
2. Any potential VOCs, bioaerosol and odor emissions from the proposed development should be properly managed to mitigate any nuisances and/or health related effects.
3. Any potential run-off, leachate and related odors should be properly managed and controlled during storage and/or disposal to prevent contamination of any water sources (including ground and surface water) or drainage ditches/canals.
4. Development should not create any nuisance conditions. A nuisance is any condition that is or might become injurious or dangerous to the public health, or that might hinder in any manner the prevention or suppression of disease.

Should you have any questions regarding this report, please do not hesitate to contact me at 403-223-7230.



Theron White  
Executive Officer

**TAKE NOTICE THAT THE FOLLOWING APPLICATION  
FOR A HOME OCCUPATION BUSINESS LICENSE  
HAS BEEN CONDITIONALLY APPROVED  
SUBJECT TO AN APPEAL PERIOD**

**HO 15-05: Polished Nails: Joanne Gyepesi;** 5414 45 St., Lot 26, Block 3, Plan 7710300, Studio for Esthetician. Discretionary Use, (LR-1, Low Density Residential).

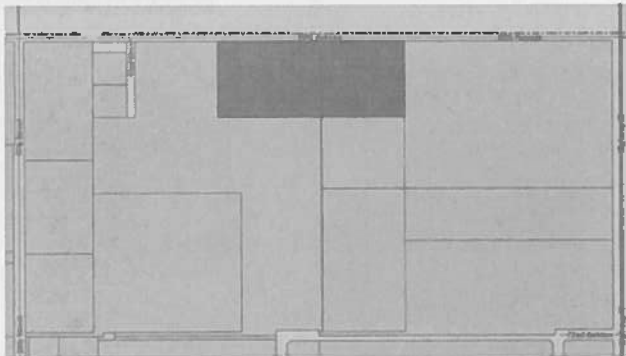
Any person affected by the above decisions may appeal the issuance of a permit to the applicant by submitting a written notice of appeal along with payment of \$350.00 to the office of the Development Officer no later than June 25, 2015.

**Public Hearing Town of Taber Proposed Bylaw  
11-2015 as amended by Council on June 8, 2015**

Take notice that the Town of Taber is proposing to amend Land Use Bylaw 4-2006 by introducing proposed Bylaw 11-2015 as amended June 8, 2015. If proposed Bylaw 11-2015 is passed by Council, 10 hectares (approximately 25 acres) of land along 80th Avenue (BLOCK A1 PLAN 7819AQ and a portion of BLOCK B1 PLAN 7819AQ) would be rezoned from Urban Reserve-Industrial (UR-M) to Direct Control District (DC-3).

The purpose of the Direct Control (DC-3) district is to allow for the development of a composting materials handling facility (including composting) and recycling depot. The existing UR-M District uses will also be considered discretionary uses in the DC-3 District.

**A portion of 5190  
- 80th AVENUE;  
BLOCK A1  
PLAN 7819AQ  
and a portion  
of BLOCK B1  
PLAN 7819AQ;  
indicated in the  
sketch:**



If you have any comments on proposed Bylaw 11-2015, Council would like to hear from you. On Monday, June 22, 2015 at 5:00 pm, Council will hold a PUBLIC HEARING in the Town of Taber Council Chambers to consider proposed Bylaw 11-2015. Copies of the bylaw as amended by Council on June 8, 2015 may be obtained at the Town of Taber Administration building. If you are unable to attend the public hearing but would like to submit your comments/concerns in writing, please submit them to the Town Office no later than noon on June 22, 2015.

Any questions regarding this amendment can be directed to:  
Katie Tyo • Planner/Economic Development Officer • Town of Taber  
A - 4900 50 St., Taber, AB T1G 1T1 • Phone: (403)223-5500 ext. 5527



A - 4900 50 St. Taber, T1G 1T1  
Phone 403-223-5500 • Fax 403-223-5530  
email: town@taber.ca • website: www.taber.ca  
Keeping Our Community Informed

