



RAY BRYANT  
MAYOR

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FORWARDED: JUNE 21, 2012

### 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 25, 2012 AT 5:00 PM., IMMEDIATELY FOLLOWING THE SUBDIVISION AUTHORITY MEETING 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. 9-2012

- i) Explanation of Purpose of Proposed Bylaw No. 9-2012

**That Bylaw 4-2006 (Land Use Bylaw) be amended to incorporate the following:**

**That Section 19: Highway Industrial (M-4) District be amended by adding the following:**

**“Salvage Yard to the list of discretionary uses”**

- ii) Presentation of Written or Oral Briefs **Against** the Proposed Bylaw No. 9-2012.
- iii) Presentation of Written or Oral Briefs **For** the Proposed Bylaw No. 9-2012.

#### 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.

**TOWN OF TABER**  
**BY-LAW NO. 9-2012**

BEING A BY-LAW OF THE TOWN OF TABER, IN THE PROVINCE OF ALBERTA, TO AMEND  
BY-LAW NO. 4-2006, THE LAND USE BY-LAW OF THE TOWN OF TABER

Pursuant to Section 692(1)(f) of the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26.1, as amended, the Council of the Town of Taber, in the Province of Alberta, duly assembled enacts as follows:

1. By-Law 4-2006 is hereby amended to include the following:
2. That Section 19: Highway Industrial (M-4) District be amended by adding the following:
  - a) "Salvage Yard to the list of discretionary uses".
3. The remainder of By-Law 4-2006 and its amendments thereof not amended by this By-Law remains in full force and effect.

RES. 139/12      **READ** a first time this 28<sup>th</sup> day of May, 2012.

RES. \_\_\_\_      **READ** a second time this \_\_\_\_ day of \_\_\_\_\_, 2012.

RES. \_\_\_\_      **READ** a third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**Public Notice**  
**Amendment to Land Use Bylaw 4-2006**  
**Proposed Bylaw 9-2012**

Take notice that the Town of Taber has initiated a text amendment to Land Use Bylaw 4-2006 by introducing proposed Bylaw 9-2012.

A public hearing and discussion of the proposed amendment will be held on Monday, June 25<sup>th</sup>, 2012 at 5:00PM in the Town Council Chambers, Administration Building, A 4900 – 50 Street, Taber, Alberta.

The bylaw proposes:  
that Section 19 Highway Industrial (M-4) District be amended by adding the following:  
a) "Salvage Yard" to the list of discretionary uses

The Land Use Bylaw defines "Salvage Yard" as follows:

"means land or buildings where motor vehicles, tires, and parts are disassembled, repaired, stored or resold."

Copies of the proposed amendment to Bylaw 4-2006 will be available at the Town Office, A 4900 – 50 Street, Taber, Alberta.

All those who are interested or who may be affected, are invited to attend the Public Hearing. Oral briefs may be put forward at the Public Hearing and those persons attending may ask questions about the proposed amendment to Land Use Bylaw 4-2006 or any other related matters.

Written briefs may be submitted to the Planning and Development Office. Such briefs should reach the Town Office no later than Monday, June 18<sup>th</sup>, 2012.

Jill Koroluk  
Development Officer  
Phone: 223-5500, ext 5527  
Email: jkoroluk@taber.ca

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## **SECTION 19: Highway Industrial (M-4) DISTRICT**

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### **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) Catcrer
- (c) Clinic

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## SECTION 19: Highway Industrial (M-4) DISTRICT

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- (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 <sup>2</sup>
Minimum Lot Width:	30 metres

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## **SECTION 19: Highway Industrial (M-4) DISTRICT**

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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.

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## **SECTION 19: Highway Industrial (M-4) DISTRICT**

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### **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.

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**SECTION 19: Highway Industrial (M-4) DISTRICT**

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**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.



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## **SECTION 18: Heavy Industrial (M-3) DISTRICT**

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### **1. Purpose**

This district provides for the development of large industries that are generally incompatible with most other land uses in the Town. The uses may require large land area, have large storage to building ratios and/or are incompatible due to noise, smell, appearance, the presence of hazardous or dangerous material or goods used or stored on site or the nature of the activity on site. This District will generally be applied to accommodate specific industries.

### **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-2 District
- (b) Accessory Buildings and Structures
- (c) Auto Body and Repair Shop
- (d) Bulk Sales Establishment
- (e) Communication Tower
- (f) Contracting Services, Major
- (g) Feed Mill
- (h) Industry/Manufacturing, Large Scale
- (i) Pharmaceutical and Medical Products Industry
- (j) Printing, Reproduction and Data Processing Industry
- (k) Recycling Depot
- (l) Storage, Outdoor
- (m) Truck and Manufactured Home Sales and Rentals
- (n) Utilities
- (o) Warehouse

#### **Discretionary Uses**

- (a) Anhydrous Ammonia Storage
- (b) Abattoir
- (c) Asphalt processing and storage
- (d) Auto Wrecker
- (e) Bottled Gas, Sales and Storage
- (f) Bulk Fuel and Chemical Storage

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## **SECTION 18: Heavy Industrial (M-3) DISTRICT**

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- (g) Commercial Fertilizer Supply
- (h) Concrete Manufacturing/Concrete Plant
- (i) Dry Cleaning and Laundry Plant
- (j) Electricity Production
- (k) Industry, Forest Based
- (l) Kennel
- (m) Laboratory
- (n) Offices accessory to the Principal Industrial Use of the Land or Building
- (o) Propane Transfer Facility
- (p) Railway
- (q) Salvage Yard
- (r) Sewage Treatment Facilities
- (s) Signs
- (t) Tanker Truck Washing Facility
- (u) Truck Depot

### **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:	5,000 m <sup>2</sup>
Minimum Lot Width:	30 metres
Minimum Front Yard:	20 metres
Minimum Rear Yard:	20.0 metres
Minimum Side Yard:	10.0 metres
Maximum Height:	At the discretion of the Development Authority.
Maximum Lot Coverage:	65%
Minimum Landscaped Area:	5%

### **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.

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## **SECTION 18: Heavy Industrial (M-3) DISTRICT**

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### **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 required 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 Requirements: Parking and Access**

Further to the parking requirements in Section 3 – General Provisions, 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 30 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-2, 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.
- (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 should be concealed from view from the street by the fence or other suitable screening to the

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## **SECTION 18: Heavy Industrial (M-3) DISTRICT**

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satisfaction of the Development Authority.

- (b) All storage sites abutting residential districts shall be screened from view of the residential district to the satisfaction of the Development Authority, although Heavy Industrial districts should not be found next to residential districts.
- (c) All outdoor storage shall be located only to the rear of the main building and shall not be located in the front or exterior side yard. All outdoor storage shall be accessory to the main use of the land or main building on the site.

9. **Special Requirement: Storage of Hazardous Goods and Materials**

The storage of hazardous goods and materials may be allowed within the district, at the discretion of the Development Authority. The storage of any hazardous material must be within a wholly enclosed building. All applications for development permits shall clearly indicate if any hazardous material is to be stored on site. The nature and quantity of the hazardous material must be identified. The Development Authority may establish special conditions to govern the safe storage of hazardous materials.



Attention: Jill Koroluk

Development officer

This letter is written in regards to the proposal for a text amendment to Land Use Bylaw 4-2006 by introducing Bylaw 9-2012 , 5003-64 th Ave, Block: X, Plan, 5440AQ.

Helen Fallon and I (Linda Derksen) are joint land owners of parcel: [REDACTED]

[REDACTED]. This property is directly to the west of the property being used as a "bone yard" and as I understand with no authorization to do so. We feel that this yard of "junk" is an eye sore to the surrounding properties and Helen and I would like to see it dismantled. If it is zoned as industrial property then real industry should be located there.

The only town cemetery, the Lions park, and the Macdonald sports park, which are neatly maintained, are accessed by travelling north on 50<sup>th</sup> street passing by this yard of "junk". Many patrons, out of town, visitors, and visiting sports teams use these venues. It should be the aim of the development department of the town to improve and promote the beauty of the town and the amenities it offers.

If this piece of property can be rezoned and classified as a "salvage yard" why have Helen and I been denied the subdivision of our property which is across the road? It wouldn't be any more unsightly.

Thank you for your consideration

Linda Derksen

*Linda Derksen*  
*June 10 2012*

LINDA DERKSEN

[REDACTED]



## HORIZON SCHOOL DIVISION NO. 67

FACILITIES DEPARTMENT  
Office/Shop Location 5411 - 66 Avenue, Taber, AB  
Phone (403) 223-3113 • Fax (403) 223-4731

MAILING ADDRESS  
6302 - 56 Street  
Taber, AB T1G 1Z9

**Town of Taber,  
4900 A – 50<sup>th</sup> Street,  
Town of Taber, AB,  
T1G 1T1**

**June 13, 2012**

**Attention: Cory Armfelt, Director of Planning and Development  
Jill Koroluk, Development officer**



**Re: Notice of Public Hearing - Amendment to Land Use Bylaw 4-2006**

- 1.) Section 19 Highway Industrial (M-4) District
  - a.) Adding "Salvage Yard" to List of Discretionary Uses.
- 2.) Salvage Operations at 5003 – 64<sup>th</sup> Avenue; Block X Plan 544AQ

This correspondence is sent in response to the Notice of Public Hearing, as noted above.

Please be advised that Horizon School Division is opposed to the proposed Land Use Bylaw amendment which, if approved, would effectively allow the property owners at 5003 – 64<sup>th</sup> Avenue to apply for a development permit for a Salvage Yard as a Discretionary Use. Obviously the property is currently being used for this purpose, with a large volume of salvaged vehicles and salvaged oilfield tanks already on site.

Horizon School Division believes that the subject property is not an appropriate site for a salvage yard and such usage should be undertaken at more remote town locations, already zoned for salvage yards as a permitted use. Horizon's administration facility is located a few blocks away at the intersection of 64<sup>th</sup> Avenue and 56<sup>th</sup> Street and would negatively be affected by the continuation and expansion of the current salvage yard use.

Horizon School Division has over the past three years been in discussion and meetings with both the council of the Town of Taber, and the Town of Taber Development Office, in planning for a future public high school site. Twenty years ago, Horizon School Division identified a tentative future public high school site west of 50 Street and west of the Legion Park, as identified in the Northwest Residential Area Structure Plan. The site would become an item of further discussion during future subdivision and development of property in that area of town. During meetings and discussion with the Town, the Town of Taber suggested to Horizon one option of land north of the Ken MacDonald Sport Park as a possible future high school site, which would allow joint utilization of playing fields by both Horizon and the Town. Horizon advised that the Division is willing to consider that site as one of optional sites depending on the extent of industrial development along 50<sup>th</sup> Street.

A salvage yard and operation at the subject property would negatively affect the future feasibility of both of the above two future high school location options.

In reference to the level of unauthorized salvage stored already on the site, the neighbourhood aesthetics is undesirable. The visualization of an expanded operation is of extreme concern to Horizon School Division.

50<sup>th</sup> Street north of 64<sup>th</sup> Avenue is a major traffic route to the town graveyard, the Legion Park and the Ken MacDonald Sports Park, for both Town of Taber residents and for out-of-town visitors. The present unsightliness of the unauthorized salvage yard is of great concern to Horizon School Division.

Sincerely,



Andy Tuveson  
Facilities Manager  
Horizon School Division No. 67

xc. Audrey Krizsan, Board Chair  
Bruce Francis, Facilities Committee Chair  
Cheryl Gilmore, Superintendent  
John Rakai, Associate Superintendent Finance & Operations

**Re: Public Hearing, Monday, June 25, 2012**

**To Whom It May Concern:**

**June 17, 2012**

**It is with regrets that I cannot attend the Public Hearing set for Monday, June 25<sup>th</sup>. I have a school function to attend to. However, I am concerned about the possibility of rezoning the land northeast of 64<sup>th</sup> Avenue and 50 Street. Not only am I against allowing additional salvage items to be placed there, I believe that what is already there should be removed and the land rezoned for a more environmental and aesthetic usage. The walking trail to the Ken McDonald Sports Park was placed along side the road for the public's enjoyment, health and safety. I no longer use it. The salvage material increased to point of it smelling of chemicals and rust, especially after a rain and to think of it as an enjoyable saunter along the prairie has long disappeared. I cannot believe that the people going out to cemetery, families gathering at the Legion Park and groups playing at the Sports Park appreciate the usage of the land for storing salvage. Nor do I think the people living at Linden 'View' gather to watch the view to the northeast. I think about the Communities in Bloom committees who have toured this area over the years. Have they been shown the 3 places mentioned above and our beautiful MD Park? If so what did our visitors think of the salvage sites along the way? Would any visitor be impressed? Whenever we have company, driving past it while touring Taber is an embarrassment.**

**I am also concerned about the environment, such as chemical seepage into the soil and water table. Being so close to the coulees, I would expect that eventually some of it ends up in the river. Many kids use the path to and from the sports park. All the items on display lead to an invitation for exploring minds to climb through and investigate. There are so many people using the areas around the dumping ground, would not another area be the best for all? There is so much good that the land could be used for in the future. Why continue to contaminate it environmentally and visually, creating greater problems later on?**

**This also brings up another matter of concern. How did the land usage get to the state it is now without being 'noticed' (this includes both salvage storage)? Most people try their best to maintain their boulevards, yards and alleys in an acceptable condition. We are constantly reminded about the bylaws concerning weeds, pesticides, recycling and garbage disposal. It's about taking pride in what have through knowledge and stewardship.**

**I understand the determination of what the zoning conditions actually are and the possibility of changes depends on the outcome of this public hearing. Hopefully, my opinion will be considered because I know I am not the only one with this view. I have always taken great pride in being a citizen of Taber. I hope that the discussions around this issue take into consideration how this affects not only one business but all of us living in and around Taber.**

**Thank you,**

**Annie Lieverse**

**[REDACTED]**