



## AGENDA

REGULAR MEETING OF THE DEVELOPMENT AUTHORITY OF THE TOWN OF TABER, TO BE HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION BUILDING, ON AUGUST 18 2015 AT 4:30 PM.

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		<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. 5.	MINUTES- REGULAR MEETING OF THE DEVELOPMENT AUTHORITY JULY 21 2015	X
ITEM No. 6.	BUSINESS ARISING FROM THE MINUTES	
ITEM No. 7.	ACTION ITEMS	
ITEM No. 7.A	HO 15 11 - JACOB KETLER - REFLEXOLOGIST - 5004 45 AVE	X
ITEM No. 8.	MEDIA INQUIRIES	
ITEM No. 9.	CLOSED SESSION	
ITEM No. 10.	OPEN SESSION	
ITEM No. 11.	CLOSE OF MEETING	X



## Development Authority Request for Decision

<b>Meeting Date:</b> August 18, 2015	
<b>Subject:</b> Minutes- Regular Meeting of the Development Authority July 21 2015	
<b>Recommendation:</b>	That the Municipal Planning Commission adopts the minutes of the Regular Meeting of the Municipal Planning Commission held on July 21, 2015 as presented.
<b>Background:</b>	N/A
<b>Legislation / Authority:</b>	MGA, Section 208(1)(a)(9c)
<b>Strategic Plan Alignment:</b>	N/A
<b>Financial Implication:</b>	N/A
<b>Service Level / Staff Resource Implication:</b>	Compiling records of the MPC meeting minutes is part of the ongoing responsibilities of the Planning and Economic Development Department.
<b>Justification:</b>	Approval of the minutes is in accordance with the MGA, Section 208
<b>Alternative(s):</b>	The MPC could adopt the minutes of the Municipal Planning Commission held on July 21, 2015 as amended.
<b>Attachment(s):</b>	Minutes of July 21 2015 Meeting



<b>APPROVALS:</b>	
<b>Originated By:</b>	Lorraine Belanger
<b>Chief Administrative Officer (CAO) or Designate:</b>	

MINUTES OF THE REGULAR MEETING OF THE DEVELOPMENT  
AUTHORITY OF THE TOWN OF TABER, IN THE PROVINCE OF  
ALBERTA, HELD IN THE COUNCIL CHAMBERS, ADMINISTRATION  
BUILDING, ON JULY 21, 2015, AT 4:30 PM.

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**Members**

Ellingson, Edwyn, Absent  
Levagood, Ron  
Miles, Roger  
Popadynetz, Rick  
Strojwas, Joe

**Staff**

Armfelt, Cory  
Belanger, Lorraine

**CALL TO ORDER**

R. Miles called the meeting to order at 4:30pm

**ADOPTION OF THE AGENDA**

*Moved* by Councillor Popadynetz the agenda be adopted as presented.

CARRIED UNANIMOUSLY

**DELEGATIONS**

The Reinland Mennonite Church was represented at the meeting by  
Abe Froese, Aaron Giesbrecht, John Hiebert and John Neufeld.

**ADOPTION OF THE MINUTES**

**Adoption of Minutes- MPC June 15, 2015**

*Moved* by R. Levagood the minutes of the July 21, 2015 Regular  
Meeting of the Development Authority be adopted as presented.

CARRIED UNANIMOUSLY

## **BUSINESS ARISING FROM THE MINUTES**

None.

### **Nail Art by Krystal- 5330 45 Ave- increase in client visits allowed per day**

L. Belanger summarized the application. She noted the applicant had been operating her business out of her home since 2013 and her client base has increased to the point where she wanted to formally request an increase the client visits allowed per day to her home to 4.

A brief discussion on technical details and operating hours took place.

*Moved* by Councillor Strojwas that MPC allow Nail Art by Krystal, Krystal Cromwell, 5330 44 Ave, Lots 15-16, Block 24, Plan 6390L to have up to 4 client visits per day, one client at a time with no other employees at the residence.

CARRIED UNANIMOUSLY

### **DP 15-69 Ryan Cannady 4918 61 Ave 2nd Garage**

L. Belanger summarized the application. She noted the application for a 2<sup>nd</sup> garage was quite similar to many other processed within the Town and the application met the density and setback requirements for the area. She added the only additional item of note was the applicant was requested a waiver on the maximum height of the interior garage wall to be increased from 3.7m to 4.26m. This increase would allow the applicant to be able to stack his classic cars on a hoist within the building.

A brief discussion on the overall height of the garage and the landscaping of the property occurred.

*Moved* by R. Levagood that the Municipal Planning Commission approve DP 15-69; 4918 61 Ave; Ryan Cannady, (2<sup>nd</sup> garage, Detached), 93.7m<sup>2</sup> Lot 20, Block 44, Plan 7510214 with the following conditions:

1. The site is developed as per the site plan submitted,
2. Pursuant to Section 2(12)(a)(i) of Land Use Bylaw No. 4-2006, as amended, and interior wall height requirement waiver from 3.7 to 4.26m is hereby granted,

3. The applicant must obtain a Building Permit to ensure the development complies with the Alberta Fire Code and Alberta Building Code. It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits. Additionally it is the responsibility of the applicant to contact Alberta One Call and meet all requirements pertaining to underground services,
4. The exterior finish of the detached garage shall be professionally manufactured and complimentary to the finishing of the neighboring properties and subject dwelling,
5. The structure may not be used as a workplace for employees or for workplace activities if the residence has a Home Occupation Business License,
6. Prior to occupancy, the applicant will provide and Updated Real Property Report to the Town of Taber.

CARRIED UNANIMOUSLY

**TT 15 0 004 - Subdivision- 6123 54 St.**

L. Belanger summarized the application. She noted the application had been previously approved in 2012, but the conditions of subdivision were not met and after the lapse of one extension, the application was started fresh. Additionally the size of the lots had changed slightly with both lots now 12.2m in width.

*Moved* by Councillor Strojwas that MPC recommends the Subdivision Authority approve Subdivision TT 15 0 004, 6123 54 St, Plan 9411926, Block 26, Lot 20, (NW ¼ Sec 5-10-16-4) with the following conditions:

1. The garage on proposed Lot 20 be removed,
2. The 2 small sheds located on Lot 25 be moved to 1.2m from all property lines and 1.8m from the house or removed from the property,
3. That a waiver is hereby granted reducing the Lot width requirement from 14m to 12.2m,
4. The applicant shall provide new water and sewer service connections for proposed Lot 36,
5. In the event the applicant does not meet the municipal servicing requirements or construct vehicle accesses prior to seeking endorsement, the applicant shall enter into a development agreement with the Town, to be registered on the title by Caveat and post security to be determined by the Director of Planning and Economic Development,

6. Pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes, if any, shall be paid to the Town of Taber prior to endorsement,

7. The subdivision shall be registered in a manner satisfactory to the Land Titles Office,

8. Easements or rights of way shall be registered against the land for the provision of gas, power and electrical utilities, all municipal services, and waste management facilities, plus any other service considerations as required. The developer is responsible for making suitable arrangements with the relevant utility companies and/or town for the provision of services prior to final endorsement of the plan.

CARRIED UNANIMOUSLY

#### **DP 15-67 Reinland Mennonite Church 4809 64 Ave**

C. Armfelt summarized the application. He noted many details regarding the efforts of staff and the church in the preliminary stages to work through technical and design features prior to a formal application being made. He summarized the following areas of the discussion over the past months:

- 1) The recent change in land use designation to accommodate the church
- 2) Access points would be from 64 Ave with only emergency access being allowed from 50 St.
- 3) Administration had requested changes to the siting of the building to a 45 degree angle to be consistent with the church development to the East.
- 4) Architectural changes to the outside of the building to provide it with better overall visual appeal.
- 5) The inclusion of a youth recreation area.

Members of the Reinland Mennonite Church spoke on behalf of the congregation in regard to the recommended conditions. He noted a meeting of approx. 115 members of the church had occurred and the feeling of the members was they were not in favour of siting the church at a 45 degree angle for the following reasons:

- 1) Siting the building at an angle would make it difficult for the members to orientate themselves, as it was difficult to determine which way was north in a structure placed on an angle

- 2) Generally prefer a linear orientation and disagree the angle setting would increase visual appeal.
- 3) Future additions to the church, such as a gym would be more difficult if the building is angled.
- 4) Parking area would be effected, there would be more “dead spaces” if the building was not sited in a linear manner.

Discussions among members, the applicants and Administration centered on the following issues;

- 1) Future use of the site as a school and the need for such an application to come back to MPC.
- 2) Construction standards of the bollards to be used at the emergency access along 50 St.
- 3) Congregation and Sunday School sizes.
- 4) Use of the church in the location as a positive addition to the Town.
- 5) Possible advantages of drainage, snow removal and wind shelter if the building was angle.
- 6) Geotechnical test conducted.
- 7) Start and completion dates of the project.
- 8) Future closure of the existing church in south Taber subsequent to the construction of this building.

*Moved* by Councillor Strojwas that MPC approve DP 15-067, Reinland Mennonite Church, 4809 64 Ave, SE7-10-16-W4M with amendments to the attached conditions as follows;

- 1) The site is developed as per the plans submitted,
- 2) Applicant to ensure water will not accumulate at or near the buildings (positive drainage) on site, nor accumulate on the lot, and will not adversely affect adjacent properties. The final drainage plan must be submitted and be to the satisfaction of the Planning and Economic Development Department,
- 3) If a new water/sanitary service is required, the applicant will enter into a Servicing Agreement with the Town of Taber,
- 4) In accordance with policy 68C08/21/00, a \$2500.00 damage deposit may be required by the Town office (Planning Department) prior to construction. Any damages to public streets, sidewalks, or services as a result of construction of this building shall be restored to Town standards at the applicant’s expense prior to issuance of an occupancy permit,
- 5) A recreation and landscaping plan is to be submitted and approved by the Director of Planning and Economic Development,



- 6) The development conforms to the district requirements of the IR, Institutional Recreational, (IR) District,
- 7) The applicant must obtain a Building Permit to ensure the development complies with the Alberta Fire Code and Alberta Building Code. It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits,
- 8) A satisfactory inspection of the building by the Town of Taber Fire Chief must be conducted prior to occupancy,
- 9) The building be rotated 45 degrees to the SE,
- 10) Parking be developed as per the accepted design with the appropriate number of stalls as per LUB,
- 11) The NE (50<sup>th</sup> St) access be developed as an emergency access only with suitable traffic control implemented such as a knockdown bollard or similar device,
- 12) Applicant to provide an updated Real Property Report prior to occupancy,
- 13) Architectural details on the church will be constructed in as per the final site plan
- 14) Access for the Youth Recreational area will be constructed in conjunction with the Youth Recreational Area with the final location subject to approval by the Public Services Department.

C. Armfelt explained the details of the appeal process to the applicant should they wish to do so.

CARRIED UNANIMOUSLY

### **Building Permit Statistics - June 2015**

L. Belanger summarized the June statistics. She noted the substantial increase in the volume of permits taken.

*Moved* by R. Levagood the Building Permit Statistics for June 2015 be accepted for information.

CARRIED UNANIMOUSLY

### **MEDIA INQUIRIES**

None.

**CLOSED SESSION**

No items

**OPEN SESSION**

**CLOSE OF MEETING**

*Moved by Councillor Popadynetz the meeting be closed at 5:40 pm.*

CARRIED UNANIMOUSLY

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CHAIRMAN

DRAFT



## Development Authority Request for Decision

**Meeting Date:** August 18, 2015

**Subject:** HO 15 11 - Jacob Ketler - Reflexologist - 5004 45 Ave

**Recommendation:**

That MPC approve Jacob Ketler, (Reflexologist), HO 15 011, 5004 45 Ave, Lots 1-2, Block 27, Plan 6390L, with the following conditions;

- i) The development shall conform to the district requirements of the Low Density Residential, (LR-2) District, the Home Occupation conditions in Town of Taber Land Use ByLaw 4-2006, all relevant Parking Requirements, Alberta Health Regulations and the Town of Taber Business License Bylaw 8-2008
- ii) The applicant is allowed to have up to 6 client visits per day to the residence, one at a time and no other employees be working from the residence. (Operating hours are not to be past 9pm.)

**Background:**

The applicant at the above address has recently completed his training to become a reflexologist. He has come to Administration at this time to have the number of client visits allowed to his home increased from one per day to 6 per day to allow for the future growth of his business. As per Sec 2(6)(e) of Land Use Bylaw 4-2006, "All Home Occupations may be approved by the Development Officer, except applications involving or likely to involve more than one business related visit per day or storage of a commercial vehicle will be forward to the Municipal Planning Commission for a decision". (The applicant has provided signatures from some of his neighbours, however the application is still subject to an appeal period, will be posted in the Taber Times and all neighbours within 100m will receive notification.)

The application is similar to other personal service businesses which have been approved in the past, however on this application Administration does have concerns that the applicant has requested his operating hours could be as late as 10pm.

**Legislation / Authority:**

Town of Taber LUB 4-2006, Sec 2 (6)(e)

**Strategic Plan Alignment:**

One of the goals of the Town of Taber Strategic Plan is to create conditions for business success and economic development.



<b>Financial Implication:</b>	The cost for a Home Occupation license is \$150 for the Development permit and \$150 per year for a business license.
<b>Service Level / Staff Resource Implication:</b>	Processing Home Occupation licenses is part of the ongoing responsibilities of the Planning and Economic Development Department.
<b>Justification:</b>	The application is similar to other which have been approved for other personal service businesses such as hair dressers, massage therapists and music teachers.
<b>Alternative(s):</b>	<ol style="list-style-type: none"> <li>1) MPC could approve HO 15 011, Jacob Ketler, 5004 45 Ave, Lots 1-2, Block 27, Plan 6390L with amendments to the conditions.</li> <li>2) MPC could not approve HO 15 011, Jacob Ketler, 5004 45 Ave, Lots 1-2, Block 27, Plan 6390L with reasons.</li> </ol>
<b>Attachment(s):</b>	Overhead Map Application

<b>APPROVALS:</b>	
<b>Originated By:</b>	Lorraine Belanger
<b>Chief Administrative Officer (CAO) or Designate:</b>	






DE

Application + Advertising Fee.....	\$150.00
Business License Fee.....	\$150.00 / year
Permit No:	_____
Land File:	_____
Zoning District:	_____

### Home Occupation Permit - Application Form

#### Application Process (usually one time only)

1. Applicant fills out the Home Occupation Permit application with the details of the proposed Home Occupation. note: Home Occupations are *discretionary uses* according to the Land Use Bylaw; therefore a Permit is required.
2. Applicant gets signatures from neighbouring **property owners** and the owner of the Home Occupation property indicating that they understand the details of the applicant's proposed Home Occupation *and* that they do not object to the applicant's proposed Home Occupation.
3. Applicant returns application form with signatures to Planning Department and pays the application fee.
4. Planning Dept may approve the application for the Permit.
5. Notice of Decision of the Permit approval is advertised in Taber Times (as required by the Land Use Bylaw). A Notice is also sent to the applicant.
6. 2 week appeal period: If there are no valid objections, the Permit becomes effective 2 weeks from the date it appears in the Taber Times.
7. Applicant pays the Business license fee (annual fee).

Applicant's Name:	<u>Jacob W Ketter</u>		
Business Name:	_____		
Civic Address:	<u>5004 45 Ave</u>	Postal Code:	<u>T1G 1A8</u>
Mailing Address (if different than above):	_____		
Legal Description: Lot	<u>142</u>	Block	<u>27</u> Plan <u>6390L</u>
Phone Numbers:			

1. Describe in detail what the business entails:  
Reflexology  
\_\_\_\_\_  
\_\_\_\_\_
2. What work will be done on the premises and where?  
Reflexology  
\_\_\_\_\_  
\_\_\_\_\_
4. Are there any employees other than family members who will be associated with this business?  
Yes  No   
If yes, where will they be working from? \_\_\_\_\_
5. What will the hours of operation be? 10 AM to 10 PM

6. Will there be clients coming to the home?

Yes

No

If yes, how many?

6

and how often?

Daily

7. How much **off-street** parking is provided?

3 to 5 parking spots  
(3 on street (2 on backyard) parking)

8. List the *type and size* of any vehicles, trailers, etc. that are used in the business:

~~Cars~~ None

Where are they stored/parked? \_\_\_\_\_

9. Will there be any storage of stock, materials, goods and equipment *inside* the home?

Yes

No

If yes, what is stored? \_\_\_\_\_

Where is it stored? \_\_\_\_\_

10. Do you have storage of materials, goods and equipment *outside* the home?

Yes

No

If yes, what is stored? \_\_\_\_\_

Where is it stored? \_\_\_\_\_

11. Will there be any deliveries made to the home?

Yes

No

If yes, what type and how often? \_\_\_\_\_

12. Will there be any flammable or hazardous materials on the premises as a result of the business (solvents, paint thinners, special cleaners, etc).

Yes

No

If so, what is the material, how much is being kept at the premises, and where is it stored?

13. Will there be any external indication to the public of this Home Occupation (noise, dust, odours, traffic, signage, etc.)?

Yes

No

If yes, please provide details: \_\_\_\_\_

The personal information is being collected under the authority of the Municipal Government Act, Section 640, the Town of Taber Land Use Bylaw 4-2006, and the Freedom of Information & Protection of Privacy Act, Section 32(c). This information will be used to determine eligibility for a development/home occupation permit and for enforcement of applicable laws. This information may be circulated to persons or authorities as necessary for the review process. If you have any questions regarding the collection of this information, please contact the FOIP Coordinator, 4900A - 50 Street, Taber, Ab., T1G 1T1, (403) 223-5500, ext 5519.

I hereby certify that I have read and examined this application and know the information to be true and correct. I understand that the Development Authority will rely on this information in its evaluation of my application for a Home Occupation.

Signature of Applicant: [Signature] Date: July 20-15

Property Owner: I am the Title Holder for this property at this civic address 5004 45 Ave Taber and hereby give my permission for this Home Occupation to be conducted at this property.

Signature of Property Owner [Signature] Date: July 20-15

### Neighbouring Properties: Owners' Sign-off

By signing below I am indicating that I understand the details of the applicant's Home Occupation and I have no objection to the proposed Home Occupation.

Print Name	Signature	Date