

# **MUNICIPAL DISTRICT OF TABER**

CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT APPEAL BOARD

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**September 19, 2024**

**10:00 A.M.**

**Hearing No. DA 117-24**

**Appellant / Applicant: TNT Pollination Ltd.**

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## **LIST OF EXHIBITS**

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Letter of Appeal
- D. Notice of Decision DA 117-24
- E. Application Information from August 6, 2024 SDA Agenda
- F. Minutes from SDA Meeting
- G. Excerpts from Land Use Bylaw No. 1722



# MUNICIPAL DISTRICT OF TABER

## NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

### Development Application 117-24

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

**Development Authority of MD of Taber  
with respect to Development Permit Application 117-24**

**APPELLANT:** TNT Pollination Ltd.

**LEGAL DESCRIPTION:** Lot 1, Block 3, Plan 171 0998  
within NE ¼ 8-10-14 W4M

**PROPOSAL:** To construct a 32,400ft<sup>2</sup> precast concrete building for  
potato storage

**DECISION:** REFUSED with Reasons

**PLACE OF HEARING:** Council Chambers  
MD of Taber Administration Building  
4900B - 50 Street, Taber

**DATE OF HEARING:** September 19, 2024

**TIME OF HEARING:** 10:00 a.m.

### PROCEDURES PRIOR TO THE HEARING FOR DA 117-24:

1. **Provide Written Submissions** - The Appeal Board is encouraging all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format. Please contact the Clerk with your written submissions which will be accepted until **4:00 p.m. September 13, 2024.**

EMAIL: [gavinscott@orrsc.com](mailto:gavinscott@orrsc.com)

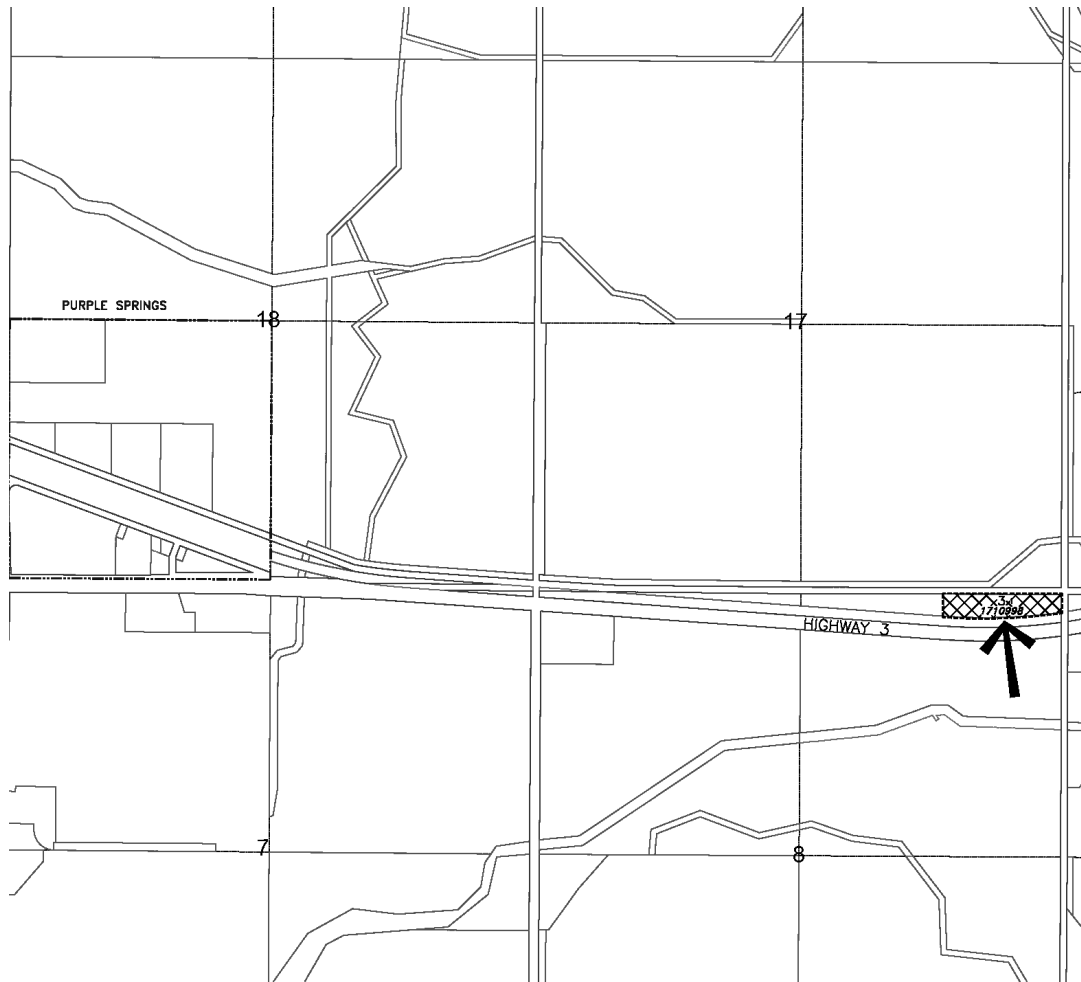
MAIL: Gavin Scott, Board Clerk  
Oldman River Regional Services Commission  
3105 – 16<sup>th</sup> Avenue N., Lethbridge, Alberta T1H 5E8

**If do not submit your information by the deadline, you may bring information to the hearing for submission and are expected to supply 12 copies.**

2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at [www.orrsc.com](http://www.orrsc.com). Any additional submissions submitted up to September 13, 2024 will be posted to the website prior to the hearing.

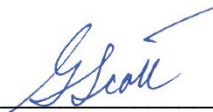
**Lands Subject of Appeal Hearing DA 117-24**

**Lot 1, Block 3, Plan 171 0998  
NE 1/4 8-10-14 W4M**



LOCATION SKETCH  
LOT 1, BLOCK 3, PLAN 1710998 WITHIN  
NE 1/4 SEC 8, TWP 10, RGE 14, W 4 M  
MUNICIPALITY: MUNICIPAL DISTRICT OF TABER  
DATE: AUGUST 21, 2024

DATE: August 27, 2024



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**Gavin Scott, Board Clerk  
Chinook Subdivision & Development Appeal Board**

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**MUNICIPAL DISTRICT OF TABER  
CHINOOK INTERMUNICIPAL SUBDIVISION & DEVELOPMENT  
APPEAL BOARD**

Development Application 117-24

List of Persons Notified

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**Municipality:**

MD of Taber CAO  
MD of Taber SDA  
MD of Taber Planning & Development Officer  
MD of Taber Planning Coordinator  
ORRSC Planner, Bonnie Brunner

**SDAB Members:**

Bill Parkinson  
Evert Van Essen  
Kim Jensen

**Appellant:**

TNT Pollination Ltd.

**Persons Notified:**

Mike Wind  
Windiana Farms Ltd.  
Sunset Feeders Ltd.  
Abraham Fehr Banman and Doris Reimer Banman  
Her Majesty The Queen In Right Of Alberta, As Represented by Minister Of Transportation  
Peter Wieler Wiebe and Katharina Klassen Wiebe  
Board of Directors of the Taber Irrigation District  
Canadian Pacific Limited



From: Kevin Torrie <kevin@grandforksconcrete.com>  
Sent: Tuesday, August 20, 2024 2:54 PM  
To: Tom Anderson <TAnderson@mdtaber.ab.ca>  
Cc: Jazlyn Pedersen <JPedersen@mdtaber.ab.ca>; management@grandforksconcrete.com  
Subject: Re: DP117-24 Notice of Refusal

Hi Tom,

TNT Pollination wishes to appeal the decision by the SDA to Refuse DP117-24 and present during the appeal process a revised building and site layout which has the support of Staff members and which addresses all of the concerns raised during the initial DP review process.

We will make ourselves available for a meeting with the Appeal Board at a mutually convenient time to present and discuss our revised plan. Please let us know what else we need to do to prepare for this meeting.

Best regards,

Kevin







# MUNICIPAL DISTRICT OF TABER NOTICE OF DECISION

FORM C

LAND USE BYLAW NO. 1722

Application Received: July 26, 2024

DEVELOPMENT APPLICATION NO. 117-24

Application Deemed Complete: August 2, 2024

Date of Decision: August 6, 2024

NAME:  Tyler Torrie

ADDRESS:  [REDACTED]

In the matter of development:

Phase I construction of 32,400 sq ft potato storage building.

On property located at:

Lot 1, Block 3, Plan 1710998 within NE 8-10-14-W4

The development as specified in Development Application No. 117-24 has been:

- APPROVED
- APPROVED subject to the following conditions:
- REFUSED for the following reasons:**

That Development Application 117-24 be refused for the following reasons:

1. The access to the parcel does not provide enough turning radius for larger truck traffic.  
'Setback and location reasons'

DECISION DATE:  August 6, 2024

SIGNED:  [Signature]

DESIGNATED OFFICER

## THIS DOES NOT CONSTITUTE A DEVELOPMENT PERMIT

This decision is appealable to the Subdivision and Development Appeal Board of the M.D. of Taber within twenty one (21) days of the date of this notice by any party considering themselves to be adversely affected.

**D1**





# Municipal District of Taber

## Development Information Sheet

### DEVELOPMENT APPLICATION NO. 117-24

**LAND DESCRIPTION:** Lot 1 Block 3 Plan 1710998 in NE 8-10-14-W4

**LAND USE DISTRICT:** Rural Agricultural – Discretionary

### PROPOSED DEVELOPMENT:

- o An application has been received for phase I construction of a 32,400 sq ft potato storage building and for construction.
- o The applicant included a bathroom in their floor plan with a sewage holding tank.
- o The proposed development falls outside of the 350 ft site triangle.
- o The proposed development is located south of a private road built within the Twp Rd 102 road allowance. As such the road began as more of a private driveway rather than a public road. However, the MD does maintain this road.
- o This application was circulated to Public Works for comment – *See attached comments.*

### LAND USE BYLAW WAIVER(S) REQUESTED:

- o Setback requirements for the potato storage building from 150 ft from the centreline of Twp Rd 102 to 98 ft.
- o In accordance with Schedule 5, Part 13, Section B (iii) of Land Use Bylaw No. 1722: “The use of a sewage holding tank as a method of private sewage disposal requires the approval of the municipality and may only be considered where in the opinion of the Development Authority, no other reasonable alternative is available and the volume of effluent produced by the development is limited or where the use is approved in an adopted Area Structure Plan.”

### RECOMMENDATION:

**THAT; Development Application 117-24 be refused with reasons.**

**OR**

**THAT; Development Application 117-24 be approved with the conditions and informative as presented:**

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. A waiver has been granted to reduce the required minimum 150 foot setback for the potato storage building from the centreline of Twp Rd 102 to 98 feet from the centreline.
4. The potato storage building must be setback and placed on private property as shown on the site plan submitted by the applicant.



## Municipal District of Taber Development Information Sheet

5. Access to the driveways across from & next to the potato storage building must not be hindered by the parking of vehicles, equipment, or machinery. Additionally, no parking or unloading will be permitted on the Twp Rd 102 road allowance.
6. The applicant must enter into an approach agreement with the MD of Taber for a driveway approach for the potato storage building to the property.
7. Installation of a holding tank for septage is permitted on the premises and must meet Alberta Private Sewage Systems Standard of Practice.
8. The applicant must provide to the MD of Taber a floor plan of the potato storage building for assessment purposes.

### Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*
4. *Approval of this Development Permit does not set precedent or issuance of a setback variance on future development applications.*



Municipal District of Taber  
4900B - 50th Street  
Taber, Alberta T1G 1T2  
403-223-3541

**FORM A: DEVELOPMENT PERMIT APPLICATION**  
Pursuant to Land Use Bylaw No. 1722

|   |  |   |
|---|--|---|
| Application No:<br><u>117-24</u>  | Roll No:<br><u>4141008100</u>  | Use:<br><input type="checkbox"/> Permitted <input checked="" type="checkbox"/> Discretionary <input type="checkbox"/> Similar <input type="checkbox"/> Prohibited |
| Application Fee: \$<br><u>\$ 300</u>  | Date Received:<br><u>JUL 26, 2024</u>  | <input checked="" type="checkbox"/> Abandoned Well Information  |
| Application Deemed Complete:  | Land Use District:<br><input checked="" type="checkbox"/> Rural Agricultural <input type="checkbox"/> Hamlet Industrial<br><input type="checkbox"/> Rural Urban Fringe <input type="checkbox"/> Hamlet Public and Institutional<br><input type="checkbox"/> Grouped Country Residential <input type="checkbox"/> Hamlet Transitional/Agricultural<br><input type="checkbox"/> Grouped Rural Industrial <input type="checkbox"/> Private Commercial Recreation<br><input type="checkbox"/> Rural Highway Commercial <input type="checkbox"/> Locality of Retlaw Direct Control<br><input type="checkbox"/> Hamlet Residential <input type="checkbox"/> Linear Parcel Direct Control<br><input type="checkbox"/> Hamlet Commercial <input type="checkbox"/> Direct Control |   |
| 20-Day Completeness Period:<br><u>Aug 15, 2024</u>                                | 40-Day Time Period:  |   |
| IDP Referral: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |  |   |

**1. APPLICANT & LAND INFORMATION**

Applicant's Name: Tina Tassie Phone: [REDACTED]  
Mailing Address: [REDACTED]  
E-mail Address: [REDACTED]  
Landowner's Name: TNT Pollination Ltd. Phone: 403-360-2528  
Mailing Address: (same as above)

Applicant's interest in the proposed development if not the landowner:

Agent  Contractor  Tenant  Other: \_\_\_\_\_

Quarter: NE Section: 8 Township: 10 Range: 14 W4

Lot(s) 1 Block: 3 Plan: 1710998

Street or Rural address: 102002C Range Rd 144, Purple Springs AB T0K 1X0

Titled Area of Parcel: \_\_\_\_\_ Acres 2.42 Hectares Land Use District: RA

Are any of the following within 1/2 a mile of the proposed development?  Provincial Highway

Confined Feeding Operation  Sour gas well or pipeline  Sewage treatment plant or Landfill

**2. DEVELOPMENT INFORMATION**

**Existing Development**

Please list the existing buildings, structures and use(s) of the land and whether any are to be removed or relocated.

Existing residential home and out buildings on the property will remain. The rest of the site is fenced pasture.



**FORM A: DEVELOPMENT PERMIT APPLICATION**  
 Pursuant to Land Use Bylaw No. 1722

**Proposed Development**

Please describe the proposed development including uses, buildings, structures, and any planned renovations and additions that are to be constructed on the lot; including the dimensions of each.

*We propose to construct a new pre-cast concrete building to be used for potato storage.*

Please check the applicable box below:

- Single Detached Dwelling (site built)                       Manufactured Dwelling:     New     Used  
 Moved-in Dwelling (previously occupied)                       Ancillary Structure/Building (eg: deck/garage/shop)  
 Other Building Type: *Potato Storage*                       Addition: \_\_\_\_\_

**FOR NON-RESIDENTIAL DEVELOPMENT ONLY** please check the applicable box below if the proposed development is for one of the following **AND** complete the supplementary form:

Commercial (Form A1)       Industrial (Form A1)       Public & Institutional (Form A1)       Home Occupation (Form A2)       Sign(s) (Form A3)

**Building Details**

| <b>Dimensions</b>   | Principal Building or Addition  | Ancillary Building or Addition  |  |
|---|---|---|--|
| Building/Addition Size <i>Phase 1</i>   | 32,400 <input type="checkbox"/> m <sup>2</sup> <input checked="" type="checkbox"/> sq. ft | <input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft |  |
| Height of Building  | 30 ± <input type="checkbox"/> m <input checked="" type="checkbox"/> ft                    | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| Wall Height   | 30 ±  | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| <b>Proposed Setbacks from Property Lines</b>  | Principal Building  | Ancillary Building  |  |
| Front   | 98 <input type="checkbox"/> m <input checked="" type="checkbox"/> ft                      | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| Rear  | 32 <input type="checkbox"/> m <input checked="" type="checkbox"/> ft                      | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| Side  | 350 <input type="checkbox"/> m <input checked="" type="checkbox"/> ft                     | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| Side  | 370 <input type="checkbox"/> m <input checked="" type="checkbox"/> ft                     | <input type="checkbox"/> m <input type="checkbox"/> ft                  |  |
| Parcel Type:  | <input type="checkbox"/> Interior Lot   | <input checked="" type="checkbox"/> Corner Lot                          |  |
| <b>Development Details</b>  |   |   |  |
| Is a new/additional driveway proposed to access the development? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (specify)<br><i>2 new driveways for truck access</i>   |   |   |  |
| For Solar or Wind Development: Do you currently possess an Alberta Utilities Commission Approval under Rule 24 (net zero contract), or is approval pending? Please check one: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Pending |   |   |  |
| Please provide the estimated total cost of development: \$ <i>3.0 Million</i>   |   |   |  |



### FORM A: DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 1722

#### Exterior Finish, Fencing & Landscaping

Describe generally the types, colors, and materials, as applicable, of:

Exterior finishes of the proposed building(s): Plain concrete finish

Proposed fencing and height: N/A

Proposed landscaping: N/A

Describe any proposed improvements to the exterior of the dwelling where application is for a previously occupied dwelling (moved-in, modular or manufactured home): N/A

#### Services

Indicate the proposed sewer system and potable water supply:

Sewer System:

Private Septic    Municipal

Specify septic type: \_\_\_\_\_

Water Supply:

Cistern    Water well    Dugout    Municipal/Regional/Co-op

Other(specify): \_\_\_\_\_

#### Waivers

Is a waiver to one or more standards in the Land Use Bylaw being requested?    No    Yes

If yes, please specify: Building setback from the road at 98 ft instead of 150 ft. Existing house on this site only has a 61 ft. set back.

#### 3. DECLARATION OF APPLICANT/OWNER

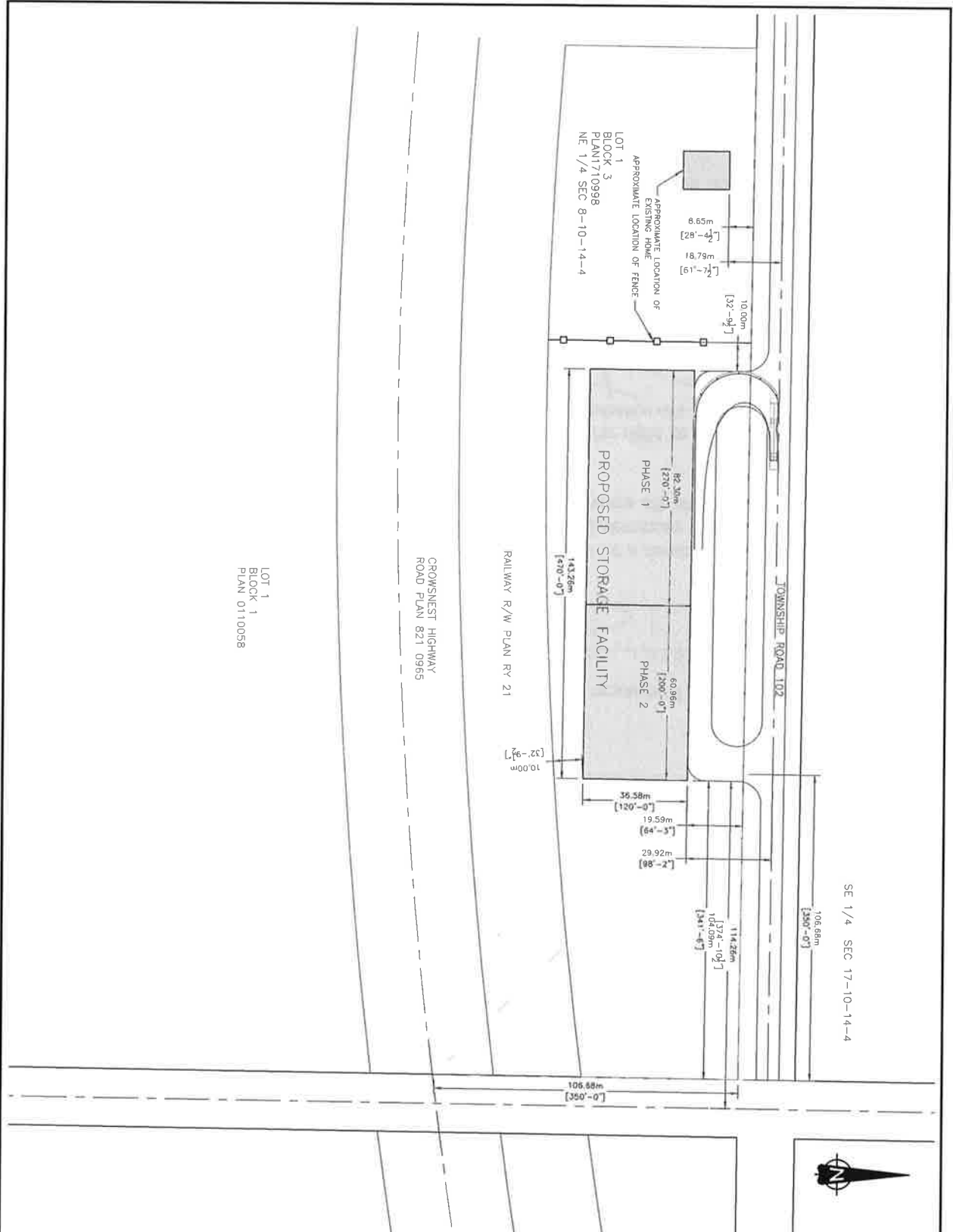
*I/We have read and understand the terms noted below and hereby apply for a development permit to carry out the development described within this application including any attached supplementary forms, plans, and documents. I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.*

*Further I/We hereby give my/our consent to allow authorized persons the right to enter upon the subject land and/or building(s) for the purpose of an inspection with respect to this application only.*

Date: July 26, 2024   Applicant's Signature: [Signature]

Landowner's Signature: \_\_\_\_\_  
(if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/ other agencies and may also be kept on file by the agencies. This information may also be used by and for any or all municipal programs and services. The application and related file content will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Taber.*



LEGEND / NOTES

ALL DIMETERS ARE IN M UNLESS OTHERWISE SPECIFIED.

| ISSUE | DATE | REVISION DESCRIPTION |
|-------|------|----------------------|
|       |      |                      |
|       |      |                      |
|       |      |                      |

WILDE BROTHERS  
ENGINEERING LTD.  
PERMIT TO PRACTICE  
708438

WILDE BROS ENGINEERING LTD.  
Raymond, Alberta

GRAND FORKS CONCRETE

PURPLE SPRINGS  
POTATO STORAGE

|                    |      |         |      |
|--------------------|------|---------|------|
| DESIGNED           | DATE | CHECKED | DATE |
| DRAWN              | BY   | DATE    | BY   |
| SCALE: 1:1000      |      |         |      |
| DATE: 07 JUNE 2024 |      |         |      |





E7



**E8**



**E9**



**E10**



**E11**



**E12**



**E13**

## Tom Anderson

---

**From:** Tom Anderson  
**Sent:** July 22, 2024 12:06 PM  
**To:** Corey Greene  
**Subject:** RE: Purple Springs Potato Storage site plan

Hi Corey,

Thank you for your comments and having your guys look into this. I will pass along your thoughts to the Torrie's.

Thanks,

**Tom Anderson | Municipal District of Taber**  
Development Officer



4900B - 50<sup>th</sup> Street  
Taber, Alberta, T1G 1T2  
P 403 223 3541 ext 119  
C (587) 257-2489  
[www.mdtaber.ab.ca](http://www.mdtaber.ab.ca)

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**From:** Corey Greene <CGreene@mdtaber.ab.ca>  
**Sent:** Monday, July 22, 2024 12:04 PM  
**To:** Tom Anderson <TAnderson@mdtaber.ab.ca>  
**Subject:** RE: Purple Springs Potato Storage site plan

Hi Tom,

I had our staff take a look at this and this is what we have come up with.

Some immediate concerns that I have with this development are:

- The width of Township Road 10-2 in front of the proposed facility is ~6.3m
  - o There is probably very little opposing traffic currently, but still a very narrow road.
- Intersection size at Range Road 14-4.
  - o Almost no large combinations turning into that intersection would be possible.
- Trucks turning in and out of the facility on to Township Road 10-2.
  - o The plan would cause significant turning action and likely sculpting of the road.
- Building Setback
  - o The proposed setback would have potential to cause significant drifting on 10-2 if winds blew from the S or SW.



**Corey Greene, CET | Municipal District of Taber**  
Director of Municipal Operations

171027 Hwy 3  
Barnwell, Alberta, T0K 0B0  
P 403 223 3142  
C 403 892 2399  
F 403 223 1823

[www.mdtaber.ab.ca](http://www.mdtaber.ab.ca)

**Mailing Address**  
4900B - 50<sup>th</sup> Street  
Taber, Alberta, T1G 1T2



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**From:** Tom Anderson <[TAnderson@mdtaber.ab.ca](mailto:TAnderson@mdtaber.ab.ca)>  
**Sent:** Monday, July 22, 2024 11:12 AM  
**To:** Corey Greene <[CGreene@mdtaber.ab.ca](mailto:CGreene@mdtaber.ab.ca)>  
**Subject:** RE: Purple Springs Potato Storage site plan

Hi Corey,

The Torrie's are just following up to see if you have any final thoughts on this proposed development. The rest of the planning team has no comments at this point.

Thank you,

**Tom Anderson | Municipal District of Taber**  
Development Officer



4900B - 50<sup>th</sup> Street  
Taber, Alberta, T1G 1T2  
P 403 223 3541 ext 119  
C (587) 257-2489  
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RE: TNT Pollination - proposed Potato Storage Building near Purple Springs, AB  
Response to preliminary Municipal Operations review comments

August 1, 2024

Dear Tom,

Below are the preliminary review comments from Municipal Operations (in red font) you sent to us by email on July 22, 2024 along with the TNT responses for our proposed Potato Storage Building near Purple Springs, AB.

Some immediate concerns that I have with this development are:

- The width of Township Road 10-2 in front of the proposed facility is ~6.3m
  - There is probably very little opposing traffic currently, but still a very narrow road.
    - *TNT Response - First of all, it is important to understand that truck traffic associated with this proposed development will not be regular nor year-round. Trucks will bring potatoes to the building for storage for approximately 2 weeks in the Fall, and then will sporadically access the site to unload the building and haul potatoes to a processing plant. Secondly, there are only 2 other residences on this road. Tyler Torrie of TNT Pollination has spoken to both of these residents and explained our proposed potato storage building development project. Neither resident expressed any concern for the project.*
- Intersection size at Range Road 14-4.
  - Almost no large combinations turning into that intersection would be possible.
    - *TNT Response: While the width of Township Road 10-2 is 6.3m as noted above, the width of Range Road 144 is more than ample to accommodate the turning radius of trucks that will be used to load and unload our proposed Potato Storage building.*
- Trucks turning in and out of the facility onto Township Road 10-2.
  - The plan would cause significant turning action and likely sculpting of the road.
    - *TNT Response: We have trucks that regularly access our other farm sites in Grassy Lake with similar sized driveways, and sculpting has never been an issue.*
- Building Setback
  - The proposed setback would have potential to cause significant drifting on 10-2 if winds blew from the S or SW.
    - *TNT Response: First, it should be noted that the existing residence on this property was constructed with a setback of approximately 61'-7" to the centerline of Township Road 10-2. We are not aware that snow drifting onto Township Road 10-2 has ever been an issue at this site.*

TNT Pollination - proposed Potato Storage Building near Purple Springs, AB  
Response to preliminary Municipal Operations review comments  
August 1, 2024

*Secondly, the Torrie family has ranched/farmed in the Grassy Lake area since 1921 and have never witnessed localized snow drifts on the lee side of buildings extending anywhere close to the 98' that would be required to impact Township Road 10-2. However, TNT Pollination is prepared to either pay for the cost of snow removal on Township Road 10-2 by an MD approved Contractor, should localized drifting from our building ever become an issue, or become an MD-Approved Snow Maintenance Contractor and do the work ourselves.*

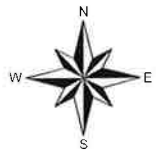
Please let us know if you have any questions, or require any further information. We plan for the structure of this multi-million dollar building to be entirely precast concrete fabricated and erected by our sister company, Grand Forks Concrete Ltd. in Grassy Lake, AB. Furthermore, this potato storage building, with convenient access to Highway 3 and located only 9 km from the Lamb-Weston plant and 44 km from the McCain Foods plant, will help to support the expansion of both of these processing facilities. We trust therefore that the Subdivision Development Authority (SDA) will see the immediate and long-term economic benefits to our community from this significant project and partner with us to bring it to fruition.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Torrie". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kevin Torrie for TNT Pollination

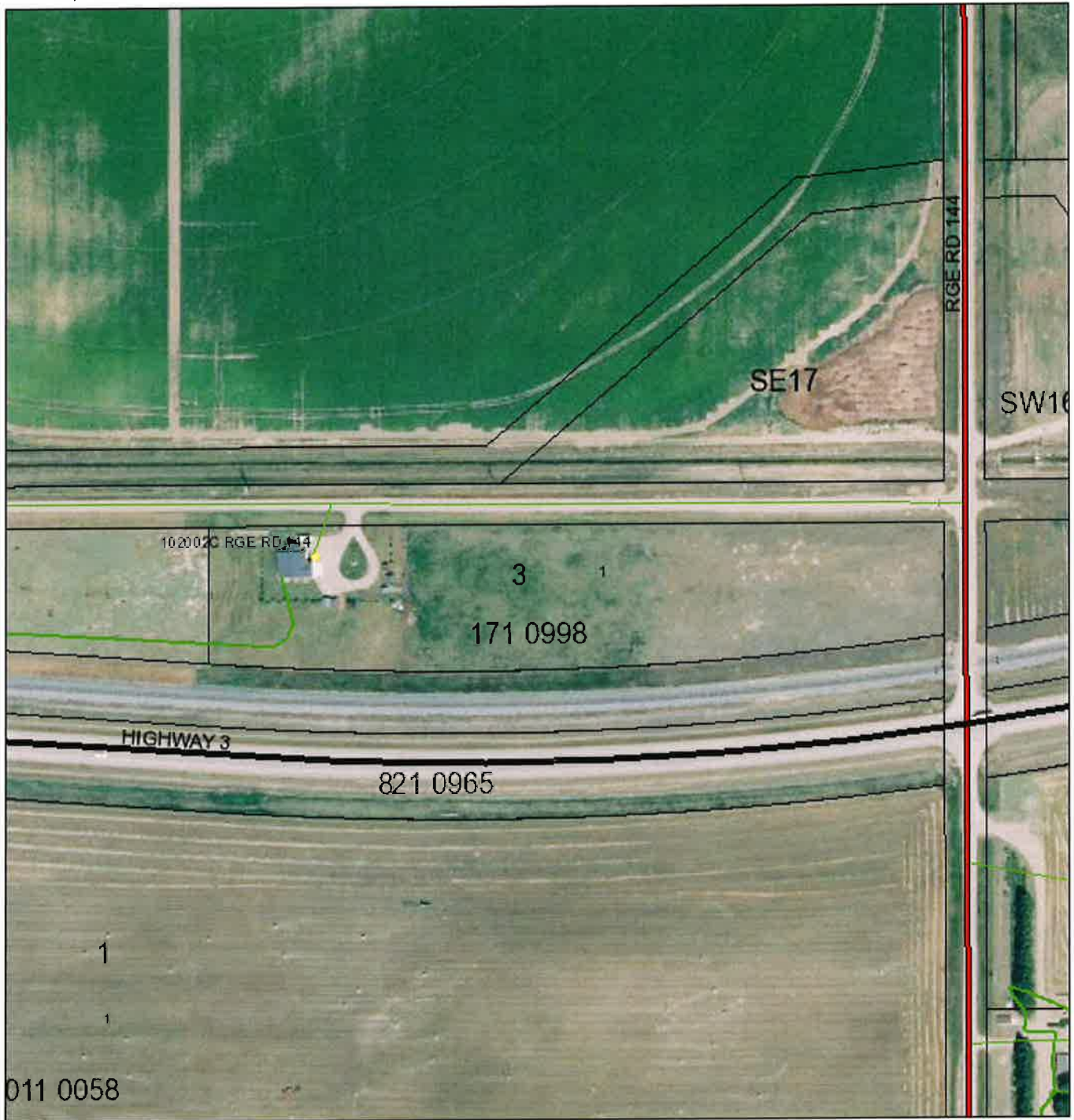
# MUNICIPAL DISTRICT OF TABER



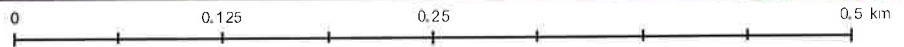
## Planning & Development Development Application w Abandoned well map

Draw by: Tom

Map Date: 7/29/2024





Scale: 1:4,514



# E18

### Legend

-  ABADATA Well Data (Monthly Update)
-  ABADATA Low Pressure Pipeline Data (Monthly Update)

Municipal District of Taber

Meeting Minutes

August 6, 2024 - Subdivision and Development Authority - 09:00 AM

Minutes of the regular meeting of the Subdivision and Development Authority of the Municipal District of Taber held in the Council Chambers of the Administration Building at Taber, Alberta, on August 6, 2024.

|              |                  |   |
|--------------|------------------|---|
| Present      | John DeGroot     | Chair   |
|              | Merrill Harris   | Member  |
|              | Brian Hildebrand | Member  |
|              | John Turcato     | Member  |
| Absent       | Murray Reynolds  | Member  |
| Also Present | Bonnie Brunner   | ORRSC Planning Advisor                        |
|              | Jazlyn Pedersen  | Community Services Coordinator                |
|              | Tom Anderson     | Development Officer                           |
|              | Brian Peers      | Manager of Lands, Planning and<br>Development |

1. Call To Order

Chair John DeGroot called the meeting to order at 9:00 a.m.

2. Acceptance of Agenda

Resolution No: 2024-0-244

MOVED By Councillor Brian Hildebrand

That the agenda be accepted as presented.

CARRIED

3. Adoption of Minutes

Resolution No: 2024-0-245

MOVED By Councillor Merrill Harris

That the minutes of the regular meeting of the Subdivision and Development Authority held on July 15, 2024 be approved as presented.

CARRIED

4. Declaration of Conflict

There was no Declaration of Conflict by SDA members.

5. Delegations

5.1 Delegation - Matthew Horvath (D-Com Energy Solutions) - DA 110-24

Matthew Horvath (D-Com Energy Solutions) was present to discuss and provide information with respect to Development Application 110-24.

5.2 Delegation - Kevin Torrie & David Torrie & Tyler Torrie & Tosha Torrie - DA 117-24

Kevin Torrie & David Torrie & Tyler Torrie & Tosha Torrie were present to discuss and provide information with respect to Development Application 117-24.

6. Presentation of Applications

Tom Anderson, Planning and Development Officer, presented the development applications and Bonnie Brunner, Planning Advisor, presented the subdivision applications for review and discussion.

6.1 Closed Session Pursuant to Section 197(2.1) of the Municipal Government Act - Discussion of subdivision and development applications

Resolution No: 2024-0-246 Councillor Merrill Harris

To enter closed session at 9:57 a.m.

CARRIED

6.2 Reconvene Regular Session

Resolution No: 2024-0-247 Councillor Brian Hildebrand

To rise and return to open session of the Subdivision and Development Authority at 10:24 a.m.

CARRIED

7. Development Application Decisions

7.1 Development Application 108-24 - Abe Redekop - Lot 1 Blk 1 PL 1211354 within SE 2-14-16-W4 - Construct 351 sq ft addition on a mobile home

Resolution No: 2024-0-248 Councillor Merrill Harris

That Development Application 108-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. All development (including trees and fences) must be set back a minimum of 150 feet from the centerline of Rge Rd 171 in compliance with Land Use Bylaw No. 1722.
4. The addition to the dwelling must be setback and placed on private property as shown on the site plan submitted by the applicant.
5. The applicant must provide the MD of Taber a full set of building plans for the addition to the dwelling for assessment purposes.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED



7.2 Development Application 109-24 - Western Solar Inc. (Scott Holtman) - SW 33-9-16-W4 - Install 33kW AC, 41.7kW DC ground mount solar array

Resolution No: 2024-0-249 Councillor John Turcato

That Development Application 109-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. All development must be set back a minimum of 150 feet from the centreline of Rge Rd 164 in compliance with Land Use Bylaw No. 1722.
4. The ground mount solar array must be setback and placed on private property as shown on the site plan submitted by the applicant.
5. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site.
6. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.3 Development Application 110-24 - D-Com Energy Solutions (Perry Produce Ltd.) - Lot 3 Blk 1 PL 1211248 within SW 30-9-18-W4 - Car port solar array

Resolution No: 2024-0-250 Councillor Brian Hildebrand

That Development Application 110-24 be tabled and the Subdivision and Development Authority direct Administration to discuss with the applicant a new proposed site plan for the development.

CARRIED

7.4 Development Application 111-24 - Western Solar Inc. (CP Farms Ltd.) - Lot 1 Blk 1 PL 8710268 in NW 18-9-17-W4 - Install 75kW AC, 97.2kW DC roof mount solar array

Resolution No: 2024-0-251 Councillor Merrill Harris

That Development Application 111-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The solar roof mount installation must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site.
5. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*

CARRIED

7.5 Development Application 112-24 - Eric Torrie (C Torrie Holdings Ltd.) - SE 4-11-13-W4 - Install 120kW AC, 184.8kW DC ground mount solar array

Resolution No: 2024-0-252 Councillor Merrill Harris

That Development Application 112-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The ground mount solar array must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site and be in accordance with the approved attached decommissioning plan.
5. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.
6. The proposed development is situated in an area identified in the Alberta Listing of Historic Resources as having high potential to contain a historic resource (HRV 5). The applicant is responsible for obtaining any clearances as may be necessary in accordance with the Historical Resources Act. If a historic resource is discovered during excavation for the development, it must be reported in accordance with the Historical Resources Act.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.6 Development Application 113-24 - Eric Torrie (M Torrie Holdings Ltd.) - SE 4-11-13-W4 - Install 120kW AC, 184.8kW DC ground mount solar array

Resolution No: 2024-0-253 Councillor Brian Hildebrand

That Development Application 113-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The ground mount solar array must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site and be in accordance with the approved attached decommissioning plan.
5. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.
6. The proposed development is situated in an area identified in the Alberta Listing of Historic Resources as having high potential to contain a historic resource (HRV 5). The applicant is responsible for obtaining any clearances as may be necessary in accordance with the Historical Resources Act. If a historic resource is discovered during excavation for the development, it must be reported in accordance with the Historical Resources Act.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.7 Development Application 114-24 - Eric Torrie (LeRon Torrie Farms Ltd.) - SE 33-10-13-W4 - Install 40kW AC, 61.8kW DC ground mount solar array

Resolution No: 2024-0-254 Councillor John Turcato

That Development Application 114-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The ground mount solar array must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. No portion of the development shall fall inside of the SMRID irrigation right-of-way.
5. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site and be in accordance with the approved attached decommissioning plan.
6. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.8 Development Application 115-24 - Eric Torrie (LeRon Torrie Farms Ltd.) - NW 28-10-13-W4 - Install 120kW AC, 184.8kW DC ground mount solar array

Resolution No: 2024-0-255 Councillor Merrill Harris

That Development Application 115-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The ground mount solar array must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. Decommissioning of solar panels and components should follow proper recycling and disposal methods and not be disposed of on-site and be in accordance with the approved attached decommissioning plan.
5. The applicant/owner is responsible for mitigating any glare from the panels that may affect nearby residences and motorists travelling on the local roads.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.9 Development Application 116-24 - Spencer Valgardson - Lot 4 Blk 1 PL 0915247 within NW 8-9-16-W4 - Construct 1,200 sq ft detached garage

Resolution No: 2024-0-256 Councillor Brian Hildebrand

That Development Application 116-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing) from an accredited inspection agency with copies of final inspection reports being provided to the MD of Taber.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The detached garage must be setback and placed on the property as shown on the site plan submitted by the applicant.
4. The applicant must provide to the MD of Taber a full set of building plans of the detached garage for assessment purposes.
5. The detached garage must be utilized for personal use only.
6. All development must comply with the Area Structure Plan Bylaw No. 1798.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

7.10 Development Application 117-24 - Tyler Torrie - Lot 1 Blk 3 PL 1710998 within NE 8-10-14-W4 - Phase I construction of 32,400 sq ft potato storage building

Resolution No: 2024-0-257 Councillor John Turcato

That Development Application 117-24 be refused with reason(s):

1. Setback and location reasons.

CARRIED

7.11 Development Application 118-24 - Johann Wall - Lot 1 Blk 1 PL 0914014 within NE 10-10-18-W4 - Move 2,112 sq ft tent shelter

Resolution No: 2024-0-258 Councillor Merrill Harris

That Development Application 118-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. The fabric covered shelter must be setback and placed on private property as shown on the site plan submitted by the applicant.
4. All development must be set back a minimum of 150 feet from the centrelines of Rge Rd 182 and Twp Rd 102 and remain outside of the 350 foot intersection sight triangle in compliance with Land Use Bylaw No. 1722.
5. The fabric covered shelter must be kept in a state of good repair. Should the fabric become ripped or torn it must be repaired immediately.
6. The fabric covered shelter must be utilized for personal use only. Any change in use requires approval by way of a valid development permit issued by the Development Authority prior to making the change.
7. The fabric covered shelter must meet AER setback standards from abandoned well 0084633.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED



Resolution No: 2024-0-259 Councillor Brian Hildebrand

That Development Application 119-24 be approved subject to the following conditions and informative:

1. The applicant is responsible for obtaining a building permit **prior to commencement**, and all other applicable safety code permits (gas, electrical & plumbing and private sewage disposal systems) from an accredited inspection agency.
2. The applicant must contact Alberta One-Call (1-800-242-3447) to locate existing utility lines **prior to commencement**.
3. All development (including trees and fences) must be set back a minimum of 150 feet from the centerline of Rge Rd 181 in compliance with Land Use Bylaw No. 1722.
4. The shop must be setback and placed on private property as shown on the site plan submitted by the applicant.
5. The shop must be utilized for personal use only. Change in use to the building would require a new Development Permit Application be submitted.
6. The shop shall not be used for overnight accommodation or living quarters.
7. The applicant must provide to the MD of Taber a floor plan of the shop for assessment purposes.
8. The shop must be utilized for personal use only. Any change in use requires approval by way of a valid development permit issued by the Development Authority prior to making the change.

Informative:

1. *The applicant is responsible for determining the location of any easements and/or rights-of way registered on the property and ensuring that the development does not encroach upon the easements and/or rights of way and complies with any associated agreements registered on title.*
2. *As per the MD of Taber Municipal Development Plan policy 5.1.12, the applicant/owner is advised that the proposed development is located in an agricultural area and may be subject to the odours, dust, noise, traffic and sounds generated by agricultural operations.*
3. *Any applicant that plans to construct or utilize an existing approach must seek consultation with MD of Taber Public Works and Infrastructure in order to determine the adequacy and appropriateness of the desired access.*

CARRIED

8. Subdivision Application Decisions

Resolution No: 2024-0-260 Councillor John Turcato

THAT the subdivision of SE1/4 14-10-13-W4M (Certificate of Title No. 171 106 667 +10), to create a 4.59± acre (1.86± ha) lot from an unsubdivided quarter section for isolated country residential use; BE APPROVED subject to the following:

CONDITIONS:

1. That, pursuant to Section 654(1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the Municipal District of Taber.
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into and comply with a Development Agreement with the Municipal District of Taber which shall be registered concurrently with the final plan against the title(s) being created.
3. That the foundation of the dwelling is completed prior to finalization of the subdivision and documentation submitted demonstrating such to the satisfaction of the Subdivision Authority with the final plan of subdivision.

CARRIED

9. Other Business

9.1 Other Business - Town of Taber - IDP Referral for DP 24-139 - Request for comment

Resolution No: 2024-0-261 Councillor Brian Hildebrand

That the Subdivision and Development Authority authorizes Administration to respond to the Town of Taber advising there are no concerns from an intermunicipal perspective regarding this application.

CARRIED

9.2 Other Business - Town of Taber - IDP Referral for DP 24-149 - Request for comment

Resolution No: 2024-0-262 Councillor John Turcato

That the Subdivision and Development Authority authorizes Administration to respond to the Town of Taber advising there are no concerns from an intermunicipal perspective regarding this application; And that the MD of Taber looks forward to seeing an Area Structure Plan for the area in which the development is located.

CARRIED

9.3 Other Business - Town of Taber - IDP Referral for DP 24-150 & DP 24-151 & DP 24-152 - Request for comment

Resolution No: 2024-0-263 Councillor Merrill Harris

That the Subdivision and Development Authority authorizes Administration to respond to the Town of Taber advising that from an intermunicipal perspective, the MD of Taber would like to ensure that site drainage for the three 8 plex's applied for in DP 24-150 & DP 24-151 & DP 24-152 be developed such that it is managed internally on the property(s) and that it not be directed upon adjacent MD of Taber lands.

Additionally, the MD of Taber looks forward to seeing an Area Structure Plan and Transportation plan for the area from Range Road 16-4 to east of 55th Street south of Highway 3 to establish a comprehensive framework for future development.

CARRIED

9.3.1 Other Business - Town of Taber - IDP Referral for DP 24-150 - Request for comment

9.3.2 Other Business - Town of Taber - IDP Referral for DP 24-151 - Request for comment

9.3.3 Other Business - Town of Taber - IDP Referral for DP 24-152 - Request for comment

10. Adjournment

Resolution No: 2024-0-264

MOVED By Councillor Merrill Harris

That the meeting adjourn at 10:44 a.m.

CARRIED

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Chair

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Designated Officer

## RURAL AGRICULTURAL – "RA"

### PURPOSE:

In accordance with the objectives and policies of the Municipal District of Taber Municipal Development Plan to:

- (a) ensure that better agricultural land is protected from fragmentation and conserved for extensive agricultural use;
- (b) accommodate intensive agricultural and suitable isolated non-agricultural uses wherever possible on poor or low capability land, providing the Development Authority or Subdivision and Development Appeal Board is satisfied that:
  - (i) the use complies with the pertinent standards and requirements outlined in this District and the Schedules of this bylaw;
  - (ii) conflicts with vicinity land uses, particularly agriculture, are avoided or minimized by utilizing a minimum distance separation to confined feeding operations when siting a development or approving a subdivision.

### 1. LAND USES:

The following listed uses may be subject to additional policies stipulated within an adopted Intermunicipal Development Plan and/or Area Structure Plan.

#### (a) Permitted

- Ancillary residential structures or uses
- Primary single family dwelling
- Shipping container<sup>1</sup>

#### (b) Discretionary

- Airports and airstrips
- Cannabis production facility
- Intensive horticultural operations/facilities
- Isolated (single lot) rural industrial Class A
- Isolated (single lot) rural industrial Class B
- Isolated (single lot) rural industrial Class C
- Isolated (single lot) country residential
- Manufactured home
- Mobile home
- Moved-in dwelling
- Public and institutional
- Rural home occupation
- Secondary single family dwelling
- Sectional or modular dwelling
- Shipping container<sup>2</sup>
- Signs
- Similar uses
- Solar energy system Class A
- Solar energy system Class B

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<sup>1</sup> Temporary shipping container in accordance with section 2, Schedule 12 and/or a maximum of 2 shipping containers associated with extensive agriculture or grazing on parcels of 5 acres or greater in accordance with section 3, Schedule 12.

<sup>2</sup> All other shipping containers.

Solar energy system Class C  
Wetland project  
Wind energy conversion system

**(c) Prohibited**

Dwelling unit or living quarters of any type located within or attached to an ancillary building/structure, a building/structure associated with agriculture or a building/structure associated with a use classified as non-residential (e.g., intensive horticultural operations/facilities, rural industrial class A, B and C, public and institutional) in accordance with the land use bylaw

All other uses not deemed similar by the Development Authority to any listed above as permitted or discretionary

**2. LOT SIZE REQUIREMENTS**

All uses requiring septic field systems - one acre or greater as required by the Development Authority.

**3. SETBACK, YARD AND ACCESS REQUIREMENTS**

As required by the Development Authority in accordance with General Standards of Development, Schedule 5.

**4. SECONDARY FARM RESIDENCE REQUIREMENTS**

Development of more than one farm residence per title shall comply with section 640 of the Act and, wherever possible, shall be located:

- (a) within an existing definable farmstead; or
- (b) on that portion of the parcel which has the lowest capability for extensive agricultural use.

**5. LOCATIONAL CRITERIA FOR SPECIFIED DEVELOPMENTS**

(a) Isolated rural industrial Class A, B and C development shall not be approved if, in the opinion of the Development Authority or Subdivision and Development Appeal Board, a more suitable, compatible, serviceable and/or accessible hamlet industrial, grouped rural industrial or alternative rural lot is reasonably available.

(b) Isolated Class B and C rural industrial development shall be discouraged, unless otherwise specified in an adopted Intermunicipal Development Plan:

- (i) within two miles of Taber or Vauxhall;
- (ii) within one mile of Barnwell, a designated hamlet, locality or grouped country residential district;
- (iii) within one mile of a public park, recreation area or private commercial recreation district;
- (iv) within one-half mile of an existing or approved rural residence, public institutional use or intensive agricultural operation;
- (v) within one-half mile either side of a provincial highway, designated tourist, scenic or recreational access road;
- (vi) adjacent to a waterbody;

unless the Development Authority or Subdivision and Development Appeal Board is satisfied that adequate measures and high operational standards will be undertaken and maintained to minimize any nuisance, hazard or noxious effect on vicinity land uses.

- (c) Isolated country residential development shall not be approved if located within the minimum distance separation as calculated from an existing or approved confined feeding operation, Class B rural industry or any other activity potentially detrimental to a residential environment.
- (d) Public institutional uses shall not be approved if, in the opinion of the Development Authority or Subdivision and Development Appeal Board, a more suitable, compatible, serviceable or accessible hamlet or alternative rural lot is reasonably available.

**6. DEVELOPMENT REFERRAL REQUIREMENTS**

Refer to administrative section of Land Use Bylaw for referral requirements.

**7. GENERAL STANDARDS OF DEVELOPMENT**

See Schedule 5.

**8. MOBILE HOME STANDARDS OF DEVELOPMENT**

See Schedule 6.

**9. MOVED-IN DWELLING / PREVIOUSLY OCCUPIED DWELLING REQUIREMENTS**

See Schedule 8.

**10. RURAL HOME OCCUPATION STANDARDS**

See Schedule 9(b).

**11. SIGN STANDARDS**

See Schedule 10.

**12. ADDITIONAL STANDARDS FOR COUNTRY RESIDENTIAL DWELLINGS**

The Development Authority may place additional conditions from those specified in Section 17 on a development permit for a dwelling as required to ensure that all activities conducted on the land in question complement the residential nature of the area. Conditions may also include, but are not limited to, control over livestock, home occupations, accessory buildings or fencing.

**13. WETLAND PROJECT**

The Subdivision and Development Authority may delay a decision on an application for a wetland project for the purpose of advertising and conducting a Development Hearing on the proposed project.

**14. SHIPPING CONTAINER STANDARDS**

See Schedule 12.

**15. CANNABIS PRODUCTION FACILITY REQUIREMENTS**

- (a) The owner or applicant must provide as a condition of development a copy of the current licence for all activities associated with the cannabis production facility as issued by Health Canada.

- (b) The owner or applicant must obtain any other approval, permit, authorization, consent or licence that may be required to ensure compliance with applicable federal, provincial and other municipal legislation prior to operation.
- (c) The development must be undertaken in a manner such that all of the processes and functions are fully enclosed within a building, including waste materials.
- (d) The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of the ventilation system.
- (e) A public utility and waste management plan shall be submitted with the development application that describes:
  - (i) estimated volume of monthly water usage;
  - (ii) incineration of waste products and airborne emissions, including smell;
  - (iii) the quantity and characteristics of liquid and waste material discharged by the facility; and
  - (iv) the method and location of collection and disposal of liquid and waste material.



information or documentation from the applicant that the Development Authority considers necessary to review the application.

#### **PROCESSING PERMITTED USE APPLICATIONS**

13. (a) Upon receipt of a completed application for a development permit for a permitted use, the Development Authority shall, if the application conforms with this bylaw including the requirements of Section 15, issue a development permit with or without conditions pursuant to Section 17, which may include the provision of a development agreement pursuant to the Act.
- (b) The designated officer shall circulate a completed application for a permitted use to affected municipalities when required in accordance with an applicable Intermunicipal Development Plan, and may circulate, at their discretion, the completed application to any applicable government department and/or referral agency, etc. for comment prior to issuance of a decision on the application by the Development Authority.

#### **PROCESSING DISCRETIONARY USE APPLICATIONS**

14. (a) Upon receipt of a completed application for a development permit for a discretionary use, the designated officer:
  - (i) shall circulate the application to affected municipalities when required in accordance with an applicable Intermunicipal Development plan;
  - (ii) may circulate the application, at their discretion, to any applicable government department and/or referral agency, etc; and
  - (iii) shall send the application to the Development Authority.
- (b) Upon receipt of an application under subsection (a), the Development Authority may, at its discretion, hold a development hearing and notify or cause to be notified the owners of the land likely to be affected by the issue of a development permit in accordance with Section 18.
- (c) After considering any response to the notifications to owners likely to be affected by the development and, as applicable, any comment received at a development hearing, the Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

#### **SUITABILITY OF SITES**

15. Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Subdivision Authority may refuse to approve the subdivision of a lot and the Development Authority may refuse to issue a development permit if, in the Authority's opinion, the site of the proposed building or use is not safe or suitable based on the following:
  - (a) does not have safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 1000 feet of a provincial highway or 2625 feet from the centre point of an intersection of a provincial highway and a public road;
  - (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;
  - (c) is situated on an unstable slope;
  - (d) consists of unconsolidated material unsuitable for building;
  - (e) is situated in an area which may be prone to flooding, subsidence or erosion;

- (f) does not comply with the requirements of the applicable Regional Plan; Subdivision and Development Regulation; applicable Intermunicipal Development Plan; Municipal Development Plan; or applicable area structure plan or other statutory plan;
- (g) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
- (h) would expose the structure itself and/or people living and working there to risk from the operations of a nearby airstrip;
- (i) is unsafe due to contamination by previous land uses;
- (j) has an inadequate or unsafe water supply;
- (k) is incompatible with all existing and approved use of surrounding land;
- (l) is situated closer to a confined feeding operation than the minimum distance separation recommended by the Natural Resources Conservation Board (NRCB);
- (m) does not meet the lot size and/or setback requirements of this bylaw;
- (n) would prevent or interfere with the natural and economic extension of a nearby developed area, a coal mine, an oil or gas field, a sewage treatment plant, a waste disposal or transfer site, a gravel pit, a pipeline or a road system; or
- (o) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

Nothing in this section shall prevent the Subdivision Authority from approving a lot or prevent the Development Authority from issuing a development permit if the Authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures.

**PROCESSING NON-COMPLYING APPLICATIONS**

- 16. (a) Upon receipt of a completed application for a development permit for a development that does not comply with this bylaw, but in respect of which the Development Authority is requested by the applicant to exercise discretion under subsection (c), the designated officer shall send the application to the Development Authority.
- (b) Upon receipt of an application under subsection (a), and if the Development Authority is prepared to exercise its discretion under subsection (c), it may, at its discretion, hold a development hearing and notify or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with Section 18.
- (c) The Development Authority is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw if, in the opinion of the Development Authority:
  - (i) the proposed development would not:
    - unduly interfere with the amenities of the neighbourhood; or
    - materially interfere with or affect the use or enjoyment or value of neighbouring properties; and
  - (ii) the proposed development conforms with the use prescribed for that land or building in Schedule 2.
- (d) After considering any response to the notifications to owners likely to be affected by the development and, as applicable, any comment received at a development hearing, the Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

- (b) The Development Authority may issue a development permit to a person that would permit the construction or location of more than one dwelling unit on a parcel if the second or additional dwelling unit:
  - (i) is to be occupied by a person who is engaged on a full-time basis for at least six months each year in an agricultural pursuit;
  - (ii) is contained in a building that, or in buildings each of which, is designed for or divided into two or more dwelling units;
  - (iii) is a mobile home forming part of a park for mobile home units; or
  - (iv) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under that Act.
- (c) The Development Authority shall issue a development permit to a person that would permit the construction or location of a second dwelling unit on a parcel if the parcel has an area of at least 80 acres.
- (d) The Development Authority may, in a development permit, exempt any person or land from the operation of subsection (a) if:
  - (i) the dwelling is temporary in nature;
  - (ii) the permit has an expiry time;
  - (iii) the second dwelling meets the minimum distance separation calculation for livestock confinement operations;
  - (iv) the dwelling be located in such a way as not to encourage further subdivision.

#### **COMPLIANCE WITH OTHER LEGISLATION**

- 33. An applicant is responsible for and is not excused from ascertaining and complying with the requirements of any federal, provincial or other municipal legislation; or the condition of any easement, covenant, building scheme or development agreement affecting the building or land.

#### **FEES, FORMS AND NOTICES**

- 34. (a) For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution the preparation and use of such fee schedules, forms, or notices as in its discretion it may deem necessary. Any such fee schedules, forms, or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.
- (b) Application fees, forms and notices are included in Appendix 1.

#### **APPENDICES**

- 35. Appendices 1 and 2 attached hereto are for information purposes only and do not form part of the Municipal District of Taber Land Use Bylaw.

#### **DEVELOPMENT AGREEMENTS**

- 36. (a) The Development Authority may require, with respect to a development, that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to the section 650(1) of the Act, to do any or all of the following:
  - (i) to construct or pay for the construction of a road required to give access to the development;

- (ii) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect the pedestrian walkway system that serves or is proposed to serve adjacent development;
  - (iii) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
  - (iv) to construct or pay for the construction of off-street or other parking facilities, and/or loading and unloading facilities;
  - (v) to pay an off-site levy or redevelopment levy imposed by bylaw;
  - (vi) to give security to ensure that the terms of the agreement under this section are carried out.
- (b) The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality pursuant to section 655(1) of the Act.
  - (c) An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the Act.
  - (d) The municipality may register a caveat under the Land Titles Act with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.
  - (e) If a municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

## **SUBDIVISION APPLICATION RULES AND PROCEDURES**

### **SUBDIVISION APPLICATIONS**

37. An applicant applying for subdivision shall provide the required fees, materials, and information as requested by the Subdivision Authority or those authorized to act on its behalf. A complete application for subdivision shall consist of:
- (a) an application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form;
  - (b) the applicable fees paid;
  - (c) a copy of the current Certificate of Title for the land that is the subject of the application;
  - (d) a tentative subdivision plan, surveyor's sketch or accurate and legible sketch drawn to scale that shows the location, dimensions and boundaries of the proposed subdivision, existing structures, location of any private sewage disposal system and water source, and all other requirements prescribed in the subdivision application package;
  - (e) provincial abandoned gas well information; and
  - (f) any such other information as may be required to accurately evaluate the application and determine compliance with the land use bylaw, other municipal bylaws, the Subdivision and Development Regulation, or other government regulations. This may include but is not limited to, the provision of geotechnical information, soils analysis, septic feasibility analysis, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, traffic impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan.

**SCHEDULE 5**  
**GENERAL STANDARDS OF DEVELOPMENT**

**1. DEVELOPMENT AGREEMENTS**

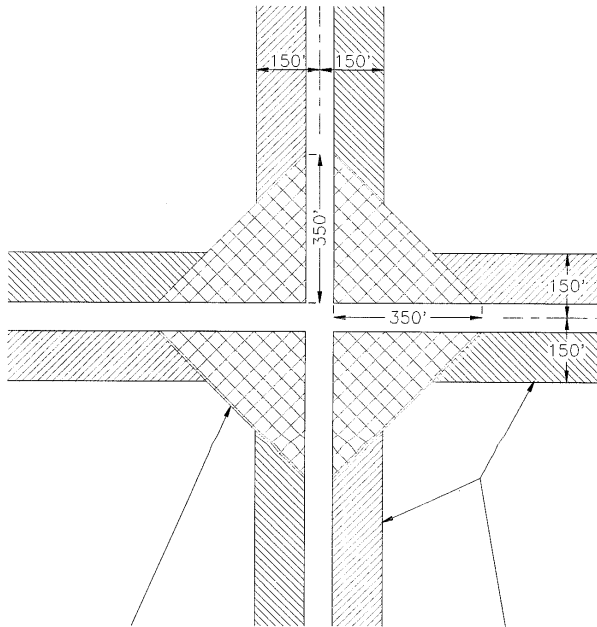
Where a development is proposed in any land use district which would require servicing beyond that which the municipality might normally provide, the Council may require that a development agreement which would legally establish the responsibilities of each of the involved parties be entered into by the developer and municipality before a permit is issued.

**2. PUBLIC ROADWAY SETBACK REQUIREMENTS**

- (a) In order to facilitate future widening/service road dedication and reduce potential snow drifting/sight restrictions; nothing shall be constructed (e.g. buildings), placed (e.g. haystacks), excavated (e.g. dugouts), or allowed to grow (e.g. shelterbelts), within 150 feet of the centre line of a rural road except by Development Authority approval.
- (b) All development proposed within one-half mile of a provincial highway may be subject to special setback and access requirements in accordance with permit conditions of Alberta Transportation and the Highways Development Control Regulations.

**SETBACK FOR DEVELOPMENT**

**HIGHWAY AND ROADWAY SETBACKS**



**INTERSECTION SITE TRIANGLE SETBACK**

Vehicle access points and buildings, fences, trees or similar obstructions more than 2 feet above a rural road grade may be restricted by the municipality in this area or such greater distance from an intersection with a provincial highway as required by Alberta Transportation.

Buildings, fences, trees, dugouts, etc. may be restricted by the municipality within 150 feet from the centre line of a rural road or within 1000 feet of a provincial highway by Alberta Transportation in accordance with the Highways Development Control Regulations.

### **3. YARD SETBACKS**

- (a) In addition to, or as part of section 4 above, special setbacks may be required by the Development Authority as front, side and rear yards to provide for the development of suitably landscaped areas.
- (b) The Development Authority may alter the building setback requirement in a well-established area if, in their opinion, the proposed setback blends in with the prevailing pattern.

### **4. COULEE AND WATERBODY SETBACK REQUIREMENTS**

- (a) No development shall occur within the distances calculated using the "Interim Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment (Figures 1 and 2, and Table 1) (see diagram below).
- (b) Development within the distances calculated using the "Interim Guidelines for the Subdivision of Land Adjacent to Steep Valley Banks" or subsequent guidelines provided by Alberta Environment may be allowed on the basis of soils studies prepared by an engineer qualified in the field of soils analysis.
- (c) The Development Authority or Council may require soils tests to be provided in support of any development permit application or subdivision application where they may feel there is a potential risk for soil failures of any type.
- (d) The Development Authority or Council may require a flood risk analysis for development permit applications or subdivision applications for properties located in any river valley, drainage course or within 100 feet of the high water mark of other water bodies such as lakes. The analysis shall use the "Interim Guidelines for the Subdivision of Land in Areas Adversely Affected by River Flooding and Erosion" or subsequent guidelines provided by Alberta Environment.

### **5. OUTDOOR STORAGE SCREENING REQUIREMENTS**

#### **(a) Rural**

Where any non-farm parcel, or part thereof, adjacent to a provincial highway, designated scenic, tourist or recreational access road, special scenic area, historical or archaeological site, public park or recreation area; is used for the commercial outdoor storage of goods, machinery, vehicles, building or waste materials, the Development Authority may require screening by buildings, fences, hedges, trees, earth berms or other landscaping features, to its satisfaction.

#### **(b) Urban**

- (i) No outdoor storage shall be permitted in the required residential front yard setback in hamlets, nor in any other required yard setback area of land use district as specified by the Development Authority.
- (ii) Outdoor storage of goods, machinery, buildings, or waste materials shall be kept effectively screened from view by buildings, solid fences, trees, hedges, earth berms, and other landscaped features, or combinations thereof, and be maintained in a state of good repair.