

Subject: **Bylaw 1895 & 1896 Land Use Bylaw Amendment to Direct Control Districts**  
 Meeting Date: Tuesday, March 26, 2024  
 Prepared By: Barb Hazelton, Manager of Planning & Development  
 Presented By: Barb Hazelton, Manager of Planning & Development






**RECOMMENDED MOTION:**

That Council move first reading of proposed Bylaw 1895 for the purpose of Amending Land Use Bylaw 1808 by redesignating the NE 2-29-24-W4, portions of the NW 2-29-24-W4, SE 2-29-24-W4 and SW 2-29-24-W4 from Agriculture District to Direct Control District 7.

That Council move first reading of proposed Bylaw 1896 for the purpose of Amending Land Use Bylaw 1808 by redesignating portions of the NW 2-29-24-W4 and the SW 2-29-24-W4 from Agriculture District & Local Rural Commercial District to Direct Control District 8.

That Council move to schedule the Public Hearing, for Bylaw 1895 and 1896 as per Sections 216.4 & 692 of the Municipal Government Act, to be held on April 23, 2024, at 10:00 a.m.

**STRATEGIC PLAN ALIGNMENT: (Check all that apply)**

	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
High Quality Infrastructure		Economic Resilience		Quality of Life		Effective Leadership		Level of Service	

**RELEVANT LEGISLATION:**

**Provincial (cite)-** Municipal Government Act, Environmental Protection and Enhancement Act, The Standards for Landfills in Alberta, Environmental Assessment Regulation, Water Act, Historical Resources Act, Matters Related to Subdivision & Development Regulation, Public Health Act, Wildlife Act, Weed Control Act

**Council Bylaw/Policy (cite)-** Strategic Plan, Municipal Development Plan, Land Use Bylaw 1808

**BACKGROUND/PROPOSAL:**

Waste Connection of Canada Inc. (WCC) proposes to develop a Class II Integrated Waste Management Facility (IWMF) in Kneehill County. The IWMF is privately operated and is a non-hazardous landfill facility that specializes in the collection, transportation, processing, recycling, treatment and disposal of various types of waste generated by businesses, industry, commercial, institutional and agricultural operations, and residential communities.

**DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES/OTHER CONSIDERATIONS:**

Under the Municipal Government Act, applications for the redesignation of lands require a public hearing to be held prior to adopting the bylaw creating the new district. First reading to a proposed bylaw is the mechanism to get an application in the queue.

All information and questions regarding the application are to be brought forward at the public hearing so it can be heard by everyone. The public hearing process is a legislated process. As per the MGA, Council must hear any person, or group of persons who claim to be affected by the proposed bylaw. Any landowner who feels they will be impacted by a proposed development either positively or negatively will



have an opportunity to come and speak about the matter directly at the public hearing. Affected parties can also submit their comments in writing. These comments will be included in the public hearing package for Council consideration.

Participating in the public hearing is the legislated method to provide your comments to Council for consideration. Once a public hearing is closed, no additional information should be considered in the decision-making process. Redesignations are about the proposed use. It is not a permit to develop. Specific details regarding the development will be required to be submitted with their application to develop. Direct Control Districts are managed differently during the approval process. If the redesignation is successful, Council will be the approving development authority for any development applications on these lands.

The total Integrated Waste Management Facility (IWMF) site is 536.86± acres (217.23± ha) and is situated in Section 2-029-24-W4M north of Township Road 29-0 and east of Range Road 24-2. The majority of this section falls under the Agriculture District. However, a portion of the NW 2-029-24-W4 has been designated Local Rural Commercial District. To facilitate this development, Waste Connections of Canada is seeking to redesignate the subject site into two Direct Control (DC) land use districts. The DC 7 District covers the portion of the site dedicated to the uses required to operate a landfill, consisting of this primary use and including the required critical infrastructure. The DC 8 District covers the remainder of the site. The uses in the DC8 District may include some of the critical infrastructure, as well as the potential for some recycling and construction materials waste management.

The technical side of this project goes through a rigorous provincial approval process where they must meet the requirements of several acts and regulations. These requirements apply to both the construction standards that must be met as well as the ongoing operation and closure of the site. Any landfill must go through this process. Waste management facilities are required to construct engineered liners, leachate collection systems and landfill covers. Groundwater monitoring is mandatory and includes the requirement to report annually their groundwater monitoring results. The provincial government also requires significant monetary surety be posted by the developer for the development, operation and closure of the site. The majority of the applicable acts have been noted under the relevant legislation section of this Request for Decision.

The process for seeking a suitable site requires the evaluation of various criteria on the provincial side. The selected site must meet strict environmental and geological conditions as outlined in the *Environmental Protection and Enhancement Act, the Water Act, Standards for Landfills in Alberta, and the Waste Control Regulation*.

Developers also require suitable access/proximity to a highway; a willing landowner and they consider the planning documents of the host municipality. Ideal sites would be located well away from residential uses.

A Class II, non-hazardous landfill handles solid waste, and typically includes municipal solid waste, and certain types of Industrial, Construction, Institutional waste and agricultural waste that is considered non-hazardous in accordance with provincial legislation. The waste that they are proposing to receive will be a combination of local waste and waste from private contracts.

The first step in their approval process is the redesignation of lands. If they are successful in this application, they will begin their application process with the provincial regulators. They will need to have their provincial approval prior to submitting a development permit to the County. It should be noted that there are several opportunities throughout the required processes for landowner participation.



The proposed site is currently owned by three private landowners. These landowners have agreed to sell their land for this project. If successful in this redesignation, the lands will be reorganized and swapped to allow for the ownership of the contiguous 536.86± acres by WCC.

The developer will be required to upgrade the access road to the site as well as the intersection at highway 21.

Additional high-level information regarding this proposed development will be provided through the public hearing process. Site specific details and any information required for Provincial approvals will be submitted and dealt with through the development permit process.

**FINANCIAL & STAFFING IMPLICATIONS:**

There are no financial implications to the operating budget. If successful in their development, additional tax revenue will become part of our overall assessment.

There are no staffing implications with this application.

**RECOMMENDED ENGAGEMENT:**

Directive Decision (Information Sharing, One-Way Communication)

Tools:	Public Hearing	Other:	
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**ATTACHMENTS:**

Bylaw 1895 & DC 7 District

Bylaw 1896 & DC 8 District

Letter of Intent

**COUNCIL OPTIONS:**

1. That Council move first reading of proposed Bylaw 1895 for the purpose of Amending Land Use Bylaw 1808 by redesignating the NE 2-29-24-W4, portions of the NW 2-29-24-W4, SE 2-29-24-W4 and SW 2-29-24-W4 from Agriculture District to Direct Control District 7.
2. That Council move first reading of proposed Bylaw 1896 for the purpose of Amending Land Use Bylaw 1808 by redesignating a portion of the NW 2-29-24-W4 and the SW 2-29-24-W4 from Agriculture District & Local Rural Commercial District to Direct Control District 8.
3. That Council move to schedule the Public Hearing, for Bylaw 1895 and 1896 as per Sections 216.4 & 692 of the Municipal Government Act, to be held on April 23, 2024, at 10:00 a.m.
4. That Council schedule the Public Hearing for an alternate date and time.

**FOLLOW-UP ACTIONS:**

Administration will ensure that the required notifications and advertising are done prior to the public hearing as per Section 606 of the Municipal Government Act.

**APPROVAL(S):**

Mike Haugen, Chief Administrative Officer

Approved-

Kevin Gannon, Director of Community Services

Approved-

