

Subject: **Bylaw 1895 & 1896 Land Use Bylaw Amendment to DC7 & DC8**
 Meeting Date: Tuesday, April 23, 2024
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 Link to Strat Plan: Improving Fiscal Sustainability

<p>Background/ Proposal</p>	<p>Waste Connections 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.</p>
<p>Discussion/ Options/ Benefits/ Disadvantages:</p>	<p>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.</p> <p>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 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.</p> <p>Participating in the public hearing is the legislated method to provide comments to Council for consideration. Once this 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 development approval process. If the redesignation is successful, Council will be the approving authority for any development applications on these lands.</p> <p>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-W4M was designated Local Rural Commercial District in 2001. 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 DC 8 District may include some of the critical infrastructure, as well as the potential for some recycling and construction materials waste management.</p>

REQUEST FOR DECISION

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 lines, 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 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.

Site specific details relating to development and any information required for Provincial approvals will be submitted and dealt with through the development permit process.