



BYLAW NO 1896

TITLE OF BYLAW FROM AGRICULTURE DISTRICT TO DIRECT CONTROL DISTRICT 8

A BYLAW OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, TO AMEND

LAND USE BYLAW 1808

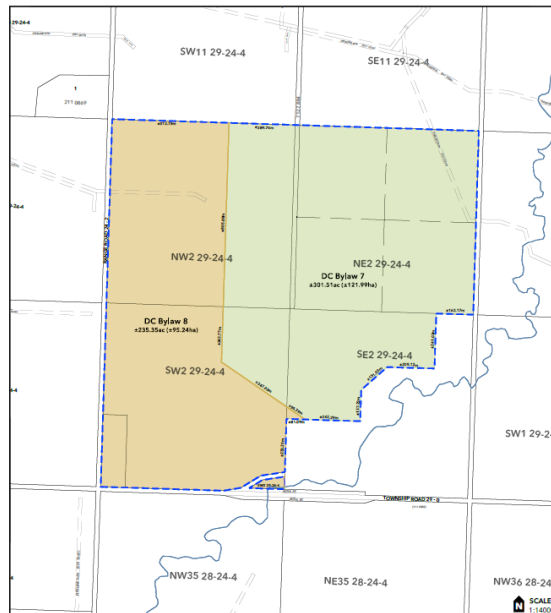
WHEREAS, pursuant to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended, a Municipal Council has authority to govern and to pass bylaws respecting the municipality;

WHEREAS, it is deemed necessary and expedient to amend Bylaw No. 1808 in the manner hereinafter.

NOW THEREFORE, the Council of Kneehill County, in the Province of Alberta, duly assembled, and under the powers conferred upon it by the Municipal Government Act, RSA 2000, Chapter M-26, and amendment thereto, enacts as follows:

1. INTRODUCTION

THAT in PART XIV – LAND USE MAPS, the relevant 235.35± acres (95.24± ha) of a portion of the NW 2-29-24-W4, and the SW 2-29-24-W4 as shown on the sketch below are to be redesignated from A – Agriculture District and LRC – Local Rural Commercial District to DC8 – Direct Control District 8.



2. SEVERABILITY

(1) If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.

3. EFFECTIVE DATE

(1) This bylaw together with the attached "Appendix A" comes into effect upon third reading of this bylaw.

READ a first time on this 26th day of March, 2024.

PUBLIC HEARING on this _____ day of _____, 2024

READ a second time on this _____ day of _____, 2024.

READ a third time and final time of this _____ day of _____, 2024.

Reeve

Kenneth King

Chief Administrative Officer

Mike Haugen

Date Bylaw Signed

DC8 – Specific Direct Control District

DC8 Location:

The overall site is ± 536.86 acres (± 217.23 ha) and it is situated in Section 2-29-24-W4M north of Township Road 29-0 and east of Range Road 24-2. This DC8 District is comprised of ± 235.35 acres (± 95.24 ha) of the overall site located as shown in Schedule “A”.

Purpose:

To accommodate a Privately Operated Integrated Waste Management Facility (IWWMF) inclusive of ancillary and supporting uses for a non-hazardous Class II Landfill and its Landfill Critical Infrastructure as approved by Alberta Environment and Protected Areas (AEPA), guided by a Master Site Development Plan (MSDP) which describes aspects of site preparation, operation, and closure. This District additionally allows for the collection, storage, transfer and/or treatment of recyclables and waste, and processing of materials, and the continuation of current agricultural uses.

(1) Permitted Uses

- (a) Agriculture, Extensive
- (b) Accessory Buildings
- (c) Landfill Critical Infrastructure
- (d) Office (accessory to the principal use)
- (e) Stripping, Filling, Excavation, Extraction and Grading

(2) Discretionary Uses

- (a) Ancillary Waste Management Operations
- (b) Privately Operated Integrated Waste Management Facility
- (c) Recycling Collection Point for IWWMF
- (d) Signs not exempted under the Land Use Bylaw (as amended or replaced from time to time)
- (e) Waste Management Facility, Minor

(3) Regulation

None of the listed Permitted or Discretionary Uses shall be approved except in compliance with the Matters Related to Subdivision and Development Regulation, as may be amended or replaced from time to time.

(4) Development and Subdivision Authority

The Municipal Planning Commission shall review development proposals within a direct control district and provide comments and recommendations that will be forwarded to Council for a decision.

Subdivision applications in a direct control district shall be referred to Council for review and recommendation as part of the Subdivision Authority’s decision-making process.

(5) Application requirements for Development Permit

In addition to the requirements in Section 16(1) of this Land Use Bylaw, the Development Authority or Council may require additional information deemed reasonable and necessary to evaluate the application, which may include the following:

- (a) A Master Site Development Plan that provides a comprehensive framework for the development of an Integrated Waste Management Facility;
- (b) Description of any limitations on the proposed development (e.g. known hazards or environmental concerns) and why the applicant intends the proposed land uses to be located as shown and why those locations enable land use planning that is compatible with the applicable statutory plans and on-site and adjacent land uses, including road infrastructure;
- (c) Biophysical Impact Assessment (BIA);
- (d) Local road access route and detailed engineering for design upgrades;
- (e) Transportation Impact Assessment (TIA);
- (f) Description of on-site storm drainage facilities and overland drainage routes for major storm events and the proposed methods of handling surface drainage in relation to impacts to adjacent lands and road infrastructure;
- (g) Water supply and demand assessment;
- (h) Comprehensive site plan;
- (i) Guidelines for environmental reclamation and protection;
- (j) Documentation outlining the requirements of Alberta Transportation and their satisfaction of any work done to meet their requirements;
- (k) Contour information with an interval of a maximum two (2) meters superimposed over the plan;
- (l) Confirmation of conformity with the existing Environmental Protection and Enhancement Act (EPEA) approval or license;
- (m) Limitations and environmental concerns of the proposed development;
- (n) Detailed site plan including setback or buffer distances between on-site and off-site developments;
- (o) Availability or provisions of necessary site servicing and utilities;
- (p) Additional provincial regulatory approvals required;
- (q) Anticipated traffic/road implications; and
- (r) Any other information that the Development Authority or Council considers necessary or prudent.

Notwithstanding the foregoing, the Development Authority or Council may consider an application and Council may render a decision without any or all of the above information if, in its opinion, a decision on the application can reasonably be made without such information.

(6) Conditions for Permitted Use Development

Upon receipt of a completed application for a permitted use in this District, Council shall consider the permitted use in conjunction with all required provincial permits, licenses, and approvals as

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may be further described in the MSDP, and shall approve, with or without the following conditions:

- (a) All development standards and regulations within this District, not subject to provincial approvals, shall be at the discretion of Council, as may be further described in the MSDP. The development must comply with the approved MSDP.
- (b) All development is to be undertaken in accordance with applicable federal and provincial requirements.
- (c) All uses shall adhere to the standards set out in the latest editions of the Alberta Code of Practice for Landfills, Standards for Landfills in Alberta, and Alberta Code of Practice for Land Treatment of Soil Containing Hydrocarbons.
- (d) All site structures and buildings are to adhere to the Safety Codes Act.
- (e) All above ground and underground storage tanks, along with associated piping, are to adhere to the Safety Codes Act and the Petroleum Tank Management Association of Alberta.
- (f) Processing, storage, and disposal of any waste not provided for under an approval or license issued by Alberta Environment and Protected Areas (AEPA) is prohibited within this District.
- (g) All development in this District is subject to the development permit procedures and regulations stated in Sections 16(1), 18(1), 21 and 45 of this Land Use Bylaw.
- (h) Any other standards and design requirements specified by the Development Authority or Council as may be further described in a MSDP.
- (i) Monitoring to be conducted in accordance with federal and/or provincial requirements.
- (j) Site reclamation to be conducted in accordance with applicable federal and provincial permits and approvals, regulations and standards and the County shall be notified upon completion of the reclamation and a copy of the reclamation certificate, as required by the Province of Alberta, shall be provided to the County. Subsequent use of the land will require a new development permit.
- (k) The applicant to enter into an agreement with the County for the purposes described in Sections 648, 650, 651 or 655 of the Municipal Government Act as required, including, without limitation, the provision of security and the payment of fees or levies.

(7) Conditions of Discretionary Use Development

Upon receipt of a completed application for a discretionary use in this District, Council may approve the application for a discretionary use and, if approved, may impose, at its discretion, conditions set out in Section 6 of this District, and any further conditions that Council may deem appropriate to address relevant planning matters, including but not limited to:

- (a) Location and maximum size of facilities to be constructed;

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- (b) Development setbacks to side and rear property lines, adjacent to a municipal road, to an Environmentally Significant Area and from the brink of slope;
- (c) Hours of operation;
- (d) Noise;
- (e) Buffering;
- (f) Lighting;
- (g) Outdoor storage;
- (h) Parking requirements;
- (i) Screening of facilities;
- (j) Submission of federal and provincial approvals and licenses; and
- (k) Reclamation details as required by the EPEA.

(8) Development Standards

All development standards and regulations within this District, not subject to provincial approvals, shall be at the discretion of Council, as may be further described in the MSDP. The development must comply with the approved MSDP.

DEFINITIONS

“Ancillary Waste Management Operations” - means uses ancillary to IWMF operations that are ancillary and includes for example: agricultural plastics management, wood and pallet chipping/ processing, container storage, material transfer, recycling/diversion, public drop off, or other uses as deemed appropriate by Council through the development permit process.

“Class II Landfill” – means a landfill for the disposal of waste, not including hazardous waste, or as otherwise defined in the Waste Control Regulation.

“Landfill Critical Infrastructure” - means equipment, installations, devices, and structures without which the Class II Landfill could not be constructed and operated in accordance with applicable provincial laws and regulations. This includes fences; on-site roads and vehicle parking; weigh scale and scale house; equipment storage and maintenance building(s); utilities; material stockpiles; storage of materials related to landfill construction, maintenance and infrastructure; infrastructure for the management and monitoring of leachate (including but not limited to ponds, tanks, conveyance systems, pump stations, wells); infrastructure for the management and monitoring of landfill gas (including but not limited to landfill gas collection and destruction systems, conveyance systems, pump stations, condensate systems, wells); infrastructure for the management and monitoring of groundwater (including but not limited to trenches, pumping systems, wells); infrastructure for the management and monitoring of surface water (including but not limited to ponds, swales, ditches, culverts and flow control structures); and infrastructure for the management and control of nuisances (litter fences, odour mitigation systems).

“Master Site Development Plan” or “(MSDP)” - means a comprehensive development plan that may be required for large-scale or complex development projects. Such plans are often used to streamline the approval process for developments that involve multiple phases or have significant environmental, infrastructure or duration of tenure considerations. The specific requirements, application procedures, criteria and contents for an MSDP are determined by Kneehill County.

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“Office (accessory to the principal use)” - means a specific building or rooms within a building providing for the day-to-day business operation of a facility or principal use on a parcel and may include kitchen and washroom facilities for staff use.

“Privately Operated Integrated Waste Management Facility (IWMF)” - means a privately owned and operated non-hazardous Class II Landfill and includes the collection, transportation, processing, recycling, treatment, and disposal of various types of waste generated by businesses, industries, commercial operations, and residential communities. These facilities are responsible for managing and handling waste materials in an environmentally responsible manner and in compliance with provincial and municipal legislation and approvals.

“Recyclables” - means a substance or mixture of substances that is intended to be recycled, or as otherwise defined in the Waste Control Regulation.

“Recycling Collection Point for IWMF” - means, in the context of an IWMF, the specific area where recycling (the process of collecting, sorting, processing, and transforming waste materials into new products or raw materials) occurs. The primary goal of recycling within such a facility is to divert reusable materials from the waste stream, thereby reducing the amount of waste sent to landfills and promoting environmental sustainability.

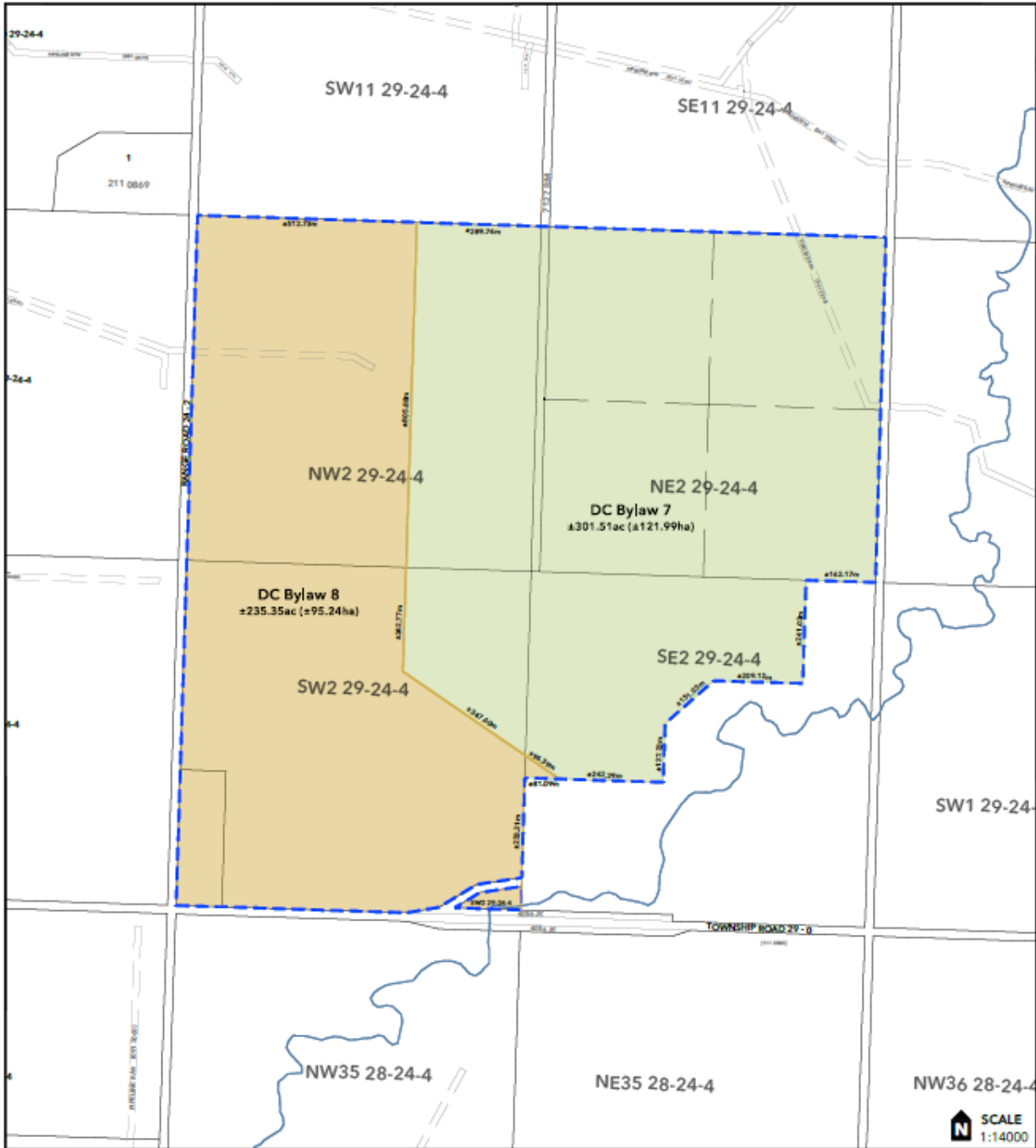
“Stripping, Filling, Excavation, Extraction and Grading” - means to move, take away or remove earth in strips, layers or cells in accordance with Section 72 of this Land Use Bylaw except where approved by AEPA as a permitted use.

“Treatment” – means to apply any method, technique, or process, including, without limitation, neutralization and stabilization, that is designed to change the physical, chemical or biological character of a substance.

“Waste” - means any solid material or product that is intended to be treated or disposed of or that is intended to be stored and then treated or disposed of, but does not include recyclables, or as otherwise defined in the Activities Designation Regulation.

Schedule "A"

DC8 District Location ± 235.35 acres (± 95.24 ha)



- IWMF Subject Lands
- DC 8 District Area
- DC 7 District Area