



Notice: Public Hearing

The Town of Killam Development Authority has three (3) Bylaw Amendments under review.

Bylaw Amendments

Bylaw 886 – Municipal Development Plan Amending Bylaw

Bylaw 887- Area Structure Plan Amending Bylaw

Bylaw 888- Land Use Bylaw Amending Bylaw

Location: Killam AB

Legal description: The proposed amendments respecting Bylaws 886 and 888 apply to all Town locations. Bylaw 887 would amend the Area Structure Plan governing the NW 17-44-13 W4M and NE 17-44-13 W4M.

The Bylaw Amendments noted above are subject to the approval of Town Council and will be the subject of a public hearing October 3, 2024, at 7:00 pm during a Special Council Meeting at the Killam Agri plex in the Multipurpose Room.

Proposed Amendments:

The above-mentioned Bylaws include amendments that would govern the proposed the Old Bear Solar Power Project application currently before the Alberta Utilities Commission being purposed in the Town (and within NW 17-44-13 W4M and NE 17-44-13 W4M), and other amendments respecting Solar Energy and the Development Authority. As this application is the first of its kind for the Town, and given the complexity of the development, updates are necessary to enhance the ability to address municipal concerns. The proposed amendments do not contain an amendment to the Land Use Bylaw to change the district designation of the NW 17-44-13 W4M and NE 17-44-13 W4M; Council will consider any changes to the district designation if the AUC grants approval to the Old Bear Solar Power Project.

A copy of the proposed Amending Bylaws has been attached as well as the amended maps for ease of reference.

Anyone who wishes to provide written submissions or make a presentation in person to Council on these bylaws should take note of the following deadlines and requirements:

- One public hearing will be conducted for all 3 bylaws.
- Written submissions should be provided to the Town Office by email at cao@town.killam.ab.ca no later than 12 noon on October 1, 2024.
- Council may refuse to consider late written submissions.
- Please note that anything that may have previously been submitted to the municipality is not considered a public hearing submission and you must send your submissions in accordance with the guidelines in this advertisement.
- Any person wishing to speak at the public hearing in person must register either in advance (by October 1, 2024) by contacting Kim Borgel, CAO, by phone at 780-385-3977 or email at cao@town.killam.ab.ca or at the public hearing.
- Each person may only speak once and will be limited to **ten (10)** minutes.
- A delegation of more than one member shall be considered to be one person, and only a spokesperson shall be entitled to speak once only for a limit of **ten (10)** minutes regardless of the number of members of the delegation present.
- You may display visual materials during your presentation if those materials are provided as a written submission in accordance with the guidelines in this advertisement.
- The names of presenters and the written submissions received become part of the public record. Other personal information is protected by the privacy provisions of the *Freedom of Information and Protection of Privacy Act*.

If you have questions about the public hearing process (including viewing the proposed bylaws, making submissions, and presenting to Council), please contact Kim Borgel, CAO, at 780-385-3977 or by email at cao@town.killam.ab.ca

If you have questions about the 3 amending bylaws, please contact Lorraine Belanger, Development Officer, Town of Killam either at 403-526-3434 or l.belanger@schefferandrew.com.

TOWN OF KILLAM

BYLAW NO 886

A BYLAW OF THE TOWN OF KILLAM IN THE PROVINCE OF ALBERTA TO AMEND THE MUNICIPAL DEVELOPMENT PLAN BYLAW 790.

The Council of the Town of Killam, duly assembled enacts as follows:

1. This Bylaw shall be referred to as the “Municipal Development Plan Amending Bylaw”.
2. That Bylaw #790 be amended by deleting Map 2 – Killam Development Opportunities and replacing with the Map 2 – Killam Development Opportunities at Schedule “A” of this Bylaw.
3. That Bylaw #790 be amended by deleting Map 3 – Killam Future Land Use Concept and replacing with the Map 3 – Killam Future Land Use Concept at Schedule “B” of this Bylaw.
4. That Bylaw #790 be amended by deleting section 6.6 and replacing it with the following:

6.6 Area structure plans and area redevelopment plans adopted by Council must be consistent with this plan.
5. That Bylaw #790 be amended by deleting section 10.3 and replacing it with the following:

10.3 The Town will encourage highway commercial development along Highway 13 within the Town boundaries but may consider other types of compatible commercial or industrial development.
6. That Bylaw #790 be amended by deleting section 12.2 and replacing it with the following:

12.2 The Town will encourage industrial development (including solar energy facilities) by maintaining a large land base for industry and promoting its availability to prospective users.
7. That Bylaw #790 be amended by deleting section 12.3 and replacing it with the following:

12.3 The Town will ensure orderly development of the area north of Highway 13 in accordance with any area structure plan adopted for the area.

8. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must then be severed and the remainder of the Bylaw is deemed valid.
9. This Bylaw becomes effective upon third and final reading.

READ a first time this _____ day of _____ 2024.

READ a second time this _____ day of _____ 2024.

READ a third and passed this _____ day of _____ 2024.

MAYOR

CAO

Schedule “A”

Map 2 – Killam Development Opportunities



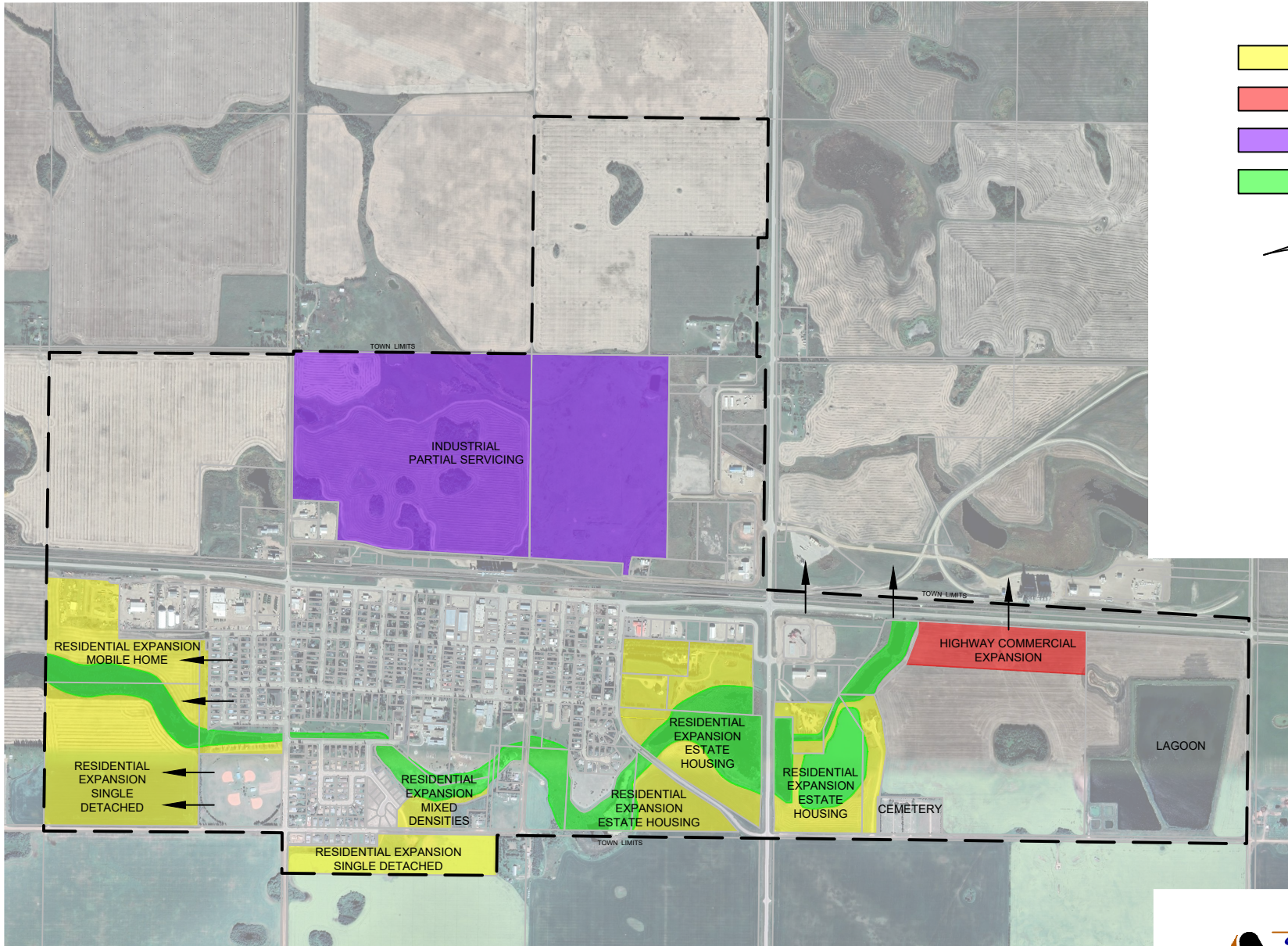
Town of Killam

DEVELOPMENT OPPORTUNITIES

-  RESIDENTIAL EXPANSION
-  COMMERCIAL EXPANSION
-  INDUSTRIAL EXPANSION
-  GREEN SPACE



SCALE 1:20,000
AUGUST 2024



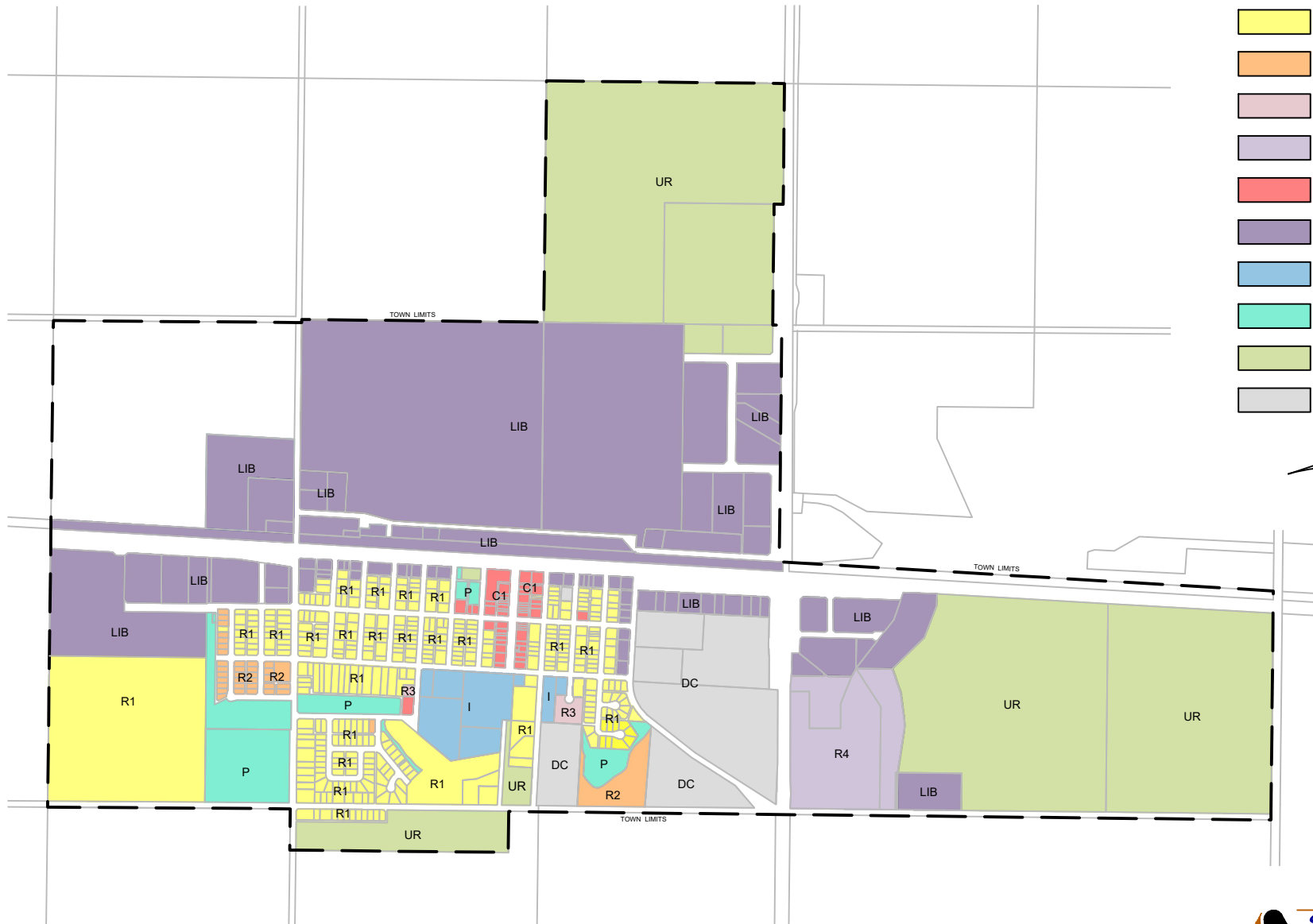
Schedule “B”











Map 3 – Killam Future Land Use Concept



Town of Killam

FUTURE LAND USE DISTRICT MAP



-  R1 - GENERAL RESIDENTIAL
-  R2 - MOBILE HOME SUBDIVISION
-  R3 - MULTIFAMILY RESIDENTIAL
-  R4 - LOW DENSITY RESIDENTIAL
-  C1 - CENTRAL COMMERCIAL
-  LIB - LIGHT INDUSTRIAL BUSINESS DISTRICT
-  I - INSTITUTIONAL
-  P - PARKS
-  UR - URBAN RESERVE
-  DC - DIRECT CONTROL



SCALE 1:20,000
AUGUST 2024

TOWN OF KILLAM

BYLAW NO 887

A BYLAW OF THE TOWN OF KILLAM IN THE PROVINCE OF ALBERTA TO AMEND THE AREA STRUCTURE PLAN BYLAW NO 787A.

The Council of the Town of Killam, duly assembled enacts as follows:

1. This Bylaw shall be referred to as the “Area Structure Plan Amending Bylaw”.
2. That Bylaw 787A be amended by deleting section 1.3 and replacing it with the following:

The Town has jurisdiction over subdivision and development of lands within the corporate limits of the Town, subject to referrals and approvals that may be required from various provincial departments.

Given the Plan Area is adjacent to Highway 36 and Highway 13, subdivision and development will be referred Alberta Transportation and Economic Corridors or the equivalent provincial department for approval in accordance with the *Matters Related to Development and Subdivision Regulation*, AR 84/2022, as amended.

Lands located outside the Town on the quarter section to the north (S ½ 20-44-13-W4) and on the east of Highway 36 are within the municipal jurisdiction of Flagstaff County.

3. That Bylaw 787A be amended by deleting section 1.4 and renumbering the remaining sections.
4. That Bylaw 787A be amended by amending section 1.5 to delete and replace references to the Municipal Development Plan as follows:

6.6 Area structure plans and area redevelopment plans adopted by Council must be consistent with this plan.

10.3 The Town will encourage highway commercial development along Highway 13 within the Town boundaries but may consider other types of compatible commercial or industrial development.

12.3 The Town will ensure orderly development of the area north of Highway 13 in accordance with any area structure plan adopted for the area.

5. That Bylaw 787A be amended by amending section 1.7, Existing Servicing, Water to amend the 3rd paragraph by deleting it and replacing it with the following:

The Town plans to extend the water line north along 44 Street in the future. Nonetheless, an applicant may be required to provide both proactive and reactive emergency response measures (to address fire suppression and other emergency response requirements) as determined appropriate by the Town.

Additionally, commercial and industrial developments that require water for other purposes such as agricultural purposes like watering livestock or for cooling systems may be required to provide and store water on-site.

6. That Bylaw 787A be amended by amending section 1.7, Existing Servicing, Stormwater, by adding the following as the 4th paragraph (just before the heading “2. Development Concept.”

Utility and Road Network Analysis (Design Brief)

When an applicant is contemplating a Solar Energy Facility in the Plan Area and seeks to alter either the sequence in Map 4 - Development Concept or the road/utility network referenced in the Map 4 – Development Concept, the applicant shall as part of an application for redistricting, and as part of the application to the Alberta Utilities Commission provide a Design Brief, namely an analysis of the road and utility network acceptable to the Town. This Design Brief shall:

- a. Be stamped and prepared by a member of APEGA;
- b. Be based on parameters acceptable by the Town;
- c. Include an analysis for the municipal road network;
- d. Include an analysis for municipal utilities (stormwater including stormwater management facilities and water) as well as third party utilities (gas, power, internet and cable television);
- e. Include appropriate stormwater management facilities, corridors and land dedications in NW 17 and NE 17 (within 44-13-W4M); and
- f. Address needs respecting not only from development arising on the NW of 17 and the NE of 17, but also arising from adjacent lands (including NE 18, SE 19, SW 20) all within 44-13 W4M.

At redistricting of lands within NW 17 and NE 17, and as part of the application to the Alberta Utilities Commission (or if acceptable to the Town at the time of subdivision application or development application), the applicant will provide a Design Brief which shall provide an analysis of the road network and servicing (for road networks and municipal utilities namely water, and stormwater, as well as third party utilities) sufficient to satisfy the Town. This analysis shall be prepared and stamped by a member of APEGA and according to base parameters acceptable to the Town, and shall include consideration of requirements for corridors and land

dedication within NW 17 and NE 17 arising from not only development of the not only for the lands that are the subject of the application, but also adjacent lands.

7. That Bylaw 787A be amended by deleting section 2.1 and replacing it with the following:

The Plan Area will support the development of commercial, highway commercial, and industrial development (including Solar Energy Facility). Institutional uses may be allowed provided they are compatible with already established uses. No residential uses will be allowed in the Plan Area, subject to temporary dwelling units that are accessory to an approved principal commercial or industrial use.

8. That Bylaw 787A be amended by deleting the second paragraph of section 2.3 and replacing it with the following:

The Development Concept suggests a sequence of proposed development for the plan area, and the proposed location of an internal road network; however, Council (for redistricting) or the subdivision authority or the development authority may alter the sequence and the location of the internal road network if they determine that it is appropriate, and if sufficient information has been provided to justify the alteration.

9. That Bylaw 787A be amended by altering the bullet points respecting Phase 6 and Phase 8 to read as follows:

Phase 6

- Roads and utilities (municipal and third party) development will be based on the Design Brief referenced above.

Phase 8

- Roads and utilities (municipal and third party) development will be based on the Design Brief referenced above.

10. That Bylaw 787A be amended by deleting section 3.2 and replacing it with the following:

The lands in the Plan Area are all under the UR Urban Reserve District pursuant to the Town's Land Use Bylaw.

Prior to development, lands must be re-districted to an appropriate land use district under the Town's Land Use Bylaw. Lands may be re-districted to LIB Light Industrial Business district to facilitate light industrial use and compatible commercial uses or to other appropriate districts to facilitate proposed uses outlined in section 2.1 of this ASP.

11. That Bylaw 787A be amended by deleting section 3.3.

12. That Bylaw 787A be amended by deleting the following sections of Part 4. Policies and replacing them as follows:

4.5 All lots created within the Plan Area must be serviced with municipal water or must provide on-site water to the satisfaction of the Town.

4.6 Municipal water service in the Plan Area will be to a domestic standard and may not meet a fire flow standard which will require developments to provide on-site water for fire suppression. In the event that water service does not meet a fire flow standard the applicant shall (at time of redistricting or alternately if acceptable to the Town at the time of subdivision or development) address both proactive and reactive emergency response measures (to address fire suppression and other emergency response measures) as determined appropriate by the Town.

4.10 Prior to proceeding with redistricting, subdivision or development in Phase 5, Phase 6 and Phase 8 and the lands westerly of Phase 6 and Phase 8, the applicant shall prepare a design brief determining how best to deal with overland drainage through the plan area (i.e. whether to route the drainage through Public Utility Lots (PUL) or some other type of utility corridor, or to follow the natural drainage course and require the lots in those phases to be designed to fit.

13. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must then be severed and the remainder of the Bylaw is deemed valid.
14. This Bylaw becomes effective upon third and final reading.

READ a first time this _____ day of _____2024.

READ a second time this _____ day of _____2024.

READ a third and passed this _____ day of _____2024.

MAYOR

CAO

TOWN OF KILLAM

BYLAW NO 888

A BYLAW OF THE TOWN OF KILLAM IN THE PROVINCE OF ALBERTA TO AMEND THE LAND USE BYLAW #880.

The Council of the Town of Killam, duly assembled enacts as follows:

1. This Bylaw shall be referred to as the “Land Use Bylaw Amending Bylaw”.
2. That Bylaw #880 be amended by deleting from of the definition of “Accessory Building/Structure” in Section 9 the following:

“(Solar panels are considered an accessory structure)”.
3. That Bylaw #880 be amended to delete **Solar Power – Commercial Use** in Section 9 and replace with the following in Section 9:

“Solar Energy Facility” means a solar energy power plant that uses sunlight to generate electric energy for commercial distribution.
4. That Bylaw #880 be amended to add the following to Section 9:

“Solar Energy - Personal” means a solar energy power plant that uses the sunlight to generate electric energy exclusively for personal use on-site use and is an Accessory Structure to an already authorized principal use, structure or building.
5. That Bylaw #880 be amended by deleting heading “Section 10: Designated Officer” and replacing it with “Section 10: Development Authority”.
6. That Bylaw #880 be amended by deleting sections 10.1 -10.3 and replacing them with the following:

10.1 The office of Development Authority is hereby established as the development authority for the Town to exercise the powers and perform duties on behalf of the Town.

10.2 The Development Officer and the Municipal Planning Commission are Development Authorities for the Town and shall have duties and responsibilities as outlined in this Bylaw and the Act.

10.3 The Development Officer is a designated officer for the purpose of carrying out the development powers and duties in this Bylaw and the Act, including, but not limited to, undertaking municipal inspections and enforcement and issuing orders.

10.4 The Development Officer is authorized to develop all forms, notices and acknowledgements required by the Act and this Bylaw, and amend the same as required from time to time.

7. That Bylaw #880 be amended to delete section 14.1 and replace with the following:

The fees to be charged by the Town on all applications and other matters arising under this Bylaw are set out in the Town's Master Rates Bylaw.

8. That Bylaw #880 be amended by deleting sections 37.1(e) and (f) and sections 37.2(e) and (f) and replacing them with the following:

(e) Solar Energy – Personal panels and equipment may be mounted on the roof or wall of a building or structure or may be ground mounted in the side yard or rear yard, provided the Solar Energy - Personal Use complies with all other minimum requirements of the district, as determined by the Development Officer.

(f) Solar Energy – Personal panels and equipment mounted on a roof or wall of a building or structure must be wholly mounted within the surface area of the roof or wall and shall not extend beyond the eave or peak of the roof or the beyond the surface area of the wall, as determined by the Development Officer.

9. That Bylaw #880 be amended to delete Sections 52.10 – 52.14 and replace with the following:

52.11 A Solar Energy Facility development requires a development permit.

52.11 All lands proposed for a Solar Energy Facility must be re-districted to a Direct Control District.

52.12 A Solar Energy Facility

52.12.1 shall not be located on Class 1 or Class 2 lands as classified by the Alberta Land Suitability Rating System (LSRS), unless the development meets provincial government regulations to demonstrate coexistence with crops and/or livestock;

52.12.2 shall preferably be located on Class 3 to Class 7 lands, as classified by the LSRS.

52.13 Applicants shall ensure the following is provided to the satisfaction of the Town:

52.13.1 Site layout provides sufficient access, egress, and circulation for emergency service vehicles unless on-site fire suppression services are provided; and

52.13.2 Emergency response requirements including proactive and reactive measures.

52.14 The Development Officer will determine if an application for a Solar Energy Facility is complete.

52.15 Development permit applications for a Solar Energy Facility will not be accepted if the proposed Solar Energy Facility has not been approved by the Alberta Utilities Commission or other appropriate provincial or federal body.

52.16 In addition to the application requirements outlined in Section 17, all applications for a Solar Energy Facility may be required to include the following:

52.16.1 a copy of the approval from the Alberta Utilities Commission or appropriate provincial body for the proposed Solar Energy Facility;

52.16.2 a utilities plan (to address municipal utilities including water and storm water management as well as third party utilities). It may be necessary to address not only the servicing of the lands on which the development is intended, but also address appropriate dedications of public utility lots or otherwise to ensure appropriate servicing for the grading and manage drainage and storm water;

52.16.3 an emergency response plan which may require:

a) plans for providing on-site water (or chemicals) for fire suppression during construction, operation and decommissioning phases of the development;

b) emergency response requirements (design and operations) including proactive and reactive measures;

c) a site layout which provides sufficient access, egress, and circulation for emergency service vehicles unless on-site fire suppression services are provided

52.16.4 a construction and decommissioning plan which must include days and hours of construction and decommissioning and plans for waste management, noise mitigation, dust suppression, road use and traffic management and other related matters for the construction and decommissioning phases of the development;

52.16.5 a traffic impact assessment;

52.16.7 a weed, vegetation, pest, soil and dust management plan for the construction, operational and decommissioning phases of development;

52.16.8 a landscaping plan which includes strategies to minimize any negative visual impact of the Solar Energy Facility;

52.16.9 a decommissioning and reclamation assessment outlining the costs of decommissioning and reclaiming the lands to the equivalent land capability; and

52.16.10 any other relevant document or information necessary for the Development Authority to review the application.

52.17 All reports or plans required as part of the application must be completed by the appropriate accredited professional in the Province of Alberta to the satisfaction of the Town.

52.18 All reports or plans provided with an application must be to the satisfaction of the Town, acting reasonably.

52.19 If the Town requires expert review of reports or plans required by the Development Authority as part of the application, the cost of such review shall be a cost owing by the applicant for the Solar Energy Facility.

52.20 The Development Authority may impose any condition the Development Authority considers appropriate. Without limiting the generality of the foregoing, the Development Authority will consider conditions respecting:

52.20.1 a utility plan;

52.20.2 an emergency response plan;

52.20.3 a construction and decommissioning plan;

52.20.4 a traffic impact assessment;

52.20.5 a weed, vegetation, pest, soil and dust management plan;

52.21 The applicant may be required to enter a road use agreement with the Town and comply with the terms of the agreement to address protection and maintenance of the Town's road infrastructure. The road use agreement must be executed and security must be provided to the Town prior to any equipment or material being hauled on or off the lands or any construction or decommissioning of the development.

52.22 The applicant may be required to enter into a development agreement with the Town and comply with the terms of the agreement. The development agreement must be executed and security must be provided to the Town prior to any equipment or material being hauled on or off the lands or any construction of the development.

52.23 At the end of life of a Solar Energy Facility, the applicant must decommission and reclaim the lands to the same land capability and quality as prior to the development. The applicant must provide the Town with a reclamation certificate from Alberta Environment and Protected Areas or the equivalent provincial body.

52.24 The applicant may be required to provide security for decommissioning and reclamation, as determined by the Development Authority, unless security for decommissioning and reclamation is already provided in accordance with a provincial government regulation or requirements.

52.25 All solar panels and related infrastructure for a Solar Energy Facility development must be set back a minimum of 35 metres from the centre line of all Town roads, as determined by the Development Authority.

52.26 The applicant is responsible for obtaining all necessary permits and approvals under the *Safety Codes Act* and any other relevant provincial or federal agencies prior and as a condition of the development permit may be obliged to provide them to the Town prior to construction or operation of the development.

10. That Bylaw #880 be amended to add Solar Energy – Personal as a Permitted Use to an already approved principal use, structure or building in the following districts: R1A Residential Single Detached District; R1 Residential General District; R2 Residential Mobile Home Subdivision District; R3 Residential Low Density District; and R4 Residential Low Density District.
11. That Bylaw #880 be amended to delete Policy E002 – Development Permits Fees, Schedule B – Development Permit Application form and Schedule C – Bylaw Amendment Form.

12. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion must then be severed and the remainder of the Bylaw is deemed valid.

13. This Bylaw becomes effective upon third and final reading.

READ a first time this _____ day of _____2024.

READ a second time this _____ day of _____2024.

READ a third and passed this _____ day of _____2024.

MAYOR

CAO