

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 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 19th day of September 2024.

READ a second time this _____ day of _____ 2024.

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

MAYOR

CAO