



March 28, 2023

Notice

Filed Request for Board Review and Rebuttal Opportunity

Decision Summary RA22026

Rimrock Cattle Company Ltd.

In response to the request for review, Kneehill County issues the following statement:

Kneehill County has had a Municipal Development Plan (MDP) in place since 1995. At that time the municipality also did the approval and permitting of confined feeding operations. Following the amendments to the Agricultural Operation Practices Act in 2002 which gave the authority for approvals regarding confined feeding operations to the province, the Municipal Development Plan became a tool that a municipality could use to provide some guidance/boundaries regarding the location of new and expanding confined feeding operations.


In 2005, Kneehill County amended their Municipal Development Plan to include some limitations to the permitting of new and expanding confined feeding operations. This wording has been slightly altered over time, but the intent has remained. It is as follows under the *Agriculture* section of the current MDP Bylaw 1829:

“11. No new or expansions of existing confined feeding operations (CFOs) will be allowed in the following:

- i. In hazard lands or environmentally sensitive lands as defined by the province and the 2010 Summit Report,
- ii. Within 1.6 kilometres (1 mile) of any hamlet or grouped Country Residential development, or
- iii. Within 1.6 kilometres (1 mile) of an urban fringe or an Intermunicipal Development Plan boundary”

It should be noted that Kneehill County did not have an Intermunicipal Development Plan (IDP) with any of our neighbours until 2010 at which time we adopted one with the Town of Three Hills.

In the spring of 2018, changes to the Municipal Government Act came into effect including a requirement for all municipalities who share a boundary to adopt an Intermunicipal Development Plan. As a result, Kneehill County was required to adopt twelve IDPs within a two-year time frame as set by the province. This number included a review of the existing IDP with Three Hills.

A decorative graphic consisting of three horizontal brushstrokes in shades of blue, green, and yellow, located at the bottom left of the page.

Box 400, Three Hills, Alberta, T0M 2A0
Phone: 403-443-5541 · Toll Free: 1-866-443-5541
Email: office@kneehillcounty.com
www.kneehillcounty.com

Each Intermunicipal Development Plan was developed with local committee oversight which included Administration and Council members from each municipality. Part of this development process included drafting a map outlining and setting the subject plan area. This was done by Administration from both municipalities and included lands that made sense from a planning perspective. These lands were considered specifically for each IDP.

Once we had a draft document that all parties were satisfied with, it went through the public consultation process which included a notification period as well as a public hearing. Anyone that owned land within the proposed Plan Area was notified separately regarding the Intermunicipal Development Plan and including the public hearing information. All of this was completed as required by the legislation for each Intermunicipal Development Plan.

Confined feeding operations were not really discussed during the development of the IDPs as legislation requires an approval officer to consider the Municipal Development Plan, which was not being amended during this time. However, once the designated plan area was formally adopted, it did increase the restricted area around each village where no previous IDP had been developed as per the wording in our MDP.

The Intermunicipal Development Plan with Acme was adopted by the Village of Acme on March 9, 2020, following their public hearing held on the same day. Kneehill County adopted the IDP on March 24, 2020, following a public hearing that was held earlier during the March 24, 2020 Council meeting.

In September of 2020, Council made some amendments to the Land Use Bylaw that impacted the Municipal Development Plan. In order to ensure those two documents aligned, Council needed to amend the Municipal Development Plan. At this point Council chose not to do a review of the entire document, but to amend only the sections that had been impacted by the changes to the Land Use Bylaw. The section regarding confined feeding operations was neither reviewed nor amended during this time.

Proposed changes were advertised and were sent to each of our urban and rural neighbours for comments. This document was open for public comment from December 8, 2020, until February 18, 2021. A public hearing was held on February 23, 2021, to provide a formal opportunity for public comments. It should be noted that during the review while the document was open for public comment, any portion of the document could have been commented on. We just highlighted the proposed amendments to make the changes easier to find.

The Municipal Development Plan is a Council document and cannot be amended without full Council consent and a public review and hearing process. Since the discussion specific to confined feeding operations and the boundary lines drawn by this section of the plan have not been formally discussed with Council, Administration does not know if this section would be amended going forward.

Respectfully submitted,



Barb Hazefton

Manager, Planning & Development

cc: Mike Haugen, Chief Administrative Officer
Kevin Gannon, Director of Community Services