

BYLAW 2020-03

BEING A BYLAW OF WHEATLAND COUNTY TO AMEND LAND USE BYLAW NO. 2016-01 BY REDESIGNATING +/-190.39 ACRES WITHIN SW & SE-18-24-19-W4M FROM AGRICULTURAL GENERAL DISTRICT TO DIRECT CONTROL DISTRICT (DC-20).

WHEREAS the requirements for advertising this Bylaw, as per Section 606 of the *Municipal Government Act*, have been met prior to the public hearing date.

WHEREAS a Public Hearing was held on _____, 2020 at the Wheatland County office.

THEREFORE under the authority and subject to the provisions of the *Municipal Government Act*, as amended, the Council of Wheatland County enacts as follows:

1. Bylaw No. 2016-01, being the Land Use Bylaw is hereby amended by redesignating +/-190.39 acres within SW & SE-18-24-19-W4M, from Agricultural General (AG) District to Direct Control (DC-20) District as shown on the attached Schedule ‘A’ forming part of this Bylaw.
2. This Bylaw comes into force when it receives third reading and is signed by the Reeve/Deputy Reeve and the CAO or Designate, as per the *Municipal Government Act*.

_____ **MOVED** First Reading of Bylaw 2020-03 on _____ this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to redesignate +/-190.39 acres within SW & SE-18-24-19–W4M, from Agricultural General District to Direct Control (DC-20) District as shown on the attached Schedule ‘A’.

Carried.

_____ **MOVED** Second Reading of Bylaw 2020-03 on _____ and it was

Carried.

_____ **MOVED** Third and Final Reading of Bylaw 2020-03 on _____ and it was

Carried.

 Reeve – Amber Link

 Chief Administrative Officer-
 Brian Henderson

9.39 Direct Control District (DC-20)



Purpose and Intent

The purpose and intent of this land use district is to allow direct control by Council over the development of land located within part of SW & SE-18-24-19-W4M for the purposes of operating a Class II Industrial Landfill that will accept primarily non-hazardous and non-dangerous industrial waste generated in the oil and gas industry as a result of drilling, regular operations and decommissioning activities, but does not include residential and municipal waste.

Definitions

The Terms not defined in this District have the same meaning as defined in Land Use Bylaw 2016-01.

“Cover Material” means soil or other material that is used to cover compacted solid wastes in a landfill.

“Landfill, Class II” means a landfill approved for the disposal of non-hazardous solid wastes other than municipal solid wastes.

“Closure” means the construction of a final cover for a landfill including replacement of topsoil and subsoil as required for the intended future use of the landfill site.

“Non-Dangerous Oilfield Waste” means non-hazardous waste generated by the upstream and midstream oil and gas industry, and no exhibiting properties of dangerous oilfield waste as identified by the Alberta Energy Regulator in Directive 058, as amended.

“Non-Hazardous Industrial waste” means solid wastes generated by industrial activities deemed non-hazardous as defined by the Alberta Waste Control Regulation (192/96).

“Landfill Cell” means a designed or designated area of a landfill comprised of an excavation or earthen structure in which waste is enclosed.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided that the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Buildings / Structures	Landfill, Class II
Shipping Container	
Stripping and Grading	
Signs Requiring a Development Permit^	

Notes: ^ – See Signage Section for Signage that does not require a permit.

Site Regulations

- a) The following regulations and policies shall apply to every development in this district:

Minimum Parcel Size	60.7 ha (150.0 ac)
Maximum Parcel Area Coverage	No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than 80% of the Parcel's area. This includes areas with clay liners.
Minimum Setbacks between Buildings / Structures	1.52 m (5.0 ft)
Minimum Front, Side, and Rear Yard Setbacks for Buildings/Structures	22.86 m (75.0 ft) from the nearest limit (property line) of the public road right of way.
	3.05 m (10.0 ft) from the property line in all other cases.
Yard Setbacks from Existing and Proposed Highways and Service Roads	Discretion of Alberta Transportation
Minimum Front, Side, and Rear Yard Setbacks for The Active Landfill area	30.0m (98.4 ft) from the property line.
Other Setbacks	See the Special Setback Requirements section of the Land Use Bylaw 2016-01 for additional setback requirements that may apply.
Other Setbacks Maximum Height Requirements	See the Subdivision and Development Regulations for setbacks pertaining to waste management facilities.
	Limited to such height as deemed suitable and appropriate for the intended use.

Special Regulations

- a) The General Regulations contained in the Land Use Bylaw 2016-01 shall apply unless otherwise specified in this Bylaw.
- b) The Permitted Uses shall be referred to the Development Officer for a decision while Discretionary Uses shall be referred to Council for a Decision.
- c) Any Development Permit Application for which a relaxation or variance of the bylaw is required will be submitted to Council for approval except for the following:
 - i. The Development Officer has the authority to render a decision on applications where the variance or relaxation of the Bylaw is for site coverage, front, rear and/or side yard setbacks of up to 10% of the requirement.
- d) A reclamation and closure plan shall be submitted to the satisfaction of the Development Authority and the relevant Provincial Departments.

Shipping Containers

- a) Shipping Containers shall not be stacked more than two (2) Shipping Containers high.

Environmental Regulations

- a) A Weed Management Plan shall be submitted with the Landfill, Class II Development Permit Application.
- b) A Wetland Impact Assessment Report shall be submitted with the Landfill, Class II Development Permit Application and shall address, at minimum a vegetation assessment, wetland assessment, and wildlife survey.
- c) All Landfill, Class II Development Permit Applications shall be required to meet Alberta Environment and Park's requirements for Standards for Landfills in Alberta.
- d) All Landfill, Class II Development Permit operations shall be in accordance with the Alberta Environmental Protection and Enhancement Act and Regulations for conservation and reclamation.

Noise Mitigation, Berming & Screening Standards

- a) Berming and landscaping shall be required to screen the Landfill site from public roadways. A berming/landscape plan shall be provided at the time of the Development Permit Application that provides a buffer between the Landfill, Class II area and roadways to the satisfaction of the Development Authority.
- b) Levels and methods of landscaping, fencing and screening of the site shall be completed in accordance with the County Landscaping, Fencing and Screening Section of the Land Use Bylaw.
- c) At the time of the Development Permit Application, the Applicant shall provide a plan detailing the methods to be used to mitigate and/or reduce negative impacts of the activities related to the Landfill, Class II such as, but not exclusively, noise and dust.

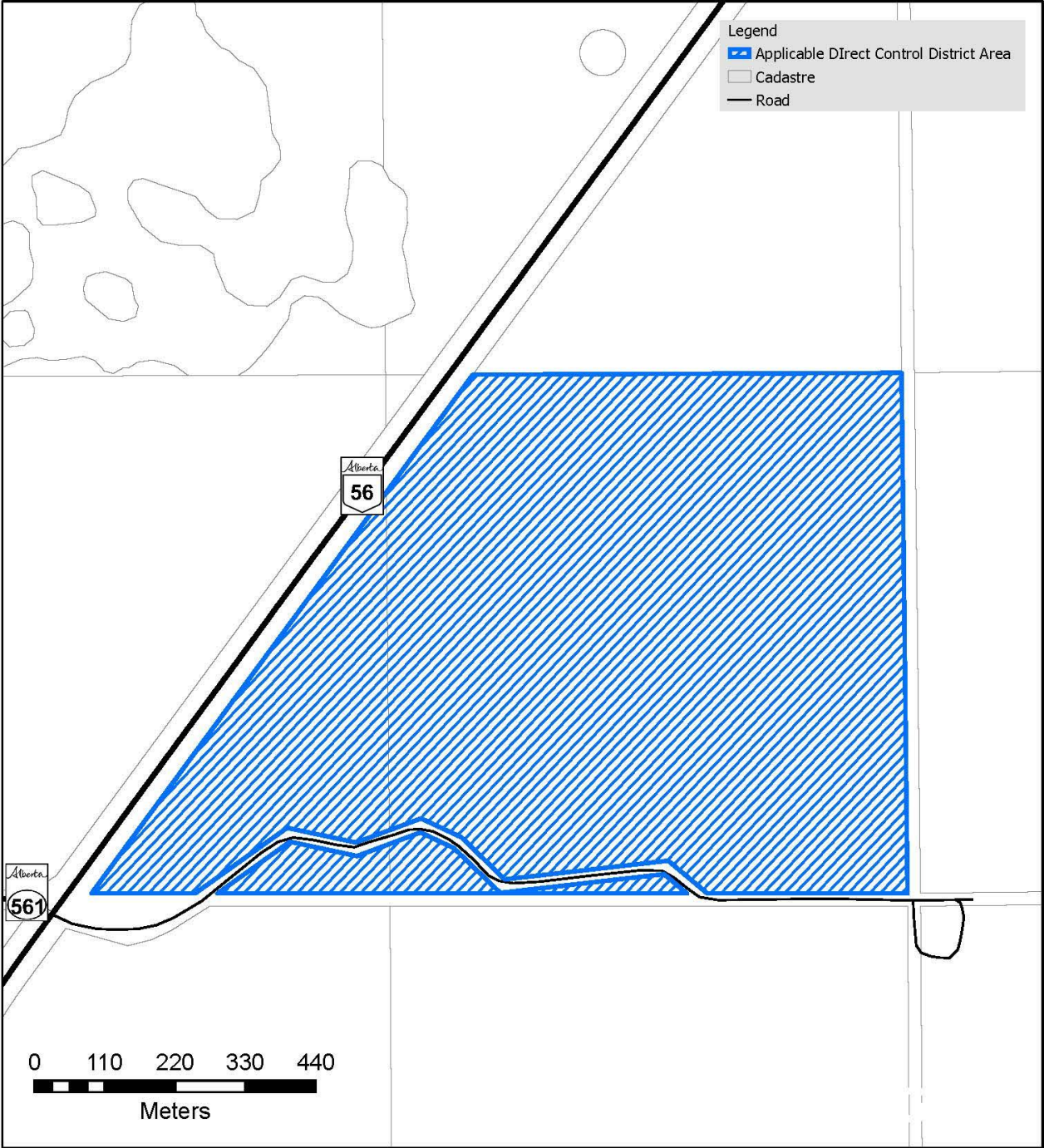
Safety Regulations

- a) An Emergency Response Plan shall be submitted with the Landfill, Class II Development Permit Application.
- b) A Fire Safety Plan shall be submitted with the Landfill, Class II Development Permit Application.

Development Permit Conditions

- a) The Development Permit issued for the Landfill, Class II shall be time-limited for a period of five (5) years.
- b) An approved Landfill, Class II Development Permit may be re-issued by the Development Officer for a five (5) year term if the following conditions have been met:
 - a. The Landfill, Class II is applying for a renewal of its Development Permit prior to the expiry date;
 - b. There have been no changes to the Landfill, Class II from the previous application;

Note: expansion into the future cells is not considered a change in application unless the location of the future cells is altered from the previous application.
 - c. There are no enforcement orders or complaints related to the Landfill, Class II.



SW & SE-18-24-19-W4M

DC-20

Redesignated Area: +/- 190.39 acres