



BYLAW NO. 12.19

BEING A BYLAW TO AMEND LAND USE BYLAW NO. 16.13

WHEREAS, the Municipal Government Act, Being Chapter M-26, R.S.A., 2000, authorizes a Council to amend a land use bylaw;

AND WHEREAS a public hearing was held in respect to the proposed amendment pursuant to the Municipal Government Act, Being Chapter M-26, R.S.A., 2000;

NOW THEREFORE, the Yellowhead County Council, in the Province of Alberta, duly assembled, hereby enacts as follows:

- 1) That the land use designation LC – Landfill & Composting District (Section 123.A) be amended by Council for the Yellowhead County Land Use Bylaw No. 16.13 as per Schedule “A” attached.

- 2) This bylaw comes into force at the beginning of the day that it is passed in accordance with Section 189 of the Municipal Government Act, Being Chapter M-26, R.S.A., 2000.

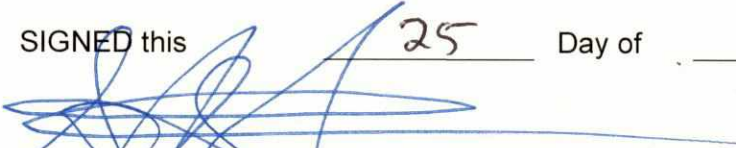
READ a first time this 14 Day of May A.D., 2019.

PUBLIC HEARING held this 11 Day of June A.D., 2019.

READ a second time this 25 Day of June A.D., 2019.

READ a third time this 25 Day of June A.D., 2019.

SIGNED this 25 Day of June A.D., 2019.



Mayor Gerald Soroka



Chief Administrative Officer, Jack Ramme

SCHEDULE "A"

PART FOURTEEN C – Landfill and Composting (LC) District

SECTION 123.A LC – Landfill and Composting (LC) District

(1) General Purpose of District:

The general purpose of this district is to regulate landfill and composting development within Yellowhead County which is encouraged to be located on Crown land, away from residential settlements. The interpretation of definitions and uses in this district shall be consistent with their use in the Alberta Environmental Protection and Enhancement Act, and the applicable regulations under that Act.

(2) Uses Table:

Permitted Uses	Discretionary Uses
Agriculture (Extensive) Buildings and uses accessory to permitted uses (excluding dwellings) Compost Facility – Class I Compost Facility – Class II Landfill – Class II Landfill – Class III Public Utility Renewable and Alternate Energy Facility Storage Site	General Industrial Oilfield Waste Related Facilities

(3) Regulation Table:

(a) Site Dimensions	4.0 ha (9.88 acres) or the minimum size required to accommodate the intended use, all on site servicing and any facilities required to address requirements of the Alberta Building code or Alberta Fire Code.
(c) Minimum front setback to property line*	60.0 m (196.85 ft)
(d) Minimum side setback to property line*	60.0 m (196.85 ft)
(e) Minimum rear setback to property line*	60.0 m (196.85 ft)
(f) Setback from a residence *	1.5 km (0.93 miles)

*all setbacks are calculated from the edge of the landfill

- setback from residence can be reduced if written consent from resident(s) are provided to Yellowhead County. Provincial 450 m setback must be maintained.

REGULATIONS FOR COMPOST FACILITIES AND LANDFILLS

1. All Relevant Provincial authorizations shall be in place prior to commencement of operation.
2. Hours of public access and hours of operation for heavy machinery may be restricted to 7:00 am and 11:00 pm. Extended hours may be considered based upon consideration of site characteristics, results of noise modeling analysis, feedback from landowners and on-site noise suppression applications.
3. Litter catchment fences at a minimum height of 3.6m shall be installed to the satisfaction of the Development Authority. These fences shall be placed immediately downwind (from the generally prevailing winds) of any working face to capture litter.
4. Perimeter fencing at a minimum height of 1.8m, consisting of a continuous chain-link fence or similar material with appropriate gate or gates, to the satisfaction of the Development Authority.
5. Any gates shall be closed and locked when facilities are not opened to the public for security and public safety purposes.
6. In addition to perimeter fencing, buffer/screening that is a minimum of 30.0 meter (98 ft) of tree vegetation may be required, to the satisfaction of the Development Authority. The buffer may also be required to consist of a soil berm that consists of tree shelterbelt either natural or constructed.
7. The applicant shall adopt a program satisfactory to the Development Authority to retrieve litter that accumulates on site or any litter that escapes from the site.
8. The site shall be manned when open to the public.
9. The applicant shall submit a reclamation and closure plan on terms acceptable to the Development Authority and the relevant Provincial Department(s).
10. The developer shall enter into a development agreement with the County which, in addition to the matters indicated in Section 655(1)(b) of the Act, shall deal with:
 - i. routing of any traffic that accesses the development,
 - ii. road maintenance, including dust control,
 - iii. directional signage, and
 - iv. security for the above, and for compliance with the conditions of the development agreement.

ADDITIONAL REGULATIONS FOR LANDFILLS

1. In addition, the developer shall ensure that waste deposited in the working area is promptly compacted and covered to minimize odour and to minimize wind blowing litter.
2. The Development Authority may implement recommendations contained in any Environmental Site Assessment to minimize the impact or risk from the proposed development, and
3. The Development Authority may request security to ensure that financial viability of the reclamation and closure plan.

REDISTRICTING INFORMATION

In addition to the other requirements of this Bylaw, prior to Council approving an amendment to this Bylaw changing land within the County to LC – Land Fill and Composting District, the applicant may be required to submit an Environmental Site Assessment and a Hydrogeological report relating to the proposed use and the environmental conditions of the site.

Definitions

Compost Facility (Class I) - means a waste management facility where waste, not including hazardous waste, is decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter.

Compost Facility (Class II) - means a waste management facility where only vegetative matter or manure are decomposed through a controlled bio-oxidation process that results in a stable humus-like material, but does not include a residential composter.

Landfill - means a waste management facility at which waste is disposed of by placing it on or in land, but does not include a land treatment facility, a surface impoundment, a salt cavern or a disposal well.

Landfill (Class II) - means a landfill for the disposal of waste (not including hazardous waste).

Landfill (Class III) - means a landfill for the disposal of waste (not including hazardous waste):

- a) that is solid, and
- b) that, on disposal in a landfill, is not reasonably expected to undergo physical, chemical or biological changes to such an extent as to produce substances that may cause an adverse effect,

and includes but is not limited to demolition debris, concrete, asphalt, glass, ceramic materials, scrap metal, and dry timber or wood that has not been chemically treated, but does not include hazardous waste.

Oilfield Waste Related Facility - means a facility that is approved by the Alberta Energy and Utilities Board to treat, dispose of, store or recycle oilfield waste.

Renewable and Alternate Energy Facility - means a facility or development, either stand alone or adjoining another development, that either generates energy using natural or renewable resources, such as, wind, geothermal, bio-fuels, or biomass, or generates energy using an energy generation process that reduces the amount of harmful emissions to the environment, when compared to conventional systems, such as district heating or cogeneration.

Storage Site – means a waste management facility, where waste, other than hazardous waste, is

- (a) stored,
- (b) sorted, compacted, shredded, ground or processed, or
- (c) collected and held for removal to another waste management facility