

Proposed Amendments to the Belvedere Area Structure Plan (Appendix F)

1. Part 2 Appendices of the Belvedere Area Structure Plan that does not form part of Bylaw 2P2013 as amended, is hereby further amended as follows:

- (a) Delete Appendix F entitled "Appendix F: Landfill Policy Review Area, Environmental Assessment" and replace with "Appendix F: Background Information for the Non-Operating Landfill" and include the following:

"The former landfill is located at 8775 17 AV SE and is conceptually illustrated on Map 3: Attributes and Constraints. Historically, the landowner at 8775 17 AV SE received a M.D. of Rocky View development permit to reclaim a portion of his land with clean fill. Between 1974 and 2005 commercial and residential inert demolition waste materials were accepted at the site. In 2005 the landowner received an Alberta Environment & Parks (AEP) order to cease landfilling activities and to remove the contaminated material. Although the site was never approved as a landfill, AEP indicated that the site was considered a landfill (2011).

At the time of the approval of the Belvedere Area Structure Plan (ASP) in 2013, a 300 metres provincially legislated setback was in place around the non-operating landfill site. Since the landfill material was not delineated the setback was measured from the edge of the landfill site property boundary.

Due to the uncharacterized potential impacts and risks from the landfill, two areas were established within the ASP: (1) a Policy Review Area (PRA) and (2) a Special Study Area (SSA). The purpose of the PRA was to highlight areas where additional study was required as part of the land use redesignation application process. As a conservative measure, the PRA extended well beyond the 300 metres landfill setback and specific protocol was included in the ASP for the removal of the PRA. The SSA generally coincides with the 300 metres landfill setback. The purpose of the SSA was to define an area surrounding the landfill that requires the applicant to submit appropriate studies to support land use proposals.

Since 2013, additional environmental investigation of the areas adjacent to the landfill has become available. No off-site contamination concerns associated with the landfill have been identified. In light of this new information and in consultation with AEP, The City submitted a modified list of requirements to AEP for endorsement. AEP in 2017 confirmed that:

- the landfill is considered non-operating;
- AEP does not have or is not aware of environmental reports that characterize the waste and environmental conditions of the Landfill.
- the landfill has not met and is not required by AEP to meet the reclamation, closure and post-closure care requirements; and,
- a modified approach to variance requests would be satisfactory.

AEP also confirmed that modifications to requests to AEP for consent to vary a landfill setback include:

- No Letter of consent from the landfill owner will be required;

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- No landfill specific information will be required to be submitted; and,
- Any supporting environmental assessments should characterize the soil, groundwater, and soil gas conditions of the landowner's property to confirm that there are no impacts from the landfill.

No further action in regards to the landfill characterization has been deemed necessary by AEP. In light of AEP's position in regards to the current status of the landfill and the modified approach to variance requests, the PRA has been determined to be no longer required. However, the SSA remains applicable. The removal of the PRA area does not preclude the requirements for a landfill setback variance should a restricted use (as set out in the Municipal Government Act – Subdivision & Development Regulation) be proposed within the setback from the landfill.”

TEXT FOR DISCUSSION ONLY