

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
April 7, 2020
6:30 pm
Agenda

1. Adoption of Agenda

2. Minutes

- a. Meeting Minutes of December 3, 2019

3. Closed Meeting Session

4. Unfinished Business

Nil

5. Development Permit Applications

- a. Development Permit Application No. 2020-09
Angela Reimer, Michael Safranka
Lot 1, Block 1, Plan 1711156
Accessory Building (Bunkhouse)
- b. Development Permits No. 2018-12 through 2018-14
Renewable Energy Services Ltd.
Lot 1, Block 1, Plan 111 3120, NE 22-6-29 W4M and SE 22-6-29 W4M
Wind Energy Development Permit Timeline Suspension

6. Development Reports

- a. Development Officer's Report
 - Report for the months of December 2019, January to April 2, 2020

7. Correspondence

Nil

8. New Business

9. Next Regular Meeting – May 5, 2020; 6:30 pm

10. Adjournment

**Meeting Minutes of the
Municipal Planning Commission
December 3, 2019 6:00 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Reeve Brian Hammond, Quentin Stevick, Terry Yagos, and Member Michael Gerrand and Chairman Jim Welsch

Staff: CAO Troy MacCulloch, Director of Development and Community Services Roland Milligan, and Financial Services and Planning Clerk Joyce Mackenzie-Grieve

Planning Advisors: ORRSC, Senior Planner Gavin Scott and Assistant Planners Hailey Winder and Max Kelly

Absent: Councillors Bev Everts and Rick Lemire

Chairman Jim Welsch called the meeting to order, the time being 6:00 pm.

1. ADOPTION OF AGENDA

Councillor Terry Yagos 19/043

Moved that the Municipal Planning Commission Agenda for December 3, 2019, be amended to correct next meeting date to January 7, 2020.

And that the agenda be approved as amended.

Carried

2. ADOPTION OF MINUTES

Member Michael Gerrand 19/044

Moved that the Municipal Planning Commission Meeting Minutes for October 1, 2019 be approved as presented.

Carried

3. CLOSED MEETING SESSION

Councillor Terry Yagos 19/045

Moved that the Municipal Planning Commission close the meeting to the public, under the authority of the *Municipal Government Act*, Section 197(2.1), the time being 6:01 pm.

Carried

Reeve Brian Hammond 19/046

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:54 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2019-40
Gero Construction Inc.
Lot 3, Block 1, Plan 8910001
Motel (Eleven Moved-In Cabins)

Reeve Brian Hammond 19/047

Moved that Development Permit No. 2019-40, for the Motel (Eleven Moved-In Cabins), be approved as presented:

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant enter into a Development Agreement with the municipality for the development of that portion of Railway Street west of Third Avenue to provide access to the parcel.

Variance(s):

1. That a 11.75 metre (29%) Setback Distance Variance be granted, for the buildings adjacent to the north boundary of the parcel, from the railway right-of-way north of and adjacent to Railway Street, from the minimum 40 metre required setback, for a Setback Distance of 28.25 metres from the railway right-of-way as required in Land Use Bylaw 1289-18.

Denied

Reason provided by Municipal Planning Commission:

Development Permit 2019-40 was denied on the grounds that an 11.75 metre (29%) Setback Distance Variance is too large of a deviation from the Setback Distance of 40 metres as required in Land Use Bylaw 1289-18.

6. DEVELOPMENT PERMIT APPLICATIONS

- b. Development Permit Application No. 2018-83 Amendment
Nova Gas Transmission Ltd.
Ptn. NE 2-10-2 W5M
Temporary Workforce Construction Camp

Councillor Quentin Stevick

19/047

Moved that Development Permit No. 2018-83 Amendment, to allow for the addition of one further dormitory unit for the temporary workforce construction camp, be approved, subject to the following conditions, variance and Informative;

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.

Informative(s):

- 1. This permit is a temporary permit issued for a term of two (2) years, commencing at the date of issue of the original permit, November 14, 2018. If the applicant requires a further time extension, an application will be required to be made to the development authority.

Carried

7. DEVELOPMENT REPORT

- a. Development Officer's Report

Councillor Terry Yagos

19/048

Moved that the Development Officer's Report, for the period October and November 2019, be received as information.

Carried

8. CORRESPONDENCE

Nil

9. NEW BUSINESS

Nil

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
December 3, 2019

10. **NEXT MEETING** – January 7, 2020; 6:30 pm.

11. **ADJOURNMENT**

Councillor Terry Yagos

19/049

Moved that the meeting adjourn, the time being 7:02 pm.

Carried

Chairperson Jim Welsch
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

Recommendation to Municipal Planning Commission



TITLE: DEVELOPMENT PERMIT NO. 2020-09 Applicant: Michael Safranka and Angie Reimer Location: Lot 1, Block 1, Plan 171 1156 (SE 6-7-1 W5M) Division: 3 Size of Parcel: 2.83 ha (7.0 Acres) Zoning: Agriculture -A Development: Moved-In Accessory Building – (Bunkhouse)	
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PREPARED BY: Roland Milligan	DATE: March 11, 2020
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DEPARTMENT: Planning and Development

Signature: _____	ATTACHMENTS: 1. Development Permit Application No. 2020-09 2. Assessor's Image Report 3. GIS Aerial Image (Site Plan)
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APPROVALS:			
 Roland Milligan	2020/04/02 Date	 Troy MacCulloch	02 Apr 2020 Date
Department Director	Date	CAO	Date

RECOMMENDATION:

That Development Permit No. 2020-09, for an Accessory Building (Bunkhouse), be approved, subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That this permit is a temporary permit, being valid for five (5) years, with the requirement that the building be removed five (5) years from the date of issue.

Variance(s):

1. A 19.5 meter variance of the 30 meter setback requirement from a municipal road is granted for a municipal road setback of 10.5 meters.

BACKGROUND:

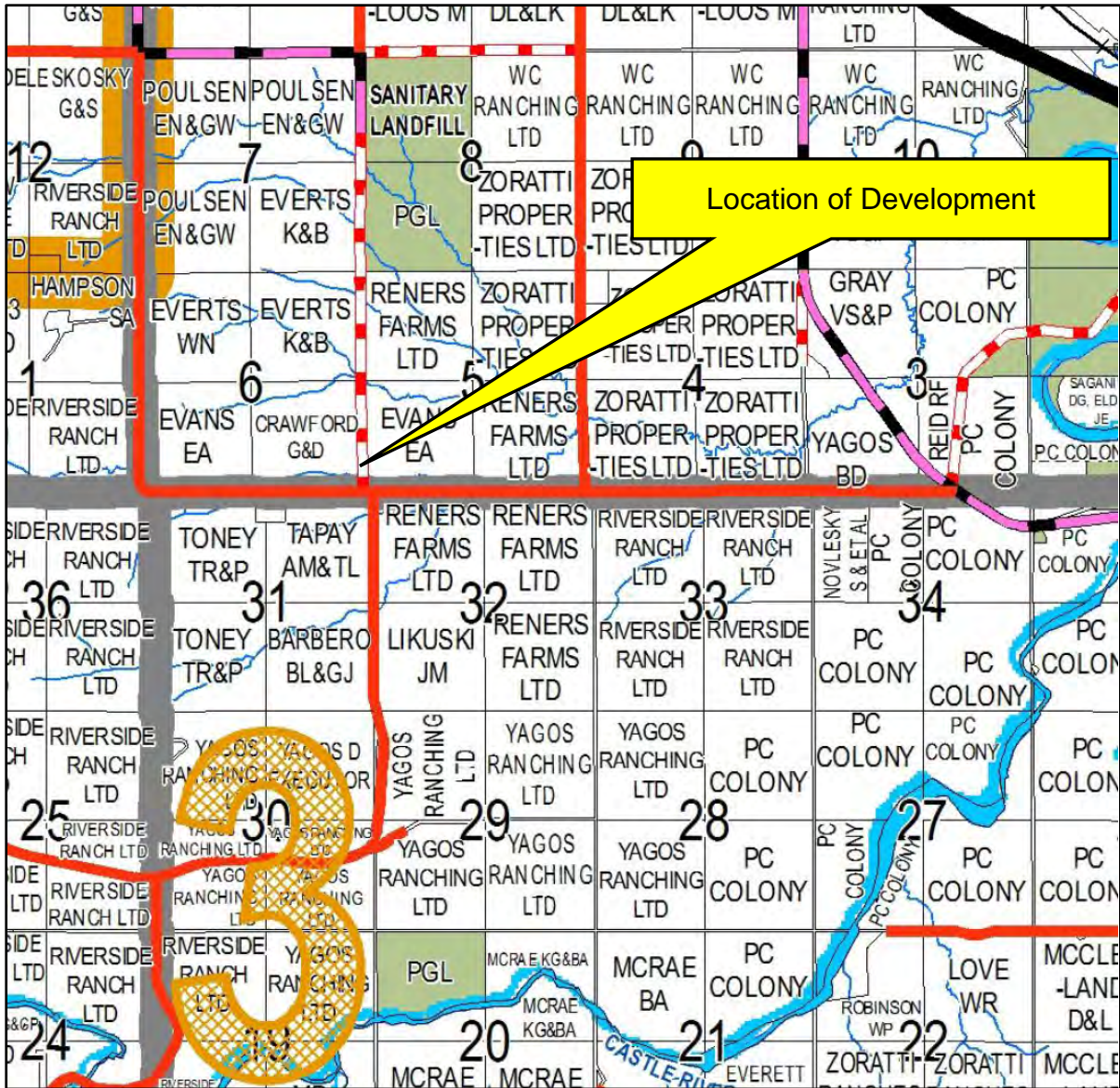
- During a routine survey of MD properties for assessment purposes during the fall of 2019, a new building located on the parcel was reported to the Development Department (*Attachment No. 2*).

Recommendation to Municipal Planning Commission

- On January 14, 2020, a registered letter was sent to the landowner to inform them of the required permitting process.
- The applicant submitted Development Permit Application No. 2020-09 (*Attachment No. 1*) with associated fee.
- The building is being used as a bunkhouse for sleeping purposes.
- A site plan has been prepared showing the location of the building on the parcel (*Attachment No. 3*).
- The building is located approximately 10.5 meters from the west edge of Range Road 1-5. The road is a Local Road on the Road Classification map but does not received year round service.
- This application is in front of the MPC because:
 - Within the Agricultural Land Use District, the required setback from a municipal road is 30 meters. The applicant is therefore requesting a 19.5 meter variance of the 30 meter setback requirement.
- All other required setbacks comply with the LUB.
- The applicant has also submitted a letter stating the reasons for locating the building at the current location (*Attachment No. 4*).
 - When they purchased the home in June of 2019, they found that they could not develop bedrooms in the basement due to flooding issues.
 - The drainage on the parcel restricted the locations it could be placed.
 - Reduced cost of supplying power to the building.
 - Did not want to block off access to the garage.
 - Did not want to block view of the mountains.
 - They have so few acres that they do not want to develop too much of the agricultural land.
 - They see this as a temporary use of the building. They are stating that it would be removed within five years.
- Notification letters were sent to the adjacent neighbours. At the time of preparing this report, no responses had been received.
- The permit was circulated to the Public Works Superintendent for comment. A site inspection was done on March 13, 2020. The following are the Superintendent's comments:
 - o *I went to have a look at location this morning and I don't have any concern. In normal circumstances, drifting on the road right away would be a concern but the building is sitting on the east side of a Barn/Garage and the house, which would catch most of the wind and snow.*

Recommendation to Municipal Planning Commission

Location of Proposed Development





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2020-09

Date Application Received Feb 18/20

PERMIT FEE \$100 Permitted X2
\$150 Discretionary \$300

Date Application Accepted March 3/20

RECEIPT NO. 43675

Tax Roll # 3416.010

IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9

SECTION 1: GENERAL INFORMATION

Applicant: Angie Reimer

Address: _____

Telephone: _____ Email: _____

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): Michael Sefronka

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows: CURRENT PLAN: 4-5 years will be moved sold/

- insulated hobby sheds and or cabin on a removal
pad. Easement required to the road.

Legal Description: Lot(s) 1

Block 1

Plan 1711156 / 7002 RRT-5

Quarter Section SE-06-07-01 W5

Estimated Commencement Date: July 31/2019

Estimated Completion Date: August 10/2019

SECTION 3: SITE REQUIREMENTS

Land Use District: GCR Division: 3

Permitted Use Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? 2 degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes No Don't know Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes No Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			↗
(2) Area of Building <u>32' x 11.3</u> <u>9.78m x 3.45m</u>	<u>361.6</u> <u>33.75m²</u>		
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building	<u>12'</u>		
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

<u>ACCESSORY BUILDING</u> <i>BUNKHOUSE</i>	Proposed	By Law Requirements	Conforms
(1) Area of Site	<i>7AC</i>	<i>N/A</i>	<i>—</i>
(2) Area of Building	<i>34m²</i>	<i>> 10.5m</i>	<i>PERMIT REQ'D.</i>
(3) % Site Coverage by Building (within Hamlets)	<i>N/A</i>	<i>—</i>	<i>—</i>
(4) Front Yard Setback Direction Facing: <i>EAST</i>	<i>10.5m</i>	<i>30m</i>	<i>NO</i>
(5) Rear Yard Setback Direction Facing: <i>WEST</i>	<i>137m</i>	<i>7.5m</i>	<i>YES</i>
(6) Side Yard Setback: Direction Facing: <i>NORTH</i>	<i>114m</i>	<i>7.5m</i>	<i>YES</i>
(7) Side Yard Setback: Direction Facing: <i>SOUTH</i>	<i>72m</i>	<i>30m</i>	<i>YES</i>
(8) Height of Building	<i>~3.0m</i>	<i>N/A</i>	<i>—</i>
(9) Number of Off Street Parking Spaces	<i>N/A</i>	<i>—</i>	<i>—</i>

Other Supporting Material Attached (e.g. site plan, architectural drawing)

SECTION 4: DEMOLITION

Type of building being demolished : _____

Area of size: _____


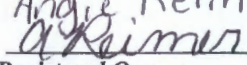
Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: *02/15/2020*

Michael Satranta

 Applicant
Angie Reimer

 Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.



Roll: 3416.010	Alt. Key:	Land Area: 7.02 Acres
Legal: 1711156 1 1 SE-6-7-1-5		Subdivision:
Address: 1 Mile South of Landfill 7002 RR 15		Market 30 Div.3 West of PC
		Zoning: Agricultural
Prop. Desc:		Property Type:
		Economic Zone:

Image Date: 10-22-2019
Image Type: Photo
Image Desc: Photo
Default: No



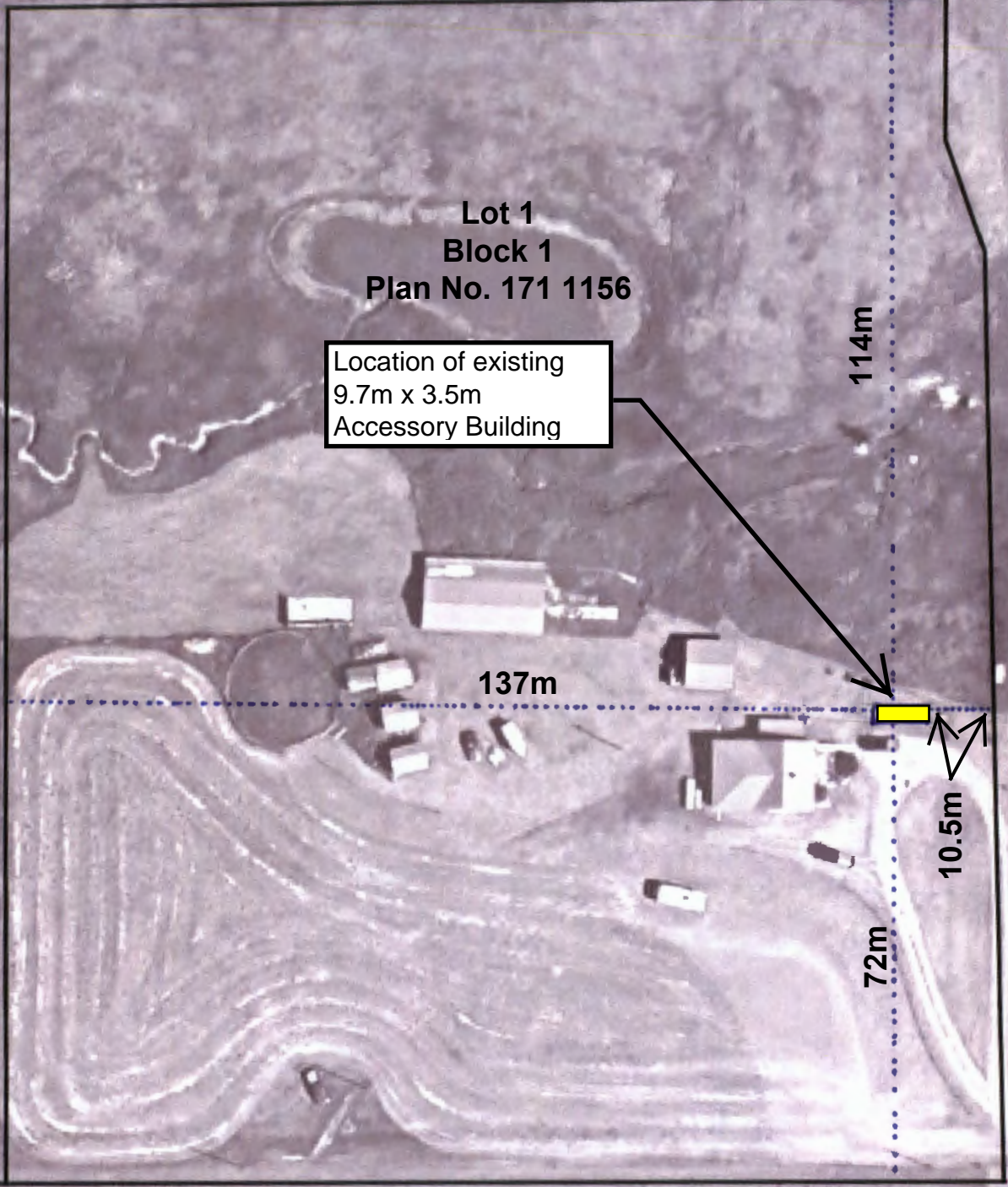
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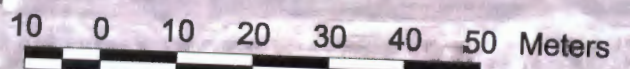


Lot 1
Block 1
Plan No. 171 1156

Location of existing
9.7m x 3.5m
Accessory Building



Twp. Rd. 7-0



1:1000 1cm = 1m

I wanted to try and show how we come up with the decision to place our cabin where it is and why we decided to purchase it and remodel it. We are a blended family and when we purchased the acreage on June 28 2019 we found that the basement was not appropriate for building bedrooms due to flooding. We are so in love with land we were willing to put up with the basement.

Another consideration is that the youngest boy staying in the cabin is now 13 so in four to five years our intentions are to sell the building and move it, that is the reason for it being on skids and the electrical plug the way it is.

I also want to say that Angie and I made several decisions as to why we put it where we did. The water drainage to the creek and the trees as well as cutting costs for the electrical from the house, blocking off access to the two car garage and beautiful uplifting views of the mountains for a positive view from the windows and as much heat from the sun that is possible to cut down on monthly costs.

I owned a small farm in a area SE of Edmonton and was raised on a farm so I do have intentions of raising my children and instilling values and customs I hold true.


We have so few acres on our acreage, so I intend to be very practical with what we have which is another consideration.

I hope to further discuss this matter and come to a resolve.

Michael Saffronka

Hilroy

Recommendation to Municipal Planning Commission

TITLE: Applicant: Location Division: Zoning: Development:	DEVELOPMENT PERMITS No. 2018-12 Through 2018-14 (McLaughlin Wind Farm) Renewable Energy Services Ltd. Lot 1, Block 1, Plan 111 3120, NE 22-6-29 W4M, and SE 22-6-29 W4M 2 Wind Farm Industrial (WFI) Approved Wind Farm	
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PREPARED BY: Roland Milligan	DATE: March 26, 2020
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DEPARTMENT: Planning and Development

Signature: <hr style="width: 100%;"/>	ATTACHMENTS: 1. Letter From Applicant 2. AUC Decision 3. AESO Project Change 4. GIS Map of Wind Farm
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APPROVALS:			
 <hr/> Department Director	2020/04/02 <hr/> Date	 <hr/> CAO	02 Apr 2020 <hr/> Date

RECOMMENDATION: That pursuant to Section 57.19 (d) of Land Use Bylaw 1289-18, the Municipal Planning Commission grants a two (2) year suspension of the five year maximum development timeline to April 7, 2020.
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BACKGROUND: <ul style="list-style-type: none"> - On March 16, 2020, the MD received a letter from Renewable Energy Services Ltd. Requesting a development permit timeline suspension request for the McLaughlin Wind Farm (<i>Attachment No. 1</i>). - The applicant outlines the reasons for the request for the timeline suspension within the above letter also. - The applicant has also supplied a decision by the Alberta Utilities Commission agreeing to a time extension (<i>Attachment No. 2</i>). - The applicant has also provided a Project Change Proposal that indicates a facility in-service date of November 30, 2022. This proposal has been approved by the Alberta Electric System Operator (<i>Attachment No. 3</i>)

Recommendation to Municipal Planning Commission

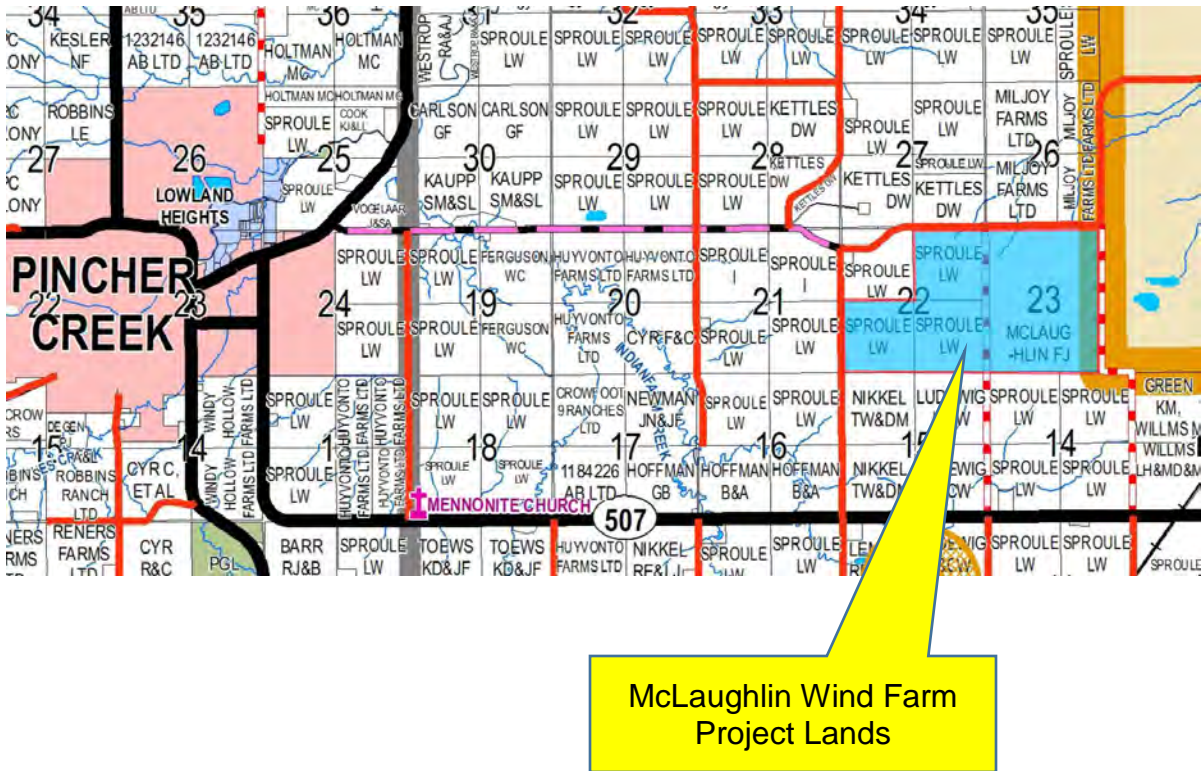
- The McLaughlin wind farm was issued Development Permits Nos. 2018-12 through 2018-14 on April 3, 2018.
- This is an eleven turbine wind farm located east of the Town of Pincher Creek (*Attachment No. 4*).

Pursuant to LUB Section 57.19, A Category 3 WECS development permit shall have a maximum five (5) year development time line as outlined in subsections (a), (b) and (c) below.

- (a) Commencement of construction shall occur within two (2) years of the issuance of the development permit. A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year commencement of construction period;
 - (b) Construction shall be completed within two (2) years of commencement of construction. The one (1) year time extension described in (c) may be granted by MPC provided it was not previously granted under subsection (a). A time extension as described in (c) or a timeline suspension as described in (d) must be applied for prior to the expiration of the two (2) year construction period;
 - (c) A time extension considered by MPC in (a) and (b) may be approved for a single one (1) year term and the applicant must provide reasons why the extension is necessary;
 - (d) The MPC may consider suspending the five (5) year timeline described above in cases where a development hardship is proven to the satisfaction of MPC. The MPC shall specify the duration of any timeline suspension as part of the approval.
 - (e) The development permit shall expire if the suspension period in (d) is not granted or any period described in (a), (b) (c) or (d) lapses.
- As the applicant cannot commence the construction of the project within the two (2) year requirement of the issuance of the permits, the applicant is requesting that the Municipal Planning Commission, pursuant to Section 57.19(d), grant a two (2) year suspension of the of the five year maximum development permit validity timeline as outlined in the LUB.

Recommendation to Municipal Planning Commission

Location of the McLaughlin Wind Farm





Renewable Energy Services Limited

P.O. Box 38

Lower Sackville, NS B4C 2S8

Phone: (902) 442-8195

March 13th, 2020

**Municipal District of Pincher Creek No.9
1037 Herron Avenue,
Pincher Creek, AB T0K 1W0**

**ATTENTION: Mr. Roland Milligan
Director of Development and Community Services**

RE: REQUEST FOR TIMELINE SUSPENSION UNDER SECTION 57.19 (d)

Dear Roland,

Renewable Energy Services Limited (RESL) is requesting the MPC grant a timeline suspension for the McLaughlin Wind Farm development under Section 57.19 (d) of the Land use Bylaw.

RESL received Power Plant Approval# 1976-D02-2018 and the Substation Permit and License# 1976-D03-2018 for the McLaughlin Wind Power Project on February 23rd, 2018. The NID amendment was filed June 20th, 2019 and the Facility Application amendment was filed the day after, on June 21st, 2019. The NID Approval# 21169-D02-2019, Transmission Permit and License# 21169-D03-2019 and the Connection Order# 21169-D04-2019 were not granted by the AUC until August 16th, 2019.

RESL could not move forward with the Project until the NID Approval# 21169-D02-2019, Transmission Permit and License# 21169-D03-2019 and the Connection Order# 21169-D04-2019 were granted by the AUC. Due to the uncertainty of when the approvals would be received and the risk of delay caused by a potential public hearing related to the Facility Application, RESL was unable to finalize commercial arrangements for the Project.

Additionally, final design, equipment supplier and construction agreements could not be concluded and as a result, delays surrounding the supply of equipment and the scheduling of construction activities were identified. Upon review, RESL realized the December 31st, 2020 completion date was no longer feasible and subsequently filed a two-year extension request to the AUC on April 8th, 2019 and a Project Change Proposal Form to the Alberta Electric System Operator (AESO) to change the ISD from November 30, 2020 to November 30, 2022.

On October 24, 2019 RESL received the decision from the AUC approving the two-year time extension. As outlined in the Decision Summary, the Commission states "... the Commission finds that the approval of the timeline extension is in the public interest having regard to its social, economic, and other effects, including its effect on the environment." Furthermore, on November 19, 2020 RESL received approval from the AESO changing the ISD to November 30, 2022.

Therefore, given the circumstances outlined above, RESL further recognizes that construction of the wind farm can not begin within two (2) years of the issuance of the development permits. As such, RESL formally

Attachment No. 1

requests the MPC consider a timeline suspension to align the Development Permit(s) and other Project construction milestone completion dates with the revised ISD.

Please feel free to contact me at 902-631-4441 or by email at parchibald@resl.ca if you have any questions or require any additional information.

A handwritten signature in black ink, appearing to read "Peter Archibald". The signature is written in a cursive, flowing style.

Sincerely,
Peter Archibald
Engineering & Construction Manager

PROPOSED REVISED PROJECT SCHEDULED MILESTONES:

Scheduled Milestone Description	Completion Date
AUC Application 24843 registered for McLaughlin Wind Power Project Time Extension	August 29, 2019
Two-year extension granted by the AUC	October 24, 2019
Finalize Commercial Arrangements	June 30, 2020
Finalize Detailed Substation and Collector System \ Foundation \ Civil Engineering & Design	December 31, 2020
RFP / BOM Documents, Contract Execution	March 31, 2021
Site Construction (Start)	May 1, 2021
Substation Construction (Start)	July 30, 2021
Generator Construction & Testing / Commissioning (Start)	May 1, 2022
Substation Construction, including Communication system & RAS (End)	September 30, 2022
Project ISD (Collector Sub Connected to Grid)	November 30, 2022
Generator Construction & Testing / Commissioning (End)	December 16, 2022
Commercial Operation Date	December 31, 2022

Generator Major Equipment Milestones	Ordering Date	Delivery to Site Date
Wind turbines (12-14 months)	January 2021	March 2022
Substation transformer (12-14 months) <ul style="list-style-type: none"> 138/34.5-kilovolt (kV), 50/67/83 MVA Transformer: approx. 12-14 months 	March 2021	May 2022



Renewable Energy Services Ltd.

McLaughlin Wind Power Project Time Extension

October 24, 2019

Alberta Utilities Commission

Decision 24843-D01-2019

Renewable Energy Services Ltd.

McLaughlin Wind Power Project Time Extension

Proceeding 24843

Applications 24843-A001 and 24843-A002

October 24, 2019

Published by the:

Alberta Utilities Commission
Eau Claire Tower
1400, 600 Third Avenue S.W.
Calgary, Alberta T2P 0G5

Telephone: 310-4AUC (310-4282) in Alberta
1-833-511-4AUC (1-833-511-4282) outside Alberta

Email: info@auc.ab.ca

Website: www.auc.ab.ca

The Commission may, within 30 days of the date of this decision and without notice, correct typographical, spelling and calculation errors and other similar types of errors and post the corrected decision on its website.

Alberta Utilities Commission

Calgary, Alberta

Renewable Energy Services Ltd.
McLaughlin Wind Power Project
Time Extension

Decision 24843-D01-2019
Proceeding 24843
Applications 24843-A001 and 24843-A002

1 Decision summary

1. In this decision, the Alberta Utilities Commission considers whether to approve applications from Renewable Energy Services Ltd. for a time extension to complete construction of the McLaughlin Wind Power Plant and McLaughlin 423S Substation (the project) in the Pincher Creek area. After consideration of the record of the proceeding, and for the reasons outlined in this decision, the Commission finds that approval of the time extension is in the public interest having regard to its social, economic, and other effects, including its effect on the environment.

2 Introduction

2. The Commission, in Decision 1976-D01-2018,¹ granted Renewable Energy Services Ltd. (RESL) approval to construct the McLaughlin Wind Power Project. The project consisted of a 46.2-megawatt (MW) wind power plant, designated as the McLaughlin Wind Power Plant, and an associated substation, designated as the McLaughlin 423S Substation.

3. The power plant would be located on privately-owned land approximately eight kilometres east of the town of Pincher Creek, in sections 22 and 23 of Township 6, Range 29, west of the Fourth Meridian. The substation would be located in the southwest quarter of Section 22, Township 6, Range 29, west of the Fourth Meridian. Approval 1976-D02-2018² (the original power plant approval) and Permit and Licence 1976-D03-2018³ (the original substation approval) stipulated a construction completion date of December 31, 2020, for the project.

4. In a post-disposition letter in Proceeding 1976, RESL informed the Commission that it would be unable to complete construction of the project by December 31, 2020, and requested that the construction completion date be extended to December 31, 2022. The AUC created a power plant stipulation application and a substation stipulation application on behalf of RESL, pursuant to sections 11, 14, 15 and 19 of the *Hydro and Electric Energy Act*. The applications were registered as applications 24843-A001 and 24843-A002 in Proceeding 24843 on August 29, 2019.

¹ Decision 1976-D01-2018, Renewable Energy Services Ltd. - McLaughlin Wind Power Plant and Substation, Proceeding 1976, Applications 1608592 and 1976-A001, February 23, 2018.

² Power Plant Approval 1976-D02-2018, Proceeding 1976, Application 1608592, February 23, 2018.

³ Substation Permit and Licence 1976-D03-2018, Proceeding 1976, Application 1976-A001, February 23, 2018.

3 Discussion

3.1 Application details

5. RESL stated that a time extension was required to complete the project due to a delay in the filing of the needs identification document (NID) and facility applications for the connection of the project to the Alberta Interconnected Electric System. RESL explained that this delay was the result of the Alberta Electric System Operator (AESO) needing to amend the NID application which was outside of the control of RESL.

6. In response to an information request, RESL stated that AltaLink Management Ltd. confirmed that it did not have any concerns with extending the construction completion date to December 31, 2022. RESL stated that it would submit a change proposal to the AESO requesting that the in-service date for the project interconnection be deferred to 2022.

7. RESL informed the Commission that a project update letter was sent to all previously engaged stakeholders potentially affected by the project on August 28, 2019. RESL stated there are no new stakeholders in the area and there are no unresolved stakeholder concerns in relation to the time extension for the project.

8. RESL stated that there have been no changes to land development, land designations or the number and proximity of dwellings that may affect the project's compliance with Rule 012: *Noise Control*.⁴

9. RESL stated that in order to maintain current wildlife surveys, it would repeat raptor nest and sharp-tailed grouse lek surveys in 2020.⁵

10. RESL confirmed with Alberta Environment and Parks (AEP) that the renewable energy referral report for the project is valid and in force until March 28, 2022. RESL confirmed that all of the environmental assessment components of the renewable energy referral report will need to be updated in 2021 for the renewable energy referral report to be considered current up until March 28, 2022. RESL confirmed that if construction does not begin prior to March 28, 2022, then the renewable energy referral report would need to be updated.⁶

11. RESL committed to meeting some of the requirements of AEP's *Conservation and Reclamation Directive for Renewable Energy Operations* (C&R Directive) by completing the required pre-disturbance soil and vegetation assessments prior to construction, and completing post-construction and operational interim monitoring. RESL confirmed that it would conduct annual post-construction vegetation health assessments on recovering sites in accordance with the C&R Directive.⁷

⁴ Exhibit 24843-X0007, RESL Responses: AUC IR Round 1, PDF page 12.

⁵ Exhibit 24843-X0007, RESL Responses: AUC IR Round 1, PDF page 9.

⁶ Exhibit 24843-X0009, Appendix B: Email Correspondence with AEP, PDF page 1.

⁷ Exhibit 24843-X0007, RESL Responses: AUC IR Round 1, PDF page 11.

3.2 Intervention

12. The AESO filed a statement of intent to participate in the proceeding informing the Commission that it had requested RESL correct its submissions by including updated information with respect to the amended NID application for the power plant interconnection. The AESO reserved the right to participate in Proceeding 24843 in the event that RESL did not provide the Commission with updated information with respect to the AESO's NID amendment approval in Proceeding 21169.

13. RESL submitted a copy of a letter dated October 1, 2019, from the AESO to RESL, which stated that the amendment to the NID application in Proceeding 21169 was in response to RESL's request to change the in-service date of the project.⁸ The AESO confirmed that RESL's submission of the October 1, 2019, letter satisfied the AESO's concerns.⁹

4 Findings

14. RESL has provided information on the need, nature and the duration of the requested time extension. The time extension is not expected to affect compliance of the project with the permissible sound levels outlined in Rule 012, nor result in any new effects on the environment.

15. Based on the information provided, the Commission finds that RESL has demonstrated that the requested project time extension is of a minor nature.

16. The Commission finds that RESL conducted its participant involvement program in accordance with Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* and that the program was adequate.

17. Due to the minor nature of the applications, and confirmation from RESL that a participant involvement program had been conducted and the fact that there are no outstanding public or industry objections or concerns from potentially affected stakeholders within 2,000 metres of the project, a notice was not issued. As the Commission considered that its decision would not directly and adversely affect the right of a person pursuant to Section 9 of the *Alberta Utilities Commission Act*, a hearing was not required.

18. The Commission expects RESL to update all wildlife surveys and the renewable energy referral report as needed to ensure that they remain current.

19. Condition 8 of Approval 1976-D02-2018 states:

RESL shall complete a minimum of three years of post-construction bird and bat mortality surveys, and submit the results of the surveys annually to AEP WM.¹⁰

20. Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants* came into force on July 1, 2019, and applies to all wind projects approved after September 1, 2019. Accordingly, RESL must comply with the requirements of Rule 033. Subsection 3(3) of Rule 033 requires approval holders to submit to AEP and the Commission

⁸ Exhibit 24843-X0013, Updated Information with respect to the NID 21169 Amendment.

⁹ Exhibit 24843-X0015, AESO Letter to the AUC - confirmation re SIP.

¹⁰ Power Plant Approval 1976-D02-2018, Proceeding 1976, Application 1608592, February 23, 2018.

annual post-construction monitoring survey reports. As such, Condition 8, as noted above, must be amended to reflect requirements of the recently published Rule 033. Therefore, Condition 8 of Approval 1976-D02-2018 is updated to state:

RESL shall submit a post-construction monitoring survey report to AEP and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys pursuant to Subsection 3(3) of Rule 033.

21. The Commission notes that Approval 1976-D02-2018 also contains a number of other environmental conditions. The Commission notes that conditions 6, 7 and 9 of Approval 1976-D02-2018 are no longer necessary since Rule 033 has come into force.

22. The Commission considers that RESL has confirmed that all of the environmental assessment components of the renewable energy referral report will need to be updated in 2021 in order that it remains current past March 28, 2022. Accordingly, If construction does not begin by March 28, 2022, RESL must obtain an updated renewable energy referral report. To ensure that an up to date referral report is in place at the time of construction the Commission finds that the following condition is necessary:

At least 60 days prior to the commencement of construction, RESL shall file a letter with the Commission confirming (a) that the renewable energy referral report is current and (b) that RESL will implement any additional mitigation measures recommended by AEP.

23. The Commission notes that the *Conservation and Reclamation Regulation* was amended to specifically address the reclamation of wind projects in Alberta. The effect of these amendments is that “renewable energy operations,” which include wind projects, are now expressly subject to the reclamation obligations set out in Section 137 of the *Environmental Protection and Enhancement Act*. Operators of renewable energy projects are now required to obtain a reclamation certificate at the project’s end of life. The reclamation process is administered by AEP, pursuant to the C&R Directive, which provides more detailed information on conservation and reclamation planning and reclamation certificate requirements for renewable energy operators in Alberta. The Commission notes that Condition 13 of Approval 1976-D02-2018 is no longer necessary with the recent amendments to the *Conservation and Reclamation Regulation*.

24. Based on the foregoing, the Commission considers the project time extension to be in the public interest in accordance with Section 17 of the *Alberta Utilities Commission Act*.

25. The Commission approves a time extension to December 31, 2022, to complete construction of the power plant and substation, subject to the following conditions:

- a. RESL shall submit a post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys, pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.

- b. At least 60 days prior to the commencement of construction, RESL shall file a letter with the Commission confirming (a) that the renewable energy referral report is current and (b) that RESL will implement any additional mitigation measures recommended by AEP.

26. As stated in Decision 1976-D01-2018, the Commission expects RESL to follow through on all commitments made during Proceeding 1976. Should the Commission receive a complaint that RESL has not adhered to its commitments, the Commission may initiate a review in accordance with Rule 016: *Review of a Commission Decision*.

5 Decision

27. Pursuant to sections 11 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 24843-A001 and grants Renewable Energy Services Ltd. the approval set out in Appendix 1 – Power Plant Approval 24843-D02-2019 – October 24, 2019.

28. Pursuant to sections 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves Application 24843-A002 and grants Renewable Energy Services Ltd. the approval set out in Appendix 2 – Substation Permit and Licence 24843-D03-2019 – October 24, 2019.

29. The appendices will be distributed separately.

Dated on October 24, 2019.

Alberta Utilities Commission

(original signed by)

Tracee Collins
Commission Member

Appendix A – Summary of Commission directions and conditions requiring further submissions

This section is intended to provide a summary of those directions and conditions that require follow-up with the Commission, for the convenience of readers. It is not intended to summarize all of the conditions imposed on the applicant. In the event of any difference between the directions and conditions in this section and those in the main body of the decision, the wording in the main body of the decision shall prevail. These directions and conditions will be tracked as conditions of Power Plant Approval 24843-D02-2019 using the AUC's eFiling System.

- RESL shall submit a post-construction monitoring survey report to Alberta Environment and Parks (AEP) and the Commission within 13 months of the project becoming operational, and on or before the same date every subsequent year for which AEP requires surveys, pursuant to Subsection 3(3) of Rule 033: *Post-approval Monitoring Requirements for Wind and Solar Power Plants*.
- At least 60 days prior to the commencement of construction, RESL shall file a letter with the Commission confirming (a) that the renewable energy referral report is current and (b) that RESL will implement any additional mitigation measures recommended by AEP.

Project Change Proposal Form



1. Submission Information				
Change Proposal No.:	7			
Change Proposal Title:	ISD Change			
AESO Project Name:	RESL McLaughlin WAGF			
AESO Project #:	P1500			
TFO Project #:	D.0558			
Current Project Stage:	5			
Requested by: Name, Title, Organization	Henri Knapen- Operations & Project Manager Renewable Energy services Ltd.			
AESO was First Notified of Project Variance Date:	2019/07/16			
How was AESO First Notified of Project Variance?	Conference call AESO-RESL. – project status update meeting July 16, 2019).			
Change Proposal Date:	2019/10/07			
2. Impact Analysis				
Place an "X" next to <u>all</u> that apply:	Scope <input type="checkbox"/>	Schedule <input checked="" type="checkbox"/>	Cost <input type="checkbox"/>	N/A <input type="checkbox"/>
Has work relating to Change Proposal been initiated?	Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>	
If "Yes", explain below why work was initiated before AESO review of Change Proposal?				
Is Contingency being used to address this change?	Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>	
If "No" explain why not:				
The stage 5 has not yet initiated.				
Does the Functional Specification need to be revised as a result of the Change Proposal?	Yes <input type="checkbox"/>		No <input type="checkbox"/>	
Does the TFO plan to file a Facility Application amendment?	Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>	
Impact on Cost:	TBD			
Complete Appendix A when there is a cost impact (if a cost estimate has been provided)				
Impact on ISD:	Current ISD 2020/11/30 Requested ISD 2022/11/30			
Impact on other projects:	N/A			



3. Change Proposal Description	
Summarize the requested change: (attach supporting detail as required)	Change ISD to November 30, 2022 as documented in the attached letter.
Describe <u>why</u> the scope change is required:	NA
Describe <u>why</u> the schedule change is required:	RESL could not move forward with the project until the NID was approved and P&L received (details in the attached letter).
Describe <u>why</u> the cost change is required:	N/A
Indicate <u>when</u> the change is expected to occur or take effect:	This PCP is required to align the project In-Service Date with the scheduled In-Service Date of RESL facilities (generation plant and collector substation).
<u>What</u> other options were considered, to address the issue?	There are no other options to meet the current In-Service-Date.
Impact of <u>not</u> implementing proposed change?	The current In-Service Date cannot be met.



4. Transmission Facility Owner Project Change Proposal Signatures

Project Manager:	Signature:	
	Print Name:	Carmen Deac
	Date:	Oct. 15/2019
Authorized Approval:	Signature:	
	Print Name:	Kevin Deane
	Job Title:	Manager, Project Development
	Date:	15-OCT-2019

5. Market Participant Related Project Change Proposal Signatures (Connection projects only)

Market Participant Representative:	Signature:	
	Print Name:	Henri Knapen
	Job Title:	Operations & Project Manager
	Date:	12-10-2019

AESO Use Only

6. AESO Project Change Proposal Signatures

AESO Received Date:	YYYY/MM/DD	2019, Oct. 16 th
Project Manager:	Signature:	
	Print Name:	Doug Walker
	Date:	Oct. 16, 2019
Program Manager:	Signature:	
	Print Name:	Gasmin Judge
	Date:	Nov. 6/2019
Transmission Director Vice President or CEO:	Signature:	
	Print Name:	Robert Davidson
	Date: ¹	Nov 19, 2019

¹ This date is considered the final sign off date by the AESO



Change Proposal Review Decision:	<input checked="" type="checkbox"/> Approved	The approval is not to be construed as being a statement with respect to the prudence of costs.
	<input type="checkbox"/> Rejected	The Change Proposal was submitted after work has been completed, or refer to AESO Comments.
	<input type="checkbox"/> Deficient	The proposal and/or appendices are deficient as assessed by the AESO; along with any additional information requests that the AESO requires to make its assessment.
	<input type="checkbox"/> Additional Comments	If checked refer to AESO Comments for additional information on the Change Proposal review decision
AESO Comments:	<p>The request is being approved on the condition that Renewable Energy Services Ltd. (RESL) will meet the Milestones set out herein. Should the Market Participant fail to meet any of the milestones, the AESO may withdraw its Needs Identification Document (NID) from the AUC and/or cancel the SASR application. At any time going forward, in the event that the AESO identifies that the preferred Connection alternative is no longer valid, the AESO may have to withdraw or amend the NID and/or cancel the SASR accordingly.</p>	
Energization No.:	PM to reference the Energization #	

Milestone Report



This form is to be submitted by the market participant (MP) to support a request to change the project's in-service date (ISD) while in Stage 4 or 5 and on a monthly basis thereafter until the project is energized and the generator has reached commercial operation. A detailed milestone schedule (coordinated with TFO) and a high-level overview of the key risks which could impact the ISD must be provided as outlined below. Each risk must be supported by a mitigation plan to support the requested ISD and the associated milestone schedule.

If the milestones are no longer achievable or a milestone has been missed, the AESO may withdraw the need application and cancel the SASR. Decisions to withdraw the need approval and cancel the SASR will be evaluated on a project by project basis. Should schedule milestone become at risk and the ISD is no longer achievable a new change proposal may be required.

1. Project Information	
AESO Project Name:	Renewable Energy Services WAGF (McLaughlin)
AESO Project #:	1500
Change Proposal Reference #:	7
Milestone Report Date:	November 5, 2019

2. Schedule Milestones

Complete the following table for the project schedule milestones. If there are other important milestones, please add rows as required. For the initial submission, only fill out the planned completion date column.

Milestone	Owner	Planned Completion Date	Actual Completion Date	Status
NID and FA Amendment filed with the AUC	AESO/ TFO	May 2019	June 19, 2019	Approved
NID and FA Approval	AUC	July, 2019	Aug 16, 2019	Approved
TFO orders long lead item(s)	TFO	NA		No long lead items are to be ordered by AltaLink. All the required materials will be ordered by EPC.



Milestone	Owner	Planned Completion Date	Actual Completion Date	Status
Finalize detailed substation and collector system/foundation/civil engineering and design	MP	Dec. 31, 2020		
Finalize the commercial arrangements for facilities Procurement	MP	June 30, 2021		
Site construction start	MP	July 1, 2021		
Substation construction start	MP	July 30, 2021		
Execute TFO Stage 5 CCA	MP	Nov. 2021		
Transmission Facilities Construction Start	TFO	August 1, 2022		
Generator construction & testing/commissioning start	MP	May 1, 2022		
Collector Sub connected to grid (ISD)	MP	Nov. 30, 2022		
Transmission Facilities ISD	TFO	Nov. 30, 2022		
Generator construction & testing/commissioning (Completion)	MP	Dec. 16, 2022		
COD	MP	Dec 31, 2022		

3. Generator Milestones

Complete the following table for the major generator equipment ordering dates and delivery to site dates.

Generator Major Equipment	Ordering Date	Delivery to Site Date
Wind turbines	January 2021	March 2022
Substation transformer: <ul style="list-style-type: none"> 138/34.5 (kV), 50/67/83 MVA 	March 2021	May 2022

4. Project Risks

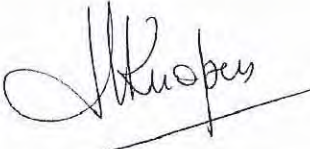
Complete the following table with risks which could impact the transmission facilities ISD and the generator ISD. Explain the mitigation plan for each risk.

Project Risk	Mitigation Plan
The 2 year deferral increases the risk of other projects ISD's impacting the studies and connection viability.	Study the connection as other projects impact the ISD.
Generator & Substation Facilities: There is a risk of vendor related materials delays that impact the construction schedule and substantial completion date.	Market Participant will work with the respective vendors to identify material delays at early stages of the Project.
Generator & Transmission Facilities: There is a risk that unfavorable weather encountered during construction which may impede the projects ability to either commence or continue with the construction.	Design a construction schedule that allows weather delays to occur.

5. Market Participant Comments

Provide any additional comments below.

6. Signature

Market Participant Representative	Signature:	
	Print Name:	Henri Knapen
	Job Title:	Operations & Project Manager
	Date:	November 4 th , 2019



27

26

Twp. Rd. 6-4 (Tower Road)

NE 22-6-29 W4M

Lot 1
Blk. 1
Plan 111 3120

22

23

SW 22-6-29 W4M

SE 22-6-29 W4M

Rge. Rd. 29-3

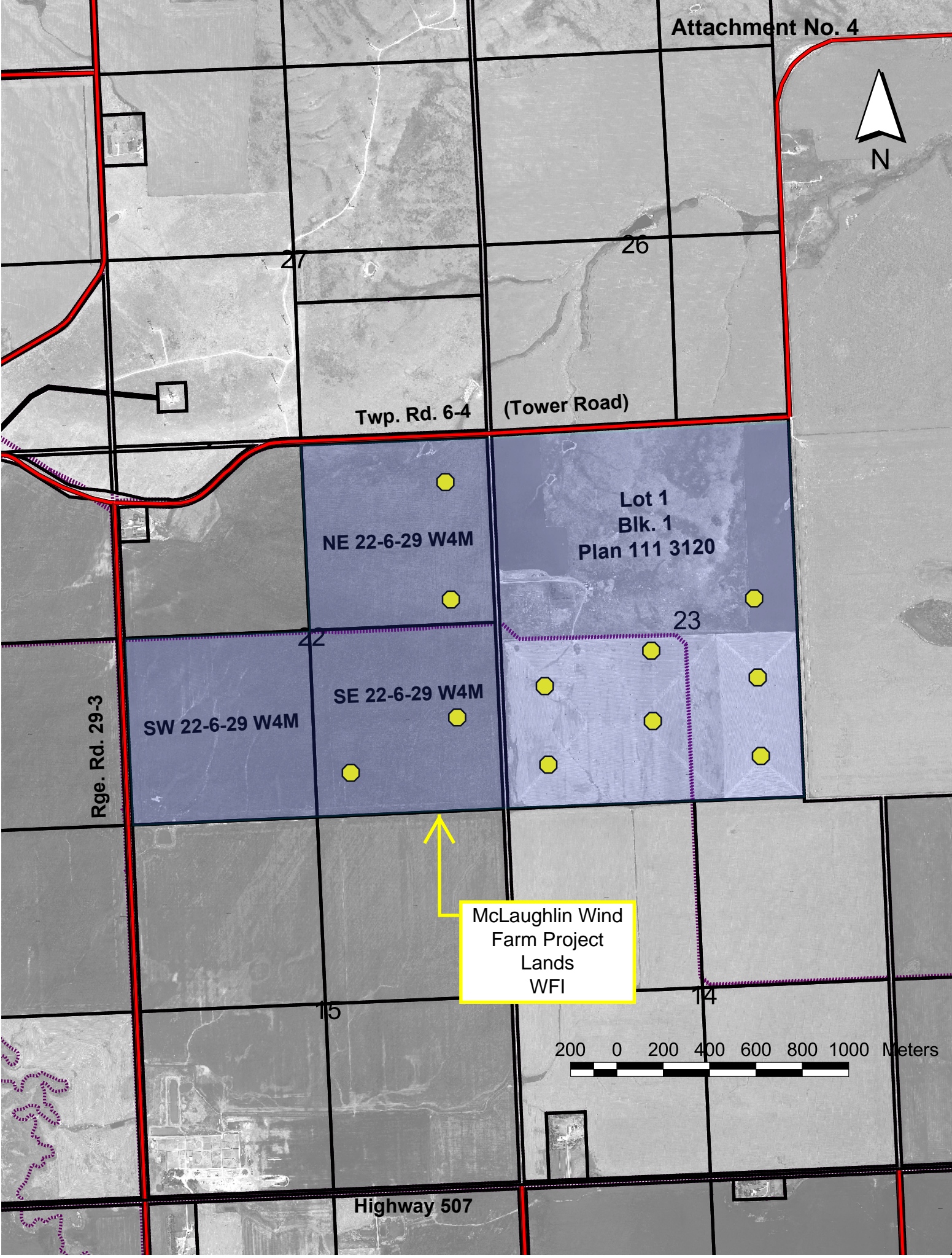
McLaughlin Wind
Farm Project
Lands
WFI

15

14

200 0 200 400 600 800 1000 Meters

Highway 507



DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
December 2019, January to April 2, 2020

Development / Community Services Activities includes:

- December 3 Planning Session, SA and MPC Meetings
- December 4 Admin Facility Inspection
- December 10 Council Committee Meeting and Council Session
- January 6 PCREMO Director and Deputies Meeting
- January 8 ASB Meeting
- January 14 Council Committee Meeting
- January 17 PCREMO AEMA MEP Review
- January 17 Incident Meeting (Tipping table)
- January 24 Incident Investigation
- January 30 Policy Meeting
- February 5 ASB Meeting
- February 11 Council Committee Meeting
- February 13 Livingstone – Porcupine Hills Rec Advisory Group Meeting
- February 25 Council Session
- March 10 Council Committee Meeting and Council Session
- March 12 PCREMO EMA Core Meeting
- March 19 PCREMO COVID-19 Planning Session, Op Period 2
- March 23 PCREMO COVID-19 Planning Session, Op Period 3
- March 24 Council Committee Meeting
- March 24 Council Meeting
- March 26 PCREMO COVID-19 Planning Session, Op Period 4
- March 30 Activated as PCREMO Planning Section Coordinator
- March 30 PCREMO COVID-19 Planning Session, Op Period 5
- April 2 PCREMO COVID-19 Planning Session, Op Period 6

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for December 2019 and January through March 2020

No.	Applicant	Division	Legal Address	Development
2019-53	Larry & Judy Scheuerman	5	6 Rainbow Acres	Cabin with Deck
2019-56	Countryboy Construction	1	4305 Rge. Rd. 30-0	Accessory Building – 50' x 70'
2019-57	Lesa Thompson	5	408 Robinson Ave., Lundbreck	Home Occupation – Health & Wellness
2019-58	Jeffrey & Lavonne Blosser	1	5016 Rge. Rd. 30-0	Residence Addition & relocation of garage
2020-01	Shirley Jones	5	320 Hamilton Ave, Lundbreck	Gazebo (to bring into compliance)
2020-02	Andrew & Teresa Waddington	3	5204 Rge. Rd. 1-0A	Cabin
2020-03	Symonds, Aaron	3	5332 Rge. Rd. 1-1	Home Occupation (Tattoo Shop)
2020-05	Fuzzy Mechanical Ltd.	5	SW 34-7-2 W5M	Home Occupation (Mechanical)
2020-06	Caroline Lebel & Ian Grant	5	16 Patton Place, Lundbreck	Gazebo (to bring into compliance)

2020-07	Blair Goodreau	1	4521 Rge. Rd. 38-3	New Manufactured Home
2020-08	Kathleen Mills-Gee	5	9027 Rge. Rd. 3-1A	Home Occupation (Bakery)
2020-10	William & Karina Cail	5	439 Patton Avenue, Lundbreck	Garage

Development Permits Issued by Municipal Planning Commission for December 2019 to March 2020

None to report.

Development Statistics to Date

DESCRIPTION		2020 to Date (March)	2019	2018	2017
Dev Permits Issued	5 – Jan 3 – Feb	8 8 – DO 0 - MPC	54 45-DO 9-MPC	22 17-DO 5-MPC	65 45-DO 20-MPC
Dev Applications Accepted	6 – Jan 4 – Feb 1 – March	11	57	24	63
Utility Permits Issued	0 – Jan 5 – Feb 2 – March	7	33	14	22
Subdivision Applications Approved	4 – Feb 2 – April 2 – May 1 – June 1 – September 1 – November	11	12	4	3
Rezoning Applications Approved		0	1	0	2
Compliance Cert	1 – Jan 1 – Feb 1 – March	3	22	5	22

RECOMMENDATION:

That the report for the period ending April 2, 2020, be received as information.

Prepared by: Roland Milligan, Director of Development and Community Services *RM* Date: April 2, 2020

Reviewed by: Troy MacCulloch *TM* Date: April 2, 2020

Submitted to: Municipal Planning Commission Date: April 7, 2020