

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
September 1, 2015
6:30 pm
Agenda

- 1. Call to Order**
- 2. Adoption of Agenda**
- 3. Adoption of Minutes**
 - a. Minutes from July 13, 2015 Pkg 1
 - b. Minutes from July 7, 2015 Pkg 2
- 4. In Camera**
- 5. Unfinished Business**
- 6. Development Permit Applications**
 - a. Development Permit Application No. 2015-47
Carter Marr
NW 21-3-29 W4M Pkg 3
 - b. Development Permit Application No. 2015-48
Oldman River Brewing Ltd.
Lots 1-4, Block 2, Plan 2177S; Hamlet of Lundbreck..... Pkg 4
- 7. Development Report**
 - a. July and August 2015..... Pkg 5
- 8. Correspondence**

Action Item

 - a. Windy Point Wind Farm – Permit Timeline Suspension Request
- Development Permits No. 2011-40 through 2011-49 Pkg 6
- 9. New Business**
- 10. Next Regular Meeting – October 6, 2015; 6:30 pm**
- 11. Adjournment**

**Meeting Minutes of the
Special Municipal Planning Commission
July 13, 2015 – 4:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Terry Yagos, Councillors Fred Schoening, and Garry Marchuk, and Members Bev Garbutt and Dennis Olson

Absent: Reeve Brian Hammond

Staff: Chief Administrative Officer Wendy Kay, Director of Development and Community Services Roland Milligan, and Executive Assistant Tara Cryderman

COMMENCEMENT

Chairman Terry Yagos called the meeting to order, the time being 4:30 pm.

1. **ADOPTION OF AGENDA**

Councillor Fred Schoening 15/056

Moved that the July 13, 2015 Special Municipal Planning Commission Agenda, be approved as presented.

Carried

2. **IN CAMERA**

Councillor Garry Marchuk 15/057

Moved that MPC and staff move In-Camera, the time being 4:32 pm.

Carried

Councillor Garry Marchuk 15/058

Moved that MPC and staff move out of In-Camera, the time being 4:36 pm.

Carried

3. DEVELOPMENT PERMIT APPLICATIONS

- a. Development Permit Application No. 2015-43**
Hugh Lynch-Staunton
Lot 1, Plan 9011599; SW 23-9-2 W5M

Member Dennis Olson

15/059

Moved that the report from the Director of Development and Community Services, dated July 10, 2015, regarding Development Permit Application No. 2015-43, be received;

And that Development Permit Application No. 2015-43 be approved subject to the following Condition(s):

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Carried

4. ADJOURNMENT

Councillor Garry Marchuk

15/060

Moved that the meeting adjourn, the time being 4:37 pm.

Carried

Chairperson Terry Yagos
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

**Meeting Minutes of the
Municipal Planning Commission
July 7, 2015 – 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Terry Yagos, Reeve Brian Hammond, Councillors Fred Schoening and Garry Marchuk, Members Bev Garbutt and Dennis Olson

Staff: Chief Administrative Officer Wendy Kay, Director of Development and Community Services Roland Milligan, Planning Advisor Gavin Scott, and Executive Assistant Tara Cryderman

COMMENCEMENT

Chairman Terry Yagos called the meeting to order, the time being 6:33 pm.

1. ADOPTION OF AGENDA

Councillor Fred Schoening 15/044

Moved that the July 7, 2015 Municipal Planning Commission Agenda, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Member Dennis Olson 15/045

Moved that the Municipal Planning Commission Minutes of June 2, 2015, be approved as presented.

Carried

3. IN CAMERA

Councillor Garry Marchuk 15/046

Moved that MPC and staff move In-Camera, the time being 6:34 pm.

Carried

Member Bev Garbutt 15/047

Moved that MPC and staff move out of In-Camera, the time being 7:19 pm.

Carried

4. **UNFINISHED BUSINESS**

Nil

5. **DEVELOPMENT PERMIT APPLICATIONS**

a. **Development Permit Application No. 2015-34
Hugh Lynch-Staunton
Lot 1, Plan 9011599; SW 23-9-2 W5M**

Councillor Garry Marchuk

15/048

Moved that report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-34, be received;

And that Development Permit Application No. 2015-34 be denied because within the Agriculture Land Use District, Duplex is not a listed use.

Carried

b. **Development Permit Application No. 2015-35
Wendy and Jeremy Desjarlais
Parcel A, Plan 793EW, NW 24-6-30 W4M**

Member Bev Garbutt

15/049

Moved that the report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-35, be received;

And that Development Permit No. 2015-35 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development permit meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 29 metre Front Yard Setback Variance be issued, from the minimum 50 metre Setback from a Developed Road Allowance requirement, for a Front Yard Setback of 21 metres.

Carried

c. **Development Permit Application No. 2015-38**
Brenda Cofell
Lot 1, Block 1, Plan 1511315; SE 21-4-29 W4M

Reeve Brian Hammond

15/050

Moved that the report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-38, be received;

And that Development Permit Application No. 2015-38 be denied, the reason for denial is as follows:

- 1) Pursuant to Section 38.3(a) of the Land Use Bylaw, the parcel does not meet the minimum parcel size of 32.4 ha (80 acres) for a Secondary Farm Residence.

Carried

d. **Development Permit Application No. 2015-39**
Stone Development Inc. for Timber Tech Truss Systems Ltd.
Lot 98, Block 4, Plan 0513435; Castle Mountain Resort

Councillor Garry Marchuk

15/051

Moved that the report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-39, be received;

And that Development Permit Application No. 2015-39 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 1.5 metre Rear Yard Setback Variance be issued, from the minimum 2.5 metre Rear Yard requirement, for a Rear Yard Setback of 1.0 metres.

Defeated

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
July 7, 2015

Member Dennis Olson

15/052

Moved that the report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-39, be received;

And that Development Permit Application No. 2015-39 be denied, the reason for denial is as follows:

1. The Rear Yard Setback Distance does not meet the provisions of the Land Use Bylaw.

Defeated

Reeve Brian Hammond

15/053

Moved that the report from the Director of Development and Community Services, dated June 30, 2015, regarding Development Permit Application No. 2015-39, be received;

And that Development Permit Application No. 2015-39 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the Side Yard Setbacks be in compliance with the provisions as outlined in the Castle Mountain Resort Medium Density Residential Land Use District of Land Use Bylaw 1140-08.

Waiver(s):

1. That a 1.5 metre Rear Yard Setback Variance be issued, from the minimum 2.5 metre Rear Yard requirement, for a Rear Yard Setback of 1.0 metres.

Carried

6. **DEVELOPMENT REPORT**

Reeve Brian Hammond

15/054

Moved that the Development Report for June 2015, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
July 7, 2015

8. **NEXT MEETING** – September 1, 2015; 6:30 pm

9. **ADJOURNMENT**

Councillor Garry Marchuk

15/055

Moved that the meeting adjourn, the time being 7:31 pm.

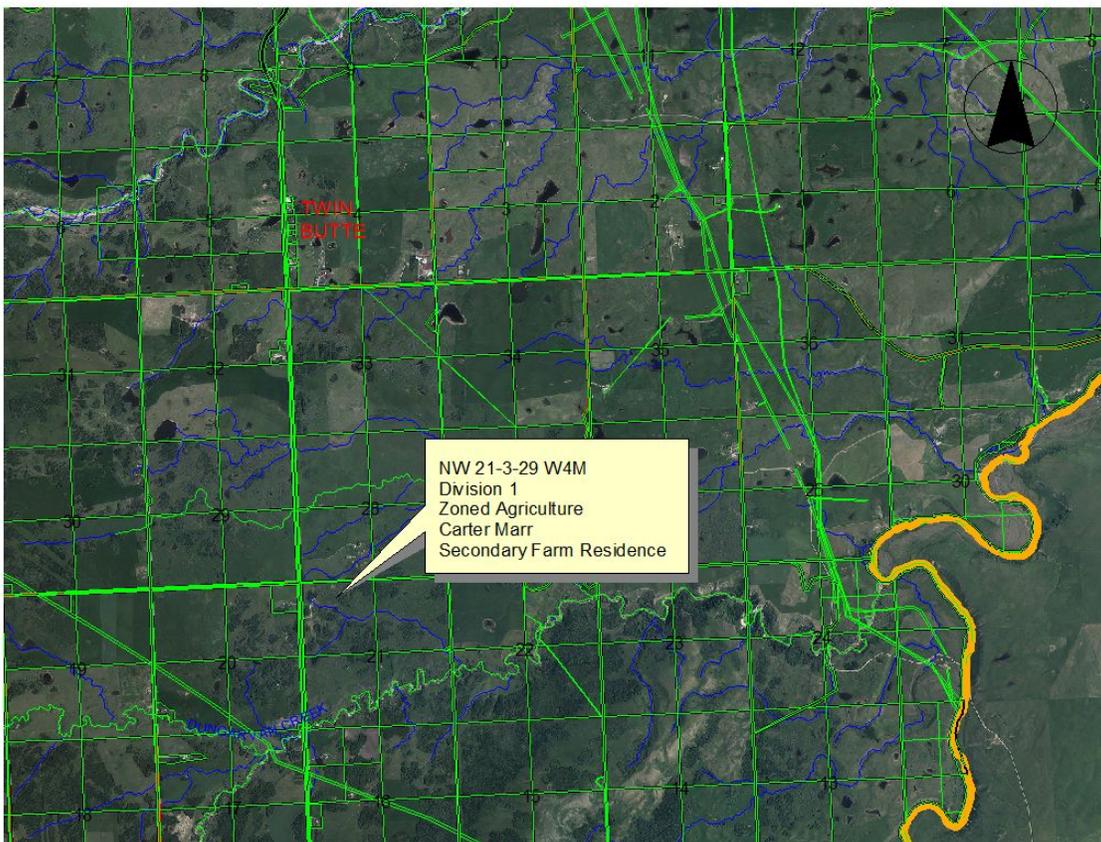
Carried

Chairperson Terry Yagos
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

Development Permit Application No. 2015-47

NW 21-3-29 W4M Carter Marr Secondary Farm Residence



MD OF PINCHER CREEK

August 26, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Development Officer
SUBJECT: Development Permit Application No. 2015-47

1. Application Information

Applicant: Carter Marr
Location NW 21-3-29 W4M
Division: 1
Size of Parcel: 63.7 ha (157.4 Acres)
Zoning: Agriculture
Development: Secondary Farm Residence

2. Background/Comment

- On July 23, 2015, the MD received an application requesting the development of a secondary farm residence on the above parcel. (Enclosure No. 1).
- The application is in front of the MPC because:
 1. Within the Agriculture Land Use District, a Secondary Farm Residence is a discretionary use.
- The application was circulated to the adjacent landowners with no response being received at the time of preparing this report.
- The applicant is proposing to place a 1992 singlewide manufactured home on the parcel.
- The proposed location meets the setback requirements of the land use district.
- The proposed location is within 300m of a numbered highway and will therefore require a Roadside Development Permit from Alberta Transportation.

Recommendation No. 1:

That Development Permit Application No. 2015-47 be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the manufactured home be finished from the floor level to the ground within 90-days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling.
3. That the manufactured home be placed on an engineer approved foundation (e.g. grade beam), basement, or other method of securing the home which satisfies the requirements of the Alberta Safety Codes.
4. That the applicant adhere to any conditions as outlined in the required Roadside Development Permit issued by Alberta Transportation, a copy of which to be supplied and form part of this permit.

Recommendation No. 2:

That Development Permit Application No. 2015-47 be approved subject to any conditions as determined by the Municipal Planning Commission.

3. Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2015-47 and supporting documents

Respectfully Submitted,



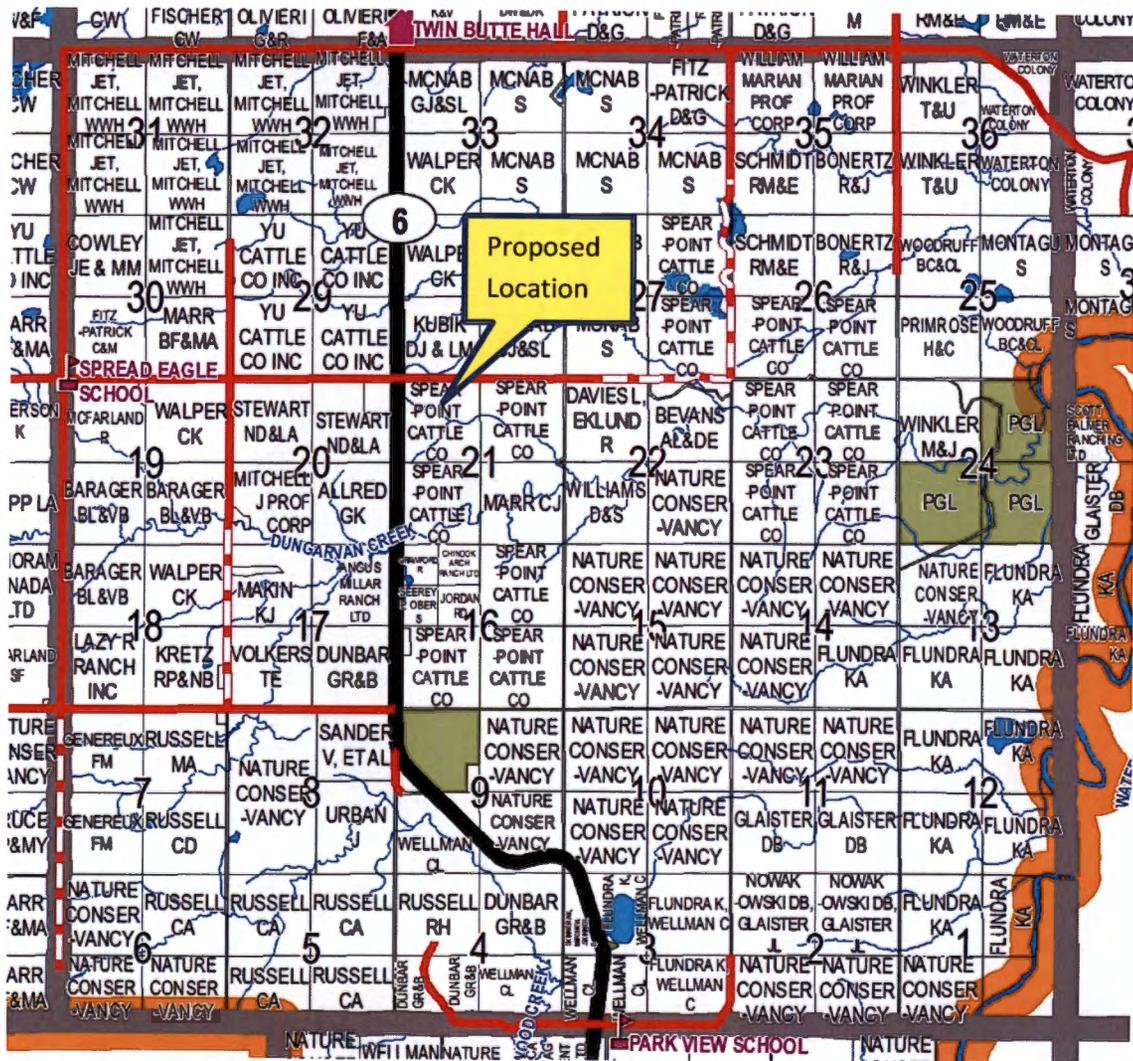
Roland Milligan

Reviewed by: Wendy Kay, CAO



August 27, 2019

Location of Proposed Development





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2015-47

Date Application Received 2015-07-23

PERMIT FEE 150.00

Date Application Accepted 2015-07-23

RECEIPT NO. 22977

Tax Roll # 1253.000

3325 Hwy 6

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: Carter Marr

Address: Box 515 Twin Butte Ab Tok 230

Telephone: 403 627 9167 Email: Cartmarr@gmail.com

Owner of Land (if different from above): Spearpoint Cattle Co.

Address: Box 515 Twin Butte, Ab Tok 230 Telephone: 403 627 4389

Interest of Applicant (if not the owner): Residence.

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:

Single family dwelling - mobile home

Legal Description: Lot(s)

Block

Plan

Quarter Section NW 21-03-029-W 4

Estimated Commencement Date: August 1st 2015

Estimated Completion Date: October 31st 2015

SECTION 3: SITE REQUIREMENTS

Land Use District: Agriculture Division: 1
 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? _____ 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	100'x50' 5000ft ²		
(2) Area of Building	76'x16' 1216ft ²		
(3) %Site Coverage by Building	24%		
(4) Front Yard Setback Direction Facing: <u>NORTH</u>	65m	50m	YES
(5) Rear Yard Setback Direction Facing: <u>SOUTH</u>	740m	7.5m	YES
(6) Side Yard Setback: Direction Facing: <u>EAST</u>	635m	7.5m	YES
(7) Side Yard Setback: Direction Facing: <u>WEST</u>	720m	50m	AS PER ABS REQUIREMENTS
(8) Height of Building	14 FT		
(9) Number of Off Street Parking Spaces	N/A		

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

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building			
(4) Front Yard Setback Direction Facing:	N/A		
(5) Rear Yard Setback Direction Facing:	A		
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

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

SECTION 4: DEMOLITION

Type of building being demolished : _____

Area of size: _____ N/A

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: July 16 2015

David Mace
Applicant

Christine J. Mann RE Spearpoint Cattle Co. Ltd
Registered Owner

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

IMPORTANT NOTES:

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. **THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**
5. All development permits shall contain the following informative:

"ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER."
6. In accordance with the Municipal Government Act, a decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number sign supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.



TWP. RD. 3-4

635m

PROPOSED RESIDENCE

EXISTING RESIDENCE

NW21 3-29-4

HIGHWAY 10.8

740m

21



MD OF PINCHER CREEK

August 27, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Director of Development and Community Services
SUBJECT: Development Permit Application No. 2015-48

1. Application Information

Applicants: Oldman River Brewing Ltd.
Adam and Brittney Wilgosh, and Dan Christensen
Location: Lots 1-4, Block 2, Plan 2177S; Hamlet of Lundbreck
Division: 5
Size of Parcel: Within Existing Building
Zoning: Hamlet Commercial
Development: Micro Brewery (Specialty Manufacturing/Cottage Industry)
and Tap Room (Restaurant and Retail)

2. Background/Comment

- On July 10, 2015, the MD received an application proposing to develop a Brewery for manufacturing beer (Specialty Manufacturing/Cottage Industry), a Tap Room to serve and sell the brewed beer (retail store) with food served (restaurant). Also, brewery tours and the occasional entertainment act (Entertainment Establishment) may be provided within the building (Enclosure No. 1).
- The proposed location is within a portion of an existing building located at 105 Breckenridge Avenue within the Hamlet of Lundbreck (Enclosure No. 2).
- Specialty Manufacturing/Cottage Industry and Entertainment Establishment are both discretionary uses within the land use district.
- Retail Store and Restaurant are both permitted uses within the district.
- If the permit is split into separate parts, the MPC can deal with the specifics of each separately and may allow portions of the proposal to move forward if others are delayed or even denied.
- We are proposing that the permit be split into two parts.
- **2015-48A** for the brewery.
- **2015-48B** for the Tap Room/Retail/Entertainment Establishment.
- The application is in front of the MPC because:
 1. Within the Hamlet Commercial Land Use District, Specialty Manufacturing/Cottage Industry is a discretionary use.

2. Within the Hamlet Commercial Land Use District, Entertainment Establishment is a discretionary use.

- The application was circulated to nineteen (19) adjacent landowners for comment.
- At the time of preparing this report, three responses were received (Enclosure No. 3).
- The main concerns are odors from the brewing process, some landowners see this as a 'bar', with the noisy and possibility of intoxicated that goes with that, increased traffic in the lane, the location next to residential, and the increased traffic and parking in the area.

3. Discussion

- As stated above, the proposed uses will take place within an existing commercial building.
- The floor area to be used is shown in yellow on Enclosure No. 2, with more detail shown on the floor plan diagram of the interior included in Enclosure No. 1.
- Patrons will access the building from the west (Breckenridge Avenue) with shipping and receiving taking place on the north end of the building (Railway Street).
- The concerns of the neighbours were passed onto the developer for further information regarding the specifics to odor, being a 'bar', and noise.
- The following was received from the applicant:
 - *There isn't any strong smells related with the brewery. Olds College has a hotel attached to their brewery and I feel that if there was a smell issue the hotel would not be there. I have also been in many breweries myself and have not noticed any strong smells. It is not the same as a distillery, which some people may be thinking. Distilleries do have a strong order to them.*
 - *As far as noise issues. Our hours of operation are from 11am to 8pm and only on special occasions will we have entertainment. Our establishment is child friendly, so it is not considered a bar, but a tasting room.*
- The Development Authority can regulate the hours of operation for the Tap Room.
- The operation of a brewery and the subsequent sale of the product require licencing through the Alberta Gaming and Liquor Control Board.
- Provision of copies of the required licences will be placed as a condition on any permit.
- The applicant has stated they have also contacted Alberta Health Services. A copy of any AHS approval will be required for any development permit.
- According to the applicant, the brewing process uses approximately 3000 litres of water per batch. They would be producing one (1) batch per week. The beer making process would require approximately 12 to 15 cubic metres per month. This is about as much as the Lundbreck car wash uses and about half of what the average residence in the hamlet uses.
- There is an issue with the parking on the proposed site.
- Pursuant to Section 52 of the LUB, Off-Street Parking and Loading Requirements, the proposed use will require approximately 15 parking stalls for the floor area they are

- showing. One (1) space of patron dining, beverage seating or standing space plus one (1) space per employee for every 5 square metres (53.8 square feet) of floor space.
- The applicants state that they will have 10 parking spaces available. They have also stated that they may be able to provide more on the east side of the building, but it is currently fenced and they would need to speak with the landlord about using this space if it is required.

Permit Application 2015-48A (Brewery)

Recommendation No. 1:

That Development Permit Application No. 2015-48A be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. A copy of all required Alberta Gaming and Liquor Commission licences be forwarded to the municipality prior to commencement.

Recommendation No. 2:

That Development Permit Application No. 2015-48 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2015-48 be denied because pursuant to Section 16.12 of the LUB, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character of the general development in the area.

Permit Application 2015-48B (Tap Room/Retail/Entertainment Establishment)

Recommendation No. 1:

That Development Permit Application No. 2015-48B be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. A copy of all required Alberta Gaming and Liquor Commission licences be forwarded to the municipality prior to commencement.
3. A copy of any and all approvals from Alberta Health Services be forwarded to the municipality prior to commencement.
4. The hours of operation shall be from 11am to 8pm.

Waiver(s):

1. That a waiver of the 15 parking stalls required under Section 52 of the LUB be reduced to 10.

Recommendation No. 2:

That Development Permit Application No. 2015-48 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2015-48 be denied because pursuant to Section 16.12 of the LUB, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character of the general development in the area.

4. Enclosures

Supporting Documents:

- No. 1 Development Permit Application No. 2015-48 and supporting documents
- No. 2 Site Plan
- No. 3 Correspondence from Adjacent Landowners

Respectfully Submitted,



Roland Milligan

Reviewed by: Wendy Kay, CAO

W. Kay August 27, 2015



DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2015-48

Date Application Received: 2015-07-10

PERMIT FEE \$150.00

Date Application Accepted 2015-07-10

RECEIPT NO. 22861

Tax Roll # 0152.000 101 Breckenridge Avenue

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: Oldman River Brewing Ltd. Adam & Britney Wilgosh
Box Daw Christensen - 403 627 6593
Address: 105 Breckenridge Ave. 214 Cowley Tokofo
Telephone: (403) 628-3555 **Email:** oldmanriverbrewing@gmail.com
Owner of Land (if different from above): Wayne Wingenback
Precision Security
Address: P.O. Box 516 Blairmore AB TOKOFO **Telephone:** 403-540-7793
Interest of Applicant (if not the owner): _____

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:

Building a brewery to manufacture beer & distribute. Build
a tap room with an area to sit in and drink, will sell off sales and small
Food items. There will be brewery tours available, and entertainment on occasional
weekends

Legal Description: Lot(s) 1-4
 Block 2
 Plan 21775
 Quarter Section _____

Estimated Commencement Date: _____

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: Hamlet Commercial Division: 5

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? _____ 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			
(3) %Site Coverage by Building			
(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			
(9) Number of Off Street Parking Spaces	<u>14 - 10</u>	<u>15</u>	<u>WAIVER REQ'D.</u>

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

On west side of building there is a possibility of an additional 6 parking spaces

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building			
(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			
(9) Number of Off Street Parking Spaces			

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: July 10, 2015

Bulgech
Applicant

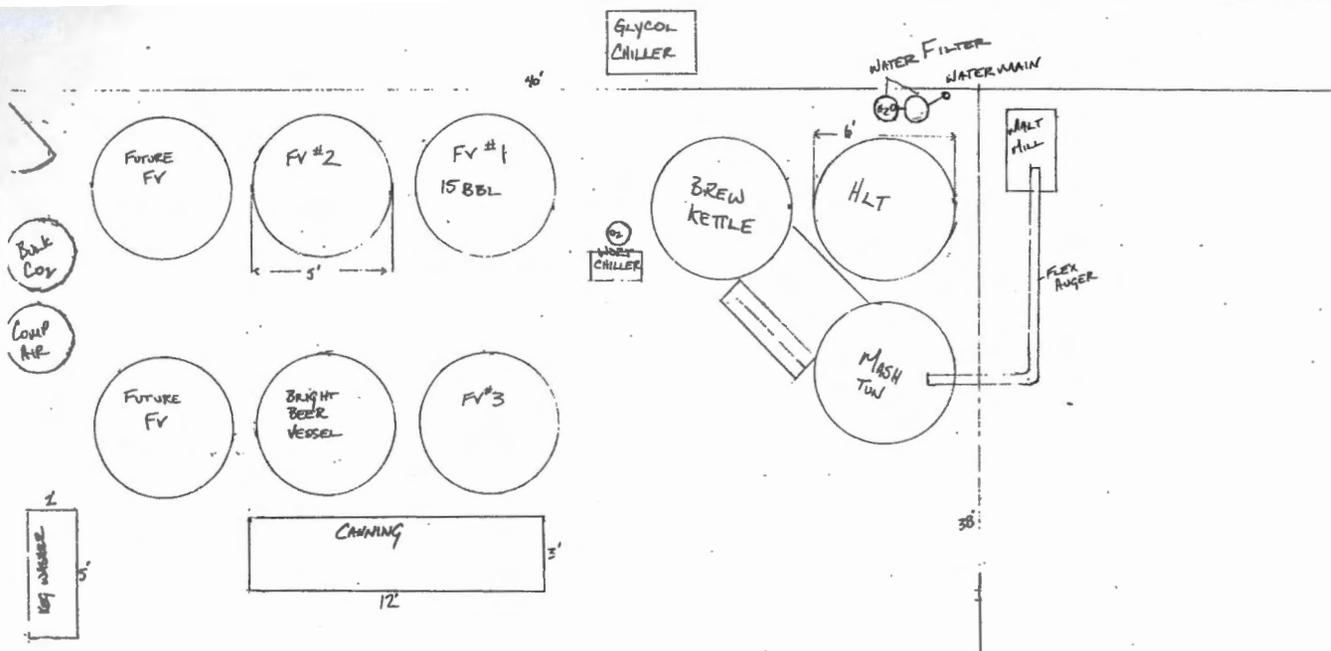
Alh
Registered Owner

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

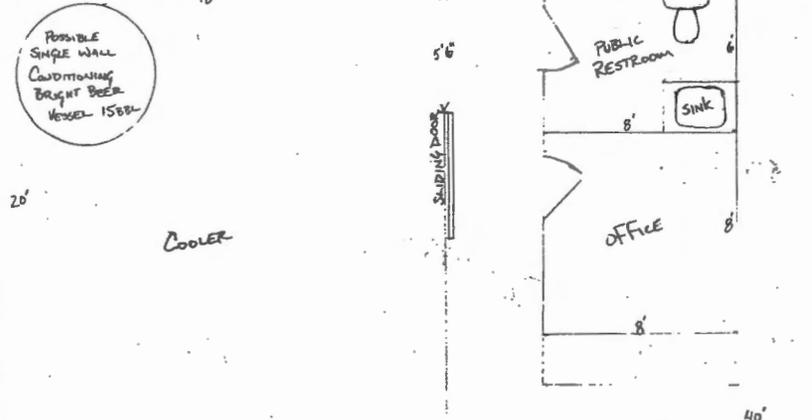
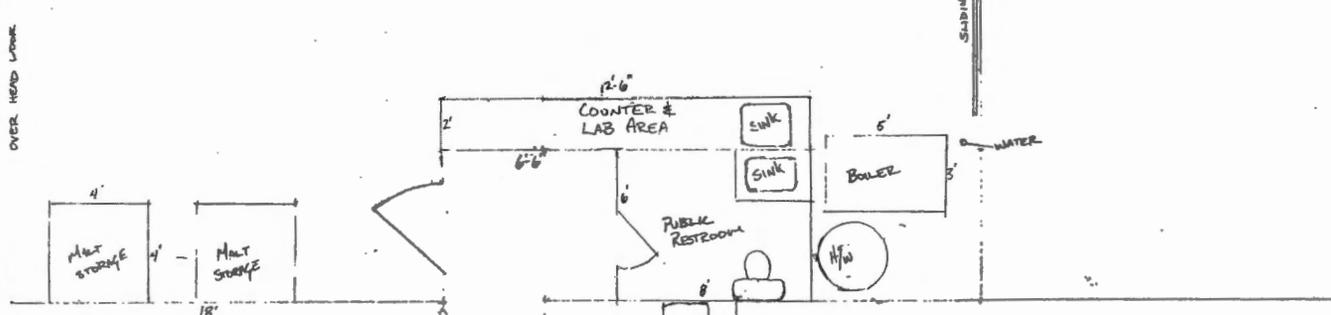
IMPORTANT NOTES:

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. **THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**
5. All development permits shall contain the following informative:

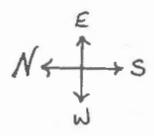
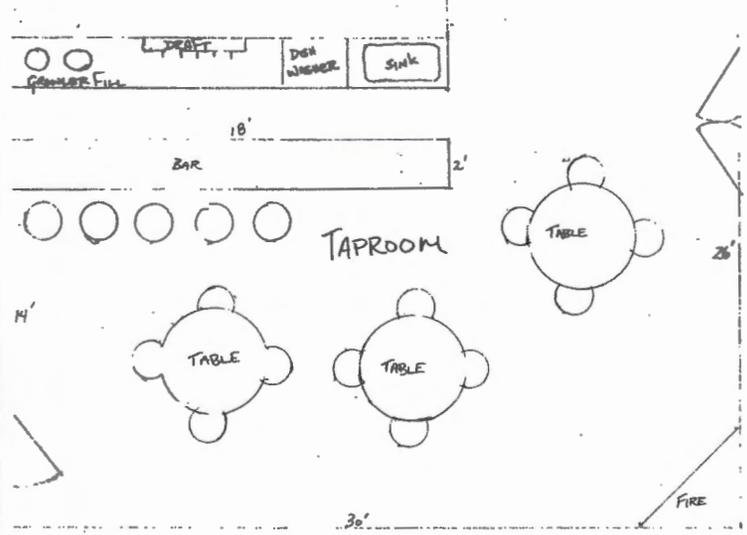
"ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER."
6. In accordance with the Municipal Government Act, a decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number sign supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.



BREWERY

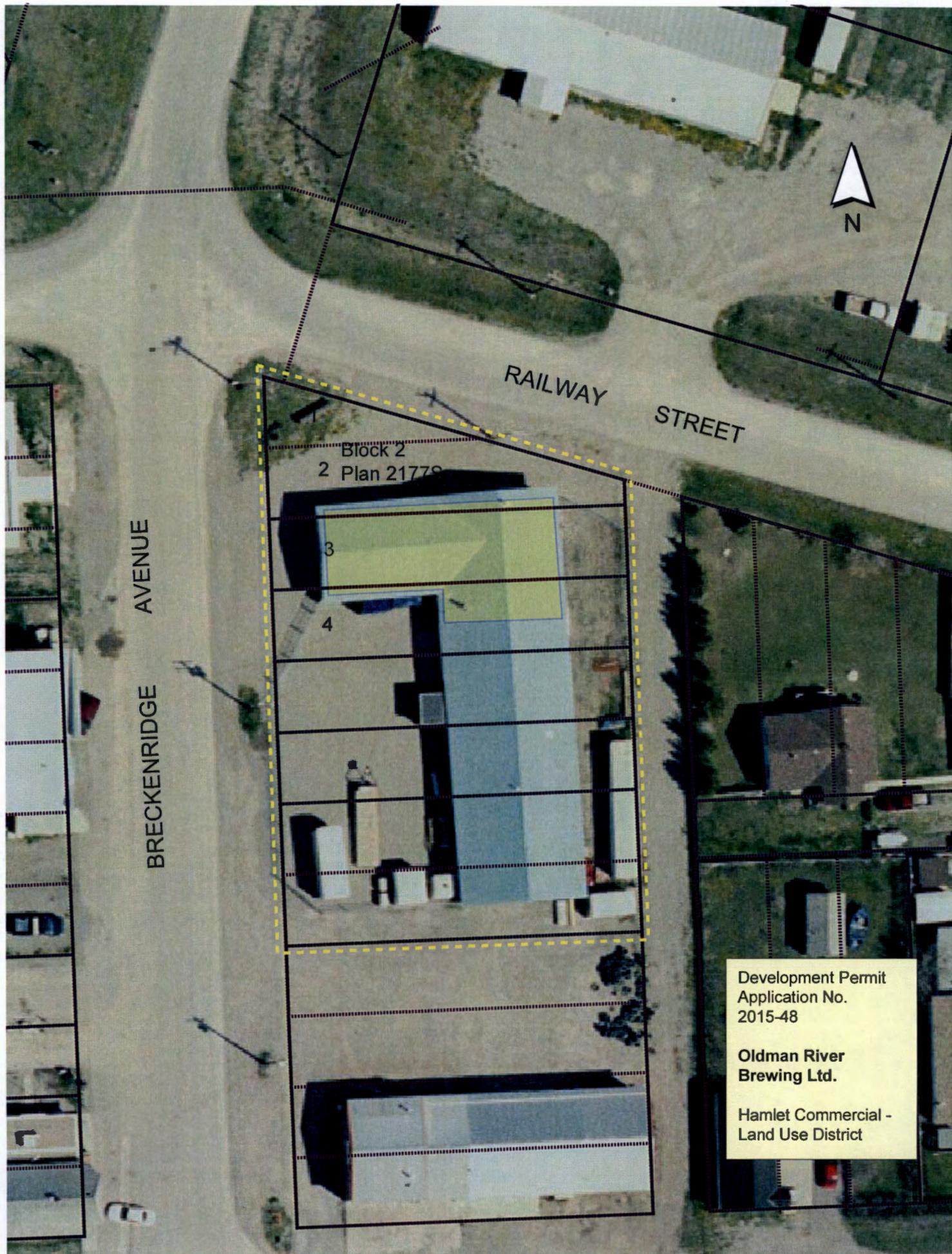


OLDMAN RIVER BREWING
 BREWERY & TAPROOM
 105 BRECKENRIDGE AVE
 LUNDBRECK, ALBERTA
 CANADA
 9-12-2-21775
 SCALE - 5mm = 1 FT



PARKING

OVER HEAD LOOK



RAILWAY STREET

AVENUE

BRECKENRIDGE

Block 2
2 Plan 21779

3

4

Development Permit
Application No.
2015-48

**Oldman River
Brewing Ltd.**

Hamlet Commercial -
Land Use District

Roland Milligan

From: john powell <johnbpowell@msn.com>
Sent: Thursday, August 13, 2015 6:00 PM
To: Roland Milligan; john powell
Subject: Att: Roland, Re:App # 2015-48

As co-owners of the house located at 323 Hamilton Ave, my wife and I have a number of concerns. As our bedrooms are all located on the west side of the house we of course will have a problem with the smell of the brewing process ,then there's going to be the noise generated for the (Tap room) I read "Bar" . Is it their intent that these occasional Bar Acts be of the amplified Band kind? Will there be a sound system/jukebox running at a level that maybe heard 50 or 60 ft away in my bedroom? While we do think Lundbreck could support a restaurant just off the highway we have to wonder how much it will adversely effect the current Pizza business across the street.I have spoken with some neighbors and this Business is not receiving favorable review.

Bruce & Valerie Powell

Roland Milligan

From: normajeane77@shaw.ca
Sent: Tuesday, August 25, 2015 4:35 PM
To: Roland Milligan
Subject: Attn: Roland Milligan

August 25, 2015

Hi Roland;

I am writing in response to a letter i received in regards to an application from Adam and Brittney Wilgosh to establish a brewery taproom, beer sales and restaurant in Lundbreck. I am 100% opposed to this proposed development. I live directly behind the building in question. In fact, my bedroom window is approximately 30 feet from it. I definitely am not comfortable with the idea of a 'bar' right outside my window. Brewery-taproom is a fancy way of naming a bar in my opinion. I truly believe that there will be a distinct odour from the brewery itself, not to mention the smell of the restaurant. I live alone most of the time and feel that a drinking establishment so close would hinder my lifestyle a lot. I would fear rowdiness from patrons, some of whom would easily wander into my yard while inebriated, causing me to be wary. I often have my very young grandchildren at my home and I would not appreciate the noise that would be coming from the bar-taproom or the extra traffic and parking along my street or in the alley. Also the noise of the so-called occasional entertainment is not at all a pleasing idea.

The fact that Lundbreck already has a drinking establishment that serves beer as well as food, and a convenience store that also serves food, and an outlet that serves pizza and other food, really makes me wonder how adversely they will be affected. We are a small community as you know and you must see that this application is not going to get favourable reviews, or at least very few.

Norma Ingram
Box 236 Lundbreck AB T0K 1H0
318 Railway Street

Roland Milligan

From: Arne Andreassen <aracane@shaw.ca>
Sent: Wednesday, August 26, 2015 2:05 PM
To: Roland Milligan
Subject: Development permit 2015-48

Thank you for the opportunity to comment. I live on the east side of the lane that backs onto the proposed development.

Let me say that I don't oppose business development in Lundbreck. I do have some concerns.

1. Increased traffic in the lane. Both by customers and deliveries
2. Hours of operation. If the establishment is open in the evening the activity would impact the normal quiet times.
3. Odors from the brewing operation.
4. Possible vandalism by boisterous clientele.
5. Noise spilling over into the residential area from entertainment at the premises, especially during normal quiet times.

The existing building covers the major portion of the site. Currently the lane is not accessed from the building site as it is fenced and there are no doors opening onto the east side of the building.

Most of my concerns would be addressed if the development were oriented to Breckenridge ave and Railway street. That would keep customer traffic away from the lane.

Thank you for letting me make comment.

BTW the fly shop that I ran out of my house during the summer is shut down and the house is strictly my primary residence.

Cheers
Arne Andreassen

Sent from my Samsung Galaxy smartphone.

**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
July 2015**

Development / Community Services Activities includes:

- July 2 Meeting with Representatives from Oldman 2 Wind Farm
- July 7 Castle Mountain Area Structure Plan Meeting
- July 7 Subdivision Authority Meeting
- July 7 MPC Meeting
- July 8 Joint Health and Safety Meeting
- July 13 Special MPC Meeting
- July 14 Policy and Plans Meeting
- July 14 Council Meeting
- July 15 SDAB Hearing
- July 16 Staff Meeting
- July 30 Joint Health and Safety

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for July 2015

No.	Applicant	Division	Legal Address	Development
2015-42	Chris Ford	5	Lot 11, Block 16, Plan 7610822; Hamlet of Lundbreck	Accessory Building -Shop
2015-44	Edward and Rosalind Kapala	4	NE 34-8-1 W5M	Cabin
2015-45	Rob McNeill	3	Lot 24, Block 4, Plan 0512644; Castle Mountain	Residential Additions
2015-46	Michael Sternloff	5	Lot 8, Block 1, Plan 9511008; Rainbow Acres	Accessory Building – Storage Shed

Development Permits Issued by Municipal Planning Commission for July 2015

No.	Applicant	Division	Legal Address	Development
2015-35	Wendy and Jeremy Desjarlais	2	Parcel 1, Plan 793EW; NW 24-6-30 W4M	Single Detached Residence
2015-39	Stone Developments Inc	3	Lot 98, Block 4, Plan 0513736; Castle Mountain	Duplex
2015-43	Hugh Lynch- Staunton	5	Lot 1, Plan 9011599; SW 23-9-2 W5M	Moved In Residence

Development Statistics to Date

DESCRIPTION	July 2015	2015 to Date	July 2014	2014	2013
Dev Permits Issued	7 4-DO /3-MPC	44 34-DO /10-MPC	9 6- DO / 3 - MPC	68 47 - DO /21- MPC	67 42 - DO / 25- MPC
Dev Applications Accepted	7	48	9	73	66
Utility Permits Issued	4	18	2	23	32
Subdivision Applications Approved	2	7	0	8	9
Rezoning Applications Approved	0	1	1	2	2
Seismic / Oil / Gas	2	13	0	0	3
Compliance Cert	1	10	4	28	19

RECOMMENDATION:

That the report for the period ending July 31, 2015, be received as information.

Prepared by: Roland Milligan, Director of Development and
Community Services

Reviewed by: Wendy Kay, CAO *W. Kay*

Submitted to: Municipal Planning Commission



Date: July 31, 2015

Date: August 27, 2015

Date: September 1, 2015

DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
August 2015

Development / Community Services Activities includes:

- August 12 Joint Health and Safety
- August 17 Budget Meeting
- August 19 Meeting in Calgary re: Lighting on Turbines
- August 21 Budget Meeting
- August 25 Policy and Plans Meeting
- August 25 Council Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for August 2015

No.	Applicant	Division	Legal Address	Development
2015-49	Sandy Potiuk	5	Lot 2, Block 16, Plan 7610822; Hamlet of Lundbreck	Roof on existing deck
2015-50	Audy Voytko	5	Lot 1, Block 1, Plan 0010938; SE 12-7-2 W5M	Enclose Deck
2015-51	Peter and Marian Pullam	5	Lot 14, Block 1, Plan 9810020; NW 12-7-3 W5M	Accessory Building

Development Permits Issued by Municipal Planning Commission for July 2015

MPC did not meet in August 2015.

Development Statistics to Date

DESCRIPTION	August 2015	2015 to Date	August 2014	2014	2013
Dev Permits Issued	3 3-DO /0-MPC	46 37-DO /10-MPC	8 5- DO / 3 - MPC	68 47 - DO /21- MPC	67 42 - DO / 25- MPC
Dev Applications Accepted	3	51	5	73	66
Utility Permits Issued	4	22	1	23	32
Subdivision Applications Approved	0	7	0	8	9
Rezoning Applications Approved	0	1	0	2	2
Seismic / Oil / Gas	0	13	0	0	3
Compliance Cert	3	13	3	28	19

RECOMMENDATION:

That the report for the period ending August 26, 2015, be received as information.

Prepared by:	Roland Milligan, Director of Development and <i>Roll</i> Community Services	Date: August 26, 2015
Reviewed by:	Wendy Kay, CAO <i>W-Kay</i>	Date: August 27, 2015
Submitted to:	Municipal Planning Commission	Date: September 1, 2015

MD OF PINCHER CREEK

August 26, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan
SUBJECT: Windy Point Wind Farm – Permit Timeline Suspension Request
Development Permits No. 2011-40 through 2011-49

1. Applicant

- Mainstream Renewable Power.

2. Background/Comment

- The MD issued the required development permits for the Windy Point Wind Farm (the Project) on November 10th, 2011 (Permits 2011-40 through 2011-49).
- At the request of the applicant the MPC issued a timeline suspension on November 5, 2013.
- This was a two year suspension of the timeline suspending the permits timeline to November 10, 2015.
- The MD received the enclosed letter (Enclosure No. 1) from Mainstream, dated July 27th, 2015.
- The applicants state that due to the interconnection delays, the Alberta Utility Commission (AUC) required Windy Point to make interconnection design changes.
- Additionally, the turbines for which the project was permitted, the Siemens SWT-3.0-101 machines are no longer available. As a result, Windy Point will need to complete studies to submit a Letter of Enquiry to the AUC for the turbine model change.
- The applicant states in their letter that the AUC is expected to take a number of months to make a decision on the combined proceedings. As a result of the turbine permitting delays which constitute a development hardship, the Project can be constructed no earlier than end of 2016. As such, the Project will be unable to meet the current development timeline of November 10th, 2015.
- **Project Progress to Date:**
Despite delays to starting construction, the Project has continued to progress since being granted the Development Permit:
 - Windy Point obtained a generator permit from the Alberta Utilities Commission (under Decision No. 2012-205 and Approval No. U2012-368) to construct and operate the wind park.
 - Due to conflicts with the Oldman 2 interconnection, the substation amendment for Windy Point had to be withdrawn from the AUC and re-submitted as a separate application.
 - The Project team has continued consultation and communication with landowners.

-The wind measurement campaign has continued with data collection, storage, and quality control.

The applicant has supplied an updated project timeline, with the commercial operation of the wind farm slated for Q4 of 2016.

Discussion

- Mainstream is requesting that the MPC grant a timeline suspension under Section 51.19 (d) of the LUB.
- This request is in front of MPC for the following reason:

53.19 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;

(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.

Recommendation

That the Municipal Planning Commission review the information submitted and grant the applicant's request pursuant to Section 53.19(d) of the LUB, and grant a one (1) year suspension to the development timeline for Development Permits No. 2011-40 through 2011-49, for the Windy Point Wind Park Development, from November 10, 2015 to November 10, 2016.

3. Enclosures

Supporting Documents:

Enclosure No. 1 Letter from Mainstream Renewable Power, Dated July 27, 2015

Respectfully Submitted,



Roland Milligan

Reviewed by: Wendy Kay, CAO

W-Kay

August 27, 2015



Windy Point Wind Park Ltd. - Suite 1320, 396-11th Ave. SW - Calgary, AB, T2R 0C5



Mr. Roland Milligan
Development Officer
Administration Office
M.D. of Pincher Creek #9
P.O. Box 279
Pincher Creek, Alberta, T0K 1W0

Tuesday, July 27, 2015

RE: WINDY POINT WIND PARK DEVELOPMENT PERMIT TIMELINE SUSPENSION – No. 2011-40, 2011-41, 2011-42, 2011-43, 2011-44, 2011-45, 2011-46, 2011-47, 2011-48, and 2011-49

Dear Mr. Milligan:

At its November 5th, 2013 meeting, the Municipal Planning Commission suspended the Windy Point Wind Park Ltd. (Windy Point) Development Permit Nos. 2011-40 through 2011-49 (the Permits), with the passage of following Resolution:

Pursuant to Section 53.19(d) of the Land Use Bylaw 1140-08, the Municipal Planning Commission grants the applicant's request for a two (2) year suspension to the development timeline for Development Permits No. 2011-40 through 2011-49, being the Windy Point Wind Farm, said permits are hereby suspended from November 10th, 2013 to November 10th, 2015.

According to LUB-1104-08 Section 53.19, Windy Point has a maximum five year development timeline to complete the Project, unless the Municipal Planning Commission (MPC) grants a timeline suspension under Section 53.19 (d) if a development hardship is proven.

Request for Timeline Suspension Extension (LUB-1104-08 Section 53.19(d))

Windy Point hereby requests the Municipal Planning Commission (MPC) to extend the suspension of the five-year development timeline by one year, as described under Section 53.19(d) in light of the development hardship faced by Windy Point.

Reasons for Requested Suspension Extension

In our October 1st, 2013 letter, Windy Point outlined the delays with the approval of the Fidler 312S Collector Substation, which needed to be in service in order for Windy Point to connect to the Alberta Interconnected Electrical Systems (AIES). Additionally, The AESO informed Windy Point that the Project will likely cause N-0 constraints (i.e. curtailment) in the area if connected prior to the Southern Alberta Transmission Reinforcement (SATR) 911L line upgrade, which is anticipated to be in service no earlier than Q3 of 2015.

Since this time, the Fidler 312S Collector Substation has entered into service and the 911L line upgrade is underway. While these developments are welcome, the extended delays created additional development hardship for the Project. Due to the interconnection delays, the Alberta Utility Commission (AUC) required Windy Point to make interconnection design changes.

Additionally, the turbines for which the project was permitted, the SWT-3.0-101 machines are no longer available. As a result, Windy Point will need to complete studies to submit a Letter of Enquiry to the AUC for the turbine model change. Further, the AUC stated it would suspend the current Boulder Run 501S substation application proceeding as well as the related interconnection proceedings and later combine them in a new proceeding initiated by WPWP for an application to change the turbine model for the Project. Windy Point is in the process of preparing a Letter of Enquiry related to this turbine model change. Please note that once the turbine selection is finalized, Windy Point will also inform MD Pincher Creek and provide appropriate studies.

The AUC is expected to take a number of months to make a decision on the combined proceedings. As a result of the turbine permitting delays which constitute a development hardship, the Project can be constructed no earlier than end of 2016. As such, the Project will be unable to meet the current development timeline of November 10th, 2015.

Project Progress to Date

Despite delays to starting construction, the Project has continued to progress since being granted the Development Permit:

- Windy Point obtained a generator permit from the Alberta Utilities Commission (under Decision No. 2012-205 and Approval No. U2012-368) to construct and operate the wind park.
- Due to conflicts with the Oldman 2 interconnection, the substation amendment for Windy Point had to be withdrawn from the AUC and re-submitted as a separate application.
- The Project team has continued consultation and communication with landowners.
- The wind measurement campaign has continued with data collection, storage, and quality control.

Provisional Schedule for Completion

Below is a summary of the current Project schedule with the expected AUC substation application approval:

Milestone	Date
Submission of Letter of Enquiry for Turbine Change to AUC	Q4 2015
Submission to MD of Pincher Creek Planning Commission for Turbine Change	Q4 2015
AUC Substation Permit and Substation Approval	Q1 2016
Commencement of Construction	Q1 2016
Commercial Operation	Q4 2016

Windy Point remains committed to building the Project and beginning operation of the wind farm as quickly as possible.

If you have any questions or require any additional information, you may contact Inês Ribeiro Canella at Mainstream Renewable Power Ltd. at 403 919 9526 or Marc Stachiw at Alberta Wind Energy Corp. at 403-266-5635.

Sincerely,



Marc Stachiw
Director
Windy Point Wind Park Ltd.
Alberta Wind Energy Corporation



Inês Ribeiro Canella
Development Project Manager - Alberta
Mainstream Renewable Energy