

**Municipal District of Pincher Creek No. 9**  
**MUNICIPAL PLANNING COMMISSION**  
**December 5, 2017**  
**6:30 pm**  
**Agenda**

- 1. Adoption of Agenda**
- 2. Minutes**
  - a. Minutes of October 3, 2017
- 3. In Camera**
- 4. Unfinished Business**
- 5. Development Permit Applications**
- 6. Development Reports**
  - a. Development Officer's Reports
    - Report for the month of October 2017
    - Report for the month of November 2017
- 7. Correspondence**
  - a. Action
    - 1) Welsch Wind Farm – Permit Timeline Suspension Request
      - Report from Director of Development and Community Services, dated November 29, 2017
    - 2) Windy Point Wind Farm – Permit Timeline Suspension Request
      - Report from Director of Development and Community Services, dated November 29, 2017
- 8. New Business**
- 9. Next Regular Meeting** – January 2, 2018; 6:30 pm
- 10. Adjournment**









**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT  
October 2017**

**I Development / Community Services Activities includes:**

- October 2 Kenow Wildfire Staff Debriefing
- October 3 Kenow Wildfire EOC Debriefing
- October 3 Municipal Planning Commission Meeting
- October 10 Policy and Plans Meeting
- October 10 Council Meeting
- October 11 Joint Health and Safety Meeting
- October 12 Staff Meeting
- October 16 Municipal Election
- October 24 Organizational Meeting

**PLANNING DEPARTMENT STATISTICS**

**Development Permits Issued by the Director for October 2017**

No.	Applicant	Division	Legal Address	Development
2017-56	Earl Edwards	2	Ptn NE 11-6-29 W4M	Addition to Residence
2017-57	Simplot II Canada Ltd.	2	Lot 2, Block 2, Plan 8910907; Hamlet of Pincher Station	Relocation of Fertilizer Tanks
2017-59	Morgan Nobles	5	Space 9, Lot 16, Block 17, Plan 7610822; Hamlet of Lundbreck	Manufactured Home

**Development Permits Issued by Municipal Planning Commission for October 2017**

No.	Applicant	Division	Legal Address	Development
2017-42	Murray Hauck	5	Ptn. NE 29-6-2 W5M	APEX Trailer
2017-49	David Cox	5	Ptn NE 22-6-2 W5M	Secondary Farm Residence
2017-50	Stewart McKae	1	NW 32-4-29 W4M	Secondary Farm Residence
2017-52	Hutterian Brethren Church of Spring Point	4	NW 25-8-29 W4M	Tri-Plex



**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT  
November 2017**

**Item 10 / Community Services Activities includes:**

- November 7 Policy and Plans Meeting
- November 7 Council Meeting
- November 7 Subdivision Meeting
- November 28 Policy and Plans Meeting
- November 28 Council Meeting
- November 29 IMDP Meeting
- November 30 Staff Meeting

**PLANNING DEPARTMENT STATISTICS**

**Development Permits Issued by the Director for November 2017**

No.	Applicant	Division	Legal Address	Development
2017-59	Simplot Canada II Ltd.	2	Lots 11-17, Block 4, Plan 1993N; Hamlet of Pincher Station	Blending Facility
2017-60	Clint Davis	3	Lots 9-12, Block 16, Plan 1850AL; Hamlet of Beaver Mines	Accessory Building - Storage Shed
2017-62	Marty and Lesa Thompson	5	Lots 13-15, Block 13, Plan 2177S; Hamlet of Lundbreck	Residential Addition
2017-63	1512040 AB Ltd (Warren Burles)	4	Lot 1, Block 1, Plan 0214132; SE 4-9-1 W5M	Manufactured Home

**Development Permits Issued by Municipal Planning Commission for November 2017**

MPC did not meet in November.



## MD OF PINCHER CREEK

November 29, 2017

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TO: Municipal Planning Commission  
 FROM: Roland Milligan  
 SUBJECT: Welsch Wind Farm – Permit Timeline Suspension Request  
 Development Permits No. 2010-41 through 2010-53

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**1. Applicant**

- Enercon Canada Inc. operating as Welsch Wind Power Inc. (WWPI).

**2. Background/Comment**

- The MD issued the required development permits for the Welsch Wind Farm (the Project) in July of 2010 (Permits 2010-41 through 2010-53).
- Due to delays in the Southern Alberta Transmission Reinforcement (SATR) development and construction, the then developer, Eolectric, had requested and received two timeline suspensions for the project.
- The first, for two years to July 30, 2014, a second suspension to December 31, 2015 to coincide with a concurrent AUC approval.
- The project was acquired by WWPI (the Applicant) in May of 2015.
- WWPI then made a third request to have the timeline suspended again to coincide with the project's AUC approval at the time.
- A third approval from the MPC was granted in November of 2015 until December 31, 2016.
- In March of 2016 the applicant received approval from the MPC to amend the turbines being used for the project. The proposed turbine change reduced the number of turbines in the project from 26 to 18. A revised configuration map is enclosed.
- The applicant applied for further two (2) year suspension in October of 2106. The MPC granted a one (1) year timeline suspension for the project to December 31, 2017.
- The MD received another letter (Enclosure No. 1) from the applicant, dated November 3, 2017, requesting a further time line suspension.

**Discussion**

- The applicant is requesting that the MPC grant a further two (2) year 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.*

The applicant states in their letter the following reasons for the request.

1. WWPI applied to the AUC for a time extension to the substation and power plant permits as well as an update to the turbine configuration, reducing turbine quantities from twenty-six (26) to eighteen (18) turbines, for the Project. On December 21, 2016 the AUC granted WWPI an interim extension to the power plant and substation permits until a final decision is made (enclosed). To date, WWPI is working on AUC's subsequent information requests and a final decision by the AUC is yet to be reached.
2. Additionally, WWPI is working with transmission facility operator (AltaLink) and the AESO to work on a time schedule where the in-service-date (ISD) for the project is scheduled for December 31, 2019.
3. Project Progress to Date: Notwithstanding the current delay faced by the Project, progress has been made on multiple fronts since the MPC's approval of a suspension dated October 5, 2016. These include:
  - a. Completion of PIP for amendment application
  - b. Completion of Stage 3 of the Connection Process for the Project
  - c. Ongoing iterations on NIA

**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 two (2) year suspension to the development timeline for Development Permits No. 2010-41 through 2010-53, for the Welsch Wind Farm, from December 31, 2017 to December 31, 2019.

**3. Enclosures**

Supporting Documents:

1. [unclear]

Roland Milligan

Reviewed by: Wendy Kay, CAO







December 21, 2016

**Decision 21483-D01-2016**

Welsch Wind Power Inc.  
145 Berkeley Street, Suite 300  
Toronto, Ontario M5A 2X1

Attention: Hassan Shahriar

**Welsch Wind Power Inc.  
Welsch Wind Farm Project Time Extension to Complete Construction  
Proceeding 21483  
Applications 21483-A001 and 21483-A002**

**Interim time extension**

1. On April 5, 2016, Welsch Wind Power Inc. (Welsch GP), registered with the Alberta Utilities Commission by applications 21483-A001 and 21483-A002, requesting approval of a time extension to complete construction of a 69-megawatt (MW) wind power plant and substation, collectively known as the Welsch Wind Farm Project (the project). The requested time extension was to June 30, 2018.
2. The proposed work is related to facilities previously approved by the Commission in Approval 20721-D02-2015<sup>1</sup> and Permit and Licence 20721-D03-2015,<sup>2</sup> which stipulated December 31, 2016 as the deadline date to complete the project.
3. On April 26, 2016, the Commission issued information requests regarding Welsch GP's consultation with Alberta Environment and Parks (AEP) and its participant involvement program. Welsch GP responded to the information requests on May 9, 2016.
4. By letter dated June 7, 2016,<sup>3</sup> the Commission informed Welsch GP that it had reviewed the information responses and considered that the responses did not contain the requested information. The Commission required that Welsch GP consult with AEP and complete a participant involvement program regarding the requested time extension.
5. On December 12, 2016, Welsch GP requested an interim extension.<sup>4</sup> On December 15, 2016, Welsch GP submitted an amendment to the project, requesting approval to change the number and type of turbines used as well as a construction completion date of December 31, 2016.<sup>5</sup>

<sup>1</sup> Power Plant Approval U2014-98, Proceeding 2787, Application 1610047, March 21, 2014.

<sup>2</sup> Substation Permit and Licence U2014-99, Proceeding 2787, Application 1610048, March 21, 2014.

<sup>3</sup> Exhibit 21483-X0009 AUC letter - consultation with AEP and conduct of participant involvement, June 7, 2016.

<sup>4</sup> Exhibit 21483-X0013, Welsch email for interim extension request 2016-12-12, uploaded December 13, 2016.

<sup>5</sup> Exhibit 21483-X0014, Time Extension and Power Plant Amendment, December 15, 2016.

6. By way of this letter, the Commission is granting an interim extension of Power Plant Approval 20721-D02-2015 and Substation Permit and Licence 20721-D03-2015 under Subsection 8(5) of the *Alberta Utilities Commission Act*, until a final decision is made on the extension application and the amended application.

**Alberta Utilities Commission**

*(original signed by)*

Neil Jamieson  
Commission Member







competitive bidding processes for contracts to sell renewable energy into the Alberta Power Pool.

c. AESO launched Round #1 of the REP in March 2017. WPWP bid the Project into the Round #1 competition in June 2017. Winning bids are expected to be announced before the end of 2017. Successful proponents will be offered a Renewable Electricity Support Agreement ("RESA"), which will facilitate financing a project.

### **Proposed WECS Amendment**

Due to changes in wind turbine technology, environmental constraints and land control, WPWP is proposing to make the following alterations to the Project:

- a. Revise longitude and latitude coordinates for each WECS location. This change is required to satisfy the AEP's request to situate wind power structures outside of wildlife setbacks. It is expected that the number of WECS will also be reduced from 21 to 14 locations, decreasing the environmental and visual impacts of the Project.
- b. Revise the Project site boundaries to reflect changes in land control for the Project.
- c. Revise the power generating equipment and associated facilities, including make, model and nominal capability of the WECS. The change is required because the Siemens SWT-3.0-101 wind turbine, for which the Project is currently approved, is no longer available from the manufacturer.

Per Section 22.4 of the M.D. Pincher Creek Land Use Bylaw, it has been determined that changes to the locations and the size of WECS will be significant enough to warrant a new development permit application rather than an amendment to the current Permits. Therefore, in Q1 2018 WPWP is expecting to submit a new WECS application to the Municipal Planning Committee for the Project. An Alberta Utilities Commission ("AUC") amendment application is also expected to be submitted in Q1 2018. An updated public consultation process for the Project was completed in 2017, in accordance with AUC Rule 007.

Notwithstanding the above mentioned proposed new WECS application, WPWP requests the MPC to continue to suspend the current Permits until such time as a new application is made. WPWP would like to keep the current Permits 'active' in order to be ready for a situation where the Project must bid into a future Round of the REP, prior to receiving approval for a new development permit application. Keeping active the current, albeit suspended, municipal Permits would increase the Project's competitiveness in a future bidding process. Projects bidding into the REP are judged on, among other things, their stage of development and permitting

completeness. Therefore, a continued suspension of the existing Permits would be valuable for WPWP to maintain readiness for a possible Round #2 REP.

As demonstrated by the significant amount of development work completed in 2017, WPWP remains committed to the Project and commencing construction as quickly as possible.

### **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 Farm, from November 10<sup>th</sup>, 2017 to November 10<sup>th</sup>, 2018.

### **3. Enclosures**

Supporting Documents:

Roland Milligan

Reviewed by: Wendy Kay, CAO

Alberta Wir  
Energy Corporation

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

November 29, 2017

**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:

On November 10<sup>th</sup>, 2011, Windy Point Wind Park Ltd. (“WPWP”) was granted Development Permit Nos. 2011-40, through 2011-49 (the “Permits”) for the Windy Point Wind Park (“Windy Point” or the “Project”). 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 UB-1104-08 Section 53.19(d))**

Windy Point hereby requests the MPC to continue to suspend the five-year development timeline, as described under Section 53.19(d) in light of the development hardship faced by Windy Point.

**Reasons for Request for Suspension**

1. Permitting timelines:

- a. Initially it was planned that the Project would interconnect at an expanded 112S (Oldman 2 Wind Farm Substation) substation located at South-East Section 27, Township 7, Range 29 W4M. It was intended this expansion would be approved by the AUC in the form of a substation amendment. However, in 2013, WPWP was informed that a separate AUC application would be required for the expansion since one interconnection point cannot be shared by two generators owned by separate entities. (i.e.: Oldman 2 Wind Farm owned by IKEA Group and Windy Point Wind Farm owned by Windy Point Wind Farm Ltd.) Therefore on October 22, 2014, WPWP made application





