

**Municipal District of Pincher Creek No. 9  
MUNICIPAL PLANNING COMMISSION**

**June 4, 2019**

**6:30 pm**

**Agenda**

**1. Adoption of Agenda**

**2. Minutes**

- a. Meeting Minutes of May 7, 2019

**3. Closed Meeting Session**

**4. Unfinished Business**

Nil

**5. Development Permit Applications**

- a. Development Permit Application No. 2019-21  
Castle Mountain Resort  
Lot 1, Block 3, Plan 9911497; Castle Mountain Resort  
RV Use During Summer Months
- b. Development Permit Application No. 2019-23  
Dexter Bonertz  
Block 12, Plan 9811884, NW 27-7-2 W5M  
Accessory Building – Barn
- c. Development Permit Application No. 2019-26  
Yagos Ranching Ltd.  
NE 19-6-1 W5M  
Shooting Range

**6. Development Reports**

- a. Development Officer's Report  
- Report for the month of May, 2019

**7. Correspondence**

AUC Letter dated May 7, 2019 Re: Response to request to place Proceeding 23377 in abeyance  
AUC Letter dated May 7, 2019 Re: Municipal District of Pincher Creek No. 9 Submissions

- 8. New Business**
- 9. Next Regular Meeting – July 2, 2019; 6:30 pm**
- 10. Adjournment**

**Meeting Minutes of the  
Municipal Planning Commission  
May 7, 2019, 6:30 pm  
Municipal District of Pincher Creek No. 9 Administration Building**

**ATTENDANCE**

Commission: Reeve Brian Hammond, Councillors Quentin Stevick, Rick Lemire, Bev Everts, and Terry Yagos, and Members Michael Gerrand and Jim Welsch

Staff: Director of Development and Community Services Roland Milligan, Planning Advisor Gavin Scott, Assistant Planner Hailey Winder, Executive Assistant Tara Cryderman, and Accounting Clerk Joyce Mackenzie-Grieve

Chairman Jim Welsch called the meeting to order, the time being 6:30 pm.

**1. ADOPTION OF AGENDA**

Councillor Bev Everts 19/001

Moved that the Municipal Planning Commission Agenda for May 7, 2019, be amended, the amendment as follows:

- Addition to Correspondence – Letter from Boralex, dated April 26, 2019, regarding Proceeding 23377 – Request for Proceeding Review Hold;

And that the agenda be approved, as amended.

Carried

**2. ADOPTION OF MINUTES**

Councillor Quentin Stevick 19/002

Moved that the Municipal Planning Commission Meeting Minutes for December 4, 2018, be approved as presented.

Carried

**3. CLOSED MEETING SESSION**

Councillor Terry Yagos 19/003

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 6:32 pm.

Carried

Councillor Rick Lemire 19/004

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:45 pm.

Carried

4. **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. Development Permit Application No. 2019-09  
Keith and Donna Johnson  
Lot 4, Block 3, Plan 0715187; NW 36-7-1 W5M  
Moved-In Accessory Building – Detached Garage

Councillor Quentin Stevick 19/005

Moved that Development Permit No. 2019-09, for the Moved-In Accessory Building – Detached Garage, be approved, subject to the following Condition(s):

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

Carried

- b. Development Permit Application No. 2019-10  
Royal Canadian Legion  
Lot 1, Plan 8211125; NE 23-6-30 W4M  
Accessory Building – Metal Clad Open Face Shelter

Councillor Bev Everts 19/006

Moved that Development Permit No. 2019-10, for the Accessory Building – Metal Clad Open Face Shelter, be approved, subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, which will be attached to and form part of this permit.

Carried

- c. Development Permit Application No. 2019-11  
Royal Canadian Legion  
Lot 1, Plan 8211125; NE 23-6-30 W4M  
Moved-In Accessory Building – Shelter Building

Reeve Brian Hammond

19/007

Moved that Development Permit No. 2019-11, for the Moved-In Accessory Building – Shelter, be approved, subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, which will be attached to and form part of this permit.

Carried

- d. Development Permit Application No. 2019-12  
Rob Mulloy  
Ptn. NW 11-7-2 W5M  
Accessory Building – Detached Garage – Setback Variance Requested

Councillor Terry Yagos

19/008

Moved that Development Permit No. 2019-12, for the Accessory Building – Detached Garage, be approved, subject to the following Condition(s) and Variance(s):

Condition(s):

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

Variance(s):

1. That a 19 m Setback Variance, from the minimum 30m Setback Distance be approved, for an 11 m Setback Distance from Township Road 7-2.

Carried

## 6. DEVELOPMENT REPORT

- a. Development Officer's Report

Reeve Brian Hammond

19/009

Moved that the Development Officer's Report, for the period ending April 2019, be received as information.

Carried

7. **CORRESPONDENCE**

- a. Letter from Boralex

Reeve Brian Hammond

19/010

Moved that the letter from Boralex, dated April 26, 2019, regarding Proceeding 23377 – Request for Proceeding Review Hold, be received as information.

Carried

8. **NEW BUSINESS**

9. **NEXT MEETING** – June 4, 2019; 6:30 pm.

10. **ADJOURNMENT**

Councillor Terry Yagos

19/011

Moved that the meeting adjourn, the time being 7:09 pm.

Carried

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Chairperson Jim Welsch  
Municipal Planning Commission

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Director of Development and Community  
Services Roland Milligan  
Municipal Planning Commission

## Recommendation to Municipal Planning Commission

<b>TITLE:</b> <b>DEVELOPMENT PERMIT NO. 2019-21</b>			
<b>Applicant:</b> <b>Castle Mountain Resort Inc.</b>	<b>Location:</b> <b>Lot 1, Block 3, Plan 9911497</b>		
<b>Division:</b> <b>3</b>	<b>Size of Parcel:</b>		
<b>Zoning:</b> <b>Castle Mountain Resort Medium Density Residential</b>	<b>Development:</b> <b>Recreational Vehicle / Holiday Trailer Summer RV Use</b>		
<b>PREPARED BY:</b> Roland Milligan			<b>DATE:</b> May 30, 2019
<b>DEPARTMENT:</b> Planning and Development			
<b>Signature:</b>  <hr style="width: 100%;"/>	<b>ATTACHMENTS:</b> <b>1. Development Permit Application No. 2019-21</b> <b>2. Additional Information from Applicant, dated May 2, 2019, with CMR RV Lot Map</b>		
<b>APPROVALS:</b>			
 <hr style="width: 100%;"/>	 <hr style="width: 100%;"/>	<hr style="width: 100%;"/>	<hr style="width: 100%;"/>
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>	<b>Date</b>

**RECOMMENDATION:**

That Development Permit No. 2019-21, for Summer RV Use (Recreational Vehicle / Holiday Trailer Park) 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.

**BACKGROUND:**

- On March 3, 2019, the MD received Development Permit Application No. 2019-21 seeking approval the establishment of a Recreational Vehicle / Holliday Trailer Park for Summer RV Use at the Castle Mountain Resort.
- This application is in front of the MPC because:
  - Within the Castle Mountain Resort Medium Density Residential Land Use District, Recreation Vehicle / Holiday Trailer Park is a Discretionary Use.
- The applicant has provided additional information for the application (*Attachment No. 2*).

## **Recommendation to Municipal Planning Commission**

- They are proposing to use some sites within the existing long-term winter use RV site as well as some newer sites along the east edge of the parking lot.
- The developer is proposing 15 long term and 15 short term sites.
- All sites are serviced with electricity and there is a washhouse to provide showers and toilets.
- No new development is required to utilize the existing RV Park for this proposal.
- Notification letters were sent to the adjacent neighbours, as well as Alberta Environment and Parks. At the time of preparing this report, no responses had been received.



## DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2019-21

Date Application Received 2019-05-03

PERMIT FEE <sup>\$100 Permitted</sup> \$150 Discretionary

Date Application Accepted 2019-05-10

RECEIPT NO. 40094

Tax Roll # 6088.000

*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: Castle Mountain Resort Inc.

Address: P.O. Box 610 Pincher Creek Ab Tok 1W0

Telephone: 403-627-5101 Email: brad.brush@skicastle.ca

Owner of Land (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

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:

rental of existing RV sites for summer use.  
see additional information on separate sheet.

Legal Description: Lot(s) 1

Block 3

Plan 9911497

Quarter Section 24

Estimated Commencement Date: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

**SECTION 3: SITE REQUIREMENTS**

Land Use District: CASTLE MOUNT RESORT MEDICAL DENSITY RES 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? \_\_\_\_\_ 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 (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			
(9) Number of Off Street Parking Spaces			

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

RV site plan of existing sites  
Additional information sheet.

<b>ACCESSORY BUILDING</b>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(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: May 2, 2019

B. Brush General Manager CMR Inc.  
Applicant

\_\_\_\_\_  
Registered Owner

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

## IMPORTANT NOTES:

**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.**

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. 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.”*
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

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 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address 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.





Additional information for Development Permit for summer use of RV Park.  
May 2, 2019

The RV Park has always been a component of Castle Mountain Resorts development strategy and business model. Our goal is to provide recreational opportunities to groups and individuals in a mountain setting. Utilization of the RV park in summer months allows for multi day stays where self-directed activities such as hiking, fishing and biking are offered. The close proximity to the Castle Provincial Park and the Castle Wildland Park is an added benefit. This summer we will also have the Pub/restaurant opened Friday through Sunday to support individuals visiting or staying overnight. We will also have our Guest Service area in the Day lodge open 7 days a week as an information Kiosk.

The existing RV sites have been used for long term winter use and the users have been allowed to store their units on their site throughout the summer and we have had requests to make these available through the summer months. Many people do remove their units and this allows for new and existing users to utilize the site for summer use. All sites are serviced with electricity and there is a wash house provided for showering and toilets.

There would be approximately 15 RV sites available for long term use throughout the summer and another 15 for short term use. The summer season would commence mid-May and continue into late September.

The RV Park is located in the Castle Mountain Resort Medium Density Residential land use district (CMMDR) and Recreational Vehicle Park is included as a discretionary use. No new development is required to utilize this existing RV park for summer use. We continue to make plans to develop a new RV Park in a new location, once we have the finalized plans for the new residential development in the existing RV area, but this is still likely a few years away.

Brad Brush  
General Manager  
Castle Mountain Resort

**CASTLE MOUNTAIN RESORT**

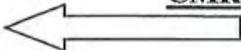
BOX 610, PINCHER CREEK, AB.

INFO@SKICASTLE.CA

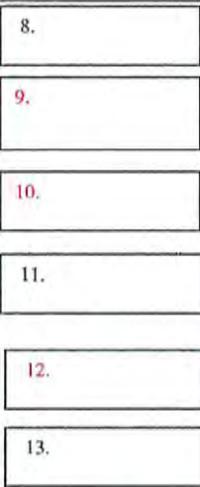
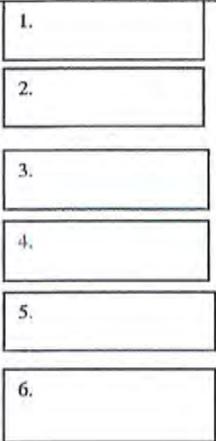
403.627.5101

**CMR R.V. LOT MAP**

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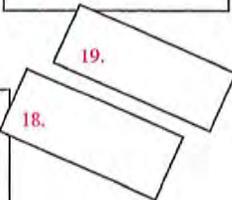
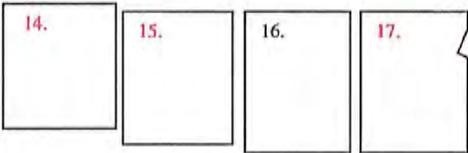


ROADWAY TO RESIDENTIAL

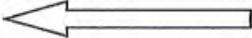


PARKING LOT

NORTH

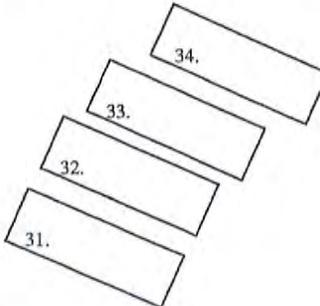
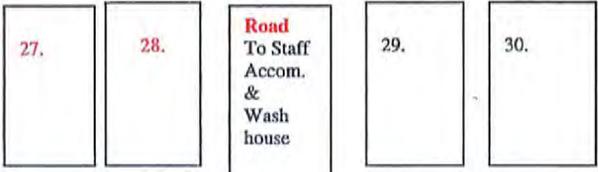


BOTTOM ROADWAY TO RESIDENTIAL & STAFF ACCOM.



STAFF ACCOM.

WASH HOUSE



# Recommendation to Municipal Planning Commission

<b>TITLE:</b> <b>DEVELOPMENT PERMIT NO. 2019-23</b>		
<b>Applicant:</b>	<b>Dexter Bonertz</b>	
<b>Location</b>	<b>NW 27-7-2 W5M, Block 12, Plan 9811884</b>	
<b>Division:</b>	<b>3</b>	
<b>Size of Parcel:</b>	<b>8.96 Acres</b>	
<b>Zoning:</b>	<b>Group Country Residential</b>	
<b>Development:</b>	<b>Accessory Building - Barn</b>	
<b>PREPARED BY:</b> Roland Milligan		<b>DATE:</b> May 30, 2019
<b>DEPARTMENT:</b> Planning and Development		
<b>Signature:</b>		<b>ATTACHMENTS:</b>
		<b>1. Development Permit Application No. 2019-23</b> <b>2. Roadside Development Permit No. 5464-19t</b>
<b>APPROVALS:</b>		
	<span style="font-size: 1.2em; color: blue;">2019/05/30</span>	
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>
	<b>Date</b>	

**RECOMMENDATION:**

That Development Permit No. 2019-23, for a Farm Building (Barn), 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 the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit No. 5464-19, attached to and forming part of this permit.

**BACKGROUND:**

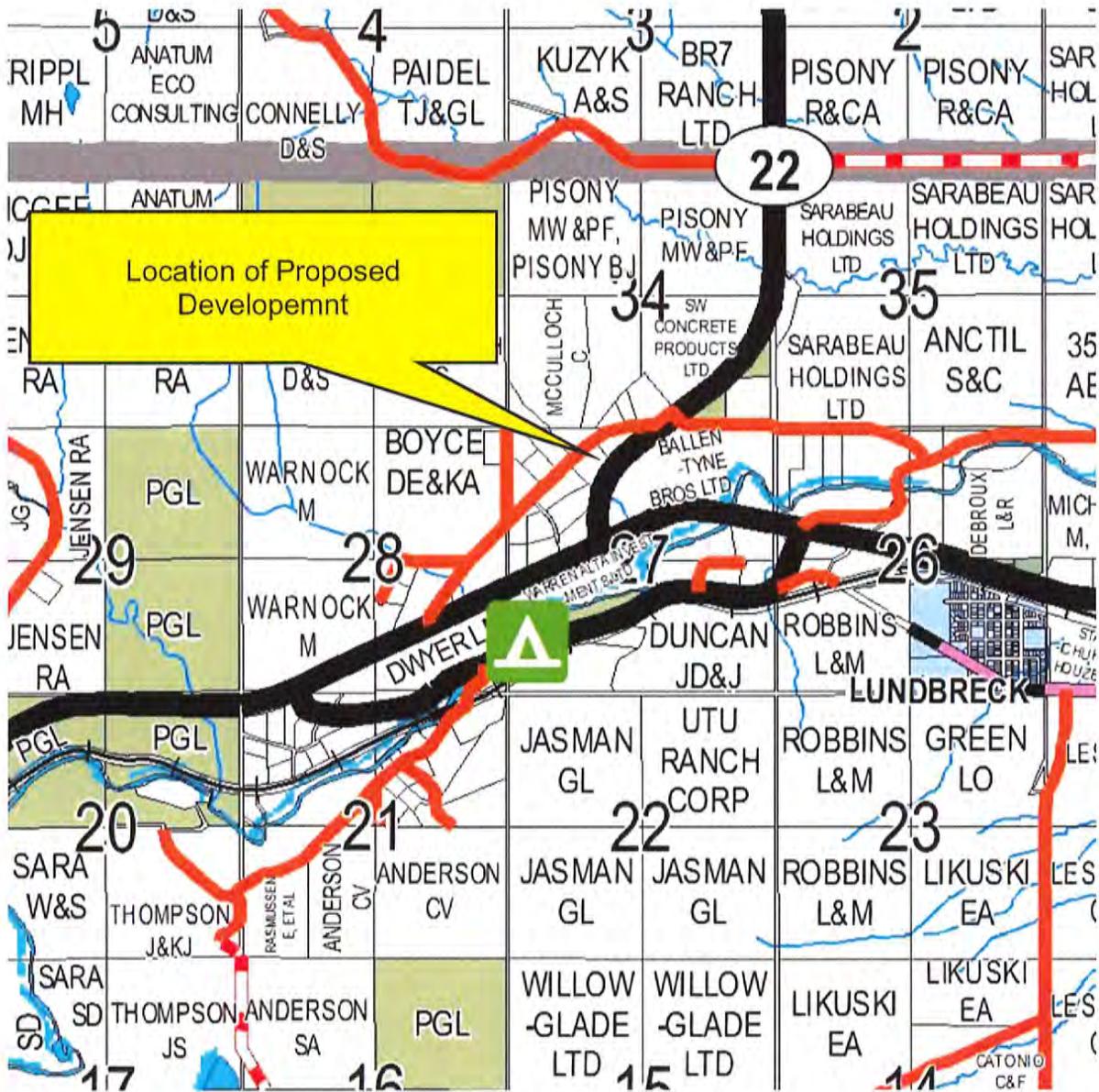
- On May 15, 2019, the MD received Development Permit Application No. 2019-23 seeking approval for the construction of a Farm Building (Barn).
- This application is in front of the MPC because:
  - Within the Group Country Residential Land Use District a Farm Building is a Discretionary Use.

## Recommendation to Municipal Planning Commission

- As the proposed development is within 300m of a numbered highway, and also within 800m of the intersection of two numbered highways. A Roadside Development Permit from Alberta Transportation is required.
- All other required setbacks comply with the LUB.
- Roadside Development Permit No. 5464-19 was received from Alberta Transportation on May 24, 2019 (*Attachment No. 2*).
- Notification letters were sent to the adjacent neighbours. At the time of preparing this report no responses had been received.

# 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. 2019-23

Date Application Received 2019/05/15

PERMIT FEE \$100 Permitted / \$150 Discretionary

Date Application Accepted 2019/05/15

RECEIPT NO. 40361

Tax Roll # 4568.070

*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: Dexter Bonertz

Owner of Land (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

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:

40 x 60 Ram

Legal Description: Lot(s) \_\_\_\_\_

Block 12

Plan 9811884

Quarter Section NW 27-7-2 W15

Estimated Commencement Date: July 1 2019

Estimated Completion Date: September 30 2019

**SECTION 3: SITE REQUIREMENTS**

Land Use District: GROUP COUNTRY RESIDENTIAL 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? \_\_\_\_\_ 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	<del>XXXXXXXXXX</del>		
(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			
(9) Number of Off Street Parking Spaces			

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

Alberda Land Surveyors Real Property Report

<u>ACCESSORY BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	N/A	—	—
(2) Area of Building	2400 sq. ft	N/A	—
(3) % Site Coverage by Building (within Hamlets)	N/A	—	—
(4) Front Yard Setback Direction Facing: <u>NORTHWEST</u>	116m	30m	YES
(5) Rear Yard Setback Direction Facing: <u>SOUTHEAST</u>	35m	DS FOR DB TRRS	PERMIT No. 5064-19 YES
(6) Side Yard Setback: Direction Facing: <u>EAST</u>	25m	7.5m	YES
(7) Side Yard Setback: Direction Facing: <u>WEST</u>	160m	7.5m	YES
(8) Height of Building	18'	N/A	—
(9) Number of Off Street Parking Spaces	N/A	—	—

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: 14/05/19

Dexter Bonertz DBert  
Applicant

Dexter Bonertz DBert  
Registered Owner

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

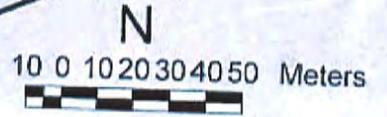
**IMPORTANT NOTES:**

**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.**

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. 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.”*
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

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 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address 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.



Block 12  
PLAN 9811884

160m  
PROPOSED  
BORN

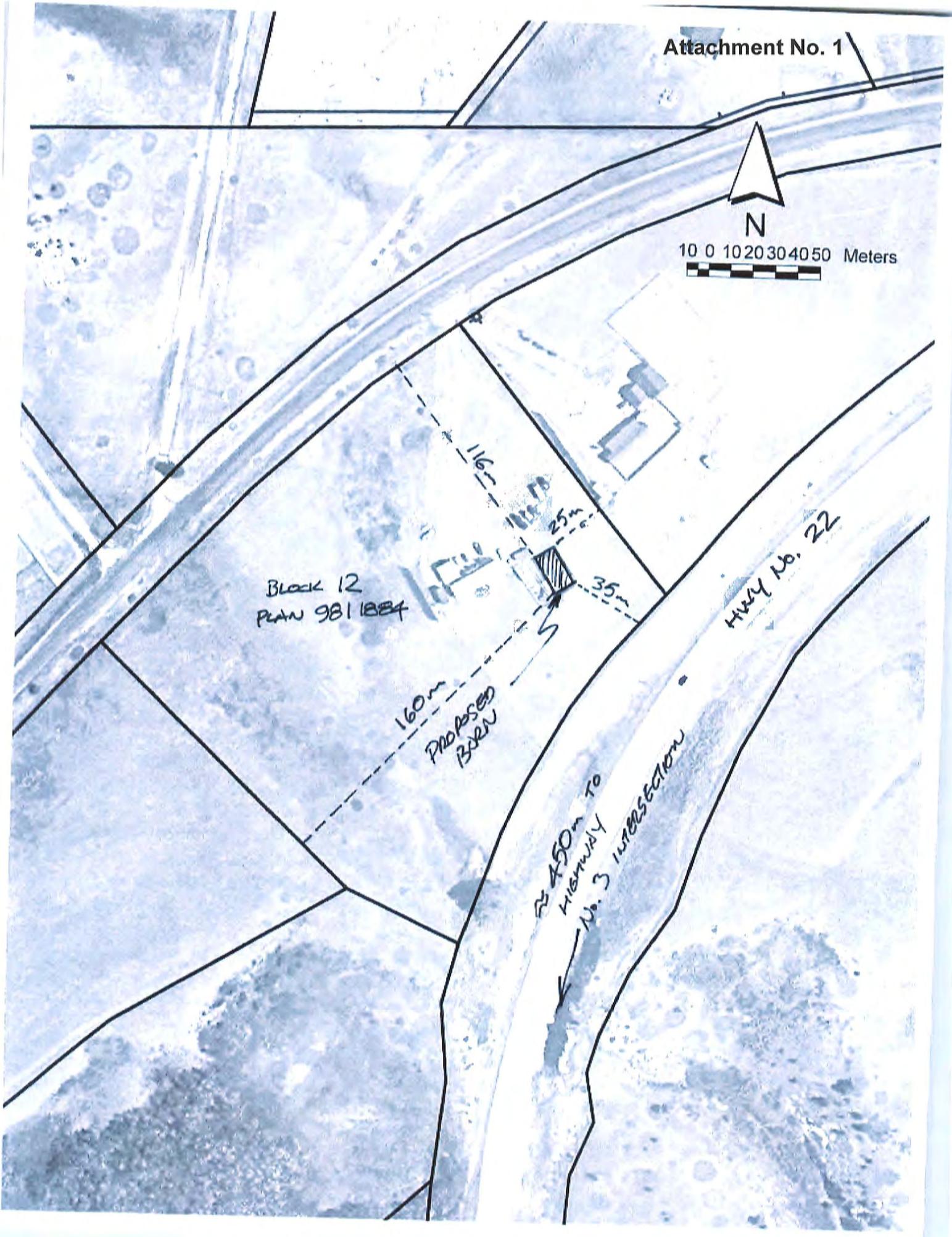
116m

≈ 450m to  
HIGHWAY  
No. 3 INTERSECTION

HWY No. 22

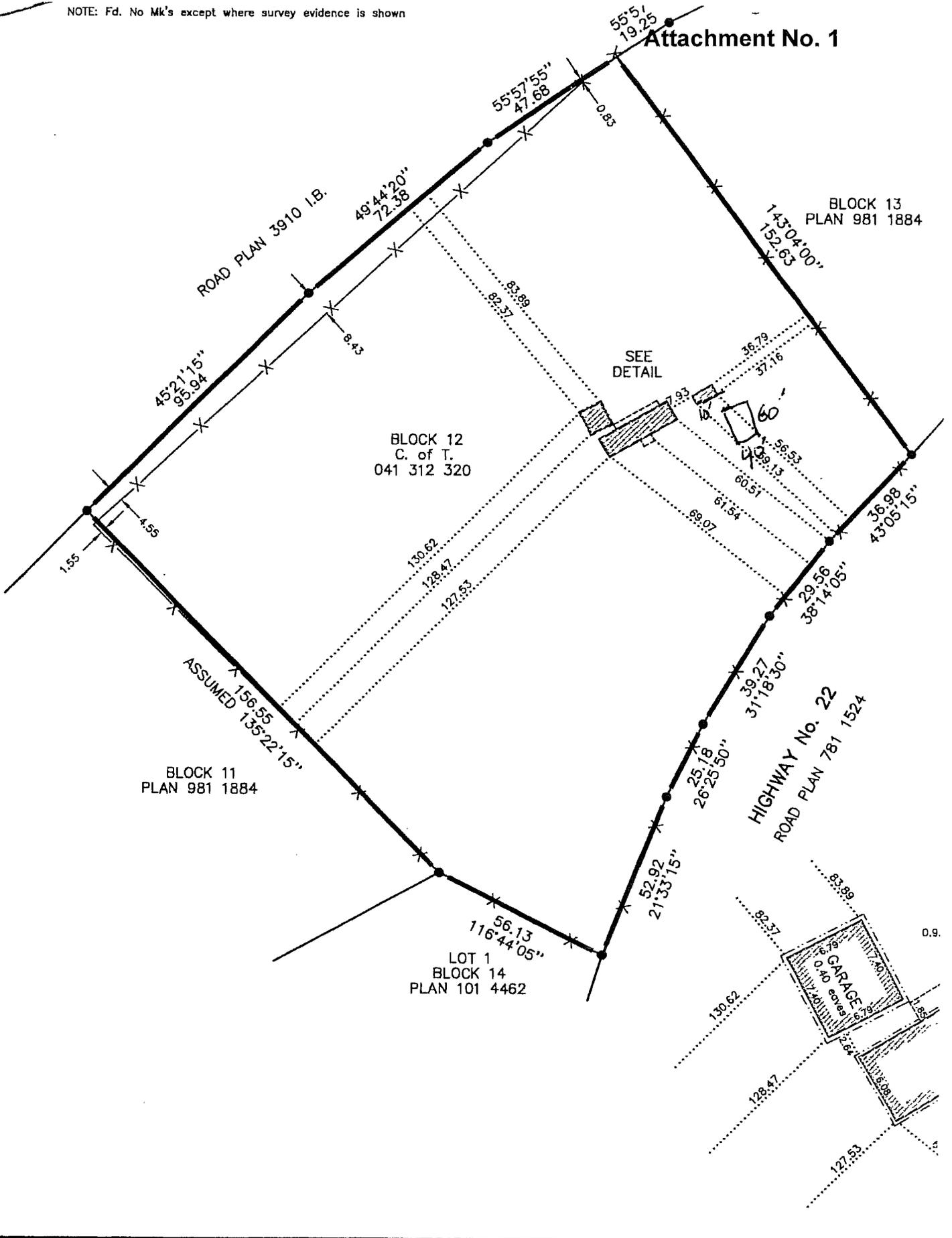
25m

35m



NOTE: Fd. No Mk's except where survey evidence is shown

# Attachment No. 1



Our Reference: 2511-NW 27-7-2-W5M (22)  
Permit No. 5464-19

May 24, 2019

Dexter Bonertz

Dear Mr. Bonertz:

**RE: PROPOSED BARN**

Attached is a permit issued under the Highways Development and Protection Regulation, being Alberta Regulation 326/2009 and amendments thereto, authorizing the above noted development. This permit is subject to the conditions listed on page 2.

In consideration of Permit No. 5464-19, the applicant shall indemnify and hold harmless Alberta Transportation, its employees and agents, from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration, or operation of the works authorized.

Issuance of this permit by Alberta Transportation does not relieve the holder of the responsibility of complying with relevant municipal bylaws, and this permit once issued does not excuse violation of any regulation, bylaw, or act that may affect this project.

Upon completion of the project, we ask that you notify Leah Olsen, Development/Planning Technologist, or John Thomas, Development/Planning Technologist, at Lethbridge, 403-381-5426, who will inspect the conditions of the permit. Your cooperation in this matter will be appreciated.

Yours truly,

  
John Thomas  
Development/Planning Technologist

JT/jb

cc: Municipal District of Pincher Creek No. 9 – [admindevoff@mdpincercreek.ab.ca](mailto:admindevoff@mdpincercreek.ab.ca)  
[admindevasst@mdpincercreek.ab.ca](mailto:admindevasst@mdpincercreek.ab.ca)  
[info@mdpincercreek.ab.ca](mailto:info@mdpincercreek.ab.ca)

Volker Stevin – [fortmacleod.admin@volkerstevin.ca](mailto:fortmacleod.admin@volkerstevin.ca)  
Rick Lemire – e-mailed  
Darren Davis – e-mailed



- 2 -

(To be completed by Alberta Transportation)

## ROADSIDE DEVELOPMENT APPLICATION APPROVAL FOR DEVELOPMENT NEAR A PRIMARY HIGHWAY

### PERMIT

Permission is hereby granted to <u>Dexter Bonertz</u> to carry out the development in accordance with the plan(s) and specifications attached hereto and subject to the conditions shown below.	
If the development has not been carried out by the <u>24<sup>th</sup></u> day of <u>May</u> <u>2020</u> this permit lapses and the applicant must reapply for a new permit if they wish to proceed.	
SIGNED <u></u>	PERMIT NO. <u>5464-19</u>
TITLE <u>Development/Planning Technologist</u>	FILE NO. <u>2511-NW 27-7-2-W5M (22)</u>
	DATE <u>May 24, 2019</u>

**PERMIT CONDITIONS:** (Note: This permit is subject to the provisions of Section 11 – 19 inclusive of the Highways Development and Protection Act, Chapter H-8.5 2004, amendments thereto, and Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto).

**A. ACCESS CONDITIONS:** (Note: All highway accesses are to be considered temporary. No compensation shall be payable to the applicant or his assigns or successors when the Department removes or relocates the temporary access or if highway access is removed and access provided via service road).

1. (a) No direct highway access will be permitted. Access shall be via the local municipal road.
- (b) ~~Use of the existing highway access may continue on a temporary basis.~~
- (c) ~~Permit authorizes construction of proposed access at the location shown and to the attached specifications. (Figure D-3.3b)~~
2. No additional highway access will be permitted.
3. The applicant shall construct and maintain any highway access to Alberta Transportation's satisfaction.
4. Approval of companies having buried utilities shall be obtained prior to access construction or upgrading.

**B. SETBACK CONDITIONS** (Note: Minimum setbacks usually allow for anticipated highway widening and construction of a service road parallel and adjacent to the highway).

1. The proposed barn is to be set back 35 meters (115 feet) from the highway property line.
2. The department accepts no responsibility for the noise impact of highway traffic upon any development or occupants thereof.

**C. OTHER CONDITIONS:**

1. This permit is issued subject to the approval of the Municipal District of Pincher Creek No. 9.
2. This permit approves only the development contained herein, and a further application is required for any changes or additions.
3. The department is under no obligation to reissue a permit if the development is not completed before expiry of this permit.
4. Leah Olsen, Development/Planning Technologist, or John Thomas, Development/Planning Technologist, in Lethbridge, telephone 403-381-5426, shall be notified before construction commencement.
5. The applicant shall not place any signs contrary to Alberta Regulation 326/2009. A separate "SIGN APPLICATION" form shall be submitted for any proposed sign.

**D. ADDITIONAL CONDITIONS and/or ADVISEMENTS:**

See attached Schedule "A" – Site Specific Conditions

SCHEDULE "A"  
Site Specific Conditions  
Permit 5464-19

D: ADDITIONAL CONDITIONS and/or ADVISEMENTS:

1. This permit is approval for development of a barn only. Any additional development will be expressly subject to Condition C.2.
2. The applicant shall ensure that all on-site development, including ancillary development, is setback from the highway right-of-way boundary as shown on the attached approved site plan. Under no circumstance shall a different setback be implemented without the written permission of Alberta Transportation.
3. Further to the Access Note of Condition A, Alberta Transportation will not accept any responsibility for compensation requests/claims dealing with loss of business, inconvenient access, or any other disruption that may arise as result of the possible revision to the existing access arrangement. The possible revision to the existing access arrangement may be due to access management/operational, construction, or planning activities carried out by the department or its consultants.
4. Further to Condition B.2, noise impact and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation are the sole responsibility of the developer and should be incorporated as required into the development of the property.
5. Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.

Government of Alberta  
Transportation

**ROADSIDE DEVELOPMENT APPLICATION FOR DEVELOPMENT NEAR A PROVINCIAL HIGHWAY**

(print please)

Alberta Transportation Permit # 5464-19

Applicant's Name MD of Pincher Creek

Mailing Address P.O. Box 279

City/Town/Village Pincher Creek Province Alberta Postal Code T0K 1W0

Phone # 403-627-3130 Fax # 403-627-5070 e-mail admin@taxclerk@mdpincercreek.ab.ca

Landowner's Name (if different from above) Bonertz, Dexter

Mailing Address \_\_\_\_\_

City/Town/Village \_\_\_\_\_

Phone # \_\_\_\_\_

APPLICATION IS HEREBY MADE TO: (Please provide a description of the proposed development including all proposed above and below ground installations. Attach a detailed report if necessary.)

40' (12.192 m) x 60' (18.288 m) Barn

*Also attach a plan showing in detail the location of all existing and proposed development and access.*

Property Information				
NW	<u>27</u>	<u>7</u>	<u>2</u>	<u>W5</u>
(NE, NW, SE, SW)	<u>¼ Section</u>	<u>Township</u>	<u>Range</u>	<u>West of Meridian</u>
<u>12</u>		<u>9811884</u>	<u>8.96 Acres</u>	
Lot	Block	Plan Number	Parcel size (acres or hectares)	

Highway No. 22 .5 kilometres North of Hwy 3 Intersection  
(north, south, etc.) (City, Town or Village)

Distance of the proposed development to the highway right-of-way boundary 35 metres

<u>MD of Pincher Creek</u>	<u>Group Country Residential</u>	<u>\$20,000</u>
Name of Municipality	Existing / Proposed Land Use	Estimated cost of proposed development

It is understood that all works will be constructed, altered, maintained or operated at the sole expense of the undersigned, and that any work must not begin before a permit has been issued by Alberta Transportation.

In consideration of any permit issued in respect to this application, the Applicant shall indemnify and hold harmless Alberta Transportation, its employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized. The Applicant also consents to a person designated by Alberta Transportation to enter upon land for the purpose of inspection during the processing of this application.

The issuance of a permit by Alberta Transportation does not relieve the holder of the responsibility of complying with relevant municipal bylaws and this permit once issued does not excuse violation of any regulation, bylaw or act which may affect this project.

I \_\_\_\_\_ hereby certify that  I am the registered owner \_\_\_\_\_  
(print full name) Signature

I Roland Milligan hereby certify that  I am authorized to act on \_\_\_\_\_  
(print full name) the owner's behalf Signature

and that the information given on this form is full and true to the best of my knowledge, a true statement of facts relating to this application for roadside development.

**RECEIVED**

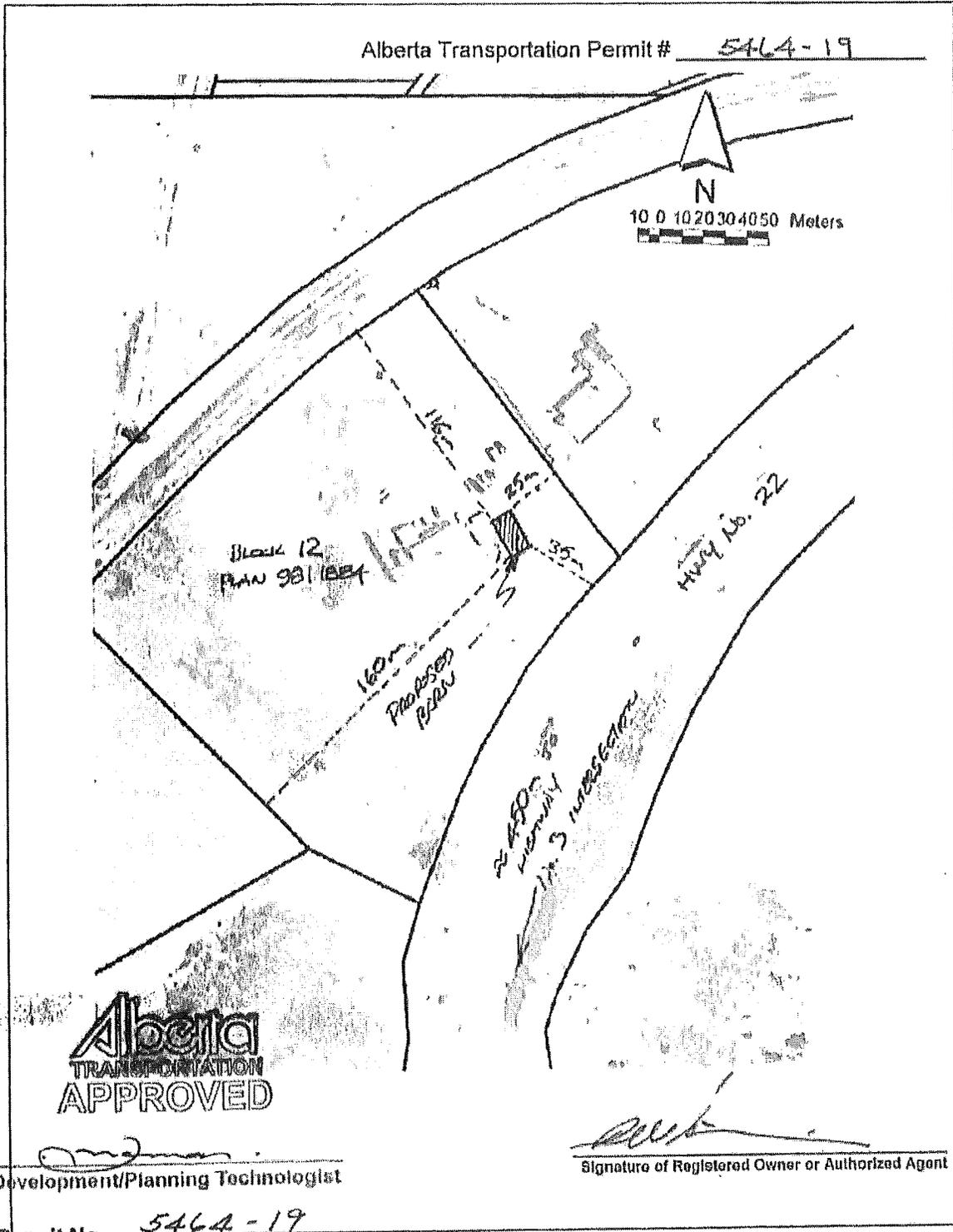
(Date) May 17, 2019

MAY 21 2019  
Southern Region  
TRANSPORTATION

*May 21/19*  
*JB*

Government of Alberta  
Transportation

# ROADSIDE DEVELOPMENT APPLICATION FOR DEVELOPMENT NEAR A PROVINCIAL HIGHWAY



# Recommendation to Municipal Planning Commission

5c

<b>TITLE:</b> <b>DEVELOPMENT PERMIT NO. 2019-26</b>		
<b>Applicant:</b> <b>Yagos Ranching Ltd. (Brian Yagos)</b>		
<b>Location</b> <b>NE 19-6-1 W5M</b>		
<b>Division:</b> <b>3</b>		
<b>Size of Parcel:</b> <b>154.5 Acres</b>		
<b>Zoning:</b> <b>Agriculture</b>		
<b>Development:</b> <b>Shooting Range</b>		
<b>PREPARED BY:</b> Roland Milligan		<b>DATE:</b> May 30, 2019
<b>DEPARTMENT:</b> Planning and Development		
<b>Signature:</b>  <hr style="width: 100%;"/>	<b>ATTACHMENTS:</b> <b>1. Development Permit Application No. 2019-26</b>	
<b>APPROVALS:</b>		
<hr style="width: 100%;"/>		<hr style="width: 100%;"/>
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>
	<hr style="width: 100%;"/>	<b>Date</b>

**RECOMMENDATION:**

That Development Permit No. 2019-26, for Shooting Range, be approved, subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant supply confirmation that the range complies with the Canadian Firearms Center guidelines.

**BACKGROUND:**

- On April 18, 2019, the MD received Development Permit Application No. 2019-26 seeking approval of a Shooting Range.
- This application is in front of the MPC because:
  - Within the Agriculture Land Use District, a Shooting Range is a Discretionary Use.

## **Recommendation to Municipal Planning Commission**

- Notification letters were sent to the adjacent neighbours. At the time of preparing this report, no responses had been received.
- The range will be constructed to comply with Canadian Firearms Centre Guidelines.

-



Municipal District of Pincher Creek  
P.O. Box 279  
Pincher Creek, AB T0K 1W0  
Phone: 403.627.3130 • Fax: 403.627.5070

**DEVELOPMENT PERMIT APPLICATION**

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2019-26

Date Application Received APRIL 18/19

PERMIT FEE \$100 Permitted  
\$150 Discretionary

Date Application Accepted MAY 20/19

RECEIPT NO. 40420

Tax Roll # 3291.000

*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: BRIAN YAGOS

Address:

Telephone:

Owner:

Address:

Interest:

**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:

SMALL PRIVATE SHOOTING RANGE

Legal Description: Lot(s) \_\_\_\_\_

Block \_\_\_\_\_

Plan \_\_\_\_\_

Quarter Section NE 19 TWP 6 Rng 1 W 5

Estimated Commencement Date: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

**SECTION 3: SITE REQUIREMENTS**

Land Use District: AGRICULTURE 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? \_\_\_\_\_ 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> <i>SHOOTING RANGE</i>	Proposed	By Law Requirements	Conforms
(1) Area of Site	156 ac	N/A	—
(2) Area of Building	1200m <sup>2</sup>	N/A	—
(3) %Site Coverage by Building (within Hamets)	N/A	—	—
(4) Front Yard Setback Direction Facing: <i>EAST</i>	30m	30m	YES
(5) Rear Yard Setback Direction Facing: <i>WEST</i>	700m	7.5m	YES
(6) Side Yard Setback: Direction Facing: <i>NORTH</i>	470m	30m	YES
(7) Side Yard Setback: Direction Facing: <i>SOUTH</i>	250m	7.5m	YES
(8) Height of Building	N/A	—	—
(9) Number of Off Street Parking Spaces	N/A	—	—

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

\_\_\_\_\_

\_\_\_\_\_

<b>ACCESSORY BUILDING</b>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(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 : N/A

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: MAR 8/2019

[Signature]  
Applicant

YAGIOS RANCHING PER [Signature]  
Registered Owner

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

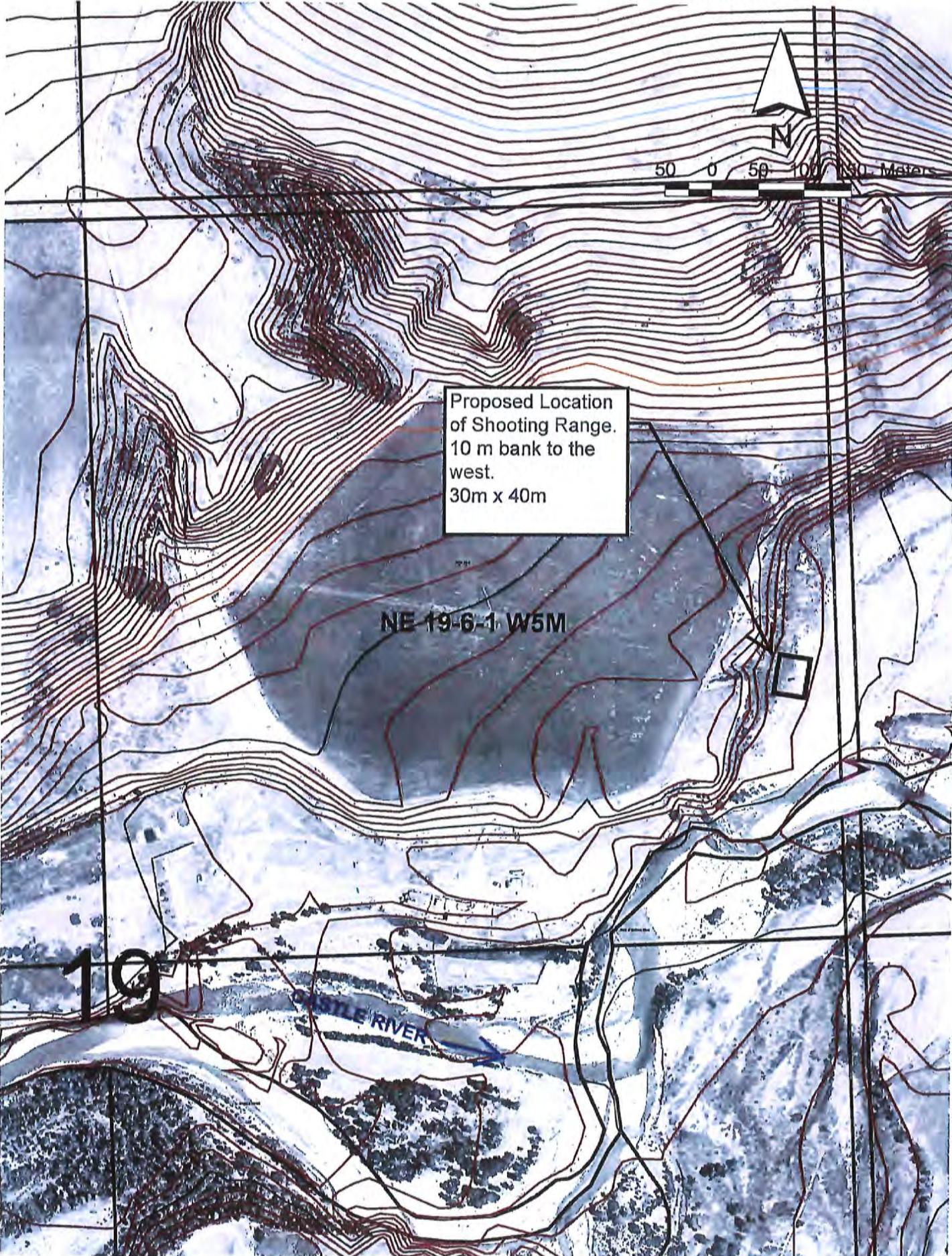
**IMPORTANT NOTES:**

**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.**

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. 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.”*
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

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 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address 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.



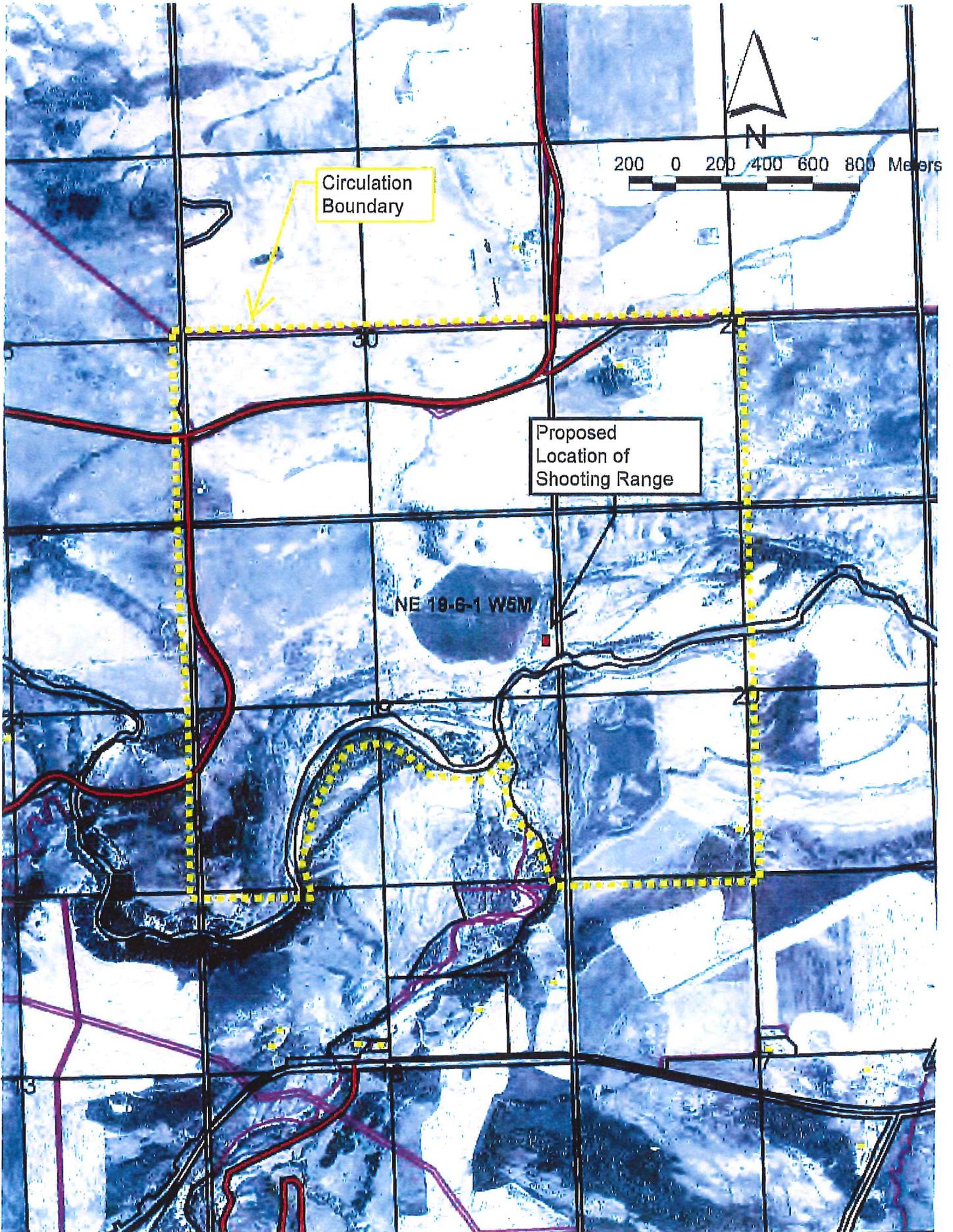
Proposed Location  
of Shooting Range.  
10 m bank to the  
west.  
30m x 40m

NE 19-6-1 W5M

19

ATTLE RIVER

50 0 50 100 150 Meters



**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT  
May, 2019**

**Development / Community Services Activities includes:**

- May 2 Agriculture Service Board Meeting
- May 6 Pincher Creek Regional Emergency Management Organization (REMO)  
Emergency Management Agency Meeting
- May 6 Pincher Creek National Day of Mourning Ceremony
- May 7 Subdivision Authority Meeting
- May 7 MPC Meeting
- May 8 Joint Worksite Health and Safety Committee Meeting
- May 10 Interview for Assistant Manager of Public Works
- May 14 Council Committee Meeting
- May 14 Council Meeting
- May 15 Workplace Harassment Awareness and Violence Prevention Training
- May 15 Joint Health and Safety Committee Meeting
- May 16 Joint Health and Safety Committee Drafting of Terms of Reference
- May 21 Cardston County & MD of Pincher Creek Draft IDP Review Meeting
- May 22 Town and MD Intermunicipal Collaborative Framework Committee (ICF) Video  
Conference
- May 23 MD of Pincher Creek & Municipality of CNP Draft Intermunicipal Development  
Plan (IDP) Meeting
- May 23 MD of Willow Creek & MD of Pincher Creek Draft IDP Review Meeting
- May 23 – 31 Acting CAO
- May 27 Council Committee / Council Meeting
- May 27 Landfill Costs Discussion
- May 28 Council Committee Meeting
- May 28 Council
- May 29 Emergency Advisory Committee Meeting
- May 30 Windy Point Wind Farm Subdivision Development Appeal Board Appeal
- May 30 North Country Cinema meeting
- May 31 Job Interviews for Executive Assistant

**PLANNING DEPARTMENT STATISTICS**

**Development Permits Issued by the Director for May 2019**

No.	Applicant	Division	Legal Address	Development
2019-20	Dave Cervo	5	Lot 6-7, Block 12, Plan 2177S; Hamlet of Lundbreck	Addition to Accessory Building – Garage
2019-22	Pat Goodfellow	1	SW 5-4-29 W4M	Single Detached Residence
2019-24	Dave Taggart	4	SE/SW 21-8-30 W4M	Accessory Building - Shop
2019-25	T.R. and Virginia Grinevitch	5	SE 36-7-3 W5M	Accessory Building - Garage

**Development Permits Issued by Municipal Planning Commission for 2019**

No.	Applicant	Division	Legal Address	Development
2019-9	Keith and Donna Johnson	4	Lot 1, Block 3, Plan 0715187 NW 36-7-1 W5M	Moved In Accessory Building – Detached Garage
2019-10	Royal Canadian Legion	2	Lot 1, Plan 8211225; NE 23-6- 30 W4M	Accessory Building – Metal Clad Shelter
2019-11	Royal Canadian Legion	2	Lot 1, Plan 8211225; NE 23-6- 30 W4M	Moved In Accessory Building – Storage Building
2019-12	Rob Mulloy	5	NW 11-7-2 W5M	Accessory Building - Shop

**Development Statistics to Date**

<b>DESCRIPTION</b>		<b>2019 to Date</b>	<b>2018 to Date (May)</b>	<b>2017</b>	<b>2016</b>
Dev Permits Issued	2 – Jan 2 – Feb 1 – March 9 – April 9 - May	23 19 – DO / 4 - MPC	22 17-DO / 5-MPC	65 45-DO /20- MPC	64 40-DO /24- MPC
Dev Applications Accepted	2 – Jan 2 – Feb 3 – March 12 – April 9 - May	28	24	63	66
Utility Permits Issued	1 – Jan 3 – Feb 2 – March 3 – April 5 - May	14	14	22	25
Subdivision Applications Approved	4 – Feb 2 – April 2 - May	8	4	3	12
Rezoning Applications Approved	1 – Feb	1	0	2	1
Compliance Cert	1 – Jan 2 – Feb 2 – March 3 – April 3 - May	11	5	22	27

**RECOMMENDATION:**

That the report for the period ending May 31, 2019, be received as information.

Prepared by: Roland Milligan, Director of Dev. And Comm Services

Date: May 30, 2019

Reviewed by:

Date:

Submitted to: Municipal Planning Commission

Date: June 4, 2019



May 7, 2019

Windy Point Wind Park Ltd.  
Suite 1320, 396 11 Avenue S.W.  
Calgary, Alta. T2R 0C5

Attention: Marc Stachiw  
Director, Windy Point Wind Park Ltd.

**Windy Point Wind Park Amendment  
Proceeding 23377  
Applications 23377-A001 to 23377-A003**

**Response to request to place Proceeding 23377 in abeyance**

1. On April 26, 2019, Windy Point Wind Park Ltd. requested that the Alberta Utilities Commission place the proceeding in abeyance until further notice. Windy Point indicated that several stakeholders have expressed concerns about the project and that as a result, it intended to review the project design. It submitted that it would periodically update the Commission and the public on changes to the project and would make any necessary amendments to its applications in due course.
2. The Commission has authorized the undersigned to communicate the following.
3. The Commission appreciates Windy Point's efforts to resolve stakeholder concerns and does not consider that any party to the proceeding would be prejudiced by granting Windy Point's request, and therefore grants Windy Point's request to place Proceeding 23377 in abeyance.
4. The Commission nevertheless recognizes the importance of applications being processed in a timely and efficient manner. In this regard, the Commission granted Windy Point an interim time extension to its expired approval while it reviewed the applications in this proceeding. It does not consider allowing this interim extension to continue on an indefinite basis to be in the public interest and accordingly directs Windy Point to file an update on its progress no later than **October 31, 2019**. If the Commission does not receive an update by that time or Windy Point has failed to make any progress by that point, the Commission will consider closing the applications.
5. Should you have any questions, please contact the undersigned at 403-592-4469 or by email at [trevor.richards@auc.ab.ca](mailto:trevor.richards@auc.ab.ca).

Sincerely yours,

Trevor Richards, P.Eng.  
Facilities Division

May 7, 2019

To: Parties currently registered on Proceeding 23377

**Windy Point Wind Park Ltd.  
Windy Point Wind Park Amendment  
Proceeding 23377  
Applications 23377-A001 to 23377-A003**

**Municipal District of Pincher Creek No. 9 submissions**

1. The Municipal District of Pincher Creek No. 9 (MD of Pincher Creek) originally filed a statement of intent to participate in May 2018, as part of the Alberta Utilities Commission's process to consider the cumulative impacts of multiple wind projects in the Pincher Creek area. In October 2018, the Commission sought confirmation from interested parties that they wished to continue to participate in this proceeding. Considerable time had passed since the initial notice of application and it was unclear whether some parties only intended to participate in the Commission's process as it related to cumulative impacts. The Commission did not receive a response from the MD of Pincher Creek at that time, but issued a standing ruling pertaining to those parties who confirmed their participation.<sup>1</sup>

2. On March 19, 2019, the MD of Pincher Creek filed a letter indicating that although it missed the October 2018 deadline, it remains interested in participating in the proceeding and that its previous concerns with tower lighting remain valid and should be considered by the Commission.

3. Since then, Windy Point Wind Park Ltd. filed a request, which the Commission subsequently granted,<sup>2</sup> to place this proceeding in abeyance for the purpose of assessing amendments to its project and attempt to resolve stakeholder concerns.

4. As a result, the Commission will not rule on the MD of Pincher Creek's standing at this time. It will consider standing for the MD of Pincher Creek upon recommencement of the proceeding. Should the MD of Pincher Creek have additional concerns at the time the proceeding resumes, it may file supplementary information to its original statement of intent to participate, which the Commission will consider when assessing standing.

5. Please contact me at 403-592-4385 or at [kim.macnab@auc.ab.ca](mailto:kim.macnab@auc.ab.ca) if you have any questions about the matters addressed in this letter.

Regards,

Kim Macnab  
Commission Counsel

<sup>1</sup> Exhibit 23377-X0182, Ruling on standing.

<sup>2</sup> Exhibit 23377-X0191, AUC letter - Response to request to place Proceeding 23377 in abeyance.