

**Meeting Minutes of the
Municipal Planning Commission
April 3, 2018; 6:30 pm
Municipal District of Larcher Creek No. 9 Administration Building**

ATTENDANCE

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

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

Interim Chief Administrative Officer Roland Milligan called the meeting to order, the time being 6:30 pm.

1. ELECTION OF CHAIR

Mr. Milligan asked for nominations for the position of Chair.

Reeve Quentin Stevick nominated Member Michael Gerrand for the position of Chair. Mr. Gerrand respectively declined.

Councillor Bev Everts nominated Jim Welsch for the position of Chair. Mr. Welsch accepted the nomination.

Jim Welsch was declared the Chairman for the Municipal Planning Commission.

2. ELECTION OF VICE CHAIR

Member Michael Gerrand nominated Councillor Rick Lemire for the position of Vice Chair. Councillor Lemire accepted this nomination.

Councillor Brian Hammond nominated Councillor Terry Yagos. Councillor Yagos respectively declined.

Councillor Rick Lemire was declared the Vice Chairman for the Municipal Planning Commission.

3. ADOPTION OF AGENDA

Councillor Terry Yagos 18/114

Moved that the April 3, 2018 Municipal Planning Commission Agenda

Carried

4. ADOPTION OF MINUTES

Reeve Quentin Stevick 18/115

Moved that the Municipal Planning Commission Minutes of March 6, 2018, be approved as presented.

Carried

5. IN CAMERA

Councillor Brian Hammond 18/116

Moved that MPC and staff move In-Camera, the time being 6:38 pm.

Carried

Reeve Quentin Stevick 18/117

Moved that MPC and staff move out of In-Camera, the time being 8:02 pm.

Carried

6. UNFINISHED BUSINESS

- a. Development Permits Applications No. 2018-12 through 2018-14
Renewable Energy Services Ltd.
McLaughlin Wind Farm
Category 3 WECS Wind Farm

Reeve Quentin Stevick 18/118

Moved that Development Permit No. 2018-12, for 7 Category 3 Wind Turbines, Nos. 1, 3, 11, 18, M1, M2, and 16 CRCE, within Lot 1, Block 1, Plan 111 3120, all being part of the McLaughlin Wind Farm, be approved, subject to the following Reason(s), and Condition(s):

Reason(s):

1. Pursuant to Bylaw No. 1062-02, being the Municipal Development Plan, Policy N(1)(b) and (d), the proposed project is located on lands already designated for industrial development, and is served by an existing transmission line.
2. Pursuant to Section 53.26(a) of the LUB, an easement is currently registered on the title of the affected lands, NW 14-6-29 W4M, NE 14-6-29 W4M, and the NE 15-6-29 W4M.
3. Pursuant to Section 53.26 (b), the affected lands within the Piikani Nation are Crown lands and were asked to comment. At the time of preparing this report no comments were returned.

Condition(s):

1. This development meet the minimum provisions as required in Land Use Bylaw 1140-08.
2. This development meet all NAV Canada, Transport Canada, Alberta Utilities Commission and all other required regulatory permit(s), approval(s) and/or condition(s).
3. The applicant or developer comply with all specifications declared in Development Permit Application No. 2018-12 and all additional McLaughlin Wind Farm information submitted and forming part of this permit.
4. A Road Use Agreement as prescribed by the MD of Pincher Creek No. 9 shall be duly executed prior to any heavy hauling or construction.
5. MD of Pincher Creek No. 9 Utility Permits shall be secured for all utility lines affecting municipal right-of-ways prior to commencement of construction.
6. All buried power lines must be located outside the road right-of-way except for road crossings. All buried power lines located within road crossings must be constructed and installed to a standard acceptable to the MD of Pincher Creek No. 9, registered with Alberta One-Call and approved by the Public Works Department.
7. That the developer accept all responsibility and holds harmless the MD of Pincher Creek No. 9 for any activities of the developer's agents, contractors or workers that takes place within the MD of Pincher Creek No. 9 developed or undeveloped right-of-ways.
8. The developer adheres to the post construction reclamation plan submitted with the wind farm application in respect to restoring and re-vegetating developed wind farm road ways.

Carried

Councillor Terry Yagos

18/119

Moved that Development Permit No. 2018-13, for 2 Category 3 Wind Turbines, Nos. S1 and S2, within the NE 22-6-29 W4M, both being part of the McLaughlin Wind Farm, be approved, subject to the following Reason(s), and Condition(s):

Reason(s):

1. Pursuant to Bylaw No. 1062-02, being the Municipal Development Plan, Policy N(1)(b) and (d), the proposed project is located on lands already designated for industrial development, and is serviced by an existing transmission line.
2. A wind farm development caveat is currently registered on the title of the affected lands, SW 27-6-29 W4M. In the opinion of the MPC, this caveat is of sufficient force that it meets the intent and is an adequate substitute for the easement required by Section 53.26(a) of the LUB. For this reason, the MPC has granted a waiver of Section 53.26(a), with the understanding that, should the existing caveat be removed at any time from the title of the affected lands, being the SW 27-6-29 W4M, the developer shall register an easement pursuant to Section 53.26(a).

Condition(s):

1. This development meet the minimum provisions as required in Land Use Bylaw 1140-08.

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2. This development meet all NAV Canada, Transport Canada, Alberta Utilities Commission and all other required regulatory permit(s), approval(s) and/or condition(s).
3. The applicant or developer comply with all specifications declared in Development Permit Application No. 2018-13 and all additional McLaughlin Wind Farm information submitted and forming part of this permit.
4. A Road Use Agreement as prescribed by the MD of Pincher Creek No. 9 shall be duly executed prior to any heavy hauling or construction.
5. MD of Pincher Creek No. 9 Utility Permits shall be secured for all utility lines affecting municipal right-of-ways prior to commencement of construction.
6. All buried power lines must be located outside the road right-of-way except for road crossings. All buried power lines located within road crossings must be constructed and installed to a standard acceptable to the MD of Pincher Creek No. 9, registered with Alberta One-Call and approved by the Public Works Department.
7. That the developer accept all responsibility and holds harmless the MD of Pincher Creek No. 9 for any activities of the developer's agents, contractors or workers that takes place within the MD of Pincher Creek No. 9 developed or undeveloped right-of-ways.
8. Should the wind farm development caveat currently registered on title of the affected lands, SW 27-6-29 W4M, be removed at any time, an easement shall be registered on the title of the affected lands pursuant to Section 53.26(a). Prior to the commencement of construction, the developer is required to supply a copy of the title for the affected lands, SW 27-6-29 W4M, to the Development Authority.
9. The developer adheres to the post construction reclamation plan submitted with the wind farm application in respect to restoring and re-vegetating developed wind farm road ways.

Carried

Councillor Bev Everts

18/120

Moved that Development Permit No. 2018-14, for 2 Category 3 Wind Turbines, Nos. S3 and S4 CRCE, within the SE 22-6-29 W4M, both being part of the McLaughlin Wind Farm, be approved, subject to the following Reason(s), and Condition(s):

Reason(s):

1. Pursuant to Bylaw No. 1062-02, being the Municipal Development Plan, Policy N(1)(b) and (d), the proposed project is located on lands already designated for industrial development, and is serviced by an existing transmission line.
2. Pursuant to Section 53.26(a) of the LUB, an easement is currently registered on the title of the affected lands, NE 16-6-29 W4M. There is also an easement
3. Pursuant to Section 53.26(a) of the LUB, an easement has been prepared for the affected lands, NW 15-6-29 W4M. This easement will need to be registered on title of the affected lands.

Condition(s):

1. This development meet the minimum provisions as required in Land Use Bylaw 1140-08.

2. This development meet all NAV Canada, Transport Canada, Alberta Utilities Commission and all other required regulatory permit(s), approval(s) and/or condition(s).
3. The applicant or developer comply with all specifications declared in Development Permit Application No. 2018-14 and all additional McLaughlin Wind Farm information submitted and forming part of this permit.
4. A Road Use Agreement as prescribed by the MD of Pincher Creek No. 9 shall be duly executed prior to any heavy hauling or construction.
5. MD of Pincher Creek No. 9 Utility Permits shall be secured for all utility lines affecting municipal right-of-ways prior to commencement of construction.
6. All buried power lines must be located outside the road right-of-way except for road crossings. All buried power lines located within road crossings must be constructed and installed to a standard acceptable to the MD of Pincher Creek No. 9, registered with Alberta One-Call and approved by the Public Works Department.
7. That the developer accept all responsibility and holds harmless the MD of Pincher Creek No. 9 for any activities of the developer's agents, contractors or workers that takes place within the MD of Pincher Creek No. 9 developed or undeveloped right-of-ways.
8. Prior to the commencement of construction, an easement shall be registered on the title of the affected lands, NW 15-6-29 W4M, pursuant to Section 53.26(a). The developer is required to supply a copy of the title for the affected lands, to show that the easement has been registered.
9. The developer adheres to the post construction reclamation plan submitted with the wind farm application in respect to restoring and re-vegetating developed wind farm road ways.

Carried

7. DEVELOPMENT PERMIT APPLICATIONS

Councillor Bev Everts declared a potential conflict of interest, as she is an adjacent landowner to the proposal, and left the meeting, the time being 8:07 pm.

- a. Development Permit Application No. 2018-18
Crowsnest Pincher Creek Landfill Association
Two Stage Incinerator and Associated Building
NW 8-7-1 W5M

Councillor Terry Yagos

18/121

Moved that the report from the Director of Development and Community Services, regarding Development Permit Application No. 2018-18, for the installation of an incinerator and associated building be carried;

And that Development Permit Application No. 2018-18, be postponed, pending the receipt of information presented at the Public Open House, hosted by the Crowsnest Pincher Creek Landfill Association, including presentations from applicable agencies.

Carried

Councillor Everts returned to the meeting, the time being 8:12 pm.

8. DEVELOPMENT REPORT

a. Development Officer's Report

Councillor Brian Hammond 18/122

Moved that the Development Officer's Report, for March 2018, be received as information.

Carried

9. CORRESPONDENCE

Nil

10. NEW BUSINESS

No new business was added to the agenda.

11. NEXT MEETING – May 1, 2018; 6:30 pm.

12. ADJOURNMENT

Councillor Terry Yagos 18/123

Moved that the meeting adjourn, the time being 8:14 pm.

Carried

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Director of Development and Community
Services Roland Milligan
Municipal Planning Commission