

**Meeting Minutes of the
Municipal Planning Commission
September 4, 2018; 6:30 pm
Municipal District of Pincher 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: Director of Development and Community Services Roland Milligan, and Executive Assistant Tara Cryderman

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

1. ADOPTION OF AGENDA

Councillor Terry Yagos 18/149

Moved that the Municipal Planning Commission Agenda for September 4, 2018, be amended, the amendment as follows:

Reword Agenda Item Number 3 to “Closed Meeting Session”;

And that the agenda be approved, as amended.

Carried

2. ADOPTION OF MINUTES

a. Meeting Minutes of July 3, 2018

Reeve Quentin Stevick 18/150

Moved that the Municipal Planning Commission Meeting Minutes for July 3, 2018, be approved as presented.

Carried

b. Special Meeting Minutes of August 1, 2018

Councillor Rick Lemire 18/151

Moved that the Special Municipal Planning Commission Meeting Minutes for August 1, 2018, be approved as presented.

Carried

3. **CLOSED MEETING**

Member Michael Gerrand 18/152

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 6:34 pm.

Carried

Member Michael Gerrand, declared a potential conflict of interest, and excused himself from the meeting, the time being 6:34 pm.

Member Michael Gerrand returned to the meeting, the time being 7:55 pm.

Chairman Jim Welsch declared a potential conflict of interest, and excused himself from the meeting, the time being 8:01 pm. Vice Chairman Rick Lemire chaired the meeting at this time.

Chairman Jim Welsch, returned to the meeting, the time being 8:21 pm, and resumed the chair of the meeting.

Councillor Terry Yagos 18/153

Moved that the Municipal Planning Commission reopen the meeting, the time being 8:21 pm.

Carried

4. **UNFINISHED BUSINESS**

- a. Development Permit Application Nos. 2018-31 through 2018-46
Riverview Wind Power Plant (28 Category 3 WECS)

Councillor Bev Everts 18/154

Moved that the email, submitted by Con and Maria Schultz, dated August 20, 2018, be forwarded to Council for further direction.

Carried

Reeve Quentin Stevick 18/155

Moved that the Municipal Planning Commission direct the Director of Development and Community Services to bring a recommendation to Council that a resolution be brought forward at the scheduled Foothills Little Bow Meeting, regarding decommissioning of wind turbines.

Carried

Member Michael Gerrand, declared a potential conflict of interest, and excused himself from the meeting, the time being 8:31 pm.

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-31
NW 7-7-29 W4M

Reeve Quentin Stevick

18/156

Moved that the Municipal Planning Commission approves Development Permit No. 2018-31, for one (1) Category 3 Wind Turbine, No. T2, within NW 7-7-29 W4M, being part of the Riverview Wind Farm, and grants approval with 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.

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. 2018-31 and all additional Riverview 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, NE 12-7-30 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-32
SW 7-7-29 W4M

Councillor Rick Lemire

18/157

Moved that the Municipal Planning Commission approves Development Permit No. 2018-32, for three (3) Category 3 Wind Turbines, Nos. T3, T4, and T5, within SW 7-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with 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.

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. 2018-32 and all additional Riverview 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, SE 12-7-30 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-33
Lot 2, Block 1, Plan 851 1150 (W ½ 6-7-29 W4M)

Councillor Terry Yagos

18/158

Moved that the Municipal Planning Commission approves Development Permit No. 2018-33, for two (2) Category 3 Wind Turbines, Nos. T6 and T9, and Permanent Meteorological Tower 2, within Lot 2, Block 1, Plan 851 1150 (W ½ 6-7-29 W4M), all being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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.

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. 2018-33 and all additional Riverview 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, NE 35-6-30 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.

Waiver(s):

1. That a 17.5 metre (11%) Setback Distance Waiver be granted for Turbine No. T9 from the undeveloped road allowance to the west, from the minimum 165 metre required setback, for a Setback Distance of 145.5 metres from the undeveloped road allowance.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-34
NE 18-7-29 W4M

Councillor Bev Everts

18/159

Moved that the Municipal Planning Commission approves Development Permit No. 2018-34, for three (3) Category 3 Wind Turbines, Nos. T10, T11, and T12, and Permanent Meteorological Tower 1, within NE 18-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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, a Lease Interest for wind development is currently registered on the title of the affected lands, Lot 1, Block 1, Plan 991 1860, within SW 18-7-29 W4M.

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. 2018-34 and all additional Riverview 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 titles of the affected lands, Block 2, Plan 911 0052 (within SW 19-7-29 W4M), Block 3, Plan 911 0052 (within SE 19-7-29 W4M), and NW 18-7-29 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.

Waiver(s):

1. That a 107.3 metre (65%) Setback Distance Waiver be granted for Turbine No. T10 from the adjacent property boundary to the north, from the minimum 165 metre required setback, for a Setback Distance of 57.7 metres from the north property boundary.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-35
Lot 2, Block 2, Plan 991 1860 (SE 18-7-29 W4M)

Reeve Quentin Stevick

18/160

Moved that the Municipal Planning Commission approves Development Permit No. 2018-35, for two (2) Category 3 Wind Turbines, Nos. T13 and T14, within Lot 2, Block 2, Plan 991 1860 (SE 18-7-29 W4M), all being part of the Riverview Wind Farm, and grants approval with 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, a Lease Interest for wind development is currently registered on the title of the affected lands, Lot 1, Block 1, Plan 991 1860, within SW 18-7-29 W4M.

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. 2018-35 and all additional Riverview 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-36
NE 7-7-29 W4M

Councillor Rick Lemire

18/161

Moved that the Municipal Planning Commission approves Development Permit No. 2018-36, for one (1) Category 3 Wind Turbine, No. T16, within NE 7-7-29 W4M, being part of the Riverview Wind Farm, and grants approval with 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.

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. 2018-36 and all additional Riverview 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-37
SE 7-7-29 W4M

Councillor Terry Yagos

18/162

Moved that the Municipal Planning Commission approves Development Permit No. 2018-37, for three (3) Category 3 Wind Turbines, Nos. T17, T18, and T19, within SE 7-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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.

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. 2018-37 and all additional Riverview 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.

Waiver(s):

1. That a 67.1 metre (89%) Setback Distance Waiver be granted for Turbine No. T17 from the adjacent property boundary to the north, from the minimum 75.5 metre required setback, for a Setback Distance of 8.43 metres from the adjacent property boundary.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-38
NW 8-7-29 W4M

Councillor Bev Everts

18/163

Moved that the Municipal Planning Commission approves Development Permit No. 2018-38, for two (2) Category 3 Wind Turbines, Nos. T25 and T26, within NW 8-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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, a Lease Interest for wind development is currently registered on the title of the affected lands, Lot 1, Block 1, Plan 991 1859, within NW 8-7-29 W4M.

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. 2018-38 and all additional Riverview 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.

Waiver(s):

1. That a 70.6 metre (94%) Setback Distance Waiver be granted for Turbine No. T25 from the adjacent property boundary to the south, from the minimum 75.5 metre required setback, for a Setback Distance of 4.9 metres from the adjacent property boundary.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-39
SW 8-7-29 W4M

Reeve Quentin Stevick

18/164

Moved that the Municipal Planning Commission approves Development Permit No. 2018-39, for two (2) Category 3 Wind Turbines, Nos. T27 and T28, within SW 8-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with 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.

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. 2018-39 and all additional Riverview 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-40
NW 5-7-29 W4M

Councillor Rick Lemire

18/165

Moved that the Municipal Planning Commission approves Development Permit No. 2018-40, for three (3) Category 3 Wind Turbines, Nos. T20, T29, and T30, within NW 5-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with 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, a wind turbine development currently exists the affected lands, Lot 1, Block 1, Plan 851 1150.

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. 2018-40 and all additional Riverview 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.
9. To meet the setback requirements of Section 53.27 of the Land Use Bylaw, the developer shall either relocate Turbines No. 29 and 30 or consolidate NW 5-7-29 W4M with NE 5-7-29 W4M by way of a plan prepared by an Alberta Land Surveyor and registered at Land Titles. The developer will forward a copy of the consolidation plan to the Development Authority prior to commencement of construction.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-42
SE 8-7-29 W4M

Councillor Terry Yagos

18/166

Moved that the Municipal Planning Commission approves Development Permit No. 2018-42, for two (2) Category 3 Wind Turbines, Nos. T35 and T37, within SE 8-7-29 W4M, all being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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, a Lease Interest for wind development is currently registered on the title of the affected lands, Lot 1, Block 1, Plan 991 1859, within NE 8-7-29 W4M.

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. 2018-42 and all additional Riverview 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 titles of the affected lands, NW 9-7-29 W4M, and SW 9-7-29 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.

Waiver(s):

1. That a 67.5 metre (40%) Setback Distance Waiver be granted for Turbine No. T35 from the adjacent property boundary to the north, from the minimum 165 metre required setback, for a Setback Distance of 102.0 metres from the adjacent property boundary.
2. That a 49.4 metre (30%) Setback Distance Waiver be granted for Turbine No. T37 from the undeveloped road allowance to the east, from the minimum 165 metre required setback, for a Setback Distance of 115.6 metres from the undeveloped road allowance.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-43
NW 4-7-29 W4M

Councillor Bev Everts

18/167

Moved that the Municipal Planning Commission approves Development Permit No. 2018-43, for one (1) Category 3 Wind Turbine, No. T39, within NW 4-7-29 W4M, being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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.

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. 2018-43 and all additional Riverview 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 titles of the affected lands, NW 4-7-29 W4M and SW 4-7-29 W4M (south of Highway No. 3), 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.

Waiver(s):

1. That a 113.6 metre (69%) Setback Distance Waiver be granted for Turbine No. T39 from the undeveloped road allowance to the west, from the minimum 165 metre required setback, for a Setback Distance of 51.4 metres from the undeveloped road allowance.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-44
Lot 1, Block 1, Plan 991 1858 (N ½ 7-7-29 W4M)

Reeve Quentin Stevick

18/168

Moved that the Municipal Planning Commission approves Development Permit No. 2018-44, for one (1) Category 3 Wind Turbine, No. T1, within Lot 1, Block 1, Plan 991 1858 (N ½ 7-7-29 W4M), being part of the Riverview Wind Farm, and grants approval with 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, a Lease Interest for wind development is currently registered on the title of the affected lands, Lot 1, Block 1, Plan 991 1860 within SW 18-7-29 W4M.

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. 2018-44 and all additional Riverview 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, N ½ 18-7-30 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-45
SW 5-7-29 W4M

Councillor Rick Lemire

18/169

Moved that the Municipal Planning Commission approves Development Permit No. 2018-45, for one (1) Category 3 Wind Turbine, No. T22, within SW 5-7-29 W4M, being part of the Riverview Wind Farm, and grants approval with 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, a wind turbine development currently exists on the affected lands, Lot 1, Block 1, Plan 851 1150.

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. 2018-45 and all additional Riverview 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-46
NE 5-7-29 W4M

Councillor Terry Yagos

18/170

Moved that the Municipal Planning Commission approves Development Permit No. 2018-46, for one (1) Category 3 Wind Turbine, No. T38, within NE 5-7-29 W4M, being part of the Riverview Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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.

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. 2018-46 and all additional Riverview 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.

Waiver(s):

1. That a 132.1 metre (80%) Setback Distance Waiver be granted for Turbine No. T38 from the undeveloped road allowance to the east, from the minimum 165 metre required setback, for a Setback Distance of 32.9 metres from the undeveloped road allowance.

Carried

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

- b. Development Permit Application Nos. 2018-49 through 2018-52
Castle Rock Ridge Phase II Wind Power Plant (7 Category 3 WECS)

Development Permit No. 2018-49
NE 15-7-30 W4M

Councillor Brian Hammond

18/171

Moved that the Municipal Planning Commission approves Development Permit No. 2018-49, for two (2) Category 3 Wind Turbines, Nos. T1 and T2, within NE 15-7-30 W4M, all being part of the Castle Rock Ridge Phase II Wind Farm, and grants approval with 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, SE 22-7-30 W4M.

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. 2018-49 and all additional Castle Rock Ridge Phase II 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 15-7-30 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-51
NW 14-7-30 W4M

Councillor Bev Everts

18/173

Moved that the Municipal Planning Commission approves Development Permit No. 2018-51, for one (1) Category 3 Wind Turbine, No. T5, within NW 14-7-30 W4M, all being part of the Castle Rock Ridge Phase II Wind Farm, and grants approval with 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, SW 14-7-30 W4M.

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. 2018-51 and all additional Castle Rock Ridge Phase II 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, NE 14-7-30 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

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
September 4, 2018

Development Permit No. 2018-52
SE 14-7-30 W4M

Reeve Quentin Stevick

18/174

Moved that the Municipal Planning Commission approves Development Permit No. 2018-52, for two (2) Category 3 Wind Turbines, Nos. T8 and T9, within SE 14-7-30 W4M, all being part of the Castle Rock Ridge Phase II Wind Farm, and grants approval with the following Reason(s), Condition(s), and Waiver(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.

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. 2018-52 and all additional Castle Rock Ridge Phase II 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 titles of the affected lands, NE 14 7-30 W4M, SW 13-7-30 W4M and NW 13-7-30 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.

Waiver(s):

1. That a 48.1 metre (29%) Setback Distance Waiver be granted for Turbine No. T8 from the undeveloped road allowance to the east, from the minimum 165 metre required setback, for a Setback Distance of 116.9 metres from the undeveloped road allowance.
2. That a 42.5 metre (26%) Setback Distance Waiver be granted for Turbine No. T8 from the adjacent property boundary to the north, from the minimum 165 metre required setback, for a Setback Distance of 122.5 metres from the adjacent property boundary.

3. That a 97.9 metre (59%) Setback Distance Waiver be granted for Turbine No. T9 from the undeveloped road allowance to the east, from the minimum 165 metre required setback, for a Setback Distance of 67.1 metres from the undeveloped road allowance.

Carried

Member Michael Gerrand returned to the meeting, the time being 8:38 pm.

10. DEVELOPMENT PERMIT APPLICATIONS

- a. Development Permit Application No. 2018-64
Patrick Neumann and Sue Leong-Neumann
Lot B, Plan 5216FR; Hamlet of Lowland Heights
Single Detached Residence – Rear Yard Setback Variance Request

Councillor Brian Hammond 18/175

Moved that the report from the Director of Development and Community Services, regarding Development Permit Application No. 2018-64, for a Single Detached Residence, be received;

And that Development Permit Application No. 2018-64, 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 1140-08.
2. That the existing residence be removed from the parcel no later than six (6) months of occupancy of the new Single Detached Residence.

Variance(s):

1. That a 2.93m rear yard setback distance variance be approved, from the required rear yard setback distance of 7.5m, for a rear yard setback distance of 4.57m.

Carried

- b. Development Permit Application Nos. 2018-67 through 2018-74
Windy Point Wind Park (20 Category 3 WECS)

Chairman Jim Welsch declared a potential conflict of interest, and excused himself from the meeting, the time being 8:39 pm. Vice Chairman Rick Lemire chaired the meeting at this time.

Councillor Terry Yagos 18/176

Moved that the required public meeting, pursuant to Section 53.17 of the Land Use Bylaw, be scheduled for Tuesday, October 2, 2018 at 7:00 pm, in the Council Chambers of the Administration Building.

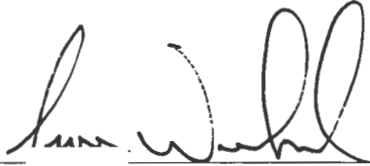
15. **ADJOURNMENT**

Councillor Terry Yagos

18/179

Moved that the meeting adjourn, the time being 8:43 pm.

Carried



Chairperson Jim Welsch
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission