

**Municipal District of Pincher Creek No. 9**  
**MUNICIPAL PLANNING COMMISSION**  
**November 6, 2018**  
**6:30 pm**  
**Agenda**

- 1. Adoption of Agenda**
- 2. Minutes**
  - a. Meeting Minutes of September 4, 2018
- 3. Closed Meeting Session**
- 4. Unfinished Business**
  - a. Development Permit Applications No. 2018-67 through 2018-74  
Windy Point Wind Park
- 5. Development Permit Applications**
  - a. Development Permit Application No. 2018-83  
Nova Gas Transmission Ltd.  
Ptn. NE 2-10-2 W5M  
Temporary Workforce Construction Camp
  - b. Development Permit Application No. 2018-84  
Stantec Consulting  
SE 15-7-30 W4M  
Three (3) Temporary Meteorological Towers
- 6. Development Reports**
  - a. Development Officer's Reports
    - Report for the month of September 2018
    - Report for the month of October 2018
- 7. Correspondence**
  - a. Extension Request – Development Permit No. 2016-18  
Twin Butte Community Society
- 8. New Business**
- 9. Next Regular Meeting** – December 4, 2018; 6:30 pm
- 10. Adjournment**

**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

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

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

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. T26 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

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, 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. 2018-45  
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

Development Permit No. 2018-50  
SE 15-7-30 W4M

Councillor Terry Yagos

18/172

Moved that the Municipal Planning Commission approves Development Permit No. 2018-50, for two (2) Category 3 Wind Turbines, Nos. T3 and T4, and the permanent meteorological tower, within SE 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.

**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. 2018-50 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, SW 15-7-30 W4M, NW 10-7-30 W4M, and NE 10-7-30 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

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

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.

Reeve Stevick requested a recorded vote.

Councillor Terry Yagos – In Favour  
Councillor Bev Everts – In Favour  
Reeve Quentin Stevick – Opposed  
Member Michael Gerrand – In Favour  
Councillor Brian Hammond - In Favour  
Councillor Rick Lemire – In Favour  
Motion Carried

Councillor Brian Hammond

18/177

Moved that the Municipal Planning Commission direct the Director of Development and Community Services to discuss mitigating flashing lights on the turbines, and the possibility of alleviating this issue.

Carried

Chairman Jim Welsch returned to the meeting, the time being 8:40 pm, and resumed the chair.

11. **DEVELOPMENT REPORT**

a. Development Officer's Report

Reeve Quentin Stevick

18/178

Moved that the Development Officer's Report, for the months ending July and August, 2018, be received as information.

Carried

12. **CORRESPONDENCE**

There was no correspondence to discuss.

13. **NEW BUSINESS**

There was no new business to discuss.

14. **NEXT MEETING** – October 2, 2018; 6:30 pm.

15. **ADJOURNMENT**

Councillor Terry Yagos

18/179

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

DRAFT

## MD OF PINCHER CREEK

November 1, 2018

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TO: Municipal Planning Commission  
 FROM: Roland Milligan, Director of Development and Community Services  
 SUBJECT: Development Permit Applications No. 2018-67 through 2018-74

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**1. Application Information**

**Applicant:** Windy Point Wind Park Ltd.  
*(Joint Venture between Boralex Inc. and Alberta Wind Energy Corporation)*

**Permit Application No., Land Location, Landowner, and Proposed Development**

<b>DP No.</b>	<b>Land Location – Parcel (Owner)</b>	<b>Proposed Development</b>
2018-67	SW 12-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T1, T2 and the permanent Met Tower
2018-68	SE 2-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T3 and T4
2018-69	SW 2-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T5
2018-70	SE 3-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T6 and T7
2018-71	NE 35-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T8 and T9
2018-72	SE 35-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T10
2018-73	NE 26-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T11
2018-74	SE 34-7-29 W4M <i>(Stewart and Theresa Hann)</i>	Turbine T12

The following information is presented for the Municipal Planning Commission's consideration regarding the Windy Point Wind Farm.

Recommendations to the Municipal Planning Commission for each Development Permit Application are presented. A new format matching the Request to Council format, recently adopted at the Council level, is being used.

**Enclosures:**

1. Report to MPC dated August 27, 2018, presented at the September 4, 2018 (\*Please note that the detailed project information presented at the September 4 MPC meeting will not be redistributed. If you wish to review the information, please use the following link to the MD's website, <https://mdpinchercreek.ab.ca/getFileByName/2018-09-04%20%20Windy%20Point%20Project.pdf> )
2. Public Meeting Information
3. Submission from Alberta Wind Energy Corporation
4. Submissions from Public

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-67</p> <p><b>Applicant:</b> Windy Point Wind Park Ltd.  <b>Location:</b> SW 12-8-29 W4M  <b>Division:</b> 4  <b>Size of Parcel:</b> 160 acres – 64.7 hectares  <b>Zoning:</b> Wind Farm Industrial - WFI  <b>Development:</b> Installation of Two (2) Category 3 Wind Turbines and the project permanent meteorological tower as part of the Windy Point Wind Farm</p>			
<p><b>PREPARED BY:</b> Roland Milligan      <b>DATE:</b> October 30, 2018</p>			
<p><b>DEPARTMENT:</b> Planning and Development</p>			
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Permanent Met Tower Information</li> <li>2. GIS Site Plan of Parcel</li> <li>3. Development Permit Application No. 2018-67</li> </ol>		
<p><b>APPROVALS:</b></p>			
<p>_____</p>	<p>2018/11/01</p>	<p>_____</p>	<p>2018/Nov/15</p>
<p><b>Department Director</b></p>	<p><b>Date</b></p>	<p><b>Interim CAO</b></p>	<p><b>Date</b></p>

**Recommendation**

That the Municipal Planning Commission approves Development Permit No. 2018-67, for 2 Category 3 Wind Turbines, Nos. T1 and T2, and Permanent Meteorological Tower within SW 12-8-29 W4M, all being part of the Windy Point 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).

## Recommendation to Municipal Planning Commission

3. **The applicant or developer comply with all specifications declared in Development Permit Application No. 2018-67 and all additional Windy Point 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 roadways.**

### BACKGROUND:

- The applicant submitted Development Permit Applications 2018-67 through 2018-74 for the Windy Point Wind Farm (the Project). The MD accepted the applications on August 28, 2018 (*Enclosure No. 3*).
- These applications were presented to the Municipal Planning Commission (MPC) at the meeting held September 4, 2018. At that time, MPC received the information and set the public meeting date Pursuant to Section 53.17 of the LUB. The development authority cannot make a decision on a Category 3 WECS application prior to holding a public meeting in order to solicit views from the public. The Public Meeting Notes attached (*Enclosure No. 4*).
- With the notification of the MPC's intent to consider the application and the Public Meeting a request, the MD received a number of submissions regarding the proposed development (Enclosure No. 5)

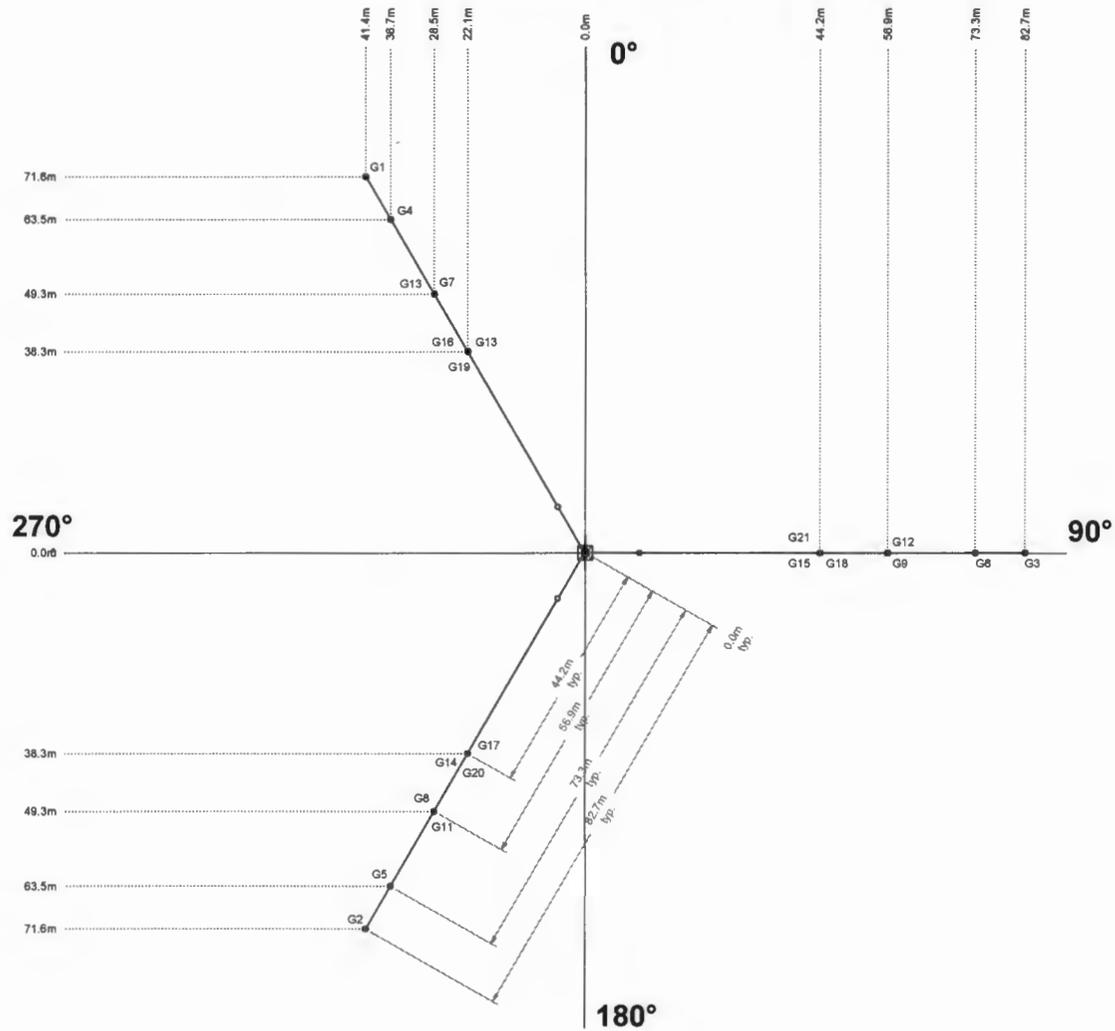
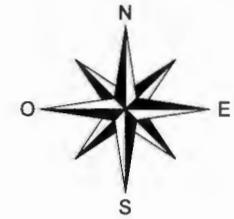
### History of the Windy Point Wind Farm

- The project lands were rezoned to Wind Farm Industrial in January 2011. The rezoning was done by the adoption of Land Use Bylaw amending bylaw, Bylaw No. 1207-10.
- Windy Point is a standalone project and in an earlier configuration, has been approved by the MD.
- The original project was to consist of twenty one (21) turbines placed on eleven (11) parcels of land. 63MW of total output.
- Development Permits 2011-40 through 2011-49 were issued on November 10, 2011.
- The project as previously permitted, has received numerous timeline suspensions to date.
- The timeline for the current project is currently on hold to November 10, 2018, after which time the clock will continue to run on the current permits.
- If the new permits are approved, the previous permits will be requested to be cancelled.
- Due to the applicant's proposed changes in the project, new development permits are required.

## **Recommendation to Municipal Planning Commission**

- The project will consist of 12 Vestas V136, 4.2 MW wind turbines. Total project output of 50.4MW.
- The turbines to be used will have a hub height of 105 m.
- The rotor diameter is 136 m. Resulting in a total height of 173 m.
- The project substation is to be located on SE 27-7-29 W4M, adjacent to but separate from the existing Windy Point 112S substation, which services the existing Oldman 2 Wind Farm. The project substation has been designated the Boulder Run substation (501S) by the Alberta Electric System Operator (AESO). The location meets the setbacks as required within the land use district.
- The project will utilize the existing transmission line. No new transmission line will be required.

# Windy Point Wind Farm Anchor Positions

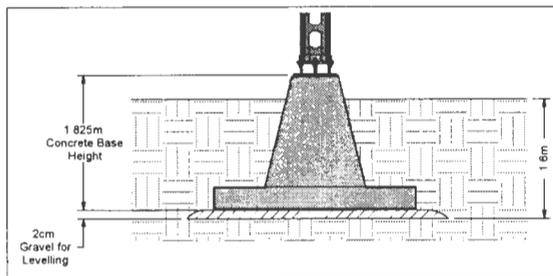
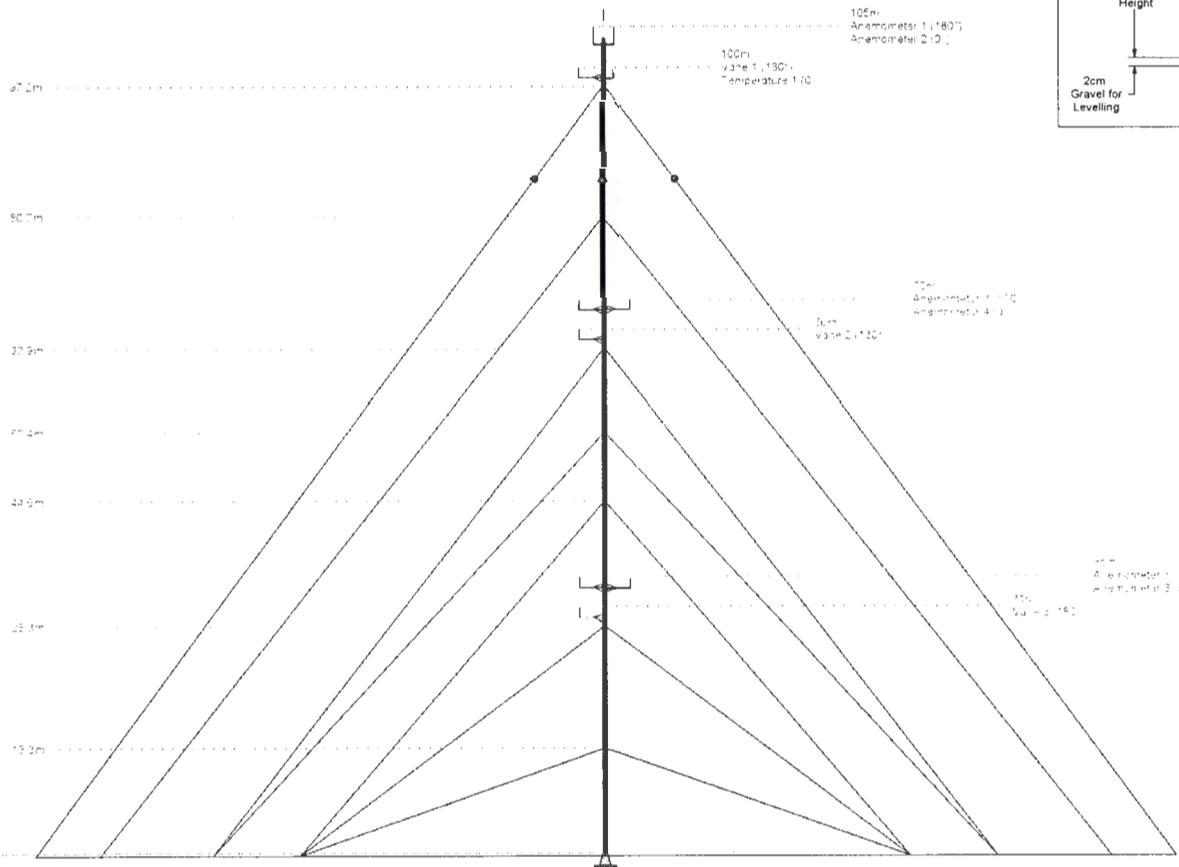


REV.	DESCRIPTION	DATE	PAR
REVISIONS			
SBB Inc. 300 rue des Séigneurs Lévis (Québec) J0P 1S0, Canada 418-838-8888 www.sbb.ca			
Title: Windy Point Wind Farm			
Client: Boralex			
Project: Met Mast 105m			
# Rev (Client)	# Rev (SBB)	227021	
Drawn par V.C.	Date de révision 01/10/2018		
Créé par SBB Inc.	Échelle N.A.E.	Format B	
Approuvé par M.R.L.	# de Station Anchor positions	Rev 00	Feuille 1/3

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# Windy Point Wind Farm Facing West

#Section	Color Section	Item SBB
36	RED	MSC-4122
35	RED	MSC-4129
34	RED	MSC-4129
33	RED	MSC-4129
32	RED	MSC-4129
31	RED	MSC-4129
30	WHITE	MSC-4129
29	WHITE	MSC-4129
28	WHITE	MSC-4129
27	WHITE	MSC-4129
26	WHITE	MSC-4129
25	RED	MSC-4129
24	RED	MSC-4129
23	RED	MSC-4129
22	RED	MSC-4129
21	RED	MSC-4129
20	WHITE	MSC-4129
19	WHITE	MSC-4129
18	WHITE	MSC-4129
17	WHITE	MSC-4129
16	WHITE	MSC-4129
15	RED	MSC-4129
14	RED	MSC-4129
13	RED	MSC-4129
12	RED	MSC-4129
11	RED	MSC-4129
10	WHITE	MSC-4129
9	WHITE	MSC-4129
8	WHITE	MSC-4129
7	WHITE	MSC-4129
6	WHITE	MSC-4129
5	RED	MSC-4129
4	RED	MSC-4129
3	RED	MSC-4129
2	RED	MSC-4129
1	RED	MSC-4129



0.0m  
Top of  
Concrete Base  
**180°**

**0°**

- Design Criteria**
- Reference wind: 430Pa
  - Reference ice: 25mm
  - Design based on CSA S37-13 St5
  - Guy Wire 9/16in dia., 19 strands, EHS, UTS=149.9kN

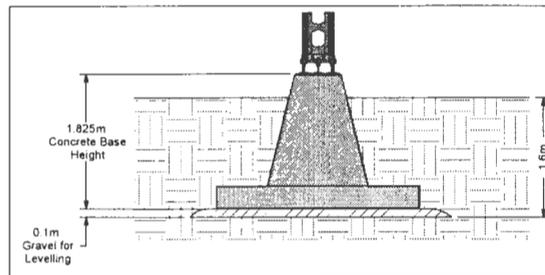
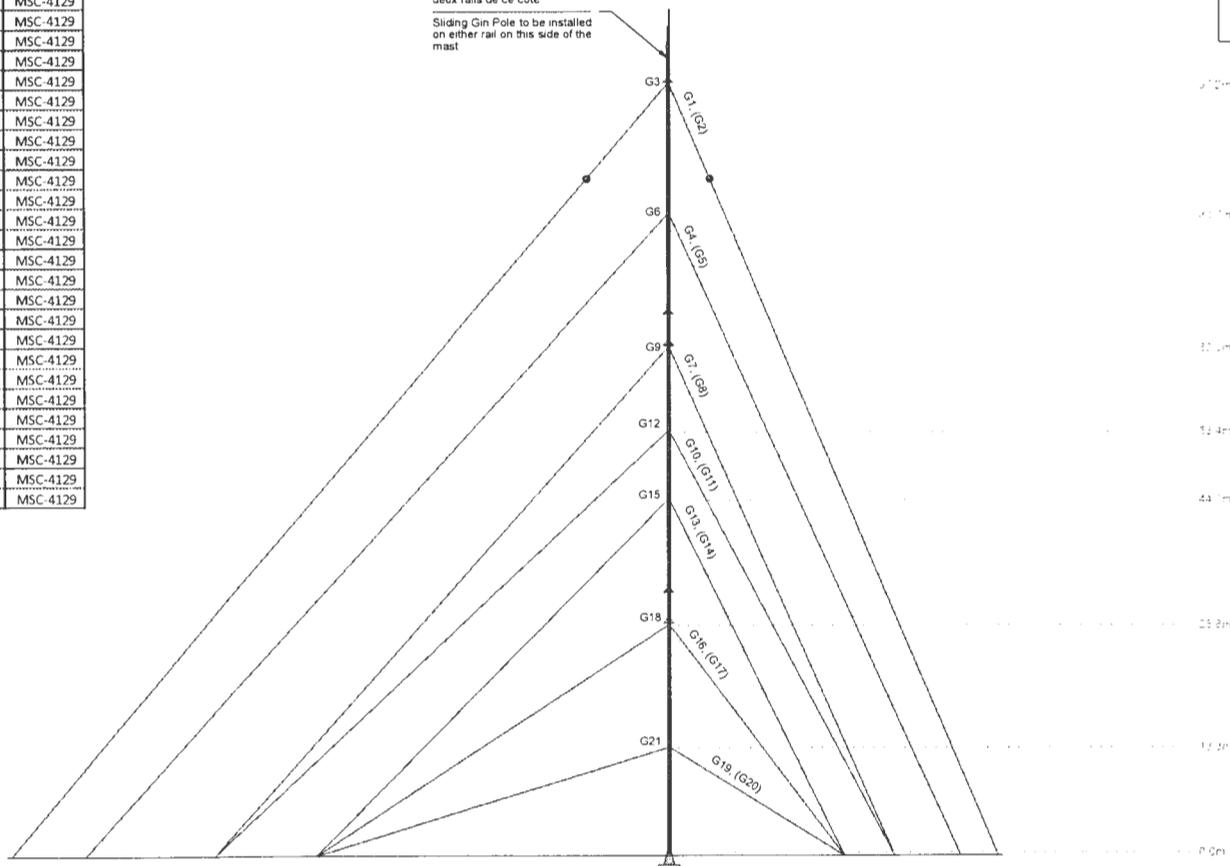
REV.	DESCRIPTION	DATE	PAR.
REVISIONS			
SBB Inc. 3000 rue des Sablons, Terrebonne, Québec J7P 0A2 Canada www.sbb.ca 1-800-363-0000			
Title: Windy Point Wind Farm			
Client: Boralex			
Project: Met Mast 105m			
# of Clients:	227021		
Drawn by: V.C.	Date de révision:	01/10/2018	
Checked by: SBB Inc.	Scale:	N.A.E.	Format: B
Drawn by: M.R.L.	Project no.:	00	Page: 2/3

# Windy Point Wind Farm Facing South

# Section	Color Section	Item SBB
36	RED	MSC-4122
35	RED	MSC-4129
34	RED	MSC-4129
33	RED	MSC-4129
32	RED	MSC-4129
31	RED	MSC-4129
30	WHITE	MSC-4129
29	WHITE	MSC-4129
28	WHITE	MSC-4129
27	WHITE	MSC-4129
26	WHITE	MSC-4129
25	RED	MSC-4129
24	RED	MSC-4129
23	RED	MSC-4129
22	RED	MSC-4129
21	RED	MSC-4129
20	WHITE	MSC-4129
19	WHITE	MSC-4129
18	WHITE	MSC-4129
17	WHITE	MSC-4129
16	WHITE	MSC-4129
15	RED	MSC-4129
14	RED	MSC-4129
13	RED	MSC-4129
12	RED	MSC-4129
11	RED	MSC-4129
10	WHITE	MSC-4129
9	WHITE	MSC-4129
8	WHITE	MSC-4129
7	WHITE	MSC-4129
6	WHITE	MSC-4129
5	RED	MSC-4129
4	RED	MSC-4129
3	RED	MSC-4129
2	RED	MSC-4129
1	RED	MSC-4129

Installer le Sliding Gin Pole (EQU-SDGP) sur un des deux rails de ce côté

Sliding Gin Pole to be installed on either rail on this side of the mast



### Design Criteria

- Reference Wind: 430Pa
- Reference Ice: 25mm
- Design based on CSA S37-13 St3
- Guy Wire 9/16in dia., 19 strands, EHS, UTS=149.9kN

REV.	DESCRIPTION	DATE	P./R.
REVISIONS			
<small>                     SBB Inc. 2007 rue des Érables                      Téléphone (Québec) 514 421-6100                      www.sbb.ca                      1-800-363-0000                 </small>			
<b>Windy Point Wind Farm</b>			
<b>Boralex</b>			
<b>Mast: 105m</b>			
<small>                     # de révisions: 22/02/1                 </small>			
<small>                     Dessiné par: V.C.                 </small>			
<small>                     Date de révision: 01/10/2016                 </small>			
<small>                     Comp. par: SBB Inc.                 </small>			
<small>                     Approuvé par: M.R.L.                 </small>			
<small>                     Échelle: Facing 1:80                 </small>			
<small>                     Ce document est la propriété exclusive de SBB Inc. Toute réimpression ou utilisation non autorisée sans la permission écrite de SBB Inc. est formellement interdite.                 </small>			

DP 2018-67



50 0 50 100 150 200 Meters



T1

SW 12-8-29 W4M

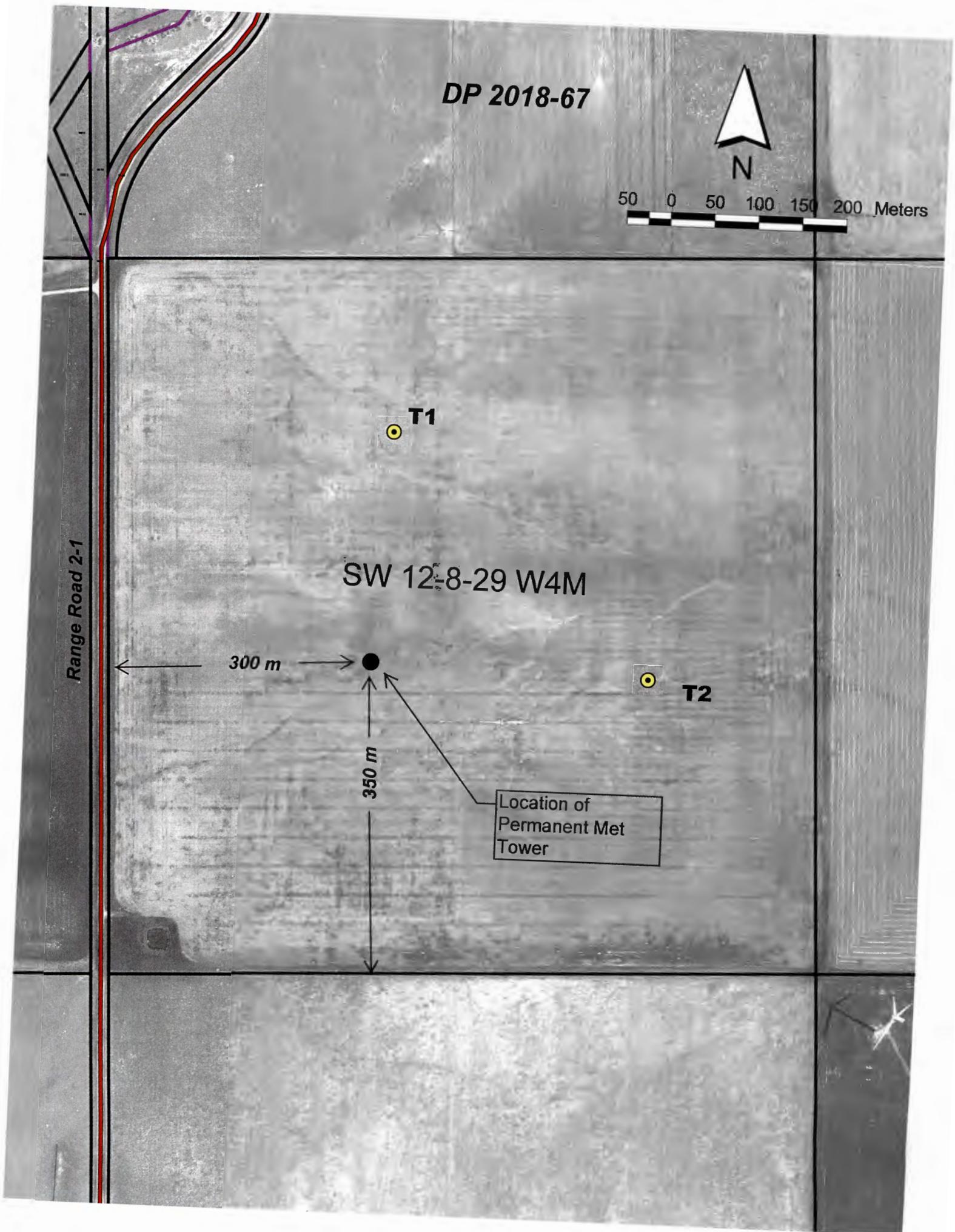
Range Road 2-1

300 m

350 m

T2

Location of Permanent Met Tower



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-67

Date Application Received 2018-03-09

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37959

**SECTION 1: GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone 403-266-5635

Owner of Land (if different from \_\_\_\_\_  
\_\_\_\_\_

Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)**

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 2 (T1 + T2)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section 4;29;8;12;SW

Estimated Value of Construction: \$15 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

**SECTION 3 INFORMATION REQUIREMENTS**

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

Accurate Site Plan:	<input checked="" type="checkbox"/> Attached
Elevations or Scale:	<input checked="" type="checkbox"/> Attached
Photos or Representations of Proposed WECS:	<input checked="" type="checkbox"/> Attached
Manufacturers Specifications:	<input checked="" type="checkbox"/> Attached
Analysis of Visual Impact:	<input checked="" type="checkbox"/> Attached
Analysis of Noise:	<input checked="" type="checkbox"/> Attached
Report on any Public Consultation:	<input checked="" type="checkbox"/> Attached
Reclamation/Decommissioning Plan:	<input checked="" type="checkbox"/> Attached
Impact on Local Road System:	<input checked="" type="checkbox"/> Attached
Setback and Separation Distance Chart:	<input checked="" type="checkbox"/> Attached
Tower Access and Safety:	<input checked="" type="checkbox"/> Attached
Color and Finish:	<input checked="" type="checkbox"/> Attached

**Results of Applicant Circulation to Other Government Levels:**

Alberta Utilities Board	<input checked="" type="checkbox"/> Attached
Transport Canada	<input checked="" type="checkbox"/> Attached
Nav Canada	<input checked="" type="checkbox"/> Attached
Alberta Tourism, Parks, Recreation and Culture	<input checked="" type="checkbox"/> Attached
Alberta Environment	<input checked="" type="checkbox"/> Attached
Alberta Infrastructure and Transportation	<input checked="" type="checkbox"/> Attached
Alberta Sustainable Resources	<input checked="" type="checkbox"/> Attached

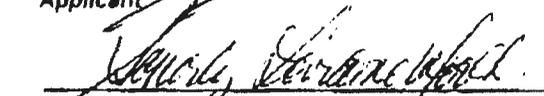
**SECTION 4. AUTHORIZATION**

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.

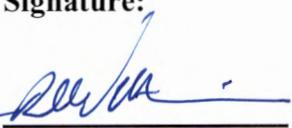
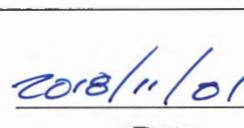
DATE: June 21, 2018.

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-68</p> <p><b>Applicant:</b> Windy Point Wind Park Ltd.  <b>Location:</b> SE 2-8-29 W4M  <b>Division:</b> 4  <b>Size of Parcel:</b> 160 acres – 64.7 hectares  <b>Zoning:</b> Wind Farm Industrial - WFI  <b>Development:</b> Installation of Two (2) Category 3 Wind Turbines as part of the Windy Point Wind Farm</p>		
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018	
<b>DEPARTMENT:</b> Planning and Development		
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. GIS Site Plan of Parcel</li> <li>2. Development Permit Application No. 2018-68</li> </ol>	
<b>APPROVALS:</b>		
	 2018/11/01	 2018/Nov/18
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>
	<b>Date</b>	

**Recommendation**

**That the Municipal Planning Commission approves Development Permit No. 2018-68, for 2 Category 3 Wind Turbines, Nos. T3 and T4, within SE 2-8-29 W4M, all being part of the Windy Point 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. 2018-68 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-68



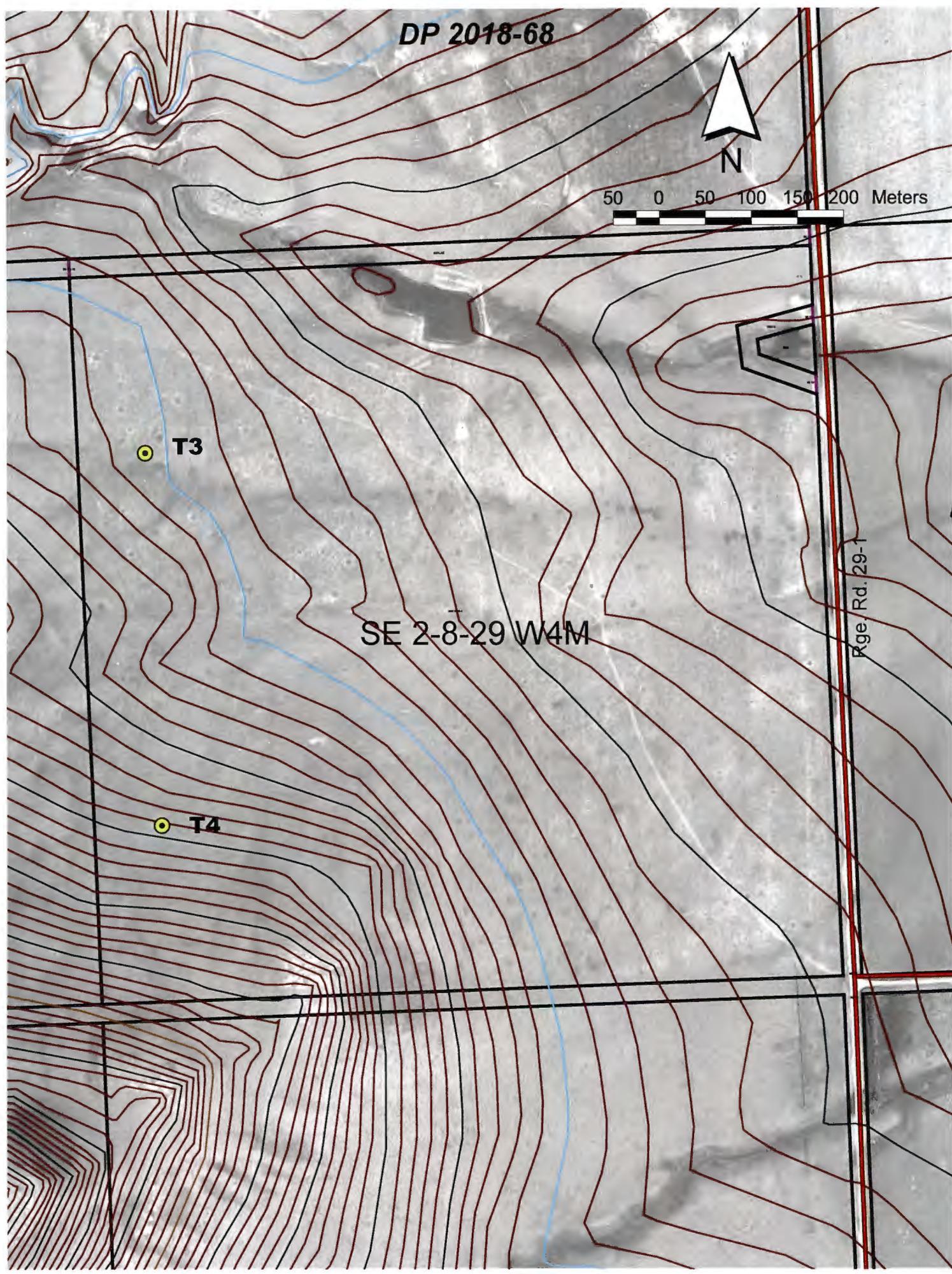
50 0 50 100 150 200 Meters

T3

SE 2-8-29 W4M

T4

Rge. Rd. 29-1



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-68  
Date Application Received 2018-03-09 PERMIT FEE 500  
Date Application Accepted 2018-08-28 RECEIPT NO. 37959

**SECTION 1 GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.  
Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-286-5635  
Owner of Land (if different from \_\_\_\_\_)  
Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2 PROPOSED DEVELOPMENT (completed by all permit applicants)**

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 2 (T3 + T4)  
If expansion of existing, the overall total: \_\_\_\_\_  
Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section 4;29;8;2;SE  
Estimated Value of Construction: \$15 million  
Estimated Commencement Date: September 1, 2019  
Estimated Completion Date: December 31, 2020

**SECTION 3 INFORMATION REQUIREMENTS**

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

**LAND USE DISTRICT:** WIND FARM INDUSTRIAL

<b>Accurate Site Plan:</b>	<input checked="" type="checkbox"/> Attached
<b>Elevations or Scale:</b>	<input checked="" type="checkbox"/> Attached
<b>Photos or Representations of Proposed WECS:</b>	<input checked="" type="checkbox"/> Attached
<b>Manufacturers Specifications:</b>	<input checked="" type="checkbox"/> Attached
<b>Analysis of Visual Impact:</b>	<input checked="" type="checkbox"/> Attached
<b>Analysis of Noise:</b>	<input checked="" type="checkbox"/> Attached
<b>Report on any Public Consultation:</b>	<input checked="" type="checkbox"/> Attached
<b>Reclamation/Decommissioning Plan:</b>	<input checked="" type="checkbox"/> Attached
<b>Impact on Local Road System:</b>	<input checked="" type="checkbox"/> Attached
<b>Setback and Separation Distance Chart:</b>	<input checked="" type="checkbox"/> Attached
<b>Tower Access and Safety:</b>	<input checked="" type="checkbox"/> Attached
<b>Color and Finish:</b>	<input checked="" type="checkbox"/> Attached

**Results of Applicant Circulation to Other Government Levels:**

<b>Alberta Utilities Board</b>	<input checked="" type="checkbox"/> Attached
<b>Transport Canada</b>	<input checked="" type="checkbox"/> Attached
<b>Nav Canada</b>	<input checked="" type="checkbox"/> Attached
<b>Alberta Tourism, Parks, Recreation and Culture</b>	<input checked="" type="checkbox"/> Attached
<b>Alberta Environment</b>	<input checked="" type="checkbox"/> Attached
<b>Alberta Infrastructure and Transportation</b>	<input checked="" type="checkbox"/> Attached
<b>Alberta Sustainable Resources</b>	<input checked="" type="checkbox"/> Attached

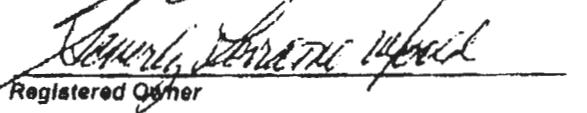
**SECTION 4. AUTHORIZATION**

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: June 21, 2018.

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-69</p> <p><b>Applicant:</b> Windy Point Wind Park Ltd.  <b>Location:</b> SW 2-8-29 W4M  <b>Division:</b> 4  <b>Size of Parcel:</b> 160 acres – 64.7 hectares  <b>Zoning:</b> Wind Farm Industrial - WFI  <b>Development:</b> Installation of One (1) Category 3 Wind Turbine as part of the Windy Point Wind Farm</p>			
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018		
<b>DEPARTMENT:</b> Planning and Development			
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. GIS Site Plan of Parcel</li> <li>2. Development Permit Application No. 2018-69</li> </ol>		
<b>APPROVALS:</b>			
	<i>2018/11/01</i>		<i>2018/Nov/01</i>
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>	<b>Date</b>

**Recommendation**

That the Municipal Planning Commission approves Development Permit No. 2018-69, for 1 Category 3 Wind Turbine, No. T5, within SW 2-8-29 W4M, all being part of the Windy Point 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. 2018-69 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-69

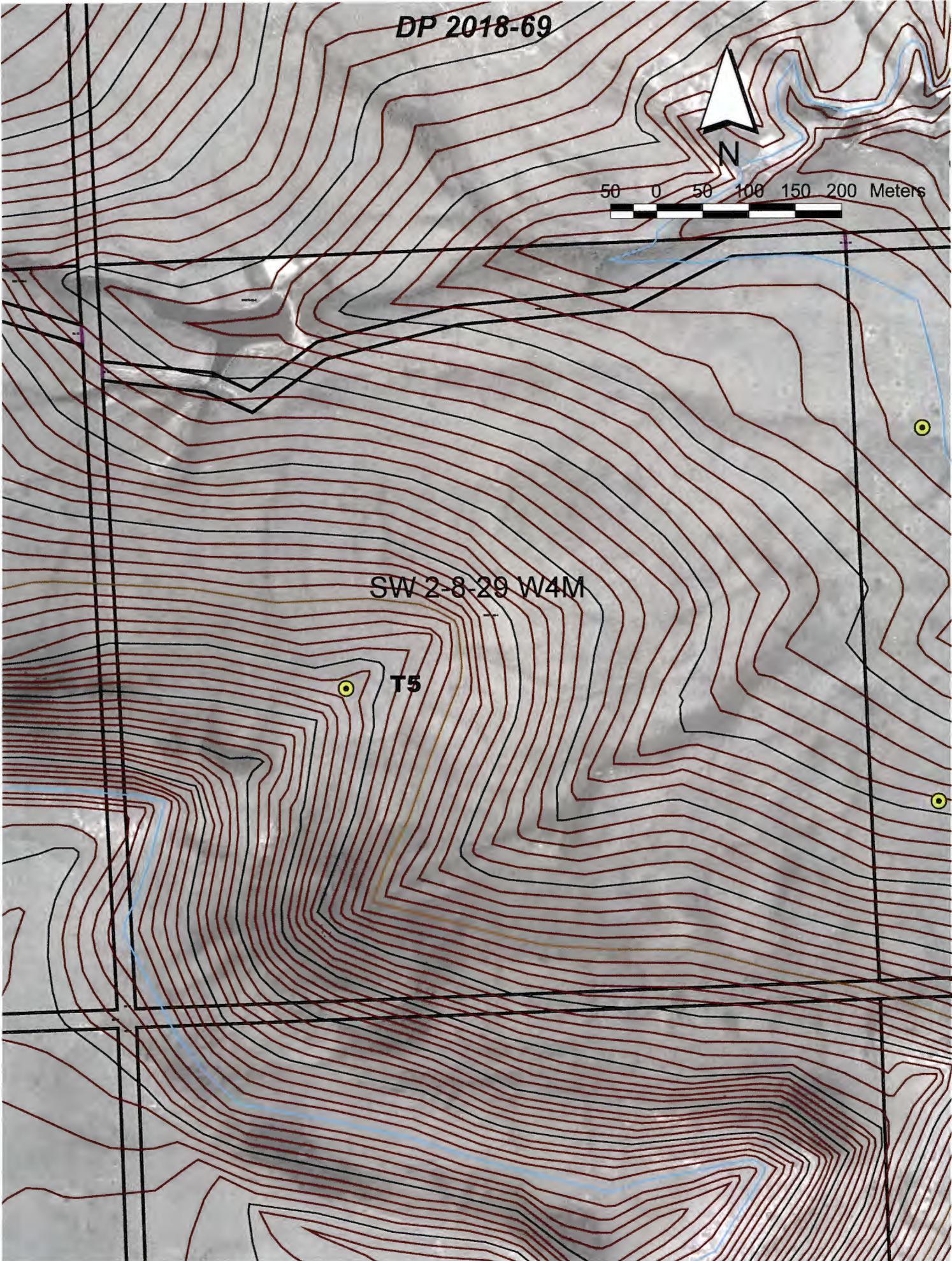


50 0 50 100 150 200 Meters



SW 2-8-29 W4M

T5



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-69

Date Application Received 2018-03-05

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37959

**SECTION 1. GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.  
Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-288-5635  
Owner of Land (if different from above): \_\_\_\_\_  
Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2. PROPOSED DEVELOPMENT (completed by all permit applicants)**

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 1 (T5)  
If expansion of existing, the overall total: \_\_\_\_\_  
Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section 4;29;8;2;SW  
Estimated Value of Construction: \$7.5 million  
Estimated Commencement Date: September 1, 2019  
Estimated Completion Date: December 31, 2020

### SECTION 3. INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

Accurate Site Plan:	<input checked="" type="checkbox"/> Attached
Elevations or Scale:	<input checked="" type="checkbox"/> Attached
Photos or Representations of Proposed WECS:	<input checked="" type="checkbox"/> Attached
Manufacturers Specifications:	<input checked="" type="checkbox"/> Attached
Analysis of Visual Impact:	<input checked="" type="checkbox"/> Attached
Analysis of Noise:	<input checked="" type="checkbox"/> Attached
Report on any Public Consultation:	<input checked="" type="checkbox"/> Attached
Reclamation/Decommissioning Plan:	<input checked="" type="checkbox"/> Attached
Impact on Local Road System:	<input checked="" type="checkbox"/> Attached
Setback and Separation Distance Chart:	<input checked="" type="checkbox"/> Attached
Tower Access and Safety:	<input checked="" type="checkbox"/> Attached
Color and Finish:	<input checked="" type="checkbox"/> Attached

**Results of Applicant Circulation to Other Government Levels:**

Alberta Utilities Board	<input checked="" type="checkbox"/> Attached
Transport Canada	<input checked="" type="checkbox"/> Attached
Nav Canada	<input checked="" type="checkbox"/> Attached
Alberta Tourism, Parks, Recreation and Culture	<input checked="" type="checkbox"/> Attached
Alberta Environment	<input checked="" type="checkbox"/> Attached
Alberta Infrastructure and Transportation	<input checked="" type="checkbox"/> Attached
Alberta Sustainable Resources	<input checked="" type="checkbox"/> Attached

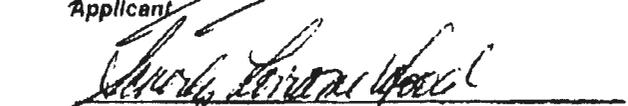
**SECTION 4 AUTHORIZATION**

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: June 21, 2018

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

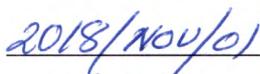
## Recommendation to Municipal Planning Commission

<b>TITLE:</b> <b>DEVELOPMENT PERMIT NO. 2018-70</b>  <b>Applicant:</b> <b>Windy Point Wind Park Ltd.</b> <b>Location</b> <b>SE 3-8-29 W4M</b> <b>Division:</b> <b>4</b> <b>Size of Parcel:</b> <b>160 acres – 64.7 hectares</b> <b>Zoning:</b> <b>Wind Farm Industrial - WFI</b> <b>Development:</b> <b>Installation of Two (2) Category 3 Wind Turbines as part of the Windy Point Wind Farm</b>	
--	---

<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018
-------------------------------------	-------------------------------

**DEPARTMENT:** Planning and Development

<b>Signature:</b>  	<b>ATTACHMENTS:</b> 1. GIS Site Plan of Parcel 2. Development Permit Application No. 2018-70
--	--

<b>APPROVALS:</b>			
	 _____ Date	 _____ Interim CAO	 _____ Date
<b>Department Director</b>			

**Recommendation**

**That the Municipal Planning Commission approves Development Permit No. 2018-70, for 2 Category 3 Wind Turbines, Nos. T6 and T7, within SE 3-8-29 W4M, all being part of the Windy Point 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. 2018-70 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-70



N

50 0 50 100 150 200 Meters

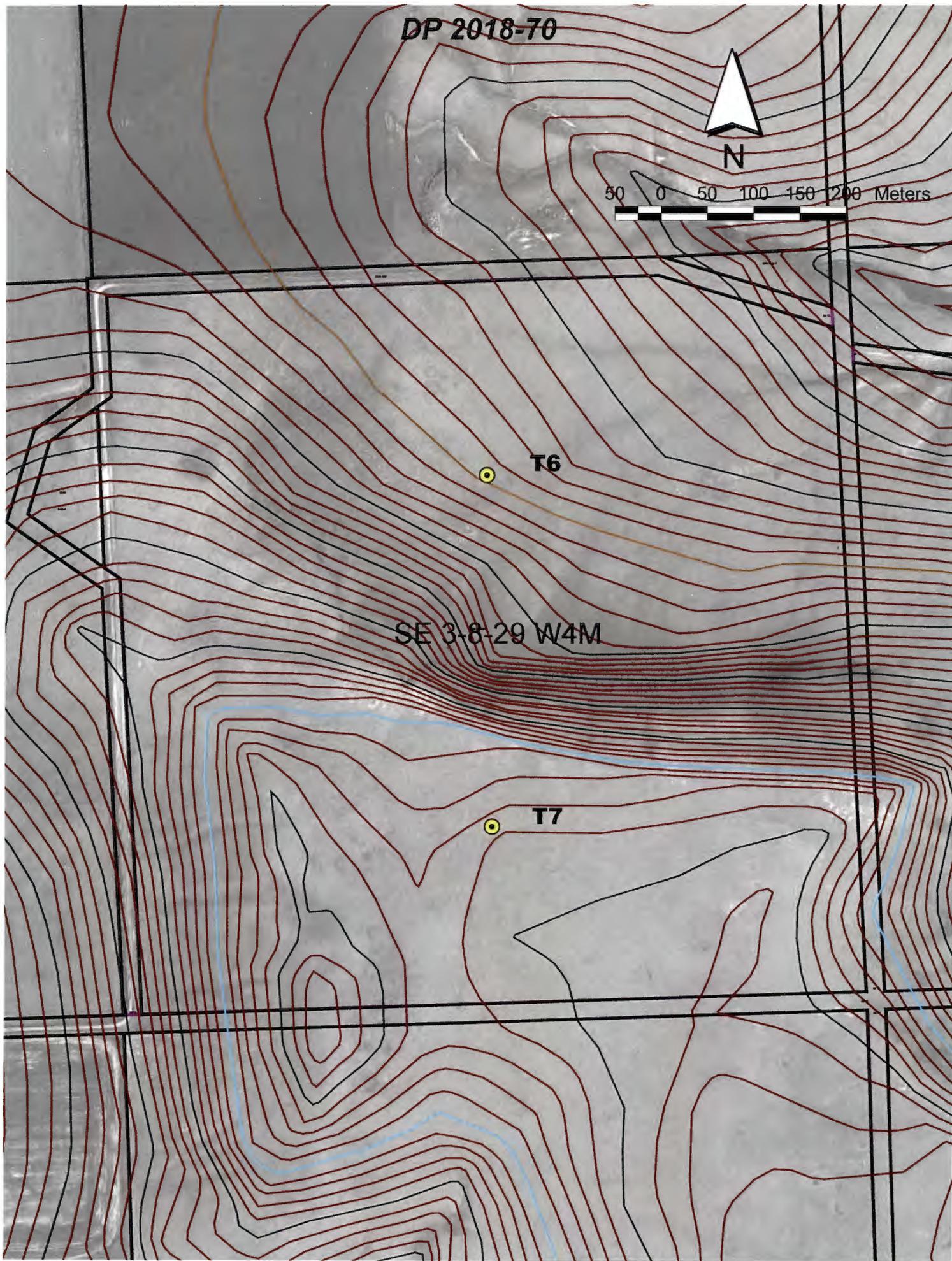


T6



SE 3-8-29 W4M

T7



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 208-70

Date Application Received 2018-03-09

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37939

**SECTION 1 GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-266-5835

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

Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2 PROPOSED DEVELOPMENT (completed by all permit applicants)**

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

**A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:**

Total number of new WECS: 2 (T6 & T7)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section 4;29;8;3;SE

Estimated Value of Construction: \$15 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

**SECTION J. INFORMATION REQUIREMENTS**

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

Accurate Site Plan:	<input checked="" type="checkbox"/> Attached
Elevations or Scale:	<input checked="" type="checkbox"/> Attached
Photos or Representations of Proposed WECS:	<input checked="" type="checkbox"/> Attached
Manufacturers Specifications:	<input checked="" type="checkbox"/> Attached
Analysis of Visual Impact:	<input checked="" type="checkbox"/> Attached
Analysis of Noise:	<input checked="" type="checkbox"/> Attached
Report on any Public Consultation:	<input checked="" type="checkbox"/> Attached
Reclamation/Decommissioning Plan:	<input checked="" type="checkbox"/> Attached
Impact on Local Road System:	<input checked="" type="checkbox"/> Attached
Setback and Separation Distance Chart:	<input checked="" type="checkbox"/> Attached
Tower Access and Safety:	<input checked="" type="checkbox"/> Attached
Color and Finish:	<input checked="" type="checkbox"/> Attached

Results of Applicant Circulation to Other Government Levels:

Alberta Utilities Board	<input checked="" type="checkbox"/> Attached
Transport Canada	<input checked="" type="checkbox"/> Attached
Nav Canada	<input checked="" type="checkbox"/> Attached
Alberta Tourism, Parks, Recreation and Culture	<input checked="" type="checkbox"/> Attached
Alberta Environment	<input checked="" type="checkbox"/> Attached
Alberta Infrastructure and Transportation	<input checked="" type="checkbox"/> Attached
Alberta Sustainable Resources	<input checked="" type="checkbox"/> Attached

**SECTION 4 AUTHORIZATION**

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.

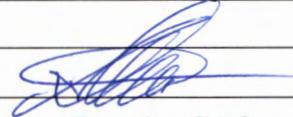
DATE: JUNE 21, 2018

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-71</p> <p><b>Applicant:</b> Windy Point Wind Park Ltd.  <b>Location:</b> NE 35-7-29 W4M  <b>Division:</b> 4  <b>Size of Parcel:</b> 160 acres – 64.7 hectares  <b>Zoning:</b> Wind Farm Industrial - WFI  <b>Development:</b> Installation of Two (2) Category 3 Wind Turbines as part of the Windy Point Wind Farm</p>			
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018		
<b>DEPARTMENT:</b> Planning and Development			
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. GIS Site Plan of Parcel</li> <li>2. Development Permit Application No. 2018-71</li> </ol>		
<b>APPROVALS:</b>			
	 _____ Date	 _____ Interim CAO	 _____ Date
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>	<b>Date</b>

**Recommendation**

**That the Municipal Planning Commission approves Development Permit No. 2018-71, for 2 Category 3 Wind Turbines, Nos. T8 and T9, within NE 35-7-29 W4M, all being part of the Windy Point 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. 2018-71 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-71



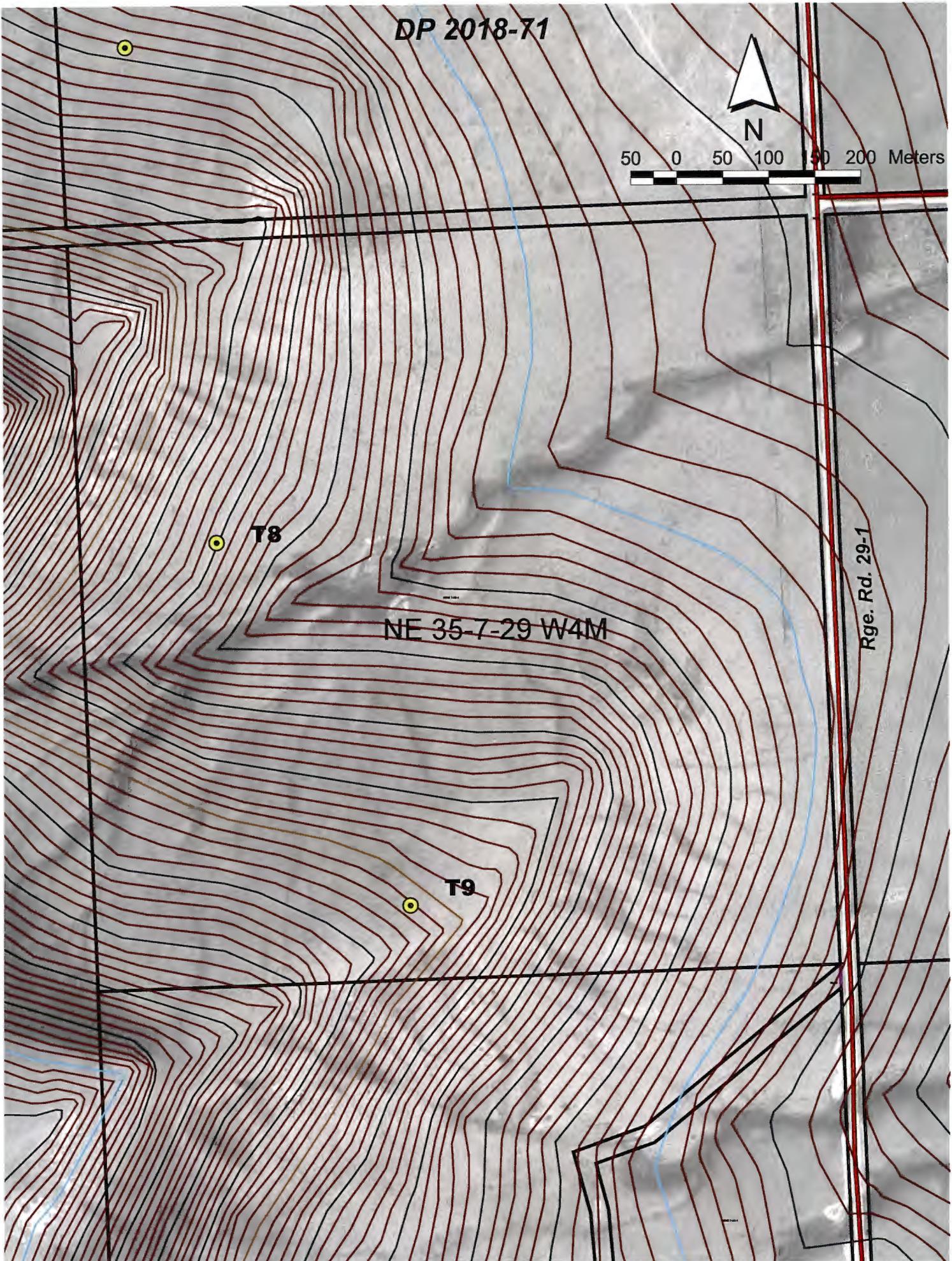
50 0 50 100 150 200 Meters

T8

NE 35-7-29 W4M

T9

Rge. Rd. 29-1



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-71

Date Application Received 2018-03-09

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37959

**SECTION 1. GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-266-5635

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

Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2. PROPOSED DEVELOPMENT (completed by all permit applicants)**

We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 2 (T8 & T9)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Land to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section 4;29;7;35;NE

Estimated Value of Construction: \$15 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

### SECTION 3. INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

Accurate Site Plan:	<input checked="" type="checkbox"/> Attached
Elevations or Scale:	<input checked="" type="checkbox"/> Attached
Photos or Representations of Proposed WECS:	<input checked="" type="checkbox"/> Attached
Manufacturers Specifications:	<input checked="" type="checkbox"/> Attached
Analysis of Visual Impact:	<input checked="" type="checkbox"/> Attached
Analysis of Noise:	<input checked="" type="checkbox"/> Attached
Report on any Public Consultation:	<input checked="" type="checkbox"/> Attached
Reclamation/Decommissioning Plan:	<input checked="" type="checkbox"/> Attached
Impact on Local Road System:	<input checked="" type="checkbox"/> Attached
Setback and Separation Distance Chart:	<input checked="" type="checkbox"/> Attached
Tower Access and Safety:	<input checked="" type="checkbox"/> Attached
Color and Finish:	<input checked="" type="checkbox"/> Attached

**Results of Applicant Circulation to Other Government Levels:**

Alberta Utilities Board	<input checked="" type="checkbox"/> Attached
Transport Canada	<input checked="" type="checkbox"/> Attached
Nav Canada	<input checked="" type="checkbox"/> Attached
Alberta Tourism, Parks, Recreation and Culture	<input checked="" type="checkbox"/> Attached
Alberta Environment	<input checked="" type="checkbox"/> Attached
Alberta Infrastructure and Transportation	<input checked="" type="checkbox"/> Attached
Alberta Sustainable Resources	<input checked="" type="checkbox"/> Attached

**SECTION 4: AUTHORIZATION**

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.

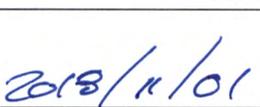
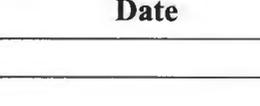
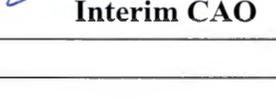
DATE: JUNE 21, 2018.

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b>                    <b>DEVELOPMENT PERMIT NO. 2018-72</b></p> <p><b>Applicant:</b>            <b>Windy Point Wind Park Ltd.</b>  <b>Location</b>                <b>SE 35-7-29 W4M</b>  <b>Division:</b>                <b>4</b>  <b>Size of Parcel:</b>        <b>160 acres – 64.7 hectares</b>  <b>Zoning:</b>                 <b>Wind Farm Industrial - WFI</b>  <b>Development:</b>        <b>Installation of One (1) Category 3 Wind Turbine as part of the Windy Point Wind Farm</b></p>			
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018		
<b>DEPARTMENT:</b> Planning and Development			
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. GIS Site Plan of Parcel</li> <li>2. Development Permit Application No. 2018-72</li> </ol>		
<b>APPROVALS:</b>			
 _____ 2018/11/01	 _____ 2018/11/01	 _____ 2018/11/01	 _____ 2018/11/01
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>	<b>Date</b>

**Recommendation**

**That the Municipal Planning Commission approves Development Permit No. 2018-72, for 1 Category 3 Wind Turbine, No. T10, within SE 35-7-29 W4M, all being part of the Windy Point 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. 2018-72 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

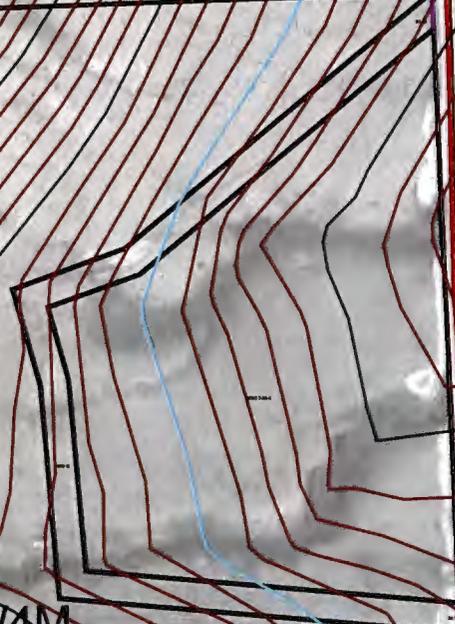
## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-72



50 0 50 100 150 200 Meters



Rge. Rd. 29-1

SE 35-7-29 W4M



T10

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 208-72

Date Application Received 2018-03-07

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37959

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-266-5635

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

Interest of Applicant (if not the owner): \_\_\_\_\_

SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 1 (T10)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_

Quarter Section 4;29;7;35;SE

Estimated Value of Construction: \$7.5 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

**SECTION 3: INFORMATION REQUIREMENTS**

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

- Accurate Site Plan:  Attached
- Elevations or Scale:  Attached
- Photos or Representations of Proposed WECS:  Attached
- Manufacturers Specifications:  Attached
- Analysis of Visual Impact:  Attached
- Analysis of Noise:  Attached
- Report on any Public Consultation:  Attached
- Reclamation/Decommissioning Plan:  Attached
- Impact on Local Road System:  Attached
- Setback and Separation Distance Chart:  Attached
- Tower Access and Safety:  Attached
- Color and Finish:  Attached

**Results of Applicant Circulation to Other Government Levels:**

- Alberta Utilities Board  Attached
- Transport Canada  Attached
- Nav Canada  Attached
- Alberta Tourism, Parks, Recreation and Culture  Attached
- Alberta Environment  Attached
- Alberta Infrastructure and Transportation  Attached
- Alberta Sustainable Resources  Attached

**SECTION 4: AUTHORIZATION**

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.

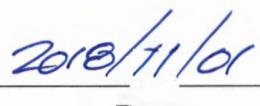
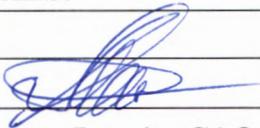
DATE: June 21, 2018.

[Signature]  
Applicant

[Signature]  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## Recommendation to Municipal Planning Commission

<p><b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-73</p> <p><b>Applicant:</b> Windy Point Wind Park Ltd.  <b>Location:</b> NE 26-7-29 W4M  <b>Division:</b> 4  <b>Size of Parcel:</b> 160 acres – 64.7 hectares  <b>Zoning:</b> Wind Farm Industrial - WFI  <b>Development:</b> Installation of One (1) Category 3 Wind Turbine as part of the Windy Point Wind Farm</p>		
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018	
<b>DEPARTMENT:</b> Planning and Development		
<p><b>Signature:</b></p> 	<p><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"> <li>1. GIS Site Plan of Parcel</li> <li>2. Development Permit Application No. 2018-73</li> </ol>	
<b>APPROVALS:</b>		
	 2018/11/01	 2018/Nov/01
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>

**Recommendation**

That the Municipal Planning Commission approves Development Permit No. 2018-73, for 1 Category 3 Wind Turbine, No. T11, within NE 26-7-29 W4M, all being part of the Windy Point 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. 2018-73 and all additional Windy Point Wind Farm information submitted and forming part of this permit.

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

DP 2018-73



50 0 50 100 150 200 Meters

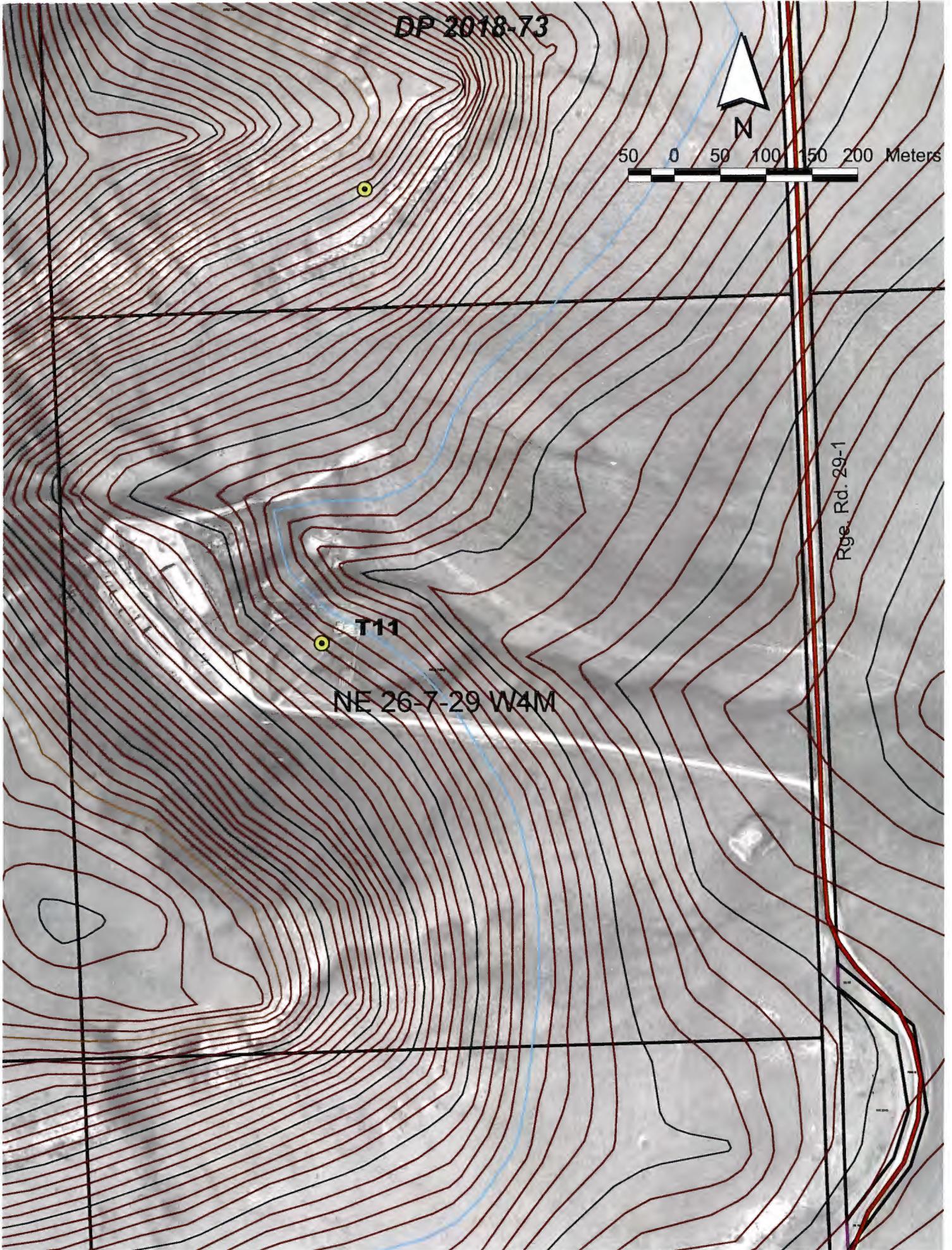


T11



NE 26-7-29 W4M

Rge. Rd. 29-1



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-73

Date Application Received 2018-03-09

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37959

**SECTION 1 GENERAL INFORMATION (completed by all permit applicants)**

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-266-5635

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

Interest of Applicant (if not the owner): \_\_\_\_\_

**SECTION 2 PROPOSED DEVELOPMENT (completed by all permit applicants)**

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 1 (T11)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_

Quarter Section 4;29;7;26;NE

Estimated Value of Construction: \$7.5 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

**SECTION 3 - INFORMATION REQUIREMENTS**

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

Accurate Site Plan:	<input checked="" type="checkbox"/> Attached
Elevations or Scale:	<input checked="" type="checkbox"/> Attached
Photos or Representations of Proposed WECS:	<input checked="" type="checkbox"/> Attached
Manufacturers Specifications:	<input checked="" type="checkbox"/> Attached
Analysis of Visual Impact:	<input checked="" type="checkbox"/> Attached
Analysis of Noise:	<input checked="" type="checkbox"/> Attached
Report on any Public Consultation:	<input checked="" type="checkbox"/> Attached
Reclamation/Decommissioning Plan:	<input checked="" type="checkbox"/> Attached
Impact on Local Road System:	<input checked="" type="checkbox"/> Attached
Setback and Separation Distance Chart:	<input checked="" type="checkbox"/> Attached
Tower Access and Safety:	<input checked="" type="checkbox"/> Attached
Color and Finish:	<input checked="" type="checkbox"/> Attached

**Results of Applicant Circulation to Other Government Levels:**

Alberta Utilities Board	<input checked="" type="checkbox"/> Attached
Transport Canada	<input checked="" type="checkbox"/> Attached
Nav Canada	<input checked="" type="checkbox"/> Attached
Alberta Tourism, Parks, Recreation and Culture	<input checked="" type="checkbox"/> Attached
Alberta Environment	<input checked="" type="checkbox"/> Attached
Alberta Infrastructure and Transportation	<input checked="" type="checkbox"/> Attached
Alberta Sustainable Resources	<input checked="" type="checkbox"/> Attached

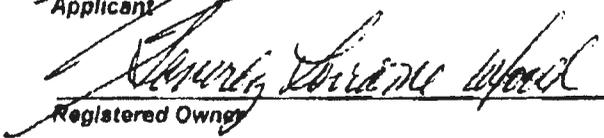
**SECTION 4: AUTHORIZATION**

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: JUNE 21, 2018.

  
 \_\_\_\_\_  
 Applicant

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

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

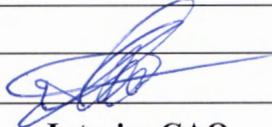
## Recommendation to Municipal Planning Commission

<b>TITLE:</b> <b>DEVELOPMENT PERMIT NO. 2018-74</b>  <b>Applicant:</b> <b>Windy Point Wind Park Ltd.</b> <b>Location</b> <b>SE 34-7-29 W4M</b> <b>Division:</b> <b>4</b> <b>Size of Parcel:</b> <b>160 acres – 64.7 hectares</b> <b>Zoning:</b> <b>Wind Farm Industrial - WFI</b> <b>Development:</b> <b>Installation of One (1) Category 3 Wind Turbine as part of the Windy Point Wind Farm</b>	
--	---

<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018
-------------------------------------	-------------------------------

**DEPARTMENT:** Planning and Development

<b>Signature:</b>  	<b>ATTACHMENTS:</b> <b>1. GIS Site Plan of Parcel</b> <b>2. Development Permit Application No. 2018-74</b>
--	--

<b>APPROVALS:</b>			
	 2018/11/01		 2018/Nov/01
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>	<b>Date</b>

**Recommendation**

**That the Municipal Planning Commission approves Development Permit No. 2018-74, for 1 Category 3 Wind Turbine, No. T12, within SE 34-7-29 W4M, all being part of the Windy Point 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. 2018-74 and all additional Windy Point Wind Farm information submitted and forming part of this permit.**

## **Recommendation to Municipal Planning Commission**

- 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 roadways.**

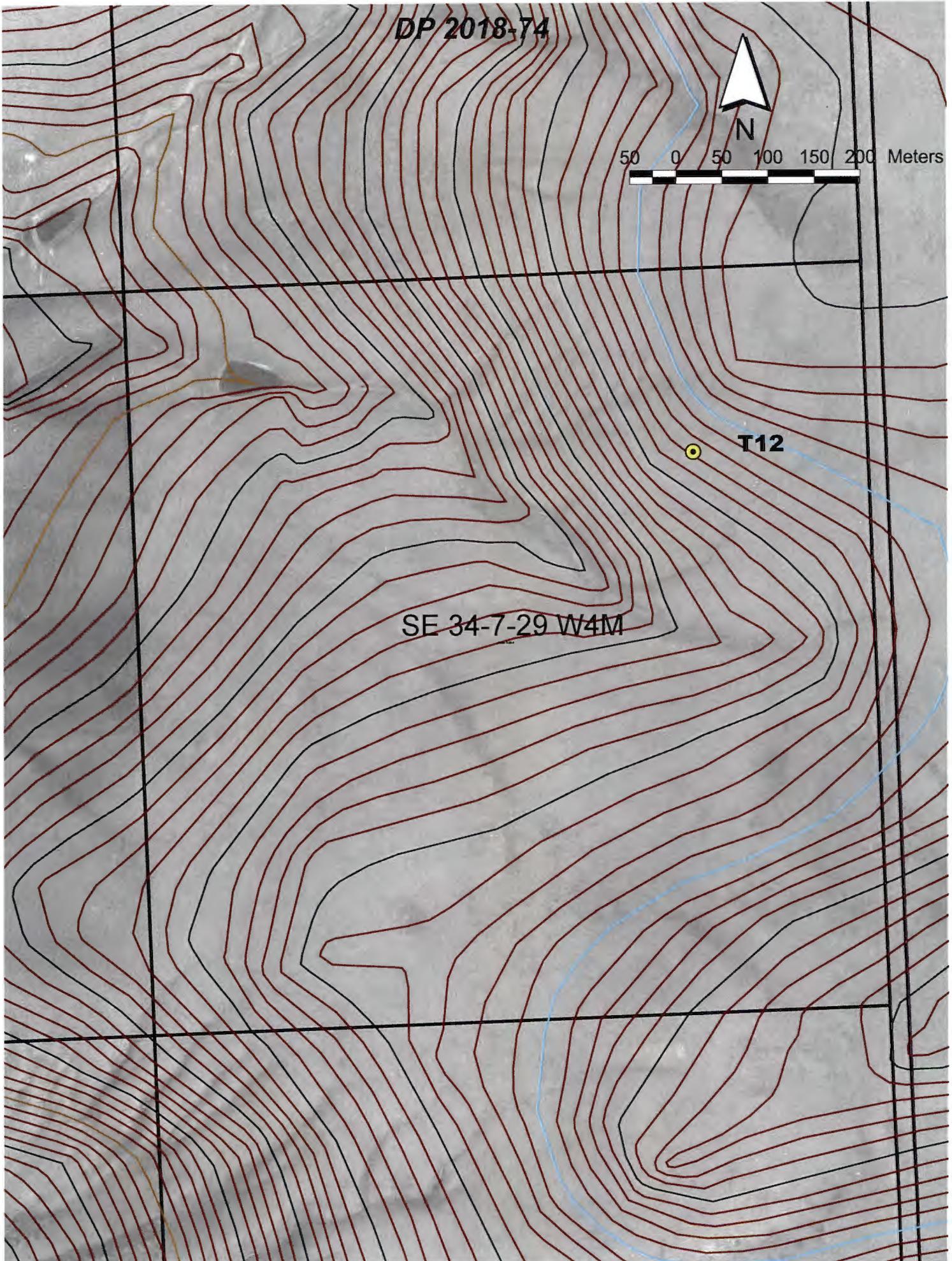
DP 2018-74



50 0 50 100 150 200 Meters

T12

SE 34-7-29 W4M



MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT APPLICATION FOR  
WIND ENERGY CONVERSION SYSTEMS

DEVELOPMENT PERMIT APPLICATION NO. 2018-74

Date Application Received 2018-03-09

PERMIT FEE 500

Date Application Accepted 2018-08-28

RECEIPT NO. 37989

SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

Applicant: Windy Point Wind Park Ltd.

Address: 1320 - 396 11th Ave SW Calgary T2R 0C5 Telephone: 403-266-5635

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

Interest of Applicant (if not the owner): \_\_\_\_\_

SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

Total number of new WECS: 1 (T12)

If expansion of existing, the overall total: \_\_\_\_\_

Legal Description of Lands to be Used: Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_

Quarter Section 4;29;7;34;SE

Estimated Value of Construction: \$7.5 million

Estimated Commencement Date: September 1, 2019

Estimated Completion Date: December 31, 2020

SECTION 3. INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: WIND FARM INDUSTRIAL

- Accurate Site Plan:  Attached
- Elevations or Scale:  Attached
- Photos or Representations of Proposed WECS:  Attached
- Manufacturers Specifications:  Attached
- Analysis of Visual Impact:  Attached
- Analysis of Noise:  Attached
- Report on any Public Consultation:  Attached
- Reclamation/Decommissioning Plan:  Attached
- Impact on Local Road System:  Attached
- Setback and Separation Distance Chart:  Attached
- Tower Access and Safety:  Attached
- Color and Finish:  Attached

Results of Applicant Circulation to Other Government Levels:

- Alberta Utilities Board  Attached
- Transport Canada  Attached
- Nav Canada  Attached
- Alberta Tourism, Parks, Recreation and Culture  Attached
- Alberta Environment  Attached
- Alberta Infrastructure and Transportation  Attached
- Alberta Sustainable Resources  Attached

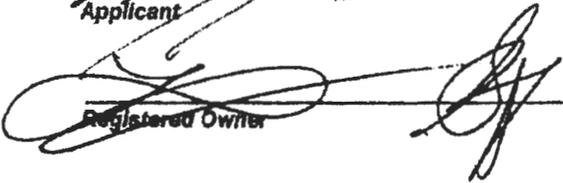
**SECTION 4: AUTHORIZATION**

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: June 20/18

  
Applicant

  
Registered Owner

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.

## MD OF PINCHER CREEK

August 27, 2018

TO: Municipal Planning Commission  
 FROM: Roland Milligan, Director of Development and Community Services  
 SUBJECT: Development Permit Applications No. 2018-67 through 2018-74

**1. Application Information**

**Applicant:** Windy Point Wind Park Ltd.  
*(Joint Venture between Boralex Inc. and Alberta Wind Energy Corporation)*

**Permit Application No., Land Location, Landowner, and Proposed Development**

DP No.	Land Location – Parcel ( <i>Owner</i> )	Proposed Development
2018-67	SW 12-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T1, T2 and the Permanent Met Tower
2018-68	SE 2-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T3 and T4
2018-69	SW 2-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T5
2018-70	SE 3-8-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T6 and T7
2018-71	NE 35-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbines T8 and T9
2018-72	SE 35-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T10
2018-73	NE 26-7-29 W4M <i>(Beverly Lorraine Wood)</i>	Turbine T11
2018-74	SE 34-7-29 W4M <i>(Stewart and Theresa Hann)</i>	Turbine T12

**Division:** 4  
**Zoning:** Wind Farm Industrial - WFI  
**Development:** Windy Point Wind Farm (12 Category 3 WECS)

**2. Background/Comment**

- The applicant is submitting Development Permit Applications 2018-67 through 2018-74 for the Windy Point Wind Farm (the Project) (*Enclosure No. 1*).
- The project lands were rezoned to Wind Farm Industrial in January 2011. The rezoning was done by the adoption of Land Use Bylaw amending bylaw, Bylaw No. 1207-10.
- Windy Point is a standalone project and in an earlier configuration, has been approved by the MD.
- The original project was to consist of twenty one (21) turbines placed on eleven (11) parcels of land (*Enclosure No. 2*). 63MW of total output.
- Development Permits 2011-40 through 2011-49 were issued on November 10, 2011.
- The project as previously permitted, has received numerous timeline suspensions to date.
- The timeline for the current project is currently on hold to November 10, 2018.
- If the new permits are approved, the previous permits will be requested to be cancelled.

- Due to the applicant's proposed changes in the project, new development permits are required.
- The project will consist of 12 Vestas V136, 4.2 MW wind turbines. Total project output of 50.4MW.
- The turbines to be used will have a hub height of 105 m.
- The rotor diameter is 136 m. Resulting in a total height of 173 m.
- The project substation is to be located on SE 27-7-29 W4M, adjacent to but separate from the existing Windy Point 112S substation, which services the existing Oldman 2 Wind Farm. The project substation has been designated the Boulder Run substation (501S) by the Alberta Electric System Operator (AESO). The location meets the setbacks as required within the land use district.
- The project will utilize the existing transmission line. No new transmission line will be required.

**Discussion**

- The following is a review of the information supplied by the applicant to meet the requirements outlined in Section 53 of the LUB.

WECS Application for Each Titled Parcel with Turbines

**Submitted**

LUB REQUIREMENTS FOR CATEGORY 3 WECS APPLICATIONS

The following required information was supplied by the applicant and is within Development Permit Application document for the Windy Point Wind Farm. All Appendixes referred to form part of the Application Report. (*Enclosure No. 1*):

An Accurate Site Plan

**There is a site plan with all separate Development Permit Applications.  
These were taken from Appendix A of the Application Report  
Appendix A contains the permit coordinates that were input into the MD GIS.**

A Visual Representation of the Wind Farm

**Appendix E, Visual Impact Assessment**

Turbine Specifications

**Section 4.1 (pg. 4.13) Application Document  
Appendix F, Vestas Brochure**

Noise Analysis

**Section 8 (pg. 9) Application Document  
Appendix G, Noise Impact Assessment**

Potential for Shadow or flicker Analysis

**Section 9 (pg. 10) Application Document  
Appendix H, Shadow Flicker Assessment**

Report Regarding Any Public Information Meetings

**Section 11 (pg. 11) Application Document**

**Appendix J, Information Session Presentation**

**Appendix K, Information Session Poster Boards**

**Appendix M, List of Stakeholders**

**Appendix N, Public Information Process Information Package**

Impacts to the Local Road System

**Section 12 (pg. 20) Application Document**

**Road Use Agreement will be required if MD road are to be used.**

Post-Construction Reclamation Plan

**Section 15 (pg. 21) Application Document**

**Appendix O, Reclamation Strategy**

Decommissioning Plans

**Section 14 (pg. 21) Application Document**

**Appendix O, Reclamation Strategy**

PRIOR TO MAKING A DECISION ON A DEVELOPMENT APPLICATION FOR A WECS, THE DEVELOPER SHALL PROVIDE COPIES OF APPROPRIATE REPORTS, COMMENTS AND REQUESTS FOR APPROVALS FROM THE FOLLOWING:

Transport Canada

**Section 17 (pg. 24) Application Document**

**Transport Canada informed the Applicant that it will not be providing assessments earlier than 90 days prior to construction**

NAV Canada

**Section 17 (pg. 24) Application Document**

**Appendix Q, NAV Canada Approval**

Alberta Culture and Tourism (Formerly Alberta Culture and Community Spirit)

**Section 17 (pg. 24) Application Document**

**Appendix S, *Historical Resources Act* Approval with Conditions**

**Appendix T, Historical Resources Map**

Alberta Environment and Parks (Formerly Alberta Environment)

**Section 17 (pg. 23) Application Document**

**Appendix P, Response Report to AEP Review and Reassessment**

**Appendix O, Reclamation Strategy**

Alberta Transportation

**Section 17 (pg. 24) Application Document**

**Appendix R, Roadside Development Permit, Substation Location SE 27-7-29 W4M**

Alberta Electric System Operator (AESO)

**Section 17 (pg. 25) Application Document**

**Ongoing discussions and approvals are taking place.**

M.D. of Pincher Creek No. 9 Utility Permit

**No applications at this time. Utility Permits will be required for any MD road crossings prior to commencement of construction.**

STARS

**Section 17 (pg. 25) Application Document**

**Appendix U**

SETBACKS

**Appendix C, Setback Table for all turbine locations**

According to the information supplied and outlined within the Setback Tables, the new project will **NOT** require any waivers of the required MD setbacks.

MINIMUM BLADE CLEARANCE FOR CATEGORY 3 WECS

**The bottom of the rotor arc will be 37m above ground (minimum required is 7.5m).**

TOWER ACCESS AND SAFETY FOR CATEGORY 3 WECS

**Tubular towers with locked doors.**

DISTRIBUTION LINES FOR CATEGORY 3 WECS

**The applicant is proposing a 34.5kV underground system.**

COLOUR AND FINISH FOR CATEGORY 3 WECS

**The WECS will be finished in a non-reflective matte color. No advertising will appear on the towers or the blades.**

ROAD USE AGREEMENT

**A Road Use Agreement will be required prior to construction if any MD roads are used.**

ALBERTA UTILITIES COMMISSION APPROVALS

**The Applicant is currently undergoing the AUC approval process**

**Recommendation**

That the Municipal Planning Commission review the information submitted with Development Permit Application Nos. 2018-67 through 2018-74, for the Windy Point Wind Farm, and schedule the required public meeting pursuant to Section 53.17 of Land Use By-Law 1140-08.

**3. Enclosures**

Supporting Documents:

ENCLOSURE No. 1 Permit Application Nos. 2018-67 through 2018-74 and supporting documents

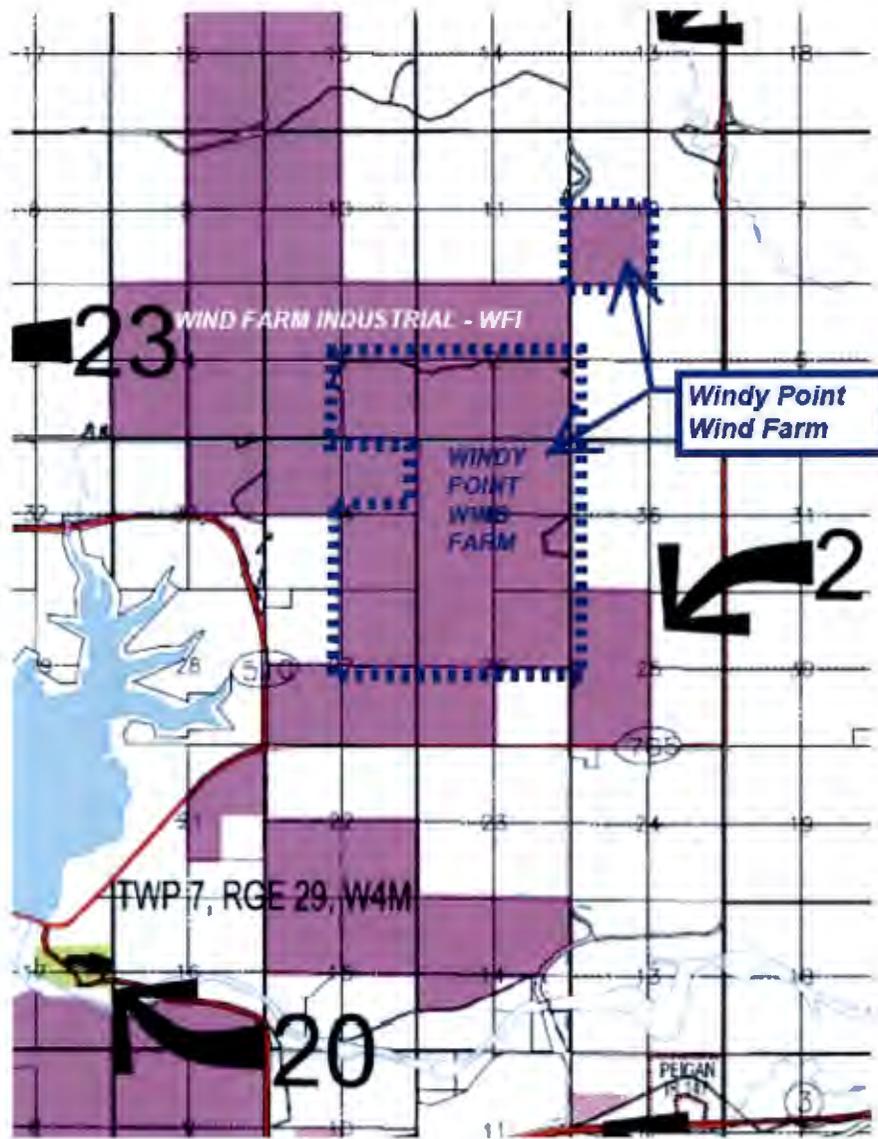
ENCLOSURE No. 2 Revised Turbine Location Comparison

Respectfully Submitted,

Roland Milligan

Reviewed by Sheldon Steinke, Interim CAO:

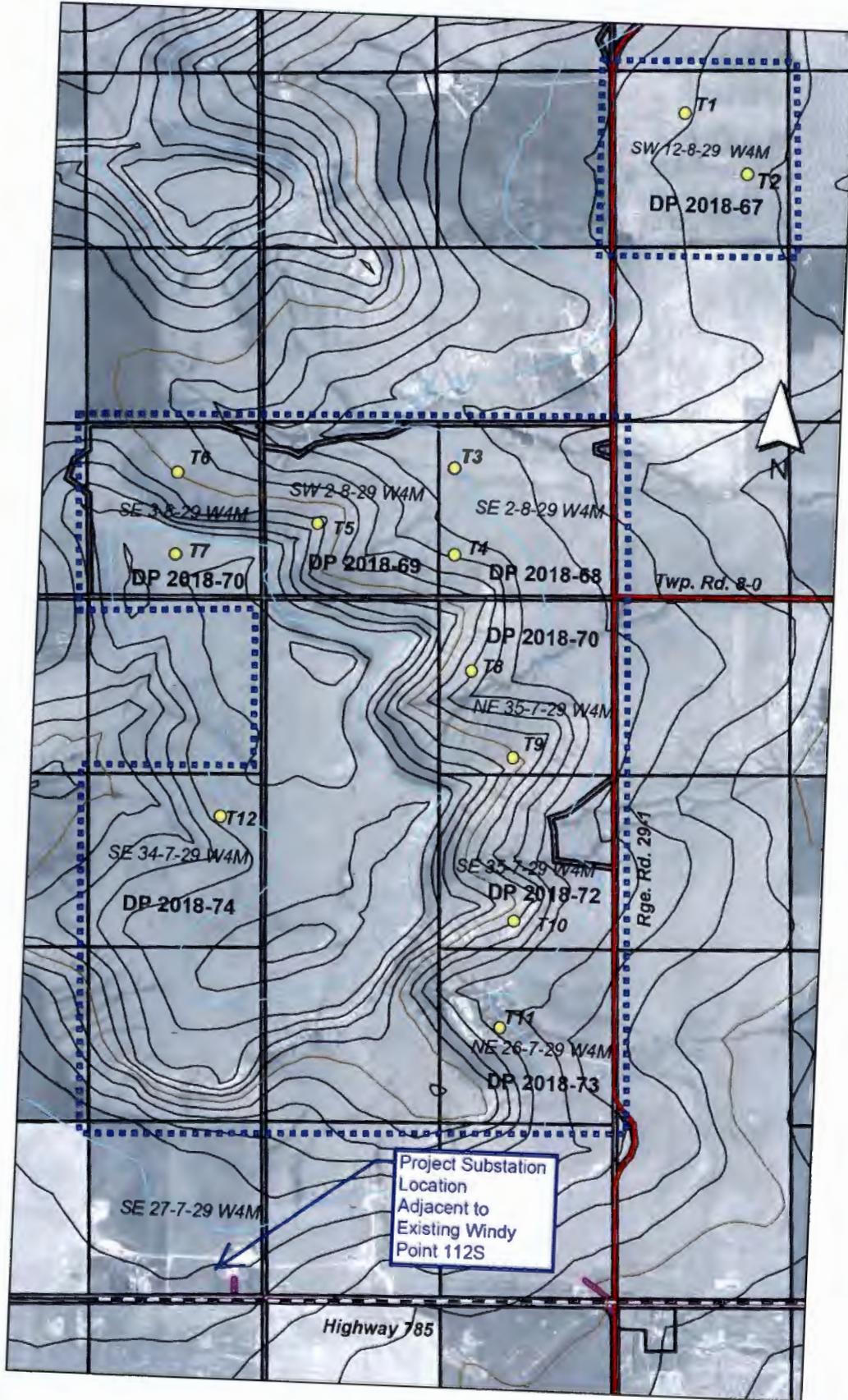
LOCATION OF PROJECT LANDS



Project Lands were redesignated to Wind Farm Industrial in 2010 with the adoption of Land Use Bylaw amending bylaw, Bylaw No. 1207-10.

PROJECT DIAGRAM

ENCLOSURE No. 1

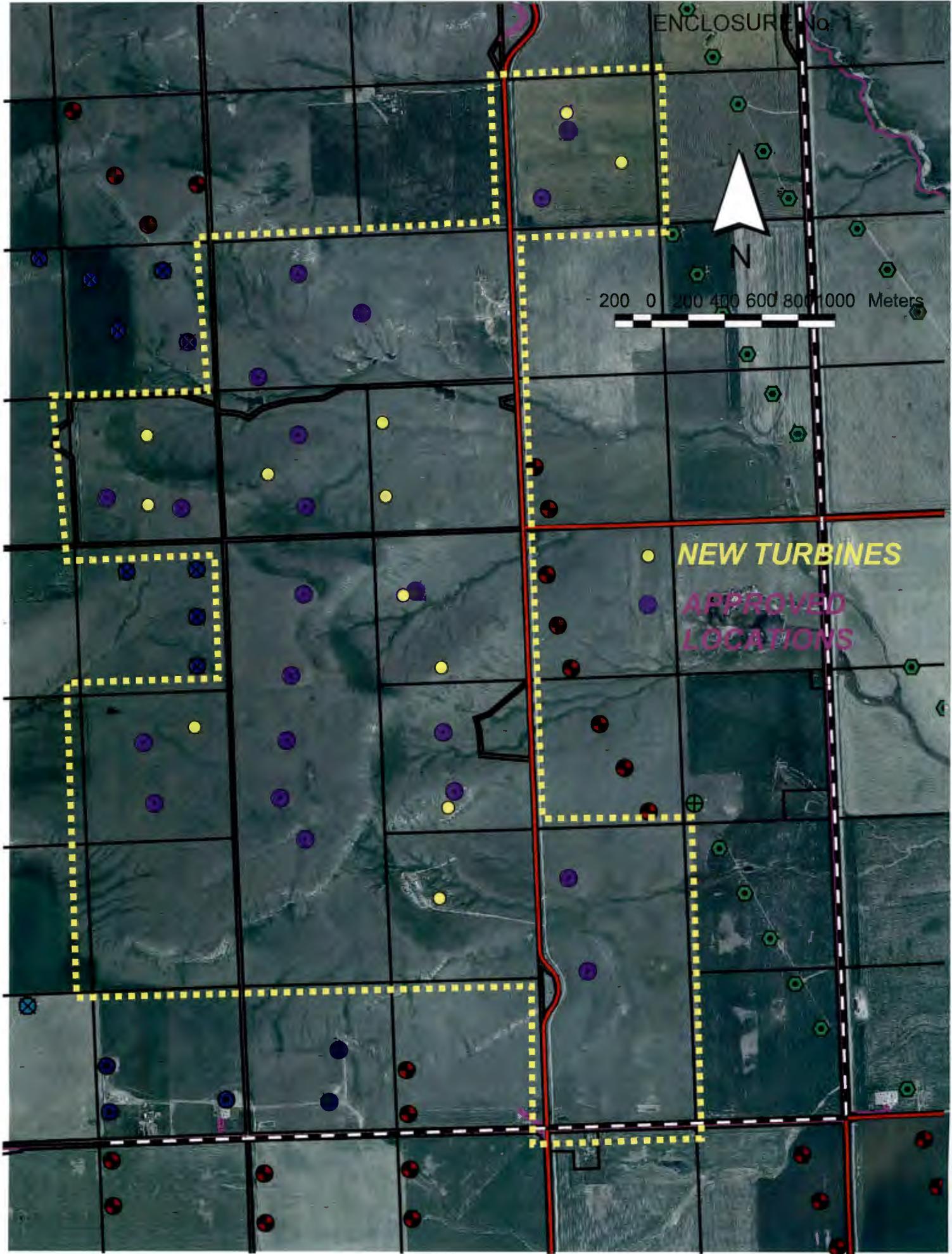


ENCLOSURE No. 1



200 0 200 400 600 800 1000 Meters

● **NEW TURBINES**  
● **APPROVED LOCATIONS**



**Public Meeting**  
**October 2, 2018; 7:00 pm**  
**Windy Point Wind Farm (Development Permit Nos. 2018-67 to 2018-74)**  
**MD of Pincher Creek Council Chambers**

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

Staff: Director of Development and Community Services Roland Milligan, Planning Advisor Gavin Scott, and Executive Assistant Tara Cryderman

Other: 14 Members of the Public

Director of Development and Community Services Roland Milligan opened the Public Meeting, the time being 7:00 pm.

The Powerpoint Presentation for the Windy Point Wind Farm was shown, including the visual impact information.

Turbines 13 & 14 were mentioned. These turbines have been removed from the project.

The Heritage Wind Farm was mentioned and explained. The Heritage project was approved by the MD, however, the project timeline expired. The Heritage project currently does not have MD approval, however, it does have AUC approval.

The Members of the Municipal Planning Commission were named.

Kathy Welsch spoke to the following points:

- Adjacent landowner
- Objects to the project as a whole, specifically the placement of the towers
- The history of the previous project application process was provided
- Turbines T6 and T7 were specifically mentioned, with regards to the visual impact of their parcel
- Local use of the adjacent road
- Site visitations, to access noise data
- Wildlife mitigation
- Cultivated versus native grass
- Native grass land and turbine siting
- Wildlife in the area
- The response to the AEP report
- Reclamation of native grass land
- Wildlife habitat
- Shadow flicker and shadowing
- Turbine noise
- The current wind development in the area
- Quality of life

- Turbine fire
- Turbines 13 and 14

The questions posed by Mrs. Welsch's were answered.

AUC is the regulator agency that governs noise and shadow.

AEP is the regulatory agency dealing with environmental issues.

The landowner is responsible for fires that occur on their land. An agreement should be in place between the developer and the landowner, regarding the liability of the turbines.

Fires insurance was mentioned.

Turbine fires were mentioned.

Bill Newton spoke to the following points:

- Cumulative impact from all wind projects in the area
- Other projects in the area, and their outputs
- The footprint of the projects
- These decisions need to be made carefully as they are precedent setting
- Proponent credibility
- Native grass lands and environmental easements
- The amendments to the projects
- Carbon tax

Harry Welsch spoke to the following points:

- The credibility of proponents
- His past relationship with a wind farm developer

Bruce Mowatt spoke to the following points:

- Proposed transmission lines
- The lack of credibility of the AESO
- Wildlife, with regards to past wind farms
- Environment

The MD bylaws were explained. Currently, there are no provisions regarding the protection of native grass land and wildlife within the Land Use Bylaw. These fall under other governing bodies.

Bill Newton spoke again at this time:

- Spoke to the South Saskatchewan Regional Plan
- Does this project align with the plan?

Phil Burpee spoke to the following points:

- Native prairie grass land is no longer appropriate location to place these projects
- This perhaps should be amended within the regulations for the MD
- This should be part of MPC deliberations

Bruce Mowatt spoke again at this time:

- Mentioned the AUC letter to Windy Point

Mr. Milligan advised the audience that, should they have submissions for the MPC, please submit them prior to meeting, to be included in the MPC package.

As no further questions or comments were forthcoming, the meeting was adjourned at 8:13 pm.

In response to the public notice requesting input for the proposed Windy Point Wind Farm , held at MD Council Chambers. October 2, 2018, please accept my submission as follows:

My name is Kathy Welsch. My family is one of the adjacent land owners to this proposed project. I am here to state my objections to the project as a whole and specifically to the siting of the towers.

I'm going to start by saying "Where do I start?"

At one of the earlier open houses for this proposed project, we asked Stuart Duncan and Boralex representatives to confirm if we would be able to see any of the towers from this project from our home. Yes or no answer. Needless to say, that question was danced around and we never did receive a solid answer, only a "quite sure you won't see it" from Mr. Duncan. We also asked Mr. Duncan if they would be using the road right outside our home during the construction stage. He confirmed that the proponent would be building their own roads for the construction.

At the end of July 2018 we received notice of the proposed new turbines and revised layout of 12 turbines. After reviewing the information , we sent an email to Mark Stachiw of AWE and Alistair Howard of Boralex asking for confirmation that we would not see proposed turbines T6 and T7 from our home. Since our home is right adjacent to the project, all we wanted was a yes or no answer to a question we felt we had a right to ask. Yes or no answer. They responded that they could not provide us with any guarantee that a turbine or part of a turbine would be visible from our home. What a shock to see a picture from Boralex's Visual Impact Assessment showing the view from our house looking east with numerous turbines, one just over one thousand meters away, superimposed on the native grassland with probably 85% of a turbine in plain view from our home. Would you want that towering over your home for the rest of your life? Would you? Mark or Alistair would not answer our visibility question sent to them via email but just days later we see this picture in their visual impact report. They clearly did not want to answer the question. I don't have time for games. We spend the majority of our day outside. We're not cocooned inside our home with the drapes closed. We are out on the land. The thought of having those machines high up on the hill top on native grassland contaminating the viewscape is quite frankly dreadful.

In our email, we also asked Mr. Stachiw and Mr. Howard if the road outside our home would be used during construction. Contradicting Mr. Duncan again, their response was that yes, it would be used during construction and for maintenance thereafter. My suggestion is that if the project demands a road - then build it within the project area with the project landowners. Why should we have to sacrifice our quality of life for this project?

In all my reading I was unable to find a map showing the sites where data was collected for the noise monitoring survey. Except for Mr. Zieffle's residence, no mention was made as to exactly where the data was collected from. The company doing the data collection reported that they

performed a site visit to gather ambient noise measurements. But which sites or residences did they visit? All sites? Just a few? This information is not clearly stated. I do know of at least two receptor sites where there was never a monitoring device at the residence. Does this not affect the reliability of the data? Would you want to have to listen to the drumming noise of a wind turbine for the rest of your life? Would you?

In its document dated November 14, 2016, Alberta Environment & Parks - Wildlife Management states, and I quote: "Alberta Environment and Parks - Wildlife Management has determined the Windy Point Wind Farm as proposed, based on updated wildlife assessment data provided by the proponent, poses a high, unmitigated risk to wildlife and wildlife habitat". End of quote. Page 2 of that same report states, and I quote: "AEP-WM identified the potential negative effects of siting wind energy facilities in areas of native grasslands on wildlife, in particular on species at risk. AEP-WM recommends siting the wind energy facility and associated infrastructure on cultivated or other previously disturbed lands to significantly reduce most of the negative effects on wildlife habitat." End of quote. I think most, if not all of us can clearly see and agree with the logic in that. Ethically, it would be the right thing to do.

AEP has stated that this project has been preferentially sited on native grassland. In fact, ten of the twelve proposed turbines are on native prairie grassland with 11 km of roads required for construction and maintaining the turbines. Any disturbance to this unique native grassland should not be up for debate. In the document from Windy Point to the AUC Supplemental Response to Information Request No. 3, page 6, there are two turbines (T6 & T7) sited on land with high fescue cover between 70% and 80%. That is unique. The proponent justifies siting towers on native grassland by saying quote: "the project is sited within close proximity to highway 785 and several existing wind farms, thereby reducing the project's potential to increase fragmentation of intact areas of native grasslands." End quote. That is one sorry justification for fragmenting native grassland even more than it already is. It is extremely negligent and disrespectful to a unique sensitive ecological feature in this area.

AEP stated that a Prairie Falcon Nest, which is a Species at Risk, has been located within the setback and did not meet the intent of the AEP-WM policy and recommendations. How can the proponent overlook this siting failure?

AEP also foresees that this project will result in high to extremely high bat and bird mortalities.

On November 30, 2017 AEP reported to the AUC regarding this projects reassessment. After reading the report it is blatantly evident again and again that numerous policies, issues, concerns and recommendations from AEP have not been taken seriously by the proponent since the 2016 review. The proponent used non-committal terms when giving details on how they would deal with wildlife mitigation (ie, mitigation actions will be performed "to the extent possible", "where practical", "where feasible".) But gave no indication how the mitigation would be applied or implemented. In many cases, contradictory statements indicated that mitigation would not even be implemented. Also noted was that the proponent had been calculating wildlife setbacks

incorrectly in some cases. This measurement is industry standard across Alberta. These miscalculations may result in project infrastructure being proposed within setbacks which could affect the nests of prairie falcons, ferruginous hawks, red-tailed hawks, Swainson's hawks and sharp-tailed grouse leks and coulees and valleys.

Also identified was that the proponent's definition of grassland did not agree with the definition identified by AEP. Therefore, there potentially could be more infrastructure sited on true grassland over and above that which has already been noted in their submission.

The proponent had given their Wildlife Monitor people authority to revise setback size, shape and duration without any consultation with AEP. Modifications based solely on the opinion of the Wildlife Monitor basically removes any sort of commitment from the proponent to mitigate the impact this project will have on existing wildlife. I could keep going on highlighting the shortfalls that AEP pointed out in this report. I would recommend that the MPC take time to give it a good read if you haven't already done so. It'll scare you.

To respond to these concerns, Hemmera Envirochem prepared Appendix A-5 Response to the AEP Detailed Review with Revised Mitigation Measures. It took 62 pages for the proponent to respond to the 175 issues that AEP identified. 175 issues. That's a lot of issues! Reading the report, I got the feeling that the proponent wrote what AEP wanted to hear.

On page 4, number 10, I quote: "The proponent recognizes that temporary workspace for turbine construction for eight of the turbines will be located in native grassland, and confirms that all temporary workspace will be reclaimed following completion of construction." End of quote. Eight of a possible twelve turbines require temporary workspace on native grassland and or within species specific setbacks. How successful have any attempts been to reclaim native grassland in dry windy areas? The introduction of invasive species is, in my guess, highly probable.

Page 5, number 13 - The response to marking wildlife features and setbacks was that all site staff would receive environmental training prior to starting work. Page 6 notes that Operations personnel will receive Wildlife Awareness training so that they can assess and identify behaviours. I thought wildlife biologists had to study this for years to be able to pick up on the nuances of animal and bird behaviour. The proponent originally wanted the post construction mortality searches of birds and bats to be conducted by an experienced wildlife biologist who would then do on-the-job training of his/her crew. One would hope that this important job would be assigned to trained personnel, not inexperienced untrained people.

In the previous three submissions to AEP by the proponent, key wildlife habitats had been excluded in siting the turbines. That shows that the proponent has no respect for the wildlife setbacks, timing restrictions and spring and fall bird migrations. How can one prepare an application and not identify the sensitive areas and wildlife which will be affected during construction and throughout the life of the project? Is that not one of the most obvious issues?

When no mention is made to the impact on houses/nests/dens or leks during construction, I would be very concerned about their true commitment to wildlife mitigation and the preservation of our native grasslands.

To me, their responses seemed to be written with the tone that the proponent is only pacifying AEP's concerns. AEP repeated numerous times in its report that: "details are lacking or are associated with non-committal terms", "firm commitments are needed", "no clear mitigation has been identified", "inconsistent statements are made throughout this plan". One statement that was repeated numerous times by AEP sums up their perceived frustration : Quote "AEP requires proponents to clearly commit to abiding by standards to mitigation identified by AEP policy. Where alternative mitigations are proposed they are to be specific to a location, provide the details of the mitigation, commit to implementing this mitigation and have clear rationale/justification. The proponent has not provided this. This is unacceptable and does not allow AEP to conduct a risk assessment." End of quote.

The data on flight behaviour of birds was reassessed by McCallum Environmental, who noted concern that their observations were only made during migratory periods. Their report in no way reflected the flight behaviour of birds during breeding season when many species perform flight displays. And their observations in no way represented a consistent pattern or behaviour of bird flight characteristics. On a sad note, 100% of the golden eagles and the sharp tailed grouse observed flew within the rotor sweep area.

In the March 9, 2018 Development Permit Amendment Application the proponent says that if shadow or flicker from a turbine is an issue at your home, then they would mitigate the problem by discussing with the affected homeowner the idea of planting vegetation or installing blinds on the house. That's a most generous offer. Has the proponent noticed that not many trees grow around here? If there is flicker or shadowing, putting up a few trees is not going to make an iota of difference. With computer modeling and technology, surely the proponent should be able to absolutely identify a problem before construction and site the offending turbines elsewhere. For those who are outside for the majority of the day and having to deal with shadowing, flicker and associated turbine noise day after day, it could become a health issue. Hopefully the proponent has planned for that. According to your Shadow Flicker Map, my residence is real close to the 30 hour/year minimum boundary and your chart shows a worst case scenario of 57 hours per year of flicker. Does this mean I get new blinds? Sharp-tailed grouse are a ground nesting bird on native grasslands. Shadow flickering negatively affects them in that they think they are under attack by a predator. As expected, they soon leave the unsecure area.

Driving through this beautiful MD of southwest Alberta it is rather apparent that this division is the sacrificial lamb for wind energy projects. I understand that the MD councillors are looking at and welcoming any and all potential sources of taxable revenue. But don't let the dollars blind you from seeing a bigger picture. Quality of life is being severely sacrificed. A number of you councillors have not had to truly deal with this issue in your own backyard. But this whole MD

is your backyard. Councillors - think about it. If this project was proposed for your division, how would your voters react? How would you personally feel? Well, as we saw from the pictures, it's in my back yard. Why should my quality of life suffer?

A number of the landowners benefitting from this project and other operating wind projects are not even residents on the land. For those absentee landowners, their quality of life will not suffer one bit.

We have seen two wind turbines start on fire over the last few years. According to the current MD by-law, all firefighting costs will be the responsibility of the landowner where the fire occurred. It's not a matter of "if", it's a matter of "when". Native grassland fires are easily fuelled and harder to fight.

Two questions. 1) Who would be enforcing the mitigation agreed to, the setbacks, the restricted activity periods, retention and review of wildlife data during and after construction?  
2) The proponent's application is for approval of 12 turbines, yet the noise assessment and visual impact assessment consider 14 turbines in their report. The additional turbines are V13 and V14. What does this mean?

What I've learned from doing a little bit of reading and the few face to face and email dealings we've personally had with the proponent, is that they will tell you what you want to hear or just avoid the question altogether. I don't feel confident that they will follow through on a number of mitigation issues. When AEP points out 175 issues for a 12 turbine project, that should throw up a few red flags. How confident would you be with this developer constructing this visual monstrosity all the while respecting species at risk, native fescue grasslands and quality of life for the future generations? Once this damage has been done, you can't undo it. Are a few tax dollars from this project worth the ruination of what makes this MD such a beautiful, special place to live?

It's a shame that some decisions are made under fluorescent lights when they should be made out under the blue sky. Common sense needs to prevail here. Keep the turbines off of hill tops. Do not disturb native grasslands. Respect animals, birds and water.

Finally, when is enough enough??

Respectfully submitted,



Kathy Welsch



ENCLOSURE No. 3

**Alberta Wind  
Energy Corporation**

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

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November 1, 2018

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

**RE: Response to stakeholder submissions provided to the Municipal Planning Committee concerning the Windy Point Wind Farm Development Permit Application (Development Permit Nos. 2018-67 to 2018-74).**

Dear Members of the Municipal Planning Commission:

Windy Point Wind Park Ltd. (the "Applicant" or "WPWP"), a joint venture between Boralex Inc. and Alberta Wind Energy Corporation, has filed an application with the Municipal District of Pincher Creek No. 9 ("MDPC") Municipal Planning Committee ("MPC"), pursuant to Section 22.4 Land Use By-Law No. 1140-08 ("LUB"), for Development Permit Nos. 2018-67 to 2018-74 for the Windy Point Wind Park (the "Project").

The Project was approved on November 10, 2011 by the MPC under development permits DP2011-40 to DP2011-49. Since that time, the Project has been amended, which includes the following changes:

- Reducing the number of WECS locations from twenty-one to twelve and amending the location of the twelve locations;
- altering the Project site boundaries to reflect changes in land control;
- amending the nominal capacity of the Project from 63 MW to 50.4 MW and;
- revising the make and model of the WECS.

On October 2, 2018, the MPC held a public meeting for the Project at the MDPC Council Chambers. During, and subsequent to, the public meeting, several stakeholders voiced questions and concerns regarding the Project. This letter intends to address the main concerns stemming from the public meeting and associated letters provided by stakeholders to the MPC.

Each major question or topic of concern will be stated, followed by a response by WPWP.

1. **Concern:** Visual impact of Turbines 6 & 7 from the Welsch residence<sup>1</sup>.

**Response:** WPWP completed a visual impact assessment study, which included photo montages from residences surrounding the Project. Photo montages are used to create a visual demonstration of how the Project and surrounding area will look once built. Unfortunately, on August 30, 2017, our photographer was not permitted by Mr. Jim Welsch to enter his property to take the required photographs needed to develop a photo montage, and therefore one could not be completed from the J&K Welsch residence's view-scape. We therefore cannot provide any guarantees that a turbine or part of a turbine will or will not be visible from the J&K Welsch.

Photographs were, however, taken from the junction of Range Rd 293 and Township Rd 80 and indicated as Receptor G (J. Welsch) in the visual assessment<sup>2</sup> as this was the closest photograph and most representative location to the residence from which the photographer felt comfortable taking. This location, however, may or may not reflect the actual visual impact from the J&K Welsch residence. View-scapes from every residence surrounding the Project are required for the development permit application package.

2. **Concern:** The Applicant will be using local roads (Range Rd 292A and Township Rd 80/A) for construction and maintenance<sup>3</sup>.

**Response:** Turbines T-6 and T-7 will be reached using public municipal roads via Range Road 80 for construction and maintenance. However, Range Road 80 will not be the primary access point to the Project and will only be temporarily used during construction and for the occasional maintenance requirements during operation.

3. **Concern:** Unclear where and how sound monitoring data was collected<sup>4</sup>.

**Response:** In-situ sound monitoring is not a requirement for Noise Impact Assessments ("NIAs"). Instead, various inputs are used to create a computer model for the prediction of potential sound impacts to receptors (dwellings) surrounding the Project. This approach is consistent with the Alberta Utility Commission ("AUC") Rule 012, which regulates sound control from facilities. WPWP did, however, conduct in-situ sound measurements near the Project to determine if the ambient sound levels at certain receptors is higher than the ambient sound level prescribed in AUC Rule 012. Sound measurement collection and analysis respected AUC Rule 012.

Note the AUC may require WPWP to conduct post-construction sound monitoring once the Project is in operation.

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<sup>1</sup> Reference: Ms. Kathy Welsch letter submitted to MDPC Municipal Planning Commission, dated October 2, 2018, page 1.

<sup>2</sup> Windy Point Wind Farm Visual Impact Assessment, page 14, Section 3.2.

<sup>3</sup> Reference: Ms. Kathy Welsch letter, page 1.

<sup>4</sup> Reference: Ms. Kathy Welsch letter, page 2.

4. **Concern:** The Applicant siting the wind farm on native grassland<sup>5</sup>.

**Response:** WPWP strongly disagrees with many of the assertions made in the Alberta Environment and Parks (“AEP”) Referral Report and our position has been well documented with the AUC.

Pertaining to native grasslands, in 2011 WPWP received a referral report ‘sign-off’ from Alberta Sustainable Resource Development (ASRD)<sup>6</sup>, the predecessor agency to AEP, for the original twenty-one turbine layout, of which fifteen turbines were situated on native grassland. The AUC subsequently approved the twenty-one turbine layout in 2012<sup>7</sup>, indicating that “In making its decision the Commission [also] considered Windy Point’s commitments to minimizing disturbance of native grasslands, implement a comprehensive reclamation strategy and to restore fescue grasslands.”<sup>8</sup>

WPWP has since reduced the total number of turbines at the Project from twenty-one<sup>9</sup> to twelve<sup>10</sup>, resulting in a reduction of the discrete number of turbines on native prairie from fifteen to eight. The total land footprint during construction in native grassland has been reduced from 53.20 ha in the 2011 layout to 25.46 ha in the 2018 amended layout, and the footprint in native grassland during operations has been reduced from 7.18 ha in the 2011 layout to 4.01 ha in the 2018 amended layout. Therefore, WPWP strongly asserts that the Project has been significantly modified, resulting in a marked reduction in the surface area impacts with respect to wildlife and wildlife habitat, including native grassland.

5. **Concern:** Project is located within the AEP required setbacks of the Prairie Falcon Nest<sup>11</sup>.

**Response:** WPWP recognizes the sensitive nature of the prairie falcon nest and has amended the Project turbine layout to reduce the number of turbines located within the setback from three in the 2011 approved layout<sup>12</sup> to zero in the 2018 amended layout. An underground collector line will be installed within 750m of the 1000m prairie falcon nest setback (PRFA) and the proposed Boulder Run Substation<sup>13</sup> (the “Substation”) will be situated approximately 850m from the nest.

As discussed with AEP, the proposed Substation is situated in the only technically feasible and logical location: adjacent to an existing substation<sup>14</sup> in a previously disturbed area that avoids the need for a four-point connection on transmission line 893L, which is prohibited by the Alberta Electric System Operator. WPWP strongly contends that the currently proposed Substation location results in the lowest overall environmental footprint. Furthermore, WPWP has committed to adhering to wildlife timing restrictions during construction and operation as recommended by AEP and WPWP has agreed to employing an Experienced Wildlife Biologist (“EWB”) for wildlife monitoring during construction

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<sup>5</sup> Reference: Ms. Kathy Welsch letter, page 2, Mr. Phil Burpee letter submission to MDPC Municipal Planning Commission, dated October 8, 2018, page 2 and Livingstone Landowners’ Group letter submission to MDPC Municipal Planning Commission, dated October 10, 2018, page 2.

<sup>6</sup> AUC Exhibit No. 0024.00.AWEC-1371.

<sup>7</sup> AUC Decision No. 2012-205, July 31, 2012.

<sup>8</sup> Ibid. p. 7.

<sup>9</sup> As proposed in the 2011 approved turbine layout.

<sup>10</sup> As proposed in the amended 2018 turbine layout provided to the MPC on March 9, 2018.

<sup>11</sup> Reference: Ms. Kathy Welsch letter, page 2.

<sup>12</sup> Turbine layout as approved by the AUC in Decision No. 2012-205, July 31, 2012.

<sup>13</sup> The Boulder Run Substation S501 will service the Project.

<sup>14</sup> Substation Windy Point 112S (servicing the Old man 2 Wind Farm).

that complies with AEP policy. WPWP has also committed to implementing a post-construction monitoring and mitigation plan that complies with AEP policy.

6. **Concern:** AEP foresees high bat and bird mortalities<sup>15</sup>.

**Response:** WPWP has proposed a post-construction monitoring and mitigation plan for birds and bats that aligns with AEP policy and includes: monitoring for a minimum of three years, between March 1<sup>st</sup> and October 30<sup>th</sup>; surveying for mortality of birds and bats, including searcher efficiency and scavenger trials; completing breeding bird surveys, raptor nest surveys, and sharp-tailed grouse lek surveys; repeating acoustic bat monitoring; and including raptor productivity surveys at the prairie falcon and ferruginous hawk nests.

WPWP is committed to implementing a robust adaptive management plan during operation of the Project that includes: following the consultation threshold levels in place at the time; consulting with AEP prior to implementing any adaptive mitigation strategies; and implementing operational mitigations that include but are not limited to altering cut-in speeds, feathering turbine blades, periodic turbine shut-down (i.e., at night during bat migration periods), and alternative acceptable mitigation that is deemed appropriate based upon the site-specific circumstances following consultation with AEP. The post-construction monitoring and mitigation plan has been thoroughly discussed and documented with AEP.

7. **Concern:** The Applicant not taking AEP concerns and recommendations seriously while also using non-committal language to address wildlife mitigation.<sup>16</sup>

**Response:** The use of qualified statements such as "to the extent possible", "where practical", "where possible", "as necessary" and "where feasible" has been typical practice in the industry for years and has been used extensively in the past on environmental evaluations provided to AEP for other projects. However, WPWP appreciates the AEP's current viewpoint on this issue and has removed all ambiguous terms in the revised documents provided to AEP, thereby confirming WPWP's commitment to the statements made in the Environmental Evaluation and associated documents.

8. **Concern:** The Applicant has been calculating wildlife setbacks incorrectly.<sup>17</sup>

**Response:** WPWP disagrees with AEP on this matter. Wildlife feature setbacks were correctly calculated, as were the distances from Project infrastructure and the methodology was double checked by WPWP's consultants. The method used to determine setback distances is as follows: Wildlife features were collected as UTM locations. Setbacks as per the Directive were applied to each feature. Where infrastructure intersections with the wildlife feature setbacks were identified, the distance between the edge of the infrastructure and the edge of wildlife feature were measured. For turbines, blade tip length was calculated from the centre-point of the WTG. If the blade-tip intersected a wildlife feature setback, the closest distance to the edge of the wildlife feature from the edge of the blade-tip was provided.

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<sup>15</sup> Reference: Ms. Kathy Welsch letter, page 2.

<sup>16</sup> Reference: Ms. Kathy Welsch letter, page 2.

<sup>17</sup> Ibid. page 3.

9. **Concern:** Reclamation of native grassland is not possible.<sup>18</sup>

**Response:** WPWP engaged Tannas Conservation Services (TCS), who are at the forefront of grassland conservation and reclamation methodologies, to prepare a reclamation plan that includes recovery of native grasslands. TCS has provided WPWP with an industry leading reclamation strategy that was successful at other facilities and sites. A copy of the reclamation strategy has been provided to the AUC for their review<sup>19</sup>.

10. **Concern:** Key Wildlife habitats were excluded in the siting of turbine locations. Proponent failed to identify sensitive areas and wildlife which will be affected during construction and throughout the life of the project. Proponent has no respect for the wildlife setbacks, timing restrictions and spring and fall bird migrations.<sup>20</sup>

**Response:** WPWP strongly disagrees with the assertion that it has “no respect for the wildlife setbacks, timing restrictions and spring and fall bird migrations”<sup>21</sup>. WPWP has made clear commitments and has done everything requested by AEP, including, among other things, conducting additional environmental studies in 2015, 2016, 2017 and 2018, relocating and reducing the number of turbine locations and associated infrastructure to avoid wildlife setbacks and reduce impacts to wildlife habitat and native grasslands<sup>22</sup>, committing to an industry leading reclamation program<sup>23</sup> to address impacts to native grasslands, and implementing a comprehensive Post-construction Monitoring and Mitigation Plan<sup>24</sup>, including a three year monitoring program for potential bat and bird fatalities.

Encroachment on wildlife setbacks have been drastically reduced from the previously approved turbine layout with the adoption of the 2018 amended turbine layout. Wildlife encroachments are now limited to a 136-metre encroachment by an underground collector line and access road on a 500 metre Sharp-tailed grouse lek setback (STGR04), and the two encroachments on the Prairie Falcon nest setback (PRFA) described in Response #5<sup>25</sup>.

11. **Concern:** No mention is made to the impact on houses/nests/dens or leks during construction.<sup>26</sup>

**Response:** WPWP has made clear commitments in the Project Construction and Operation Mitigation Plan<sup>27</sup> pertaining to wildlife setbacks and timing restrictions during construction.

12. **Concern:** Shadow flicker; planting vegetation or installing blinds at affected residences will not suffice. Effects of shadow flicker on sharp-tail grouse.<sup>28</sup>

<sup>18</sup> Ibid. page 3.

<sup>19</sup> AUC Exhibit No. 23377\_X0038 (Appendix D – Reclamation Strategy).

<sup>20</sup> Reference: Ms. Kathy Welsch letter, page 3 and Livingstone Landowners’ Group letter, page 2.

<sup>21</sup> Reference: Ms. Kathy Welsch letter, page 3.

<sup>22</sup> AUC Exhibit No. 23377\_X0120.

<sup>23</sup> AUC Exhibit No. 23377\_X0038 (Appendix D – Reclamation Strategy).

<sup>24</sup> AUC Exhibit No. 23377\_X0122.

<sup>25</sup> AUC Exhibit No. 23377\_X0121.

<sup>26</sup> Reference: Ms. Kathy Welsch letter, page 4.

<sup>27</sup> AUC Exhibit No. 23377\_X0123.

<sup>28</sup> Reference: Ms. Kathy Welsch letter, page 4.

**Response:** At this time Alberta has no regulations regarding shadow flicker from wind power facilities. Despite the lack of regulation, WPWP has agreed to discuss the issue with affected homeowners to find solutions to lessen the impacts of shadow flicker. Mitigation can include the installation of physical barriers.

Similarly, as previously mentioned, the current proposed turbine layout respects the AEP recommended 500m setback from sharp-tail grouse leks and there is no Alberta regulation specifically addressing the effects of shadow flicker on wildlife.

13. **Concern:** Fires that may result from the wind farm.<sup>29</sup>

**Response:** The incidence of a fire caused by a wind turbine is extremely rare<sup>30</sup>. Nevertheless, WPWP will implement a comprehensive Emergency Preparedness Plan and Wildfire Preparedness Plan for the Project prior to construction activity commencement, as it has done with other projects. Boralex has a long history of constructing and operating wind farms with Emergency Preparedness Plans and Wildfire Preparedness Plans in place. Examples of these plans are available for MPC review upon request. Furthermore, insurance will be in place to cover expenses related to any firefighting costs conducted on Projects lands resulting from a fire caused by the Project.

14. **Concern:** Who would be enforcing the mitigation agreed to, the setbacks, the restricted activity periods, retention and review of wildlife data during and after construction.<sup>31</sup>

**Response:** Wildlife monitoring will be performed by an Experienced Wildlife Biologist (“EWB”) as defined by AEP’s Wildlife Directive. Enforcement of wildlife mitigation, setbacks, data review and restricted activity periods falls within AEP’s purview.

15. **Concern:** The proponent’s application is for 12 turbines, the noise assessment and visual assessment considers 14 turbines.<sup>32</sup>

**Response:** Turbines V13 and V14 have been removed from the turbine layout provided to the MPC. WPWP is currently completing an updated Noise Impact Assessment (NIA) that considers the reduced number of turbines from fourteen to twelve. WPWP had been waiting for the results of the AUC’s “technical meeting” process concerning cumulative noise impacts, which concluded in September 2018, before updating the NIA. Since a Ruling<sup>33</sup> from the technical meeting has been issued by the AUC, the updated NIA will consider the Ruling and will be submitted to the AUC before the end of the year.

Because of the reduction of the number of turbines from fourteen to twelve, it is expected the updated NIA will result in a lower overall sound level for the Project than was reported in the NIA provided to the MPC. The reduction of the number of turbines will also result in a lower overall visual impact. WPWP will provide the updated NIA to the MPC once available.

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<sup>29</sup> Ibid. page 5.

<sup>30</sup> According to a G-Cube Underwriting Ltd. study from 2015, there is approximately a 1:6000 chance of a turbine fire at any given installation per year. <http://www.gcube-insurance.com/reports/towering-inferno/>

<sup>31</sup> Reference: Ms. Kathy Welsch letter, page 5.

<sup>32</sup> Ibid. page 5.

<sup>33</sup> AUC Filing No. 23377\_F0057.

16. **Concern:** Cumulative impact from all wind projects in the area<sup>34</sup>.

**Response:** The AUC recently ruled on a “technical meeting” process, which included the topic of cumulative impacts of concentrated wind farm developments. As a result of the technical meeting, the AUC issued a Ruling<sup>35</sup>, which is available on the AUC website. WPWP will act in accordance with the Ruling.

17. **Concern:** Does the Project coincide with the Saskatchewan Regional Plan.<sup>36</sup>

**Response:** The Project is located within the area identified in the South Saskatchewan Regional Plan ("SSRP") (Government of Alberta, February 2017). SSRP objectives include that "*opportunities for the responsible development of the region's renewable energy industry are maintained*" and that intact grassland habitats are sustained (SSRP 2014-2024). Guidelines and conditions outlined in the SSRP apply to the Project, and WPWP confirms the amendments being made to the Project and reclamation planning reduces fragmentation to grassland. The Project is not located in conservation areas or provincial recreation areas identified in the SSRP.

18. **Concern:** Impacts of night-time tower lighting.<sup>37</sup>

**Response:** All wind projects in Canada must comply with Standard 621 - Obstruction Marking and Lighting of the Canadian Aviation Regulations (CARs) 2017-3, and a lighting scheme authorization from Transport Canada must be obtained prior to the start of construction. The implementation of mitigation measures to minimize lighting impacts, such as the use of light dimming, shading technologies or aircraft radar detection may be possible but must first be approved on a case-by-case basis by Transport Canada, who ultimately has the final say in the lighting layout and technology used. The lighting technology must be suitable for the site conditions considering weather and topographic constraints, and be permitted by insurance companies.

WPWP understands stakeholder concerns regarding the negative effects of turbine lighting in the Pincher Creek area and commits to explore lighting impact reduction technologies for the Project, in coordination with Transport Canada.

19. **Concern:** The Project contributes to pressure for new transmission infrastructure<sup>38</sup>.

**Response:** Current transmission capacity in the Pincher Creek area is sufficient for interconnection of the Project. The Project is currently not reliant on new transmission expansion.

A short 90-metre tap line will be required to connect the Project Substation to transmission line 893L.

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<sup>34</sup> Comments made by Mr. Bill Newton at the MDPC Public Meeting concerning Windy Point Wind Farm, October 2, 2018, MDPC Council Chambers.

<sup>35</sup> AUC Filing No. 23377\_F0057.

<sup>36</sup> Comments made by Mr. Bill Newton at the MDPC Public Meeting concerning Windy Point Wind Farm, October 2, 2018, MDPC Council Chambers and Mr. Kevin Finn email submission to MDPC Municipal Planning Commission, dated October 30, 2018.

<sup>37</sup> General community concern regarding wind projects.

<sup>38</sup> Livingstone Landowners' Group letter, page 2.

WPWP hopes these responses provide satisfactory answers and explanations to the questions and concerns raised by stakeholders.

In conclusion, significant effort has been made to ensure the Project has been designed within the regulatory requirements of the LUB and AUC. If any members of the MPC require further information or clarification, please do not hesitate to contact the undersigned at 403-266-5635.

Sincerely,



Marc Stachiw  
Director, Windy Point Wind Park Ltd.  
(403) 266-5635

References:

Meeting Minutes MDPC Public Meeting concerning Windy Point Wind Farm (Development Permit Nos. 2018-67 to 2018-74), October 2, 2018, MD of Pincher Creek Council Chambers.

Ms. Kathy Welsch letter submission to MDPC Municipal Planning Commission, dated October 2, 2018.

Mr. Phil Burpee letter submission to MDPC Municipal Planning Commission, dated October 8, 2018.

Livingstone Landowners' Group letter submission to MDPC Municipal Planning Commission, dated October 10, 2018.

Mr. Larry Whan email submission to Councillor Terry Yagos, dated October 26, 2018.

Mr. Philippe and Helene email submission to Councillor Bev Everts, dated October 26, 2018.

Mr. Kevin Finn email submission to Councillor Bev Everts, dated October 27, 2018.

Mr. Keith and Donna Johnson email submission to MDPC Council, dated October 29, 2018.

Mr. Dan and Carey McKim email submission to MDPC Municipal Planning Commission, dated October 30, 2018.

**From:**   
**To:** [Roland Milligan](#)  
**Subject:** wind farms  
**Date:** November 1, 2018 10:24:12 AM

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Mr. Milligan

I am writing to ask that Council not make a decision on the Windy Point wind farm application at the Nov. 6 meeting.

Wind farms are likely to be an important land use throughout much of southern Alberta in the coming years. They have impacts far beyond the land base for the wind farm, since they require large amounts of transmission line construction, access roads, substations, and other related facilities.

It is very important that the impacts of all aspects of all the proposed wind farms and other facilities be considered as a whole, not on a piecemeal basis. Cumulative impacts have traditionally been poorly addressed in many development applications.

The MD is currently involved in a planning process that will not be completed for some time. It would be inappropriate to approve a project that could have a significant impact on the planning process before that process is complete. Only then will it be possible to determine if the proposed Wind Farm fits within the planning guidelines.

Thank you for passing this message along to all the Councillors for their consideration prior to the next Council meeting.

Sincerely

Allan Garbutt, MD

Owner: NW15-8-1-W5 and SW/NW27-8-1-W5

**From:** [MDInfo](#)  
**To:** [Roland Milligan](#)  
**Subject:** FW: Concerns regarding the Windy Point wind farm development application  
**Date:** October 29, 2018 11:54:29 AM

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**From:** Donna Johnson  
**Sent:** Sunday, October 28, 2018 6:54 PM  
**To:** MDInfo <MDInfo@mdpincercreek.ab.ca>  
**Subject:** Concerns regarding the Windy Point wind farm development application

October 29, 2018

MD of Pincher Creek No 9 Council,

We are extremely concerned about the cumulative impact on the MD of continuing wind farm development and the associated transmission needs. We feel that

- The MD should have a long-term development plan in place, that recognizes the SSRP and other land use policy and regulatory frameworks developed over the last decade, prior to making significant land use decisions.
- The MD is at risk of unintentionally sacrificing our extraordinarily beautiful and environmentally rich region to growing pressure for new wind development
- There is an opportunity to flag these growing concerns by taking a firm stand to not approve any further wind development until this risk is resolved.
- The MD has the right to make decisions about development in this area – it cannot abdicate responsibility to outside agencies and governments.

We ask that councillors

- Vote NO to Windy Point Wind Park Amendment Application
- That all councillors consider the cumulative impact of continued electrical transmission and generation development in our already crowded municipality
- Halt all further approvals of wind development applications until land use issues are assessed and an updated municipal development plan is in place

This region of Alberta represents the last 1% of the Great Northern Plains native grasslands and has been recognized in legislation as an environmentally sensitive

region home to many endangered species. The iconic views of the mountains and rangelands will be severely compromised by continued wind development and the associated transmission. All of the proposed transmission routes have major negative consequence including the potential for massive transmission infrastructure along the "Cowboy Trail" and/or Highway 3 as well as across pristine stretches of undeveloped areas.

AESO and AltaLink have confirmed the planned transmission development in our area is only needed to meet the government's renewable energy target by 2030; there is no expected load growth or other driver. If the transmission line is built it will double available transmission capacity in the region, which in turn will drive more wind development under the government's program and continue the industrial creep that irreversibly changes the landscape.

As you represent the residents of the MD – we ask that you consider the points noted above **and vote NO** on the Windy Point wind farm development application. We all must do our part to preserve this beautiful region of Southern Alberta.

Sincerely,  
Keith and Donna Johnson

**From:** [Dan & Carey McKim](#)  
**To:** [Roland Milligan](#)  
**Subject:** Wind Power Generation  
**Date:** October 30, 2018 1:00:16 PM

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Municipal Planning Commission  
C/O Rolland Milligan

Re: wind power generation

To whom it may concern,

As residents of the M.D. of Pincher Creek, we would like to add our objections to the further development of wind power generation within the M.D. Enough is enough!

We, in the M.D. of Pincher Creek, are some of the most fortunate residents living in Alberta by having this glorious landscape to enjoy. Residents, visitors and future generations will thank us for our "NO" vote on more wind turbines and the resulting need of more transmission lines.

Sincerely,

Dan & Puff McKim  
Kate McKim-Keil & Richard Keil  
& the future generation: Liam & Jase Keil

**From:** [Terry Yagos](#)  
**To:** [Roland Milligan](#)  
**Subject:** Fwd: Windy point wind farm project application  
**Date:** Monday, October 29, 2018 7:32:17 AM

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Sent from my iPhone

Begin forwarded message:

**From:** Larry Whan  
**Date:** October 26, 2018 at 10:59:11 AM MDT  
**To:** [CouncilDiv5@mdpincercreek.ab.ca](mailto:CouncilDiv5@mdpincercreek.ab.ca)  
**Subject:** Windy point wind farm project application

Hello Terry Yagos

I am a constituent in your riding and I have a Fly Fishing Lodge B and B at the intersection of Hwy 3 and Hwy 22. I am writing to ask you to please vote NO on the Windy Point Wind Park Amendment Application.

I feel that council should step back and make sure they have a clear and mandated plan as to any future electrical development in the MD. Approvals made today will have serious consequences in the future as to the development of wind power in our area and this is the time to take control of that development and mandate it to what we as a community and MD want and need in our area.

I have to assume you live in this jurisdiction and if so any major electrical development will effect you and your fellow councillors in the the same it will effect us all. This is a huge ongoing development and I would rather see the MD in control of what happens and when, than be in a position of not being able to stop what has already started. Others may have a timeline on this project but as the MD that is most effected by what is being proposed I implore you to VOTE NO on this amendment and give us some time to reflect on our and our children's future!!

Once these transmission line are put in they will never be moved or taken down!  
Think about that!

Thank you for your time

Larry Whan  
Trout Wrangler Lodge

**From:** [Bev Everts](#)  
**To:** [Roland Milligan](#)  
**Cc:** [Helene and Philippe Francoise](#)  
**Subject:** Fw: Windy point windfarm  
**Date:** October 30, 2018 8:42:12 AM

---

Good morning Roland,  
Please see the message below from the Francoise to be included in the upcoming MPC package as per our conversation yesterday.  
Thanks, Bev

-----Original Message-----

From: Helene Du Bois  
Sent: Friday, October 26, 2018 9:06 PM  
To  
Cc: Philippe Francois  
Subject: Windy point windfarm

Dear Bev,

We heard about a new windfarm development in the MD of Pincher Creek .  
We would like to express our concerns.  
More windmills, more transmission lines ...  
Yesterday we went to an open house organized by Altalink in Lundbreck and saw all the powerlines and transmission lines planned. Sometimes on both sides of the road ( highway 22) , it feels treatening.  
We love this country , the people and the extraordinary scenery and would be saddened to see this damage.  
May we ask you to share this letter with the MD council ?  
We hope they will not approve this project.  
Best regards  
Philippe and Helene

## MDInfo

---

**From:** Cheryl Bradley ·  
**Sent:** Tuesday, October 2, 2018 10:23 PM  
**To:** MDInfo  
**Subject:** Windy Point Wind Farm Application for Development Permits No. 2018-67 through 2018-74  
**Attachments:** Windy Point Wind Farm Comments MPC 2018 10 02.pdf; PCF Renewable Energy Industry Information Sheet.pdf; PCF Renewable Energy Landowner Information Sheet.pdf

Please find attached my written comments regarding the application for development permits for the Windy Point Wind Farm.

Cheryl Bradley

FROM: Cheryl Bradley

TO: MD Pincher Creek Municipal Planning Commission  
Box 279  
Pincher Creek AB T0K 1W0  
Email: [info@mdpincercreek.ab.ca](mailto:info@mdpincercreek.ab.ca)

DATE: 2 October, 2018

Dear MPC Members:

**Re: Windy Point Wind Farm,  
Application for Development Permits No. 2018-67 through 2018-74**

I had planned to attend the public meeting regarding this project but did not because of the heavy snowfall warning. As a landowner in the MD of Pincher Creek (NE36-5-1 W5) I am providing these written comments for consideration in your decision on the above application for development permits for the Windy Point Wind Farm.

Since the first version of a wind energy project on Windy Point in the southern Porcupine Hills was permitted by MD Pincher Creek on November 10, 2011, there have been major delays by the proponent and significant changes in the project description. This has resulted in it being recognized as a 'new' project by MD Pincher Creek, the Alberta Utilities Commission and Alberta Environment and Parks.

Over the past decade, regulatory review of wind energy projects has improved, especially with regard to environmental assessment of project construction, operation and decommissioning as well as cumulative effects on native prairie. Attached are two information sheets on renewable energy development recently published by Prairie Conservation Forum, one for industry and one for landowners. These and the 2017 document *Beneficial Management Practices for Renewable Energy Projects* available [here](#) and *Wildlife Guidelines for Alberta Wind Energy Projects* available [here](#) have been produced in an attempt to inject consideration of native prairie protection prior to proceeding with a proposal(s) for renewable energy development. This direction is in keeping with the *South Saskatchewan Regional Plan 2014-2024* objectives and policies regarding sustaining biodiversity and ecosystem function through shared stewardship (Section 3).

Alberta Environment and Parks in their *Renewable Energy Referral Report* (November 2016) and the *AEP Review and Reassessment* (November 2017) for the proposed Windy Point project "identified a significant change in risk from the original 2011 assessment for multiple species of wildlife and wildlife habitat". Based on updated wildlife assessment data the project is assessed to have "high, unmitigated risk" to wildlife and wildlife habitat. There are threats to

native prairie, including foothills fescue grassland, wetlands and coulees, and to sensitive wildlife species including Sharp-tailed Grouse (four leks), Prairie Falcon (nest), bats (high mortality anticipated), Ferruginous Hawk (nest), Swainson's Hawk (nest), Red-tailed Hawk (nest) and grassland birds. Some of the potential effects are cumulative when considered together with other wind energy projects in the area.

There are general issues about unclear application of mitigation and violation of standard setbacks and timing restrictions in the project proposal. The proponent has prepared a *Response to the AEP Review* (March 2018) however there has not been a determination by AEP of the adequacy of this response. Risk is compounded by the fact that the Alberta Utilities Commission does not have adequate capacity to monitor environmental compliance with its decisions. This January 2018 decision by AUC regarding non-compliance with wildlife mitigation requirements for approval of the Oldman 2 Wind Power Project demonstrates some of the issues that will potentially arise if the nearby Windy Point Project is approved.

In making a decision regarding a development permit for this project, I request that the Municipal Planning Commission for the MD of Pincher Creek consider the value MD residents place on native foothills fescue grasslands and sensitive wildlife species and the high risk this project poses to those, particularly given the uncertainty regarding mitigation and adequate monitoring of environmental compliance. This is an opportunity to demonstrate municipal stewardship.



PHOTO: MISTAKIS INSTITUTE

# Reducing the Renewable Energy Footprint on Native Grasslands: Summary Information for Renewable Energy Developers

## Introduction

This summary sheet provides industry-specific beneficial management practices for renewable energy developments in native prairie landscapes.

Practical, beneficial management practices that sustain prairie biodiversity at the species, community and ecosystem levels help maintain one of the most threatened ecosystems in the world: the native prairie ecosystem.

**The prairie region covers an area of 156,318 km<sup>2</sup> or 24% of Alberta.**

**Native prairie is home to 80% of Alberta's species at risk.**

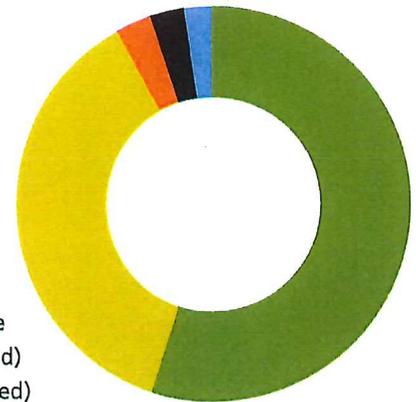


PHOTO: ANNETTE HERZ

## Why do Alberta's Native Grassland, Parkland and Wetland Ecosystems Matter?

Temperate native grasslands are among the most threatened ecosystems in the world. In Alberta, as of 2013, native prairie region land use is as follows:

- 55.2% agriculture (converted)
- 36.9% remaining native prairie
- 2.8% transportation (converted)
- 2.5% urban and rural (converted)
- 2.3% industrial (converted)



Native prairie is valued for its biodiversity, habitat for wildlife, water storage and purification, as a reservoir for carbon and for providing a reliable and high-quality source of forage for livestock.

It is also valued for less tangible benefits including its aesthetic beauty, the recreational opportunities it provides and preservation of cultural history linked to indigenous people and Alberta's traditional ranching lifestyle.

Fostering a stewardship ethic around all current and future users of native prairie rangelands is critical to the success of prairie conservation efforts in Alberta. It demands an enlightened understanding of ecological and economic relationships and an ability to resist persistent pressures to fragment land and intensify land use for short-term economic gains. A strong stewardship ethic strives to maintain long-term values and benefits.

## How Might Renewable Energy Development Negatively Impact These Ecosystems?

When a large scale renewable energy project (solar or wind) is developed, site disturbance occurs. This involves transporting equipment to the site, in some cases stripping and re-grading the site and installing footings to secure the technology.

For wind, the disturbance is dispersed over the landscape.



PHOTO: OLC FIBER

For solar, the disturbance is concentrated to one intact parcel of land.



PHOTO: MICHAEL MEES

Once disturbance occurs, whether it's a temporary or permanent disturbance, it is difficult to return the affected site to native prairie. These disturbances can introduce invasive weeds, create runoff, impair species movement, and remove native vegetation permanently changing the existing ecosystem. Additionally, renewable energy development can impact these ecosystems in ways different than footprint, including noise and light pollution.

## What are the Advantages of Avoiding Native Prairie Ecosystems?

By avoiding native prairie, important ecosystem services in Alberta are protected. This provides essential environmental benefits to Albertans, species and habitat.

Site restoration in native prairie can be very expensive and take a very long time to achieve positive results. As part of the approvals process, Alberta Environment and Parks (AEP) requires final reclamation plans for decommissioning and abandonment of the renewable energy infrastructure. From a project lifecycle perspective, it is potentially more economically feasible to avoid siting projects on intact native prairie if there are non-native prairie options available.

## Where are Alberta's Native Grassland, Parkland and Wetland Ecosystems?

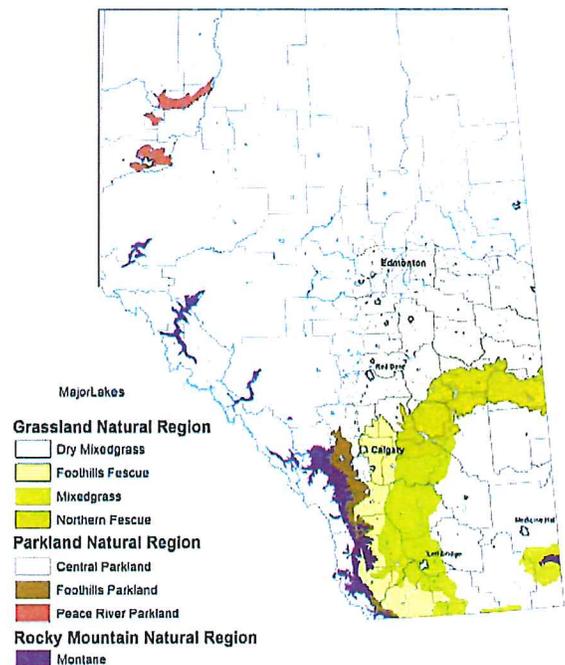


FIGURE 1: GRASSLAND AND PARKLAND NATURAL REGIONS AND MONTANE NATURAL SUBREGION (Alberta Community Development, Agri-food and Agriculture Canada)

# What Can Be Done to Reduce Negative Impacts on Native Prairie Ecosystems?

Minimum disturbance practices that avoid or reduce the area of surface disturbance are essential tools in the management of cumulative impacts of native grasslands.

For lands where native plant communities remain intact and functioning, these principles are recommended:

## AVOID

siting renewable energy projects on intact native prairie

**Avoid native ecosystems** by staying clear of isolated areas of native prairie, ridge tops, riparian areas, and watercourses and known wildlife corridors within the project footprint / **Plan site developments** close to or with in urban centers / **Minimize disruption** by utilizing existing disturbed sites such as industrial sites, brownfields, marginal croplands or re-grassed cultivated lands / **Site developments should align** with existing transmission lines with load capacity to support the project / **Use appropriate datasets** and decision support tools (see Resources on page 4) and tools listed to the right.

## BENEFICIAL MANAGEMENT PRACTICES

should be utilized to reduce impact on native prairie ecosystems if avoidance of native prairie is not possible.

**Adjust project boundaries** to minimize disturbance / **Initiate construction** when native grassland vegetation is dormant, and the soils are dry and or frozen / **Control invasive species** / **Schedule activities** to take place at optimal times to reduce impacts on soils, native plant communities, wildlife, wetlands and water courses / **Utilize existing trails and roads** / **Monitor and adjust** the project in operation, ensure all environmental requirements are met and adapted if necessary, and convey corporate commitment to environmental protection to all staff.

## RESTORATION AND RECLAMATION

is a last resort when avoidance and minimization are not possible.

**Harvest native seed materials** prior to construction / **Enact erosion control** procedures during construction / **Interim reclamation** to minimize surface disturbance / **Final reclamation plans** for full restoration of ecological health

### REQUIREMENTS FOR RENEWABLE ENERGY DEVELOPMENT RELATED TO NATIVE PRAIRIE ECOSYSTEMS

- Water Act
- Alberta Wetland Policy
- Wildlife Directive for Alberta Solar Energy Projects
- Wildlife Directive for Alberta Wind Energy Projects



PHOTO: KATHERINE TAYLOR

## About the Prairie Conservation Forum

The Alberta Prairie Conservation Forum (PCF) is a non-profit organization that is committed to conserving native prairie and parkland in Alberta and raising public awareness of the stewardship challenges faced in maintaining these ecologically important landscapes for future generations.

The membership is composed of organizations and individuals with jurisdiction or interests in the prairie and parkland landscapes including government and non-government organizations, landowners, the oil and gas industry, conservation organizations, the agricultural sector and environmental consultants.

[www.albertapcf.org](http://www.albertapcf.org)

## Resources

[ACIMS](#) Alberta Conservation Information Management System

[FWMIS](#) Fish and Wildlife Management Information System

[GVI](#) Grassland Vegetation Inventory

[HRV](#) Historic Resource Values

[PLVI](#) Primary Land and Vegetation Inventory

[AGRASID](#) Agricultural Region of Alberta Soil Inventory Database

[Least Conflict Lands for Renewable Energy Development](#), a stakeholder driven tool to view areas of high development potential and low risk potential

[Beneficial Management Practices for Renewable Energy Projects](#) (Neville, 2017)

This summary sheet is based on the document commissioned by the Prairie Conservation Forum titled, [Beneficial Management Practices for Renewable Energy Projects: Reducing the Footprint in Alberta's Native Grassland, Parkland and Wetland Ecosystems](#) (Neville, 2017).

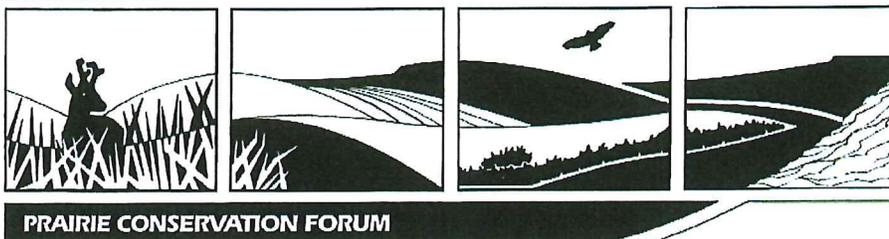
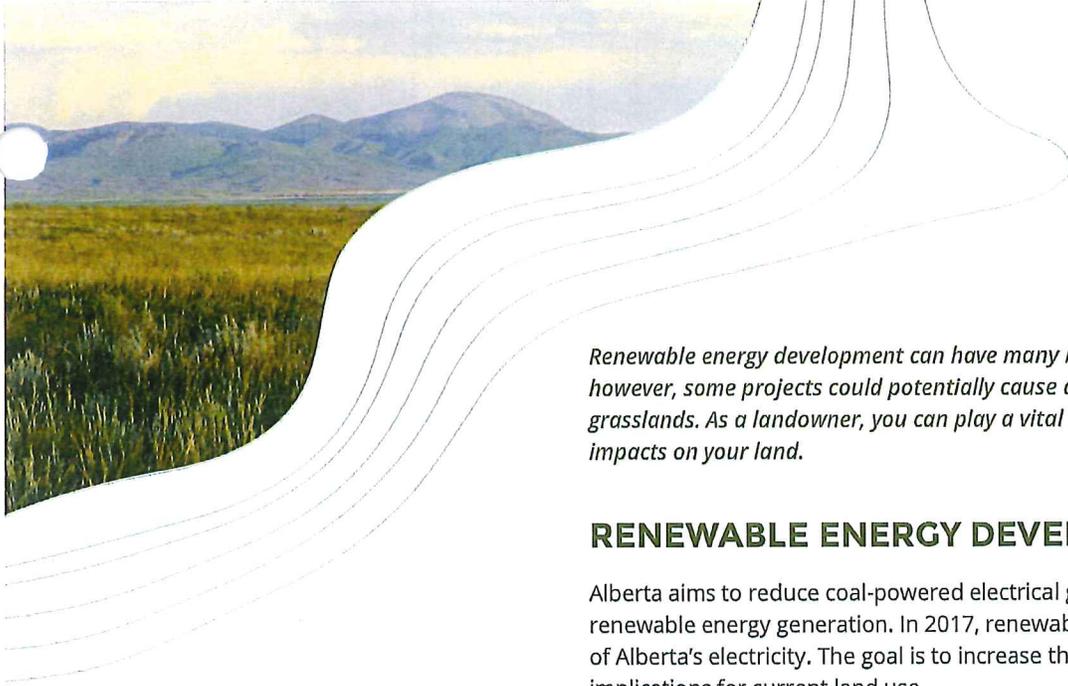


PHOTO: MISTAKIS INSTITUTE

# REDUCING THE RENEWABLE ENERGY FOOTPRINT ON YOUR NATIVE GRASSLANDS

INFORMATION FOR ALBERTA LANDOWNERS





*Renewable energy development can have many benefits for Albertans; however, some projects could potentially cause adverse impacts to native grasslands. As a landowner, you can play a vital role in minimizing such impacts on your land.*

## **RENEWABLE ENERGY DEVELOPMENT**

Alberta aims to reduce coal-powered electrical generation and increase renewable energy generation. In 2017, renewable sources supplied about 9% of Alberta's electricity. The goal is to increase that to 30% by 2030. This has implications for current land use.

Wind, solar and other renewable energy projects offer such benefits as stimulation of local economies, diversification of energy supplies, and decreased greenhouse gas emissions. However, these projects can have adverse environmental impacts, particularly if they are sited in native grassland or parkland areas that support livestock production and a variety of wildlife and cultural activities. The impacts may include fragmentation or loss of native grasslands and wildlife habitat, soil degradation, and invasive weed problems. Examples of other potential impacts include noise, increased traffic and dust, or alterations to the surrounding view, depending on the project.

Renewable energy projects need to be properly planned, developed, operated and decommissioned to minimize the risk of potentially negative impacts. The Alberta Government has set out regulations, guidelines and other tools for renewable energy development and an approval process to determine if proposed projects are in the social, economic and environmental interests of Alberta. The recent amendment to the Conservation and Reclamation Regulation enables the Government to develop conservation and reclamation requirements and to require a developer to obtain a reclamation certificate at the end of a project's operations.

Landowners can help reduce adverse impacts of renewable energy development on native grassland and parkland areas through:

1. contract negotiations with developers;
2. input into consultations on proposed projects; and
3. having their own renewable energy equipment to meet their own energy needs.

### **WHY NATIVE PRAIRIE MATTERS**

Healthy native grasslands are crucial for water storage and purification, high quality forage for livestock, wildlife habitat, biodiversity and carbon storage. These landscapes are also valued for their aesthetic beauty, recreational opportunities and cultural history. Considerable losses of native grassland, parkland and wetland habitat have already occurred and continue to occur in Alberta. Continued stewardship of the remaining native areas is important to maintain ecological, economic and social sustainability.



## NEGOTIATING CONTRACTS WITH DEVELOPERS

As a landowner, you will want to consider many factors before signing an agreement with a renewable energy company. To assist landowners in negotiating such agreements, the Farmers' Advocate Office (FAO) has published *Renewable Energy in Alberta*.

That publication emphasizes how important it is for the landowner to negotiate with the developer to make sure the wording in the agreement is right for the landowner's needs. The FAO recommends consulting your lawyer, accountant and municipality, and talking with your neighbours before finalizing the agreement.

Leasing your land for a renewable energy power plant is completely voluntary. If you don't like the proposed contract, you don't have to accept it.

However, siting of transmission lines associated with a power plant could potentially be imposed on you or your neighbours. If agreements cannot be reached with affected landowners, then the Alberta Utilities Commission (AUC), which regulates Alberta's utilities sector, will determine if the proposed routing is in the public interest, through a public proceeding.

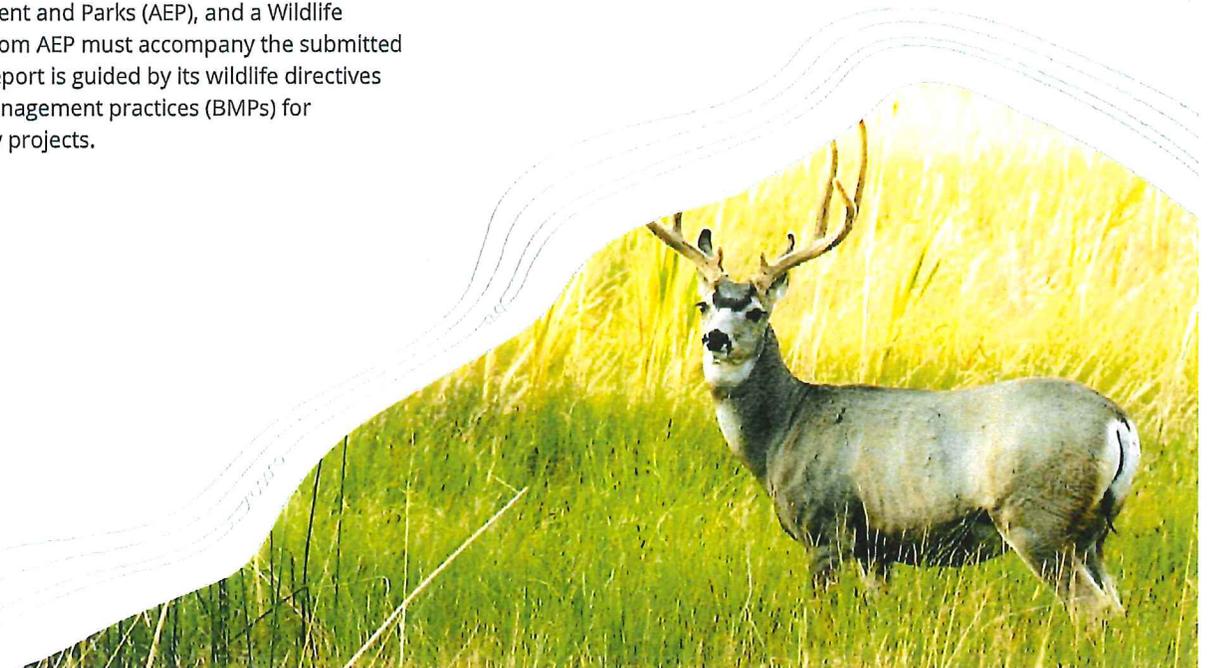
Utility-scale renewable energy projects require the AUC's approval. Before submitting a proposal to the AUC, the developer must notify and consult with local landowners, residents and occupants. Municipal approval is required to make sure the proposal complies with local land-use plans and bylaws. As part of the environmental requirements, the developer must review any wildlife survey information and wildlife mitigation plans with Alberta Environment and Parks (AEP), and a Wildlife Referral Report from AEP must accompany the submitted proposal. AEP's report is guided by its wildlife directives and beneficial management practices (BMPs) for renewable energy projects.

To learn about BMPs for renewable energy, see *Beneficial Management Practices for Renewable Energy Projects; Reducing the Footprint in Alberta's Native Grassland, Parkland and Wetland Ecosystems*.

You can help conserve native grasslands on your property by discussing those BMPs during your lease negotiations with the developer. For example, you might:

- Require the developer to avoid or minimize disturbances to native prairie habitat, riparian areas, wildlife corridors, and other environmentally sensitive or culturally important areas.
- Make sure you are satisfied with the developer's plans for restoring the native plant community (including requiring a professional to sign off) and for protecting water and soil resources, such as soil management practices during construction.
- Let the developer know about any existing conservation easements or agreements on your land.
- Discuss options to minimize the need to build new access roads, such as possibly using your existing farm or ranch trails or locating the project near existing transportation corridors.
- Specify how weed control will be conducted; the responsibility for weed control could be contracted back to you to ensure it will meet your requirements.

Any requirements that are important to you should be written into the final contract.



## NEIGHBOUR INPUT ON PROPOSALS

As a nearby landowner, you can raise concerns about a proposed project's potential impacts on native grasslands through the developer's consultation process, the municipal approval process, and the *AUC's review process*.

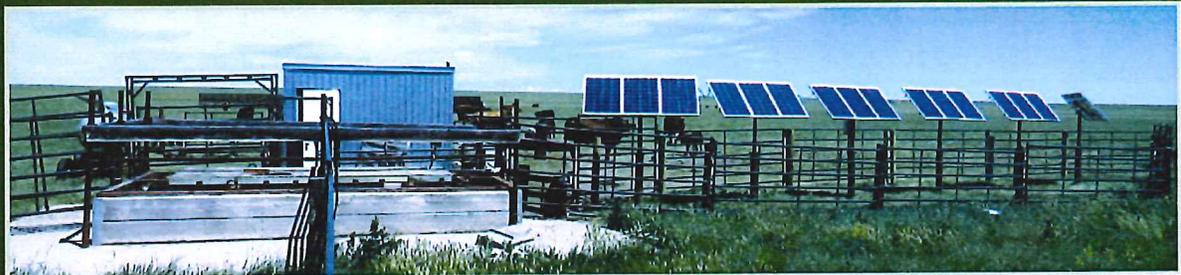
All renewable energy applications to the AUC go through a multi-step process with several opportunities for landowner and public involvement, and a requirement that nearby landowners be notified and their concerns considered. More details can be found on the *AUC's website*.

## YOUR OWN SMALL PROJECT

Having your own small renewable energy project to meet your own needs can contribute to a sustainable rural landscape in multiple ways. Such projects decrease the need for additional transmission infrastructure in remote locations, reducing the risk of impacts to native grasslands. Also, you can avoid native grassland when choosing a location for your equipment. For instance, if the project will be providing energy to your residence or outbuildings, you can place the equipment on altered or disturbed land near the buildings.

The *AUC website* has information on approval processes for small renewable energy projects. Some small projects do not need to apply to the AUC if they meet the exemption criteria or if they are *micro-generation projects*, which generate less than 5 megawatts. The Alberta Government has *incentive programs* for some types of small projects.

*Rural Albertans will likely see a rapid increase in renewable energy development in the coming years. You can play a part in shaping a sustainable future for Alberta through your stewardship and conservation of resources including native prairie, and your discussions with developers.*



## CONTACT

[www.albertapcf.org](http://www.albertapcf.org)  
[info@albertapcf.org](mailto:info@albertapcf.org)

2018



**From:** [Elizabeth Perry](#)  
**To:** [Roland Milligan](#)  
**Subject:** Wind Development in the MD  
**Date:** November 1, 2018 5:43:19 PM

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Hello,

Many of us living below the eastern slopes of the Livingstone Range are feeling overwhelmed by the amount of wind energy development in our MD. With a new project in the wings we are speaking out against a green energy source that seems benign, but leads to a maze of transmission lines and substations. We are targeted by the Pincher Creek to Chapel Rock powerline project and do not want these precious valleys and watersheds to end up looking like the area east of Pincher Creek. These are the very last remnants of the old west that still exist and it is short sighted to plaster them with powerlines and substations. This MD needs to take a hard look at what we want to preserve for the future. Maybe wind generation should take place nearer to where the greater energy requirements are. Please give these ideas some consideration in the coming months.

Thankyou,

Elizabeth Perry

**From:** Larissa Newton  
**To:** Roland Milligan  
**Subject:** Windy Point Wind Farm  
**Date:** November 1, 2018 4:45:28 PM

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October 29, 2018

To Mr. Milligan and the Municipal Planning Commission,

As an adjacent land owner and neighbour, I have several concerns regarding the proposed Windy Point Wind Farm Development, as detailed below.

1. The original wind farm application approval for 21 3MW turbines is drastically different than the redesigned project of 12 4.2 MW turbines. I believe such a large deviation from the original application merits an entirely new application, rather than an amendment.

2. This application is one of three proposed and/or approved applications that have interfering turbine locations, overlap of cumulative sound and shadow flicker. It is inappropriate to approve them independently of one another. The cumulative effects of all applications should be considered together, prior to making decisions on any one application, especially considering the huge redesigns of each project.

3. This application proposes to place the majority of the turbines on native grasslands. The importance of this rare and unique ecosystem can not be overstated. Native grasslands are an excellent carbon sink, encourage species and ecosystem diversity and provide habitat for a number of species (including some at risk and endangered). Native grasslands also provide numerous economic opportunities, from ranching to tourism. Alberta Environment and Parks has stated the importance of the native grasslands ecosystem and suggests that there should not be turbines/disturbances/development on these sensitive lands. These applications will require several kilometres of gravel roads as well as the turbine sites, power lines and affiliated general increase in traffic (both people and vehicular) and disturbance in the area. The linear disturbance caused by the proposed wind farm, and associated edge effect will have long term detrimental effects on the area.

Also, the continued development of these valuable ecosystems does not align with the South Saskatchewan Regional Plan, of which the MD of Pincher Creek is a part.

4. The risk of fire in grasslands such as these should not be underestimated. A grass fire spreads rapidly and is extremely difficult to fight, both in speed and topography. There have been two turbine fires in recent years, so the possibility of another, in a project situated on native grass, is a very real risk and should be weighed heavily against the possible benefits of this application.

5. The credibility of the applicants for this proposal, as well as other applications, is questionable. In my dealings with wind power companies, I have found that they are often less than honest and when called to account, give vague promises to improve or rectify the situation, but rarely do any real changes come to pass. I have heard similar accounts from many landowners, both those with turbines and those with property tied up in projects at various levels of approval.

In conclusion, I believe that the time has come to take a step back and reassess the validity of this application, as well as others. This MD has been blessed with a bounty of sensitive grassland ecosystems (one of the rarest ecosystems in the world) and economic opportunities. Perhaps it's time to examine whether the potential benefits to a very small number of MD residents outweighs the risks and irreversible damage this project would cause.

Respectfully Submitted,

Larissa Welsch

**From:** [Deb Carnegie](#)  
**To:** [Roland Milligan](#)  
**Cc:** [Alex Carnegie](#)  
**Subject:** Windy Point Farm  
**Date:** November 2, 2018 10:51:49 AM

---

Hello,

I am sending this email on behalf of my husband (Alex Carnegie) and myself, as we are residents in the MD of Pincher Creek, at the intersection of Hwy 3 and Hwy 22. We are asking you to please vote NO on the Windy Point Wind Park Amendment Application.

We feel that council needs to take time to make a clear and mandated plan as to the future electrical development in our MD. Approvals will have serious consequences in coming years regarding the development of wind power in this area and we feel our local government needs to have control the this development and mandate plans that will benefit our community.

A major electrical development will affect us all, and in saying that, we would rather see our MD in control from the beginning, as it will be useless to gain control once this process starts.

Please vote NO!

Thank you,  
Alex Carnegie and

*Deb Carnegie*

**RECEIVED**

**NOV - 2 2018**

**M.D. OF PINCHER CREEK**

Attention: Municipal Planning Committee, MD of Pincher Creek #9  
Re: Windy Point Wind Farm

We wish to respond to the request of the MD of Pincher Creek for input on the proposed Windy Point Wind Farm. We are adjacent landowners to this proposed project and have our farm base in the immediate area.

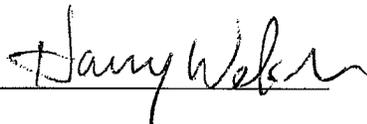
We know the MD has documentation that includes the background arguments and scientific data on which we base this submission. In that light we will list, in point form, our objections to this project.

- The proposed wind farm will severely and permanently cause destruction of rare native Rough Fescue grasslands. Once destroyed by the building phase and use of the roads required, there is no way to reclaim this area to native grasslands. Disturbed grasslands always provide a good opportunity for invasive species to take hold.
- In proposals seen to date, key wildlife habitats have been excluded in siting the turbines. In response to concerns stated in the AEP's report, there is no firm commitment to, or recognition of, the sensitive habitat or the many wildlife species in this area. It seems the proponents of the project do not think the AEP were serious when they stated policy and recommendations. Minimal acknowledgement of these issues by the project planners cause us to be wary of the lack of respect for the very land we, very seriously, depend on.
- We are concerned with the increased risk of fire caused by mechanical structures that will not have someone present and overseeing their operation 24/7. As recently as the past few years we have seen two wind turbines start fires. So far, we have been lucky but the question is not if, but when we will have a fire again, will it be noticed immediately so the fire can be contained? Wildfires on grassland and cropland expose the land to erosion by wind and water. The costs to the landowner of dealing with the aftermath of a fire are extreme and often futile, topsoil in this area is usually lost despite mitigation attempts. Personal experience has shown us that the native grasslands take years to return to stable production.
- The "home base" of our company, M&H Ranch and Feedlot sits above and facing the project area on the SW-16-8-29-W4. Our son and his family live on this quarter. We also own the land and home site referred to as 3.18 "Lillico 1" Receptor N, in your document handed out at the public meeting held October 2, 2018. The massive towers will definitely reduce the view and increase the noise at these sites.
- Finally, we have concerns with the proponents of this project. We dealt directly with A.W.E. in the past during the planning, construction and operation of the OM2 Wind Farm. We found them to be misleading and not trustworthy in our dealings. They were ruthless in their approach as they pushed forward with their own agenda. They were not respectful of agreements made verbally nor of our needs as the owners and operators of the lands they were using. Management of the OM2 wind farm has changed repeatedly and the actual operation has been sold. We were not informed of some of the changes in a timely manner and as landowners, we are constantly trying to keep up with what is going on with this project as we run our business and farm our land. We did not sign up for these headaches and do not wish them on another agricultural producer.

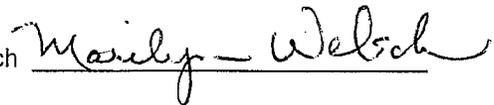
In conclusion, we adamantly oppose approval of the Windy Point Wind Farm for the above reasons. If the issues of wildfire threat, wildlife and grasslands interference and destruction, and view and noise impact were resolved and mitigated, we may soften our stance. But we will remain opposed, in principal, to our MD further selling out to the renewable energy sector. Until there is more planning on what happens after...after the turbines are no longer the 'flavour of the day' for energy production...and we know what happens with the massive towers, chunks of concrete and the other environmental garbage left by this experiment, we believe the MD should serve the needs of its residents and not be enticed by short term monetary gain in the form of increased taxes.

Submitted:

Harry Welsch



Marilyn Welsch



William and Nancy Newton

Municipal Planning Commission

M. D. Pincher Creek # 9

Box 279

Pincher Creek, AB

TOK 1W0

Attention: Roland Milligan

By e-mail: [rmilligan@mdpincercreek.ab.ca](mailto:rmilligan@mdpincercreek.ab.ca)

November 2, 2018

Re: Windy Point Wind Farm Development Permit Applications

Dear Mr. Milligan:

Thank-you for the opportunity to present our opinions on this proposed development. As adjacent landowners Nancy and I are opposed to this development proposal for a number of reasons – some of which I identified at the public meeting October 2, 2018. I will try to reiterate those concerns in this letter.

Much of the discussion at the public meeting focused on the nature of the lands involved in the proposal. I introduced the "Environmentally Significant Areas (ESA)" to the meeting and indicated that similar lands north of these in the M D of Willow Creek carry the ESA designation. ESAs were first mapped in the late 1990s and those maps and designations have been updated a couple of times since, most recently in 2014. That report can be found at <https://www.albertaparks.ca/media/5425575/2014-esa-final-report-april-2014.pdf>

As indicated in the introduction to the report it is intended to be used by provincial and municipal planners in considering development applications. The report does acknowledge data gaps and limitations but also describes the criteria utilized to establish an ESA. It encourages local planners to consider these criteria even in the absence of an ESA designation – to achieve the intent of considering environmental significance in development applications at a finer scale than was achievable in a provincial scale process and to overcome the data gaps and limitations identified in the report. I have not personally been able to use the ESA maps to identify whether or not the Windy Point Wind Farm

proposed lands have been designated as ESA, but the lands definitely tick all of the criteria boxes used in determining environmental significance:

**Criterion 1. Areas that contain focal species, species groups, or their habitats.** Ferruginous hawks are an indicator for this criterion.

**Criterion 2. Areas that contain rare, unique, or focal habitat.** Sharp tail grouse leks and natural springs are indicators for this criterion.

**Criterion 3. Areas with ecological integrity.** The intact landscape, native vegetation, terrestrial habitat and patch size all qualify the proposed lands for this criterion.

**Criterion 4. Areas that contribute to water quality & quantity.** River and stream density in the area and lotic landscape intactness of the project lands qualify for this criterion.

I strongly recommend that the MPC familiarize themselves with the above mentioned report and consider the impact of the proposed development on the ecological integrity and environmental significance of the project lands – native grasslands which are considered to be one of the most threatened ecosystems globally. From our perspective this development will have significant detrimental and largely irreversible impacts on the public interest served by the ecological goods and services currently provided by this intact grassland. Native grasslands are particularly vulnerable to linear disturbances such as will be required to complete this proposed project. Worse, there are no economically practical methods of restoration for native grassland ecosystems.

We are also concerned by the cumulative impact of the three wind energy projects proposed in this area (AUC Proceedings 21483, 23377, 22579). Those cumulative impacts will include noise. According to the **AUC Ruling on further process** (scan attached) the updated or revised NIA to be filed should include the noise contributions expected from the most recent publicly available project configurations of the two other amended projects. Windy Point has not made this cumulative NIA available to adjacent landowners, or to the MPC as far as we know. Additionally cumulative impacts on environmental impacts are of concern. We find the AUC's reticence to directly address this concern very disappointing. Unless proponents are willing to deconstruct their projects should significant cumulative environmental impacts occur, we are simply trading off negative environmental impacts for renewable energy (see Point 24 in AUC Ruling). This further emphasizes the significance of the ESA process. In our opinion Windy Point has inadequately responded to the wildlife impact concern identified by AEP WM.

In addition to provisioning, regulating, and supporting ecosystem service (ES) categories there exists the cultural ES category. This category encompasses such things as aesthetics, recreational opportunities, viewscapes, and spiritual experience related to the natural environment. An example of the implicit importance of these cultural ES is the file of 24 visual simulations provided at the public meeting. Again those simulations did not include any proposed structures from the other two wind energy applicants – cumulative impacts not addressed in a fashion similar to the NIA. We are concerned that cumulatively the three wind energy projects as amended have reduced their energy output from 423 MW to 221 MW

without reducing their overall footprint, and that the cumulative impacts of the three AUC **approved** (with amendment applications) projects have not been adequately considered.

Having had most of the property we owned at the time burned in the December 14, 1997 wildfire which escaped from the M. D. of Pincher Creek to the M. D. of Willow Creek, we are particularly concerned by the potential for wind turbines to start fires. Two turbines in the Summerview Wind Farm have burned in the last few years. I was first on the scene July 23, 2018 at approximately 4:30 am and watched the burning debris fall on a thankfully calm morning into a thankfully green wheat field where spread of the fire was minimal. In the previous turbine fire the wind was blowing but there was thankfully snow cover and poor ignition conditions. We are worried that conditions limiting ground fuel ignition won't always exist when turbines ignite. The topographical features of the Windy Point lands, and the distance from first responders will further impede fire fighting efforts. You already know the propensity for native grasslands as an effective fuel for wildfire. This is one more reason we oppose this permit application.

The Windy Point project is unusual in that it is located exclusively on lands owned by only two parties, with all but one turbine located on one party's property. Given the land lease model used for this wind project the benefits of the project flow only to those parties, the project proponents, and the M.D. while the majority of the adverse impacts will be borne by adjacent landowners who will receive no compensation other than industrial tax revenue to their M.D.

We are concerned that the MPC's decision on this permit application will to at least some extent set precedent for the other two AUC approved projects. Given that the M.D. has commissioned an overdue wind energy review which may reflect shifts in ratepayer attitude towards wind energy projects we caution the MPC regarding this precedent potential. Certainly I was surprised by the strong opposition to the project expressed at the public meeting.

Finally, while we have not ever dealt with this project proponent we have dealt with at least three other wind energy advocates. None of those dealings have proceeded smoothly. It seems that most are speculators staking their claims in the gold rush of renewable energy. The province has perhaps intentionally left landowners on their own with provisions of the *Surface Rights Act* that protect landowners from adverse effects and permanent damages of hydrocarbon extraction and transport not applying to the renewable energy industry.

Please consider this letter as an expression of our opposition to this permit application, both as adjacent landowners and municipal ratepayers.

Yours truly,

*William K. Newton D.V.M.*

William K. Newton D.V.M., M.Sc.

*Nancy E. Newton*

Nancy E. Newton B.Ed. Dip. Ed.



September 6, 2018

To: Parties currently registered in proceedings 21483, 23377, and 22579

**Amendments to Three Wind Energy Projects in the Pincher Creek Area Proposed by Welsch Wind Power Inc., Windy Point Wind Park Ltd. and Heritage Wind, LP (Proceedings 21483, 23377 and 22579)**

**Ruling on further process**

**Introduction**

1. The Alberta Utilities Commission received amendment applications from Welsch Wind Power Inc. (Welsch), Windy Point Wind Park Ltd. (Windy Point) and Heritage Wind, LP (Heritage) for the following wind energy projects located in the Pincher Creek area:

- The Welsch Wind Power Plant, first approved in Approval U2012-34, which granted approval to construct and operate a 69-megawatt (MW) wind power plant consisting of 26 wind turbines including 17 3-MW turbines and nine 2-MW turbines. On December 15, 2016, Welsch filed an amendment application in which it proposed to maintain the same total capability but the power plant would consist of a total of 18 wind turbines including 11 4.2-MW turbines, five 3.5-MW turbines, one 3-MW turbine and one 2.5-MW turbine.
- The Windy Point Wind Park Power Plant, first approved in Approval U2012-368, which granted approval to construct and operate a 63-MW wind power plant, consisting of 21 3-MW wind turbines. On March 2, 2018, Windy Point filed an amendment application in which it proposed that the power plant would consist of 12 4.2-MW turbines with a total capability of 50.4 MW.
- The Heritage Wind Farm Power Plant, first approved in Approval U2011-210, which granted approval to construct and operate a 291-MW wind power plant, consisting of 97 3-MW wind turbines. On March 30, 2018, Heritage filed an amendment application in which it proposed that the power plant would consist of 283.63-MW turbines with a total capability of 102 MW.

2. Given the proximity of the projects to each other, the concurrent timing of the amendment applications, and the fact that all three were applied for as amendments to projects that were approved a significant time ago, the Commission decided to hold a technical meeting and requested pre-filed written submissions from the three applicants. In response to a request from the applicants, the Commission substituted a written process for the technical meeting.

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3. The goal of the technical meeting was to establish a fair and effective schedule and process for the review and consideration of the three amended projects. The Commission sought input from parties on whether a specific process tailored to these circumstances is required.

4. In its notice of technical meeting, the Commission requested that the parties address the following topics in their submissions:

- Should these projects be considered as amendments or as new projects?
- How should the Commission consider the cumulative impacts from the three wind projects?
- Should the noise impact assessments employ common modelling parameters, common dwelling labels and common reporting formatting?
- Should the noise impact assessment prepared for each amended project be based on the noise priority established by the original project or should noise priority be based on when each amendment application is deemed complete?
- How should noise be mitigated if cumulative sound levels at any noise receptors are predicted to exceed permissible sound levels?
- The need for environmental impact reporting that takes into account the impact of all three projects.
- The determination of final turbine locations and turbine models, including adequate spacing for migratory birds and bats between the turbines of different projects.
- Environmental mitigation plans if cumulative wildlife impacts, including bat and or bird mortality, exceed certain levels.
- Timelines for finalized applications.

5. Welsch, Windy Point, and Heritage each provided written submissions on the above topics in May 2018.<sup>1</sup> All three applicants subsequently responded to a round of information requests (IRs) issued by the Commission and filed written responses.<sup>2</sup>

6. The Commission has considered the process that it will follow to review these three projects in this instance, and has authorized me to communicate its decision, set out below.

<sup>1</sup> Exhibit 21483-X0068, WWPI submission for AUC technical review, May 23, 2018.  
Exhibit 23377-X0089, Windy Point AUC Technical Meeting Written Submission, May 23, 2018  
Exhibit 22579-X0044, AUC Written Submission – Heritage Wind LP – Tech – 0047, May 23, 2018.

<sup>2</sup> Exhibit 21483-X0079, June12\_IR\_Submission\_WWPI, June 29, 2018.  
Exhibit 23377-X0114.01, Windy Point Response to Technical Meeting written process information request, July 7, 2018.  
Exhibit 2579-X0065, Heritage Wind LP Responses to Technical Meeting Information Request, June 26, 2018.

**Whether the noise impact assessments should employ common modelling parameters, common dwelling labels and common reporting formatting**

7. In a ruling on further process for three overlapping wind projects in the Forty Mile area (the Forty Mile ruling),<sup>3</sup> the Commission outlined specific modelling parameters that the projects should use within their noise impact assessments (NIAs). These parameters were the result of coordination between the applicants in that area, who were able to come to an agreement on the specific parameters.

8. In this instance, the applicants proposing changes to their projects did not come to an agreement on the modelling parameters that should be used. Applicants argued that Rule 012: *Noise Control* does not mandate specific parameters and that allowing practitioners' judgment to determine the best parameters for their projects is appropriate. While the Commission considers that there is merit in having consistent parameters for projects in the same area, it is of the view that it is not necessary to prescribe them in this case. The Commission is satisfied that should any major discrepancies between NIAs occur, they can be addressed and explored through IRs within individual proceedings.

9. Although applicants were open to using common dwelling labels, Windy Point expressed concern that the level of coordination required between applicants would render the exercise impractical. The Commission was unsuccessful in its attempt to have all applicants use common dwelling labels in its Forty Mile ruling. While the Commission considers that common dwelling labels would simplify its review and that of other parties, it ultimately finds that absent the adoption of the practice amongst applicants, the practice may not result in greater efficiencies.

10. None of the applicants in these proceedings supported a common reporting format for NIAs. As such the Commission does not find it necessary for the applicants to use a common reporting format in their respective NIAs. As held in its Forty Mile ruling, doing so "would not yield additional information and would create an added administrative burden without a significant corresponding benefit."

**Whether the noise impact assessment prepared for each amended project should be based on the noise priority established when each amendment application is deemed complete**

11. The NIA requirements for wind turbines are described as follows in Rule 012:

The model must include the cumulative effects of adjacent wind turbines, adjacent energy-related facilities and proposed energy related facilities that may have a noise impact on a dwelling within the study area.

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<sup>3</sup> The Commission recently undertook a similar process for wind projects with overlapping project areas in the County of Forty Mile including BHEC-RES Alberta G.P. Inc's Forty Mile Wind Power Project, Capital Power Generation Services Inc.'s Whitla Wind Project and Suncor Energy Inc.'s Forty Mile Wind Power Project. See Exhibit 23030-X0082, AUC Ruling on further process, March 6, 2018.

12. Rule 012 defines proposed facilities as follows:

A proposed facility is a facility for which an application has been deemed complete by the Commission, but is not yet approved or for which an approval has been issued, but is not yet constructed.

13. All three applicants in these proceedings confirmed that they are unable to construct their projects as currently approved. The Commission finds that by virtue of the amendments proposed by each proponent, the applicants have determined it necessary to reconfigure their projects using different turbines and revised turbine layouts. The effect of these changes will be that the predicted noise associated with each of the amended projects may differ considerably from that which was predicted when the projects were originally approved. Regardless of whether the revised projects are treated as amendments to the original project or new applications, the fact remains that the noise associated with each project will differ from that originally predicted. In these circumstances, the Commission finds that the noise priority established for the original projects has been superseded by the filing of the amendment applications and that a new noise priority for the projects must be established based upon when each amendment application is deemed complete.

14. The Commission will employ a similar definition of “deemed complete” that it specified in the Forty Mile ruling; that is, for these three proceedings, an application will be “deemed complete” when: (i) a final turbine layout has been submitted; and (ii) the Commission is satisfied that the applicant has provided all of the information required by Rule 007: *Applications for Power Plants, Substations, Transmission Lines, Industrial System Designations and Hydro Developments* for a wind power plant. More specifically, in assessing whether an application is “deemed complete”, the Commission will consider the following:

**Final layout:** notwithstanding that Rule 007 does not expressly require a final turbine layout, the Commission considers that, in these singular circumstances, a finalized layout is necessary to allow the Commission to assess whether persons may be directly and adversely affected by the applications. This includes a requirement that there be no remaining alternative turbine locations. The Commission considers that in the present circumstances, in order to assess the potential impacts of the projects, it requires NIAs that are based on final turbine locations.

**Rule 007 completeness:** this means that the Commission is satisfied that all of the information requirements of Rule 007 have been met. For further clarity, the Commission’s IR process does not necessarily have to be concluded for an application to have met the information requirements in Rule 007. The Commission may, after an application is deemed complete, ask IRs requesting information that is in addition to Rule 007 requirements, or for the purpose of clarifying or testing the information provided. However, until all of the answers to the Commission’s IRs seeking information necessary to meet Rule 007 requirements have been provided, the application cannot be “deemed complete”. This would include, for example, the signoff required under Rule 007, Section 3.2, PP10 from Alberta Environment and Parks for new wind project

applications, any Commission IRs related to that signoff, and the noise impact assessment required under Rule 007, Section 3.2, PP27.

15. In accordance with this direction, each applicant must file an updated or revised NIA based on the amended project configuration as part of its amendment application. The NIA should include the most recent, publicly-available configuration as of the date of this ruling, for each of the two other amended projects. In addition, the NIA should include a separate assessment that does not consider the contributions of the two other projects. The Commission is of the view that this approach will best allow it to assess cumulative impacts in the event noise levels in the area exceed the permissible sound level in the future.

16. Once an application is deemed complete, the Commission will issue a letter that will specify the date when the application was deemed complete. Any applications deemed complete after that point must take into account the preceding projects for the purpose of calculating the cumulative sound level in Rule 012, and incorporating "proposed facilities" into NIAs and any applicable noise mitigation plans.

#### **Noise mitigation if cumulative sound levels at any noise receptors exceed permissible sound levels**

17. To ensure cumulative noise do not exceed permissible sound levels at receptors, Welsch suggested that all projects be responsible for compliance with their approved NIA. Welsch argued that facilities built that are built and not compliant should not result in proposed projects being penalized. Likewise, Heritage suggested that where compliance measurements indicate higher values than originally assessed, those constructed and operating projects should be held to their original predicted noise contributions listed in the NIA, and that monitoring should be used to verify compliance.

18. The Commission considers that the positions of Welsch and Heritage have merit, however in the event of permissible sound level exceedance at a receptor, the Commission will ultimately rule on the basis of the specific facts of the case.

#### **Turbine lighting**

19. Several interveners indicated that turbine lighting should be a cumulative impact that the Commission should consider. In response to information requests, applicants indicated that a number of mitigation measures exist that may assist in reducing the impacts from turbine lighting. The applicants also expressed a willingness to work together and with Transport Canada to try and address the issue of cumulative impacts.

20. The Commission finds that there is no need for an immediate ruling on this issue and that it will attempt to address this issue within individual proceedings.

#### **Assessment of cumulative environmental impacts**

21. The Commission also requested submissions on the need for environmental impact reporting that takes into account the impact of all three projects and how cumulative environmental impacts should be mitigated.

22. Applicants submitted that they had conducted environmental evaluations, in accordance with the AUC and Alberta Environment and Parks requirements, that had adequately assessed the potential impacts of the projects both individually and cumulatively.

23. Applicants argued that there are no clear regulations on how cumulative environmental impacts will be considered and expressed concern about applying any additional regulations or requirements at this point. Applicants submitted that any changes to regulations should be developed in consultation with the public and industry.

24. In Decision 22966-D01-2018,<sup>4</sup> pertaining to the wind projects in the Forty Mile area, the Commission stated:

155. The Commission acknowledges that cumulative impacts on bird and bat populations in the area, as identified by AEP WM, may occur as other projects in the area are constructed. However, the Commission considers the nature and extent of the potential cumulative impacts identified by AEP WM will only be known if and when other projects are constructed in the area.

25. The Commission finds this determination to be similarly applicable to the Pincher Creek area and finds that this question is better addressed outside of these proceedings. The AUC is considering how to best engage with stakeholders for input on updates to Rule 007 that would add clarity to future application processes including information required to assess cumulative environmental impacts. The Commission's rule change process includes consultation with stakeholders and, in this case, would seek input from Alberta Environment and Parks. Such a rule change process will be initiated in the future. The Commission is satisfied that in the interim, it can adequately assess the impacts of the projects within individual proceedings and that Alberta Environment and Parks may consider any post-construction cumulative impacts, should they occur.

#### **Projects shall be considered as amendments**

26. All three applicants submitted that their applications should be treated as amendments and posited that treating them as new would result in delays and additional costs. Applicants specifically indicated that closing the applications and requiring that they be refiled would result in delays. Further, both Windy Point and Heritage observed that requiring new applications for the projects could have a significant adverse impact on the status of their respective projects for the interconnection process currently underway with the Alberta Electric System Operator (AESO).

27. The applicants also indicated that Rule 007 illustrates a path for amendments to approved wind projects and that their applications follow this path.

28. Although the Commission agrees that the applications were made in accordance with Rule 007, the proposed amendments to each project are material. Specifically, the projects described by the amendment applications differ significantly from the projects initially proposed.

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<sup>4</sup> Decision 22966-D01-2018: BHEC-RES Alberta G.P. Inc. – Forty Mile Wind Power Project, Proceeding 22966, Application 22966-A001, August 30, 2018.

While the amended projects occupy the same lands, the amended projects employ different turbine models from those initially proposed, which, in turn alters the noise and environmental impacts of the projects individually, and cumulatively. Furthermore, compared to the impacts associated with the projects as originally configured, these changes may also result in new or different impacts to area residents.

29. In determining whether to accept the amendment applications or treat these applications as new, the Commission must consider the implications of doing so on notice, priority of projects from a noise perspective, and the AESO interconnection queue.

30. The Commission's treatment of the application as new or as an amendment may have an impact on how the applications are perceived by potentially affected parties. The concern here is that potentially affected persons who were aware of, and consented to the initial projects, based on the impacts then anticipated, may not appreciate the degree to which those impacts may have changed because of the amendments. In the Commission's view, this concern can be addressed within the context of an amendment application by a rigorous participant involvement program that clearly spells out the impacts of the amended project to potentially affected parties. This includes a description of new impacts arising from the amendment, as well as a description of impacts associated with the original project that have been resolved or mitigated as a result of the amendments. Accordingly, the Commission does not consider it necessary to treat the amendment applications as new applications to ensure effective notice.

31. Concerning noise priority, the Commission concluded above that the noise priority established by the approvals of the original projects have been superseded by the amendment applications. As previously determined, the noise priority issue can be determined within the context of an amendment application based on the date upon which each amendment application is deemed complete.

32. Finally, while the applicants raised concerns about the potential impact of treating the amendment applications as new applications on the AESO interconnection queue, those impacts were not explained in any detail or clearly defined. As a result, the Commission did not take these concerns into account in making its decision to continue to treat the applications as amendments rather than new applications.

33. Based on the foregoing, the Commission will treat these applications as amendments.

34. Please contact me at 403-592-4503 or at [Giuseppa.Bentivegna@auc.ab.ca](mailto:Giuseppa.Bentivegna@auc.ab.ca) if you have any questions about the matters addressed in this ruling.

Yours truly,

Giuseppa Bentivegna  
Commission Counsel

Municipal Planning Commission  
C/O Rolland Milligan

November 2, 2018

Re: Windy Point Wind Farm

To whom it may concern,

We, Richard Keil and Kate McKim-Keil, operate a guided trail riding and western riding lesson business, Centre Peak High Country Adventures, along the eastern slopes of the Livingstone Range. We are also third generation ranchers on the DU Ranch. The proposed Windy Point Wind Farm and the proposed need for more transmission lines, not only negatively influence us as individuals but also as tourism business operators.

We strongly believe that the spectacular mountain views of the Livingstone Range and the surrounding valley will be ruined by this proposed project. We feel that the direct impact of the project will make the area less attractive and will negatively impact our business. One of the major draws for our guests is to be able to ride in an area that is still strongly tied to ranching and also which offers untouched views of amazing scenery. All of our guests sign a guest book following the conclusion of their rides. Here are a few comments that truly speak to the beauty of the area:

“We had such a wonderful afternoon. The weather was great, the horses too! Thank you so much Kate for this great time we’ll remember all our life. I hope the pictures we took will be making justice of this beautiful scenery!”

“Check this one off on our “Bucket List.” The best ride ever in the amazing landscape of Southwestern Alberta. Kate, you were amazing. We will see you again.”

“Thank you so much for the beautiful evening ride. Amazing to see the splendor of your “backyard” in the setting sun! The horses were great and we appreciate that you ensured that we got great views. Thanks Kate!”

“Thank you so much for a wonderful adventure! It was a gorgeous day and a nice ride out to see the amazing scenery. I hope you appreciate the gorgeous part of the world that you are lucky to live in.”

“It was a great ride with lots of wildlife – bears, deer, moose and birds.”

“I had driven down this road (North Burmis Road) a number of times in years past and fell in love with this valley. To have been able to ride across this ranch is literally a dream come true. It was everything I thought it would be. Breathtaking and stunning don’t do it justice! Thank you so much Kate!!!”

Our guests come from all over the world to experience this little piece of heaven. They come from Canada and the U.S.A. They also travel from afar – Australia, Germany, Sweden, France, Ireland, Belgium, Switzerland, Zambia, the U.K., and the Netherlands.

We are also very concerned about the impact not only to the environment but also to the wildlife in the area. It is not uncommon to be provided with the opportunity on our guided trail rides to see wildlife (black and grizzly bears, cougars, wolves, moose, elk, deer, big horn sheep, etc.) up close and personal. This area is also home to large expanses of native rough fescue and limber pine which are irreplaceable if disturbed and damaged. The South Saskatchewan Regional Plan was put into place to protect these areas to ensure that industrial development would use existing disturbed corridors to avoid destroying these environmentally sensitive areas. Why is this plan not being applied here?

We depend upon the land for our livelihood and we also feel the importance of being “stewards of the land.” We, as much as we are able to, protect our grass, our water, our wildlife and our heritage because in the big picture these assets have now and will have irreplaceable value in the future. We, as previously mentioned, are third generation ranchers, and our sons, Liam and Jase Keil, will hopefully be the fourth on the DU Ranch. We believe that as we age, the Ranch, the valley and the Livingstone Range, become our legacy not only given to us by our parents, but our legacy that we give to the future generations, like our sons.

We strongly object the Windy Point Wind Farm, future wind power generation and the proposal for future transmission lines. This energy is not green energy when you consider the destruction that it has on the landscape and the need for more power plants and transmission lines to move this wind energy!

Sincerely,

Richard Keil & Kate McKim-Keil  
Centre Peak High Country Adventures

To whom it may concern:

I have several concerns and questions regarding the proposed Windy Point Wind Farm. I have outlined my specific concerns below.

- While I realise that the MD does not directly approve transmission lines, the approval of these generators is a de facto approval as transmission will obviously follow. The amount of transmission lines should be considered to be at limit. It seems also that lines are never removed and replaced with larger; rather more are stacked in on top.
- We have been inundated with communications from the MD, AESO, AUC and likely others regarding the multiple projects in our area. It has been nearly impossible to keep track of the details and cumulative effects of all of these projects. Ironically, we received no communication from Alberta Wind Energy regarding this project other than the stop they made to take photos for the model.
- Fire caused by a wind turbine is of huge concern to me as this project is situated on native grassland. We have seen with the 1997 Granum fire how fast an incident can spread through native grassland. This project is in an area with impassible rock faces blocking access to the turbines. A fire directed by the prevailing western winds could leave the site inaccessible. The presentation did not show any proposed access roads. Where are these proposed access roads? What plan does the company have to access the site in the event of an emergency?
- Should an emergency situation occur, who is responsible for any damage to adjacent property? Is the owner of the wind turbine required to carry insurance to operate with the MD? If a fire started on a neighboring piece of property crosses into my property, who is responsible for damage and fire fighting costs?
- According to sound modeling maps, several turbines are noise limits are right to the border. What recourse does an adjacent landowner have should the model prove to be incorrect?
- I was initially a supporter of wind energy when the idea was first proposed in our community. A lot of people thought this these companies would replace the declining Shell plant in terms of support for this community. I don't believe we have seen much to that effect. Projects are developed and sold off to companies who seem to care very little about our community and our people. We don't see wind companies sponsoring our local events, sports teams, or facilities as Shell has done in the past, or as Teck does in the Crowsnest Pass. Other than some initial tax revenue and a few jobs, this community sees very little benefit from this industry. Though it remains to be seen, I fear what the remediation will be when these projects enter the end of their life cycle. Will the community and landowners be left to clean up when these projects cease?

Based on these concerns I object to the construction of the Heritage Wind Farm at this time.

Adam Mensaghi

November 5, 2018

To: Councillor Terry Yagos

CC: Quentin Stevick, Bev Everts, Brian Hammond, Rick Lemire, Roland Milligan

**Re: Windy Point Development Application Issues**

Dear Councillor Yagos,

Since you have failed to respond to my attempts to reach you by phone, despite messages left on your voice mail, I am writing to request that you personally vote No to the proposed Windy Point wind farm development.

I understand that the Municipal Planning Council is voting on that application on Nov. 6 and I urge you to do the right thing for the MD by strongly opposing this and all other wind farm development until environmental risks are adequately addressed.

I know the MD is not the final authority on such developments as they are ultimately subject to rulings by the Alberta Utilities Board. However, the MD has a responsibility to inform that process by clearly reflecting MD resident concerns through a rejection of this development application.

The application includes negative impacts on wildlife and native grassland and the AEP Wildlife Management reports related to the project identify "high, unmitigated risk" to wildlife and wildlife habitat. The threats to native prairie, including foothills fescue grassland, wetlands and coulees as well as many sensitive wildlife species justify the MD rejecting the development permit.

Furthermore, continued approval of these types of wind developments compounds the environmental damage by driving the need for significant new transmission infrastructure in this area. All of the proposed new transmission infrastructure is through very environmentally sensitive areas and will also significantly damage the iconic viewsapes highly valued by our residents and many Albertans.

This is a huge issue for residents in your division and indeed residents of the entire MD. We need you to stop supporting wind energy development until a proper planning process has been completed that considers cumulative impact and identifies strategies to minimize development (wind and transmission) in sensitive areas. I urge you to show leadership on this issue and vote NO to Windy Point.

Doug Smith

October 8, 2018

re. Windy Point Wind Farm

Dear Reeve Stevick and fellow MPC members,

I am following up with some thoughts and comments stemming from the public meeting on October 2<sup>nd</sup> concerning the Windy Point Wind Farm application. A number of noteworthy points were made and I think an opportunity currently exists to advance the whole area of consideration for energy-generation facilities in our Municipal District. It seems there are at least two or three elephants in the room in all of this which warrant some fresh perspectives. Certainly all voices ought to be heard and there is really no such thing as 'business as usual' in a rapidly-shifting environmental, economic and political climate.

First I will observe as a ratepayer in Division 4 that it is only necessary to look out my window to realize that past MD Councils have, in effect, created an economic 'sacrifice zone' at the east end of the Oldman reservoir and in the Summerview area where wind farm development has significantly outpaced other areas of the MD. No doubt this has much to do with prevailing wind patterns, yet it also has a feel of a rush to riches, and perhaps the small number of voices that have been raised in concern have not been given full and due account. As Kathy Welsch pointed out at the meeting, these WEC facilities are functionally in place for the remainder of any adult's life who lives here and plans to stay living here. This is no small consideration. It would not be right for anyone to be driven out of their home as a result of overly-hasty acquiescence to industry.

The point has been fairly made that it is not the business of government to tell a private citizen what he or she can and cannot do on their property – nor really is it the business of a neighbour to do so. This is, of course, fundamental to any interpretation of property rights. However, this is not an absolute, and various extenuating circumstances have an impact on this otherwise reliable tenet. This is why we have noise bylaws and certain areas of understanding which allow for and guarantee the peaceable enjoyment of life and property for any and all citizens. These issues pop up from time to time with agricultural smells, quarry dust and noise, recreational developments, etc. They are often difficult to resolve, but typically are confined to relatively small areas, and economic activity is otherwise usually allowed to move forward with considerations given to voiced concerns. Over the last fifteen years or so, however, things have changed with the onset of wind farm development. Now has come the prospect of a neighbour installing four hundred foot tall behemoths which radically alter the visual and auditory environment in ways heretofore unforeseen and unanticipated. And now 'neighbour' doesn't just mean the guy next door – it means folks scattered around a radius several miles out. The whole idea of 'doing my own thing on my own place' has somewhat lost its meaning here, and should be recognized as an outdated notion with respect to these installations. And just to exacerbate that reality it would seem that a significant chunk of the proposed development area for the Windy Point project is deeded to an absentee owner who would not have to deal with the effects of these towers. This is concerning for obvious reasons.

Also at the meeting Bill Newton brought up the complex and timely issue of the tension created between the implementation of a carbon tax which disincentivises hydrocarbon-based economic activity and encourages the creation of alternative and sustainable forms of energy creation, of which wind turbines are a prime example, while at the same time seeking to reduce and limit the footprint of industrial activity on certain lands, especially remaining intact native prairie and fescue grasslands which are under ever-widening threat. What this serves to highlight is that, while progressive taxation of carbon is broadly appropriate, we must be ever more vigilant in assuring that the correct balance is struck in these matters. For while it is necessary and inevitable that we shift our energy and economic reliances away from the burning of hydrocarbons and towards sustainable measures, both as a province and as a planet, it must not be done in a careless fashion. As the old quip would have it, we mustn't throw out the baby with the bath water. And there are indeed ways to achieve this, but it requires careful consideration and innovative thinking.

At the outset it seems to me we can easily agree on a consensus idea – do not place industrial facilities on native grassland. This is really a no-brainer. It is just wrong, and the cumulative effects of ill-considered development on such lands has been soberly portrayed in the ALCES model as developed by Dr. Brad Stelfox and applied in the Southern Foothills Study, to which the MD of Pincher Creek was an early signatory. This is certainly affirmed by the 175 citation points articulated by AEP in this current proposal. There is so little of these grasslands left and the majority of especially the Foothills Fescue Grassland in Alberta exists on deeded lands. There's no shortage of crop land in Alberta, already broken to the plough, over which the wind blows just fine. Our sustainable energy requirements can still be met through restricting development to these lands, including the solar power installations which will now be coming. We must be ready as a jurisdiction, therefore, to put aside the old 'my place, my rules' notion and recognize that for certain ecological urgencies the public good must hold sway. This especially pertains to the high ground, so much of which has already been compromised in our MD. The biological importance of these remaining areas, the ecological goods and services, must be acknowledged and secured from further damage. Likewise the spiritual importance of these wild areas is not limited to our Native sisters and brothers. Anyone who truly occupies the land and lives upon it every day has a deep esthetic and spiritual regard for the land itself. This is part of what sustains us as a society, for once we have lost our sense of reverence for the natural world that underlies and supports us, we are truly on the old road to perdition.

As Councillors and democratically-elected representatives of your fellow citizens you have an unenviable task. You must balance the pressures and imperatives of distant corporations and governmental initiatives with the concerns and living realities of your neighbours. And this you must do while trying to maintain an equitable system of municipal taxation, for which wind turbines are a recognized, though temporary, boon. Indeed, I recall a meeting some years ago at which Alan Kettles put forward the fanciful proposal that if the MD were just to completely unfetter the wind farm industry then no further property taxes would be required because all the money needed to operate

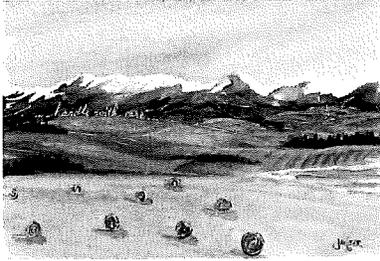
services would be provided by levies on wall-to-wall wind turbines! He neglected to mention that the taxable rate drops every year owing to depreciation on these machines, so the only way to maintain income levels would be to keep installing more and more turbines. Clearly this is a tad short on good sense. Of course, the taxpayer is a funny animal, and in the 2016 Wind Energy Questionnaire, when asked if this progressive shortfall in revenue would warrant higher municipal taxes, the majority of respondents said no. I think this is what's called being caught between a rock and a hard place. It would seem to be perhaps an auspicious time, then, to revamp some of the parameters of the development permit process to include not only viewscape considerations, which has already been done west of Highway 6, but also ecological considerations. And while it may not fall within the purview of the MD to articulate actual biological concerns, this being the business of Alberta Environment and Parks, I see no reason why a cutoff line should not be drawn – no more WECs on native grass or other ecologically-sensitive areas, including this current Windy Point application. Period. This also pertains to highly-contentious proposed transmission line routing. This requirement of environmental consideration is, after all, backed by direction in the SSRP and is a required consideration for the AUC – or at least is supposed to be. It seems only right that the municipality ought to conform in its decision-making process with provincial authorities. And yes, the odd frustrated landowner might be tempted to plough up some prairie just to get around that proviso, but in practical terms, all the remaining native grassland is already mostly used only for grazing, it being otherwise unsuitable for the growing of crops.

On a final note, at the meeting it was confirmed by Roland Milligan upon questioning that the previous commitment on the part of the MD to re-evaluate the public appetite for further windfarm development every three years has not been undertaken. There have been only two reviews and surveys since 2008. Roland observed that they hadn't really heard much in the way of complaints. I'm sure this is the case – in absolute numbers anyway. I recall the survey results indicating that a majority of respondents overall were quite happy to consider more windmills being built. It was, however, I think made clear that most of those responding were from the town of Pincher Creek where the impacts are negligible. Mind you, in the 2016 questionnaire mentioned above, some 72% of respondents indicated a concern for where these facilities should or should not be placed. Perhaps this concern needs to be fleshed out in more detail. With this then, it needs to be said that those who do have certain credible and rightful concerns are not just a few whiners whose only motivation is to impede progress at every turn. We only have to look at Kathy Welsch's meticulously laid out and researched submission to realize that this is the case. Just because an opinion might be in the minority does not in any way invalidate it. Sometimes it is the lesser voice which speaks closest to the truth.

Thank you for your consideration of these matters,

Phil Burpee  
SE1-8-30-W4

cc Roland Milligan



## Livingstone Landowners' Group

P.O. Box 148  
Cowley, Alberta T0K 0P0

10 October 2018

Municipal District of Pincher Creek, No. 9  
Box 279  
1037 Herron Avenue  
Pincher Creek, Alberta T0K 1W0  
Email: [info@mdpincercreek.ab.ca](mailto:info@mdpincercreek.ab.ca)

Dear Members - Municipal Planning Commission:

The Livingstone Landowners' Group is providing the following comments for consideration in your decisions regarding proposed new wind farm developments, including the Windy Point Wind Park now under review.

During the past decade, the MD has supported widespread wind farm development in our region. The cumulative effect of further large wind developments and the associated electric infrastructure is causing growing concern with residents about long-term negative impacts.

We are fortunate to live in a very biodiverse and ecologically significant region, characterized by native grasslands, critical wildlife habitat for threatened species, important wetland and watershed ecosystems and historical sites. This area also enjoys incredible views and the associated recreational and tourism opportunities.

Our unique location has been consistently recognized in government policy land use frameworks (e.g., South Saskatchewan Regional Plan) and in critical regulatory decisions. However, the effectiveness of these frameworks is limited by the difficulty of truly assessing long-term cumulative impact when projects are still individually evaluated and by the lack of clear policy on how these guidelines will be followed.

The risk is further increased by the difficulty mitigating many of the environmental challenges posed by development in such a sensitive area. Furthermore, the government lacks adequate resources to monitor compliance and ensure development commitments are actually met.

We urge the MD to take a leadership role in addressing these concerns by denying the Windy Point development permit as well as taking a very cautious view of other wind farm development requests until the bigger picture issues are addressed.

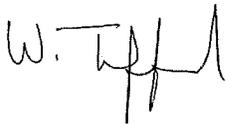
Not only does the Windy Point project directly threaten critical wildlife habitat and native grasslands, it contributes to growing pressure for massive new transmission infrastructure that poses an added threat to our environmentally sensitive region.

A large number of land owners in an area that spans most of the MD north and west of Pincher Creek have been served notice that AESO and AltaLink are applying for a major 240 or 500 kV transmission line to connect current and forecast wind development in the area. Although the route has not been finalized, all route options proposed go through native grassland, wetlands and/or stream headwaters, sensitive wildlife areas and impact some of the most iconic views in the region.

The only driver for this massive transmission development is anticipated growth in wind farms in this area since there is virtually no anticipated increase in load in the foreseeable future. The MD already has the heaviest concentration of wind turbines in Alberta and continued development of this infrastructure will have a cumulative impact on our environment and way of life that may be irreversible.

We welcome the opportunity to meet with you in an informal setting to provide additional information and discuss this matter in more detail.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Trafford". The signature is stylized and written in a cursive-like font.

Bill Trafford, President  
Livingstone Landowners' Group  
[Billtrafford1@gmail.com](mailto:Billtrafford1@gmail.com)  
[info@livingstonelandowners.net](mailto:info@livingstonelandowners.net)

## Recommendation to Municipal Planning Commission

<b>TITLE: DEVELOPMENT PERMIT NO. 2018-83</b>		
<b>Applicant:</b> Nova Gas Transmission Ltd. <b>Location:</b> Ptn. NE 2-10-2 W5M <b>Division:</b> 5 <b>Size of Parcel:</b> 156 acres – 63.3 hectares <b>Zoning:</b> Agriculture <b>Development:</b> Temporary Workforce Construction Camp		
<b>PREPARED BY:</b> Roland Milligan		<b>DATE:</b> October 30, 2018
<b>DEPARTMENT:</b> Planning and Development		
<b>Signature:</b> 		<b>ATTACHMENTS:</b> 1. Development Permit Application No. 2018-83
<b>APPROVALS:</b>		
	 _____	 _____
<b>Department Director</b>	<b>Date</b> 2018/11/01	<b>Interim CAO</b> 2018/Nov/01

<b>RECOMMENDATION:</b> That Development Permit No. 2018-83, for the temporary workforce construction camp, be approved, subject to the following Conditions, Variance and Informative:
<b>Condition(s):</b> <ol style="list-style-type: none"> <li>1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.</li> <li>2. That the applicant enter into a Development Agreement with the municipality for the development of the approach from Township Road 10-1 (Maycroft Road) and the development of that portion of Range Road 2-1 south of the approach.</li> </ol>
<b>Variance(s):</b> <ol style="list-style-type: none"> <li>1. That a 20 m variance be approved, from the 50 m Front Yard requirement, for a Front Yard Setback distance, from Range Road 29-1, of 30 m.</li> </ol>

## **Recommendation to Municipal Planning Commission**

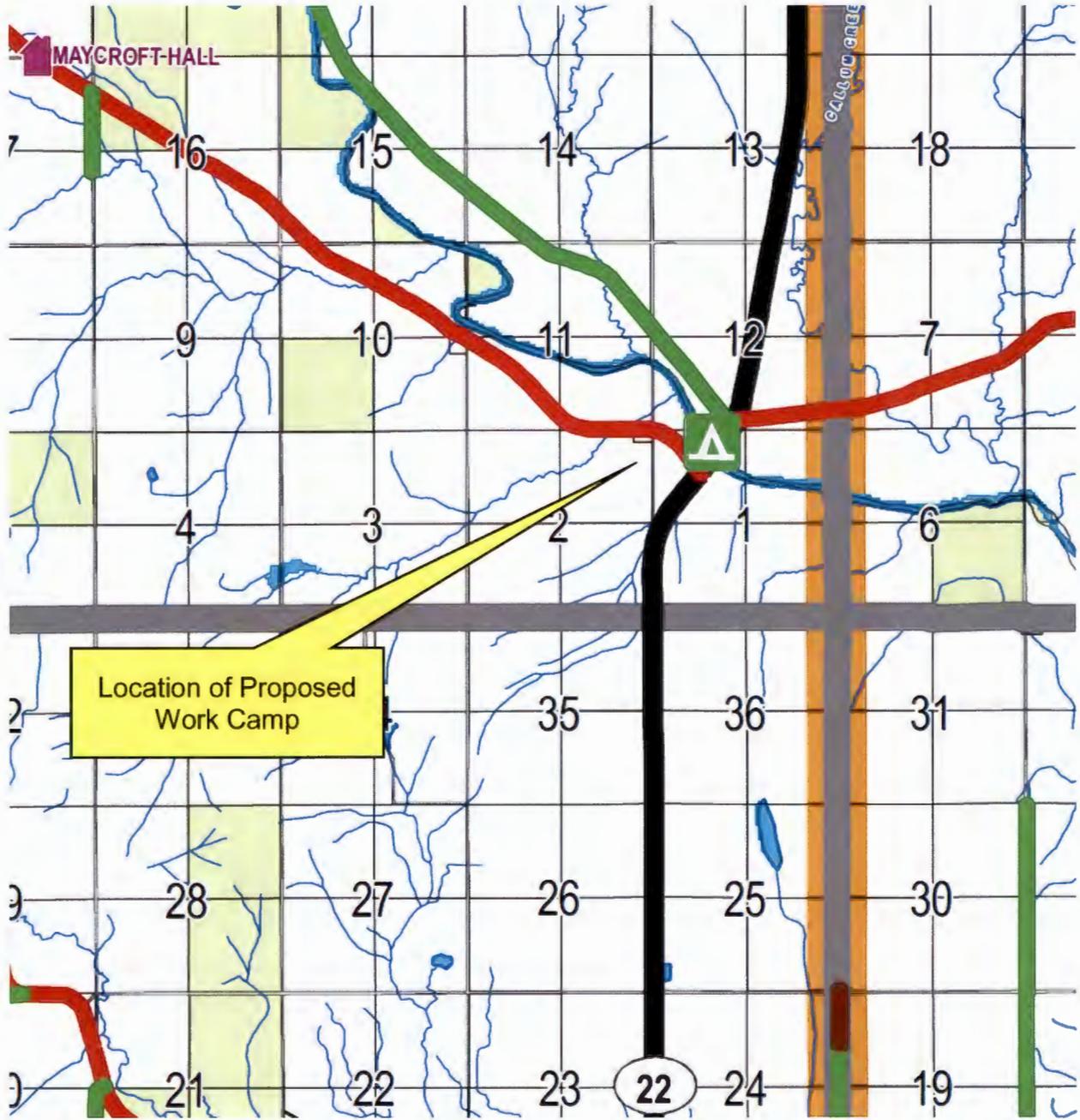
### **Informative(s):**

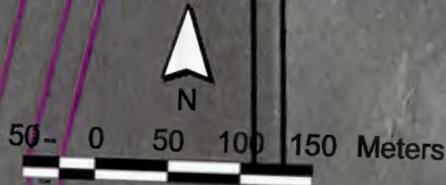
- 1. This permit is a temporary permit issued for a term of two (2) years, commencing at the date of issue. If the applicant requires a further time extension, an application will be required to be made to the development authority.**

### **BACKGROUND:**

- The MD is in receipt of the completed Development Permit Application No. 2018-83 for the development of a temporary construction workforce camp for Nova Gas Transmission Ltd.
- This application is in front of the MPC because:
  - Within the Agriculture Land Use District, Construction/Field/Work Camp is a discretionary use.
- The application was circulated to the adjacent landowners. At the time of preparing this report, no responses have been received.
- The camp will house workers for the Burton Creek Compressor Unit Addition, a compressor station located approximately 20km north within the MD of Ranchlands.
- A detailed description of the camp is provided with the permit application.
- The proposed camp will have sleeping accommodations, kitchen and dining complex, recreation and fitness facilities.
- The peak construction workforce is estimated at 120 to 150 personnel. An average of 75 personnel over proposed work period.
- The applicant is proposing to operate the camp from April 2019 to September 2020 (18 months).
- It is recommended that the period of validity be issued for two (2) years to cover any contingencies. If approved the permit would be valid to mid November 2020.

# Location of Proposed Development DP2018-83 Burton Creek Camp Site





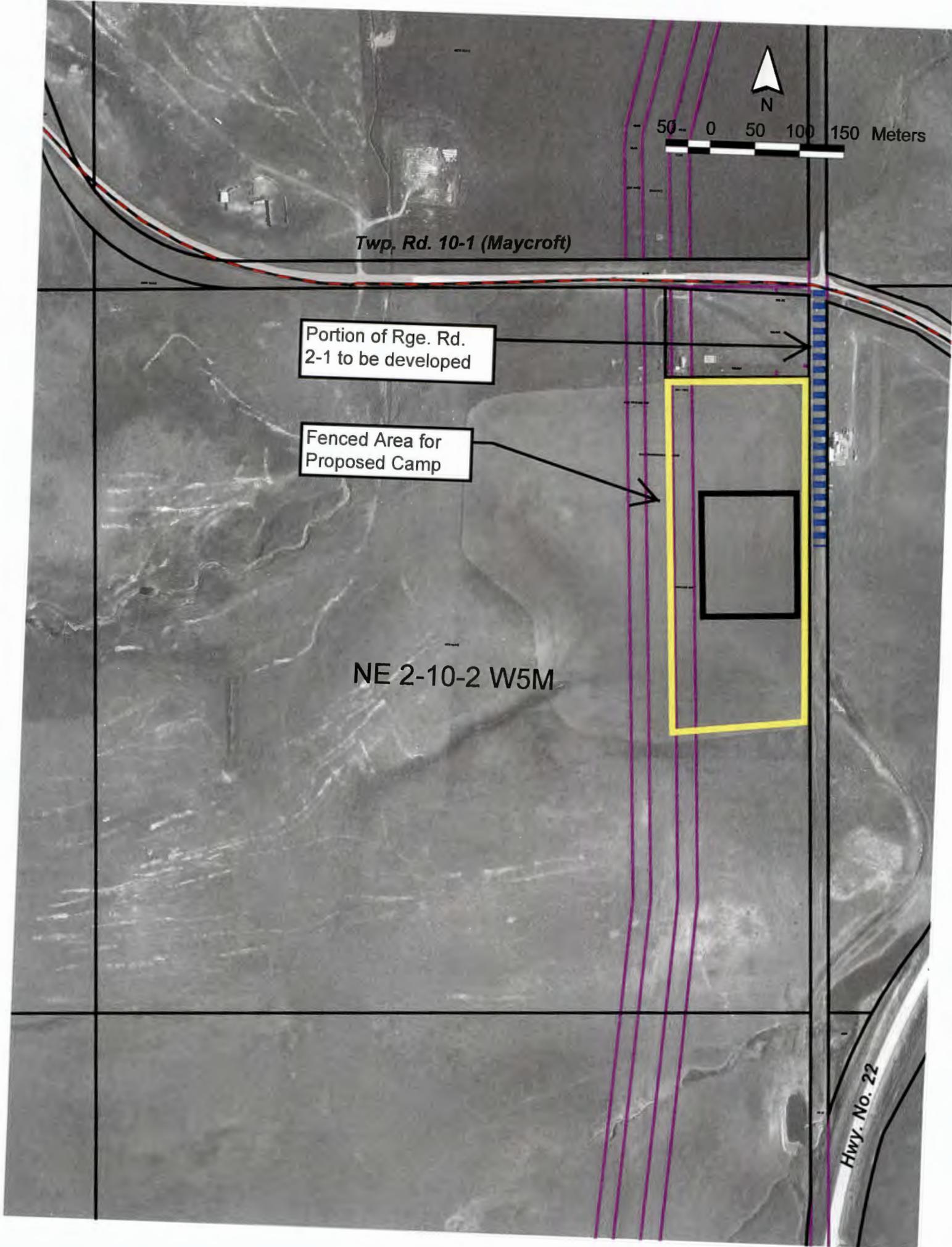
Twp, Rd. 10-1 (Maycroft)

Portion of Rge. Rd. 2-1 to be developed

Fenced Area for Proposed Camp

NE 2-10-2 W5M

Hwy. No. 22





**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. 2018-83

Date Application Received 2018-10-16

PERMIT FEE \$150.00

Date Application Accepted 2018-10-30

RECEIPT NO. 38596

Tax Roll # 4945.000

*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: Nova Gas Transmission Ltd.

Address: 450 1st St. SW Calgary AB

Telephone: 403-463-5391 Email: shayne\_beattie@transcanada.com

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

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

Interest of Applicant (if not the owner): Lease Holder

**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:**

The site will be utilized to operate a temporary construction workforce camp during the construction and commissioning of the Burton Creek Compressor Station Unit Addition.

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

Block \_\_\_\_\_

Plan \_\_\_\_\_

Quarter Section N.E. 1/4 Sec. 2-10-2 W5M

Estimated Commencement Date: April 2019 (camp equipment mobilized & installed)

Estimated Completion Date: September 2020 (camp equipment dismantled & removed)

**SECTION 3: SITE REQUIREMENTS**

Land Use District: AGRICULTURE A Division: 5  
 Permitted Use  Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes  No

Is the proposed development below a licenced dam?

Yes  No

Is the proposed development site situated on a slope?

Yes  No

If yes, approximately how many degrees of slope? \_\_\_\_\_ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes  No  Don't know  Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes  No  Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	5.4 ha.		
(2) Area of Building	1,740 m2		
(3) %Site Coverage by Building	3.2%		
(4) Front Yard Setback Direction Facing: North towards 101	100m	50m	YES
(5) Rear Yard Setback Direction Facing: South	75m	7.5m	YES
(6) Side Yard Setback: Direction Facing: West	50m	7.5m	YES
(7) Side Yard Setback: Direction Facing: East	30m	<del>CURBSETBACK 50</del>	WAIVER REQ'D.
(8) Height of Building	3 m		
(9) Number of Off Street Parking Spaces	approx. 50		

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

See attached exhibits including detailed description, site plan, building layout, building specifications, conceptual images, and local landowner engagement

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

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

\_\_\_\_\_

\_\_\_\_\_

**SECTION 4: DEMOLITION**

Type of building being demolished : \_\_\_\_\_

Area of size: \_\_\_\_\_

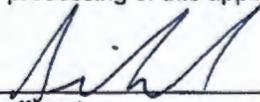
Type of demolition planned: \_\_\_\_\_

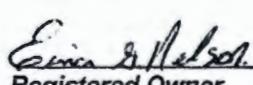
**SECTION 5: SIGNATURES (both signatures required)**

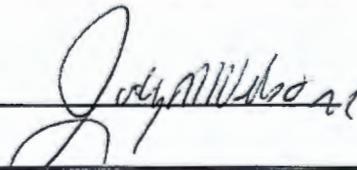
The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: 2/16/2018

  
 \_\_\_\_\_  
 Applicant

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



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

# Temporary Construction Camp Detailed Description

---

## **1. Introduction**

Nova Gas Transmission Ltd. (NGTL) is proposing to construct a Burton Creek Compressor Unit Addition as part of TransCanada's West Path Delivery Project. Based on current project plans, construction is planned to begin in Q2 2019. A workforce accommodation evaluation was completed and deemed a temporary construction camp located close to the project site was the best option based on the objective of reducing traffic and travel exposure risk while maximizing productivity on site. A camp supplier and subcontractors will be selected based on the engagement with local and Indigenous community, ensuring economic benefits are distributed in the area of the camp location.

## **2. Camp Size and Occupancy**

NGTL is proposing to install a construction camp complete with sleeping accommodations, kitchen and dining complex, recreation and fitness facilities, to accommodate a peak construction workforce of approximately 120-150 personnel and an average of approximately 75 personnel over a 12-18 month construction period from approximately April 2019 to September 2020. All camp structures will be connected by modular hallways and consist of the following:

- Dorms with self-contained bedrooms with private washrooms
- Kitchen and dining room
- Fitness and recreation facilities
- Camp entrance and office
- Parking for work vehicles and buses

## **3. Camp Location**

NGTL has identified a suitable camp location on property located on the south-west corner of Highway 22 and Township Road 101 in the MD of Pincher Creek legally described as N.E. ¼ Section 2-10-2 W5M.

## **4. Traffic Impact**

NGTL is very sensitive to local concerns and infrastructure impacts, and the camp location has been chosen on established land in close proximity to the project construction site and access roads while minimizing travel times. In an effort to ensure the safety of all our project personnel and limit traffic on the roadways, a majority of all construction workers will be shuttled between sites. Camp traffic will consist of personnel travelling to and from the construction site via busses and work vehicles. NGTL intends to work with municipal and provincial governments to erect signage near the camp intersection as well as reduced speed limits.

## **5. Medical and Security**

NGTL will have onsite medical support and security services. These services will be contracted through local and Indigenous service providers. All camp residents will abide by clear rules of conduct in fostering a safe and harassment-free environment, including the prohibition of the possession of alcohol, illegal drugs and firearms.

## **6. Site Servicing Plan**

The development will not connect to municipal infrastructure nor have any adverse impact existing municipal facilities in the MD of Pincher Creek area.

Potable water will be trucked to the camp location from an approved licensed Domestic Water Supplier. Potable water will be stored on site held in a 400 barrels (63,000L) water storage tanks (contained inside heated, skidded modular units) in sufficient numbers to meet the expected usage in the camp; expected peak occupancy domestic usage is 50m<sup>3</sup> / day (50,000L/day). The potable capacity will be supplemented as necessary in order to meet the minimum reserve for the purposes of firefighting as required.

Waste water will be stored in a 400 barrels (63,000L) storage tanks and hauled by licensed local service providers to the licensed waste water treatment plant. The waste water system will include pollution prevention, best management plan, and an environmental management system.

Solid waste will be stored in wildlife-proof bins and supported by a camp education program to avoid wildlife issues. Solid waste will be transferred as per municipal guidelines. A recycling program will be in place to redirect cardboard and refundable items from landfills. NGTL will work with TransCanada Community Safety and Environment to donate refundable proceeds to local charities.

## **7. Fire Suppression and Emergency Power Generation**

The camp facility will be equipped with the following fire safety system:

### System Design

- Fire Alarm - Single zone, supervised, non-coded, Class "B" local system complete with auxiliary power and provision to tie into main fire alarm panel.
- Heat Detectors - fixed temperature head installed in the mechanical, service rooms and all bedrooms.
- Manual Alarm Station -break glass stations located at all exits.
- Signals - two 6 inch, 24 volt DC horn and strobe lights.
- Smoke Detector - 24 volt DC system ionization type smoke detector, installed in the furnace return plenum. Activation of the smoke detector will signal the main fire alarm panel and shut down the furnace.
- Smoke Alarm -120 volt AC, self contained signal alarm located in every sleeping room.
- Emergency -emergency light packs including remote heads located in the wash car shower, toilet, and laundry rooms.

- Exit Lights -exit light fixtures complete with lamps, and D.C. supply, located at the exits.
- Smoke Door -automatic hold-open device | closer on smoke door activated by smoke detectors.

A back-up gen-set power will be provided as part of the infrastructure to ensure power is provided to the essential services of the camp.

All mechanical & electrical fire alarm drawings and schematics will be submitted at time of Building Permit application.

## **8. Construction Safety and Fire Plan**

- Water Holding Tanks (for domestic water) will be installed prior to assembly of camp modular structures.
- The dorms will be fully commissioned prior to occupancy and fire protection systems will be fully operation prior to occupancy.
- Fire exiting/egress floor plans (Fire Plans) will be installed at each primary entrance prior to occupancy.
- Full safety meeting will be held during course of construction of the camp and during decommissioning. WHIS products sheet and procedures will be followed, for both storage and handling of products. Hot work permits will be required for all welding or hot work.
- The Kitchen and Dining facility will be sprinklered. Sufficient water supply will be designed by Engineer prior to Building Permit Application.
- Fire Fighting Water capacity. Largest non-sprinklered building size = 600sq.m. As per Standata 06-BCV-014R1, fire water retention is not required for the remainder of building on the site.
- Propane tanks; propane tanks will be used on site in sufficient number to support camp facility. Locations as noted on plot/site plan. Permits will be pulled if required by the camp service provider and local authority. Minimum distances between propane tanks and occupied buildings will be maintained as per CSA standards and NFPA standards for handling and storage of propane fuel.

## **9. Environmental Protection Plan**

An Environmental Protection Plan describing the measures and commitments to be carried out by NGTL and its camp supplier will be implemented to avoid or minimize potential environmental effects of the camp. The EPP will include both general and site-specific environmental protection measures which have been developed and refined based on past project experience, input from Indigenous groups, landowners, stakeholders, and regulators during consultation, and reflect current industry best management practices.

# NOVA GAS TRANSMISSION LTD.

Proposed Burton Creek Camp Site  
in  
N.E.1/4 Sec.2 Twp.10 Rge.2 W.5M.

CAUTION:  
BURIED CABLES  
TELUS (3)

APPROACH AND  
GATE REQUIRED



**LANDOWNER'S CONSENT:**

I/We, the landowner(s)/occupant(s), consent to the location of the area shown on this plan.

Dated this 03 day of August, 2018.

*Einar Nelson*      *Judy Nelson*

**AREA & LANDOWNER'S INFORMATION:**

**N.E.1/4 Sec.2-10-2 W.5M.**

AREA REQUIRED:

CAMP SITE: 5.40 ha. (13.34 ac.)

OWNER(S): EINAR G NELSON  
JUDY M NELSON

TITLE No.: 981 058 322

**LEGEND:**

Proposed Camp Site:   
Distances shown are ground and in meters and decimals thereof



**MIDWEST SURVEYS INC.**  
2827 SUNRIDGE BLVD NE  
CALGARY, AB  
T1Y 8G1  
TEL: 403-244-7471

No.	DATE	REVISION / ISSUED	JOB NO	Page 1 of 1
0	FEB 12, 2018	ISSUED FOR REVIEW	PA-0032-17	<b>3</b> REVISION
1	MAR 13, 2018	REVISED CAMP SITE LOCATION	PA-0032-17	
2	MAR 22, 2018	REVISED CAMP SITE	PA-0032-17	
3	APRIL 2, 2018	UPDATED CAMP SITE WITH SURVEY INFORMATION	PA-0032-17	
Project Ref. No.: M.000663		DOCUMENT No.: 970-2017-MP-08-0017_03		

SKETCH PLAN SHOWING:

# NOVA GAS TRANSMISSION LTD.

Proposed Burton Creek Camp Site  
in  
N.E. 1/4 Sec.2 Twp.10 Rge.2 W.5M.



**LANDOWNER'S CONSENT:**  
I/We, the landowner(s)/occupant(s), consent to the location of the area shown on this plan.  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**AREA & LANDOWNER'S INFORMATION:**  
**N.E.1/4 Sec.2-10-2 W.5M.**  
AREA REQUIRED:  
CAMP SITE: 5.40 ha. (13.34 ac.)

**LEGEND:**  
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Distances shown are ground and in meters and decimals thereof

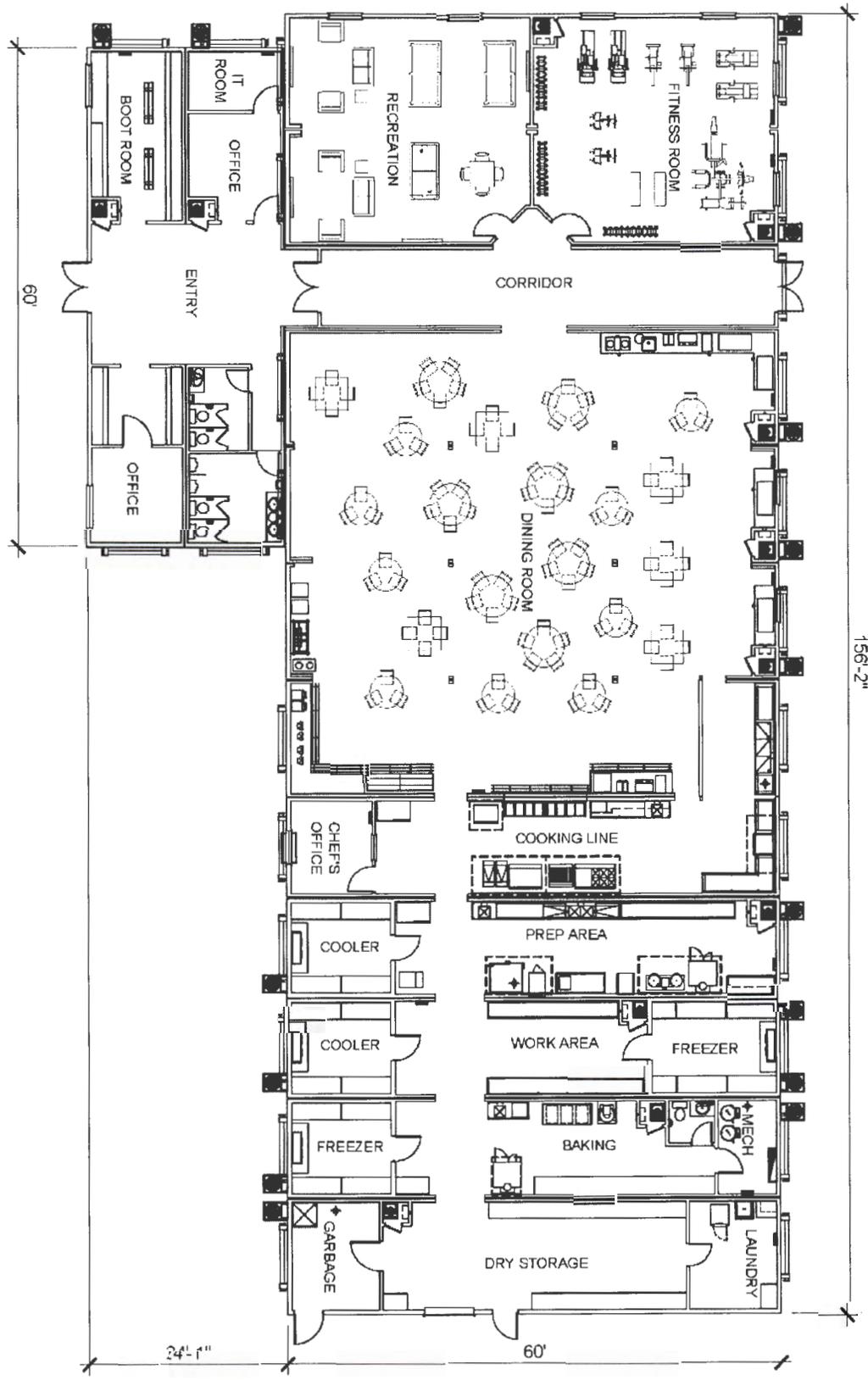
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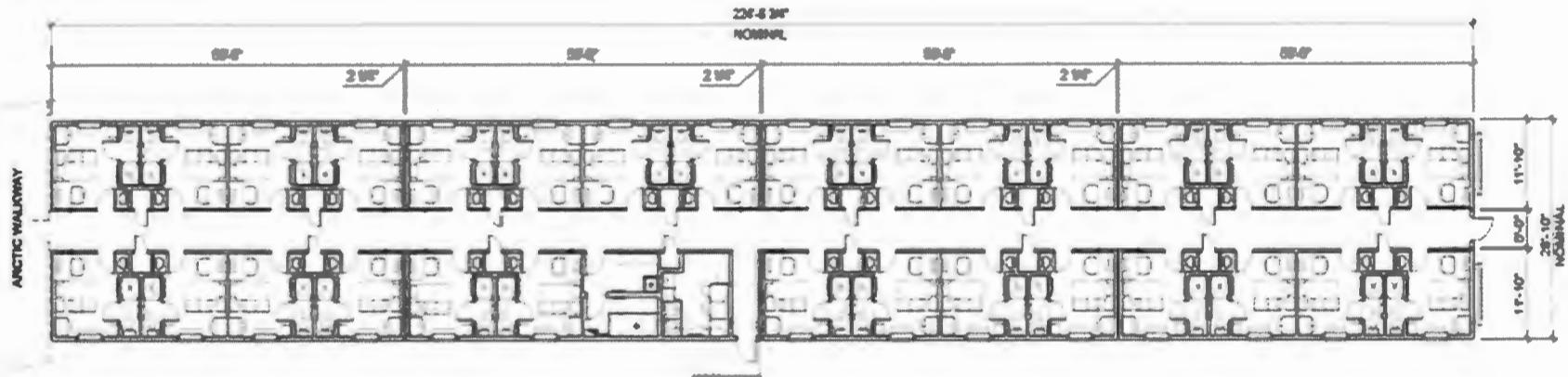
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4	OCT 16, 2018	ADDED CAMP	PA-0032-17	

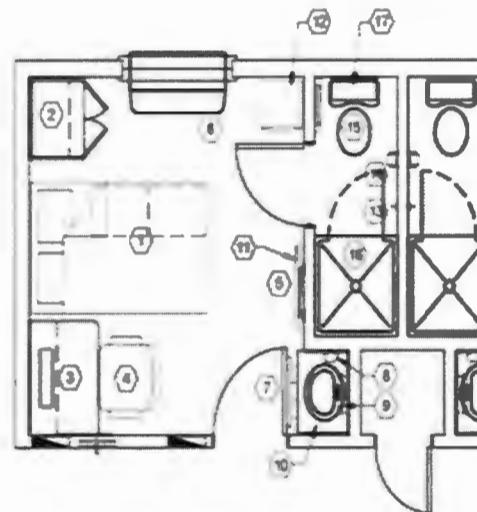
Project Ref. No.: M.000663      DOCUMENT No.: 970-2017-MP-08-0017\_04







**30 PERSON PER COMPLEX**  
**SCALE: 1/8"=1'-0"**  
**AREA = 6485 SF (300 SQA)**



**TYPICAL SUITE FLOOR PLAN**  
**SCALE: 1/8"=1'-0"**

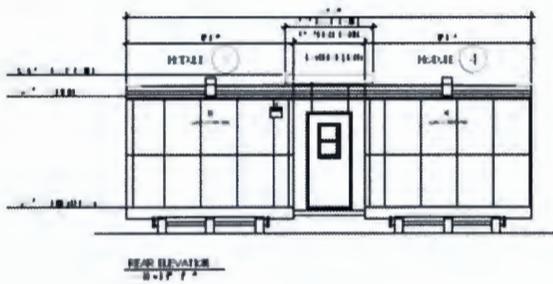
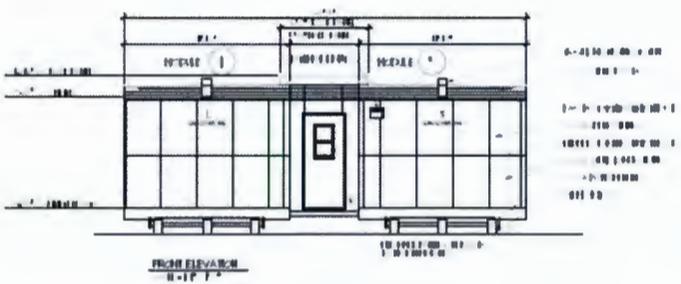
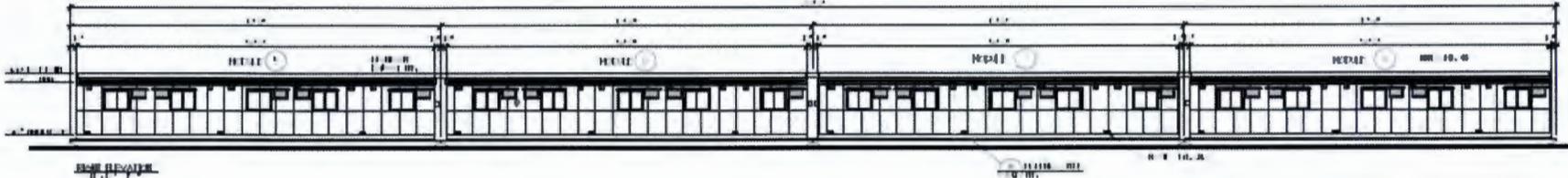
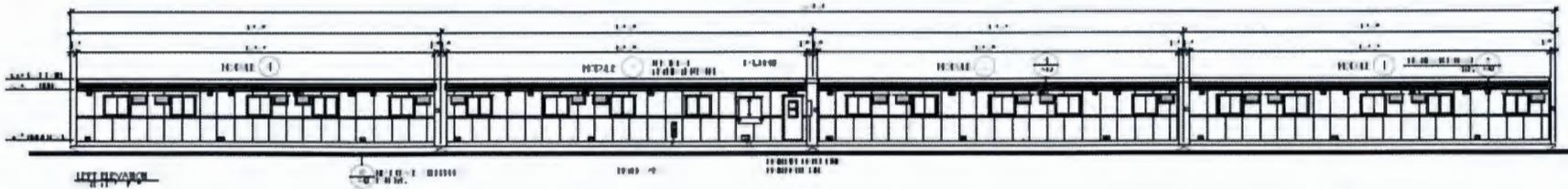
**EQUIPMENT AND FURNISHINGS LIST**  
**( PLEASE REFER TO PROJECT SPECIFICATIONS**  
**FOR MORE DETAILED INFORMATION)**

**BEDROOM**

- ① CAPTAIN'S BED CAV  
2 DRAWERS BELOW
- ② WARDROBE CABINET CAV  
ROD, DRAWER & DOORS
- ③ DESK TOP CAV DRAWER
- ④ SLED BASE PADDED CHAIR
- ⑤ TOWEL BAR
- ⑥ WASTE BASKET
- ⑦ ALUMINUM COAT HOOK BOARD
- ⑧ SOAP DISH WALL MOUNTED
- ⑨ MIRROR MEDICINE CABINET
- ⑩ OPEN UNDER VANITY
- ⑪ FLAT PANEL TV
- ⑫ BAR FRIDGE

**BATHROOM**

- ⑬ DOUBLE ROBE HOOK
- ⑭ TOILET PAPER HOLDER
- ⑮ WATER CLOSET
- ⑯ FIBERGLASS SHOWER CAV CURTAIN
- ⑰ LINEN SHELF OVER WATER CLOSET



Conceptualized Camp Exterior





Oct 5, 2018

TransCanada PipeLines Limited  
450 - 1st Street S.W.  
Calgary, Alberta, Canada T2P 5H1

Tel: 587.933.8459  
Email: [spencer\\_mckay@transcanada.com](mailto:spencer_mckay@transcanada.com)  
Web: [www.transcanada.com](http://www.transcanada.com)

[SENT VIA XPRESSPOST]

**Re. Burton Creek CS Propose Camp Location  
NOVA Gas Transmission Ltd. (the "Company") – West Path Delivery Project (the "Project")**

**Good afternoon,**

NGTL has continued to consult with affected landowners and stakeholders in relation to the Burton Creek CS Proposed Camp Location (proposed camp) on NE 02-10-02 W5M located on Maycroft Rd & Highway 22. We appreciate your ongoing feedback throughout this consultation process, as it has assisted NGTL in developing proposed mitigations to address landowner and stakeholder input in relation to the proposed camp. Beyond direct consultation with landowners, NGTL has continued to engage with the MD of Pincher Creek relating to the proposed camp and the West Path Delivery Project. NGTL would like to take this opportunity to update you on the proposed camp, specifically, NGTL's proposed mitigation measures in response to the feedback we have received.

### **1) Concerns relating to the intersection of Highway 22 & Maycroft Rd**

- NGTL has undertaken discussions with the MD of Pincher Creek as well as nearby landowners and residents regarding traffic concerns at the Highway 22 & Maycroft Rd intersection. Following these discussions as well as an assessment of the intersection, NGTL is proposing the following potential mitigations, which include; decreased speed limits near the intersection, additional signage or notification lights and flaggers on either side of the intersection when large commercial vehicles are in bound to the proposed camp. Specific mitigations are not limited to these proposals and as NGTL solidifies the traffic mitigation plan, in collaboration with the MD of Pincher Creek and AB Transportation, we are committed to updating landowners and stakeholders on the specific mitigations that will be implemented.

### **2) General traffic concerns**

- NGTL has heard from landowners and stakeholders that the general increase in traffic because of the proposed camp is of concern to those who live, work and play in the Maycroft area. NGTL understands these concerns and has proposed traffic mitigations to limit traffic both at the intersection mentioned above and on Highway 22 and Maycroft Rd. NGTL will work the prime contractor to ensure that construction crews who will be staying at the camp will be bused in from strategic staging locations to the proposed camp as well as to and from the construction site to limit the number of personal vehicles on site and on the highways. This practice will also limit the number of personal vehicles in the Maycroft area during off work hours. In addition, NGTL has made it policy that no contractors shall bring in any motorized recreational equipment to limit the impact on the Maycroft recreational area. NGTL notes however that there are certain contractors and travel situations which may require the use of personal vehicles or work specific off-road vehicles, therefore NGTL will utilize the busing of contractors to the proposed camp wherever practical.

### **3) Alcohol and Drug Policy**

- The proposed camp will have a zero tolerance for alcohol, marijuana or illicit drugs within the camp facility. NGTL takes safety and productivity of its workforce seriously and feels this is the most effective approach to ensuring the safety and productivity of not only NGTL's workforce, but ensuring the safety of those who share roads and living space with NGTL's workforce. In the instance that a crew member does not abide by the zero-tolerance policy, they will be at risk of being evicted from the camp and terminated from the construction crew.

We thank you for your continued feedback and we will keep you up to date as the development permit process moves forward. If there are any questions, concerns or further input you may have, please do not hesitate to contact me at 587-933-8459 or [spencer\\_mckay@transcanada.com](mailto:spencer_mckay@transcanada.com)

Regards,



Spencer McKay  
Land Representative  
TransCanada Pipelines Ltd.  
P: 587-933-8459  
E: [Spencer\\_Mckay@transcanada.com](mailto:Spencer_Mckay@transcanada.com)

## Recommendation to Municipal Planning Commission

<b>TITLE:</b> DEVELOPMENT PERMIT NO. 2018-84  <b>Applicant:</b> Stantec Consulting on behalf of Enel Green Power <b>Location</b> SE 15-7-30 W4M <b>Division:</b> 4 <b>Size of Parcel:</b> 160 acres – 64.7 hectares <b>Zoning:</b> Wind Farm Industrial - WFI <b>Development:</b> Installation of Three (3) Temporary Meteorological Towers	
<b>PREPARED BY:</b> Roland Milligan	<b>DATE:</b> October 30, 2018
<b>DEPARTMENT:</b> Planning and Development	
<b>Signature:</b> 	<b>ATTACHMENTS:</b> 1. Development Permit Application No. 2018-84
<b>APPROVALS:</b>	
 _____ <b>Department Director</b>	 _____ <b>Interim CAO</b>
_____ <b>Date</b>	_____ <b>Date</b>

**RECOMMENDATION:**

That Development Permit No. 2018-84, for the installation of three (3) Temporary Meteorological Towers be approved, subject to the following Conditions:

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. This development meet all NAV Canada and all other required regulatory permit(s), approval(s) and/or condition(s).
3. That this permit be valid for two (2) years from date of issue.

## Recommendation to Municipal Planning Commission

### BACKGROUND:

- The MD is in receipt of completed Development Permit Application No. 2018-84 for the installation of three (3) temporary Meteorological Towers.
- These towers are in association with the Castle Rock Ridge Phase II Wind Farm.
- This application is in front of the MPC because:
  - Within the Wind Farm Industrial Land Use District, Meteorological Towers is a discretionary use.
- The application was circulated to the adjacent landowners. At the time of preparing this report, no responses have been received.
- The applicant states that towers are required prior to construction for calibration of the future met towers on CRR Phase II and the adjacent Riverview wind farms.
- The purpose is to ensure that the project meets the AESO guidelines for reporting and calibration along with internal Enel standards.
- The temporary towers are to be erected at the CRR Phase II Permanent Met Tower site and at the locations of Turbine 3 and Turbine 4 of the same project (Approved Development Permit 2018-50).



**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 FOR METEOROLOGICAL (MET) TOWER

DEVELOPMENT PERMIT APPLICATION NO. 2018-84

Date Application Received 2018-10-16

PERMIT FEE \$100.00

Date Application Accepted 2018-10-31

RECEIPT NO. 38563

### SECTION 1: GENERAL INFORMATION (completed by all permit applicants)

**Applicant:** Jeff Drain, Stantec Consulting on behalf of Enel Green Power, North America, Inc.

**Address:** Stantec 290-220 4 St. S., Lethbridge, AB T1J 4J7 **Telephone:** 403-332-4858

**Owner of Land (if different from above):** Please refer to the attached package

**Address:** N/A **Telephone:** N/A

**Interest of Applicant (if not the owner):** Owners Engineering Consultant

### SECTION 2: PROPOSED DEVELOPMENT (completed by all permit applicants)

I/We hereby make application for a Development Permit in accordance with the plans and supporting information submitted.

A BRIEF DESCRIPTION OF THE PROPOSED DEVELOPMENT IS AS FOLLOWS:

**Total number of new MET:** 3

**If expansion of existing, the overall total:** 3

**Legal Description of Lands to be Used:** Lot(s) \_\_\_\_\_ Block(s) \_\_\_\_\_ Plan \_\_\_\_\_  
Quarter Section SE Sec-15 Twp-007 Rge-30 Mer-4

**Estimated Value of Construction:** \$250,000

**Estimated Commencement Date:** Nov 7, 2018

**Estimated Completion Date:** Dec 15, 2018

### SECTION 3: INFORMATION REQUIREMENTS

All of the following must be attached before the application is considered complete. The Development Officer shall determine completeness and refuse all applications that are incomplete.

LAND USE DISTRICT: Wind Farm Industrial

- |  |  |
|--|--|
| Accurate Site Plan:                        | <input checked="" type="checkbox"/> Attached |
| Elevations or Scale:                       | <input checked="" type="checkbox"/> Attached |
| Photos or Representations of Proposed MET: | <input checked="" type="checkbox"/> Attached |
| Report on any Public Consultation:         | <input checked="" type="checkbox"/> Attached |
| Reclamation/Decommissioning Plan:          | <input type="checkbox"/> Attached            |
| Impact on Local Road System:               | <input checked="" type="checkbox"/> Attached |
| Setback and Separation Distance Chart:     | <input checked="" type="checkbox"/> Attached |
| Tower Access and Safety:                   | <input checked="" type="checkbox"/> Attached |
| Color and Finish:                          | <input checked="" type="checkbox"/> Attached |

#### Results of Applicant Circulation to Other Government Levels:

- |  |  |
|--|--|
| Alberta Utilities Board                        | <input checked="" type="checkbox"/> Attached |
| Transport Canada                               | <input checked="" type="checkbox"/> Attached |
| NAV Canada                                     | <input checked="" type="checkbox"/> Attached |
| Alberta Tourism, Parks, Recreation and Culture | <input checked="" type="checkbox"/> Attached |
| Alberta Environment                            | <input checked="" type="checkbox"/> Attached |
| Alberta Infrastructure and Transportation      | <input checked="" type="checkbox"/> Attached |
| Alberta Sustainable Resources                  | <input checked="" type="checkbox"/> Attached |

**SECTION 4: AUTHORIZATION**

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: Oct 16, 2018

[Signature]  
Applicant

[Signature]  
Registered Owner

[Signature]

Information on this application form will become part of a file which will be considered at a public meeting. Any portion of the application determined to be incomplete by the Development Officer shall be rectified before the application is accepted and a public meeting date is set.



Temporary Met Tower  
Turbine 3 Location

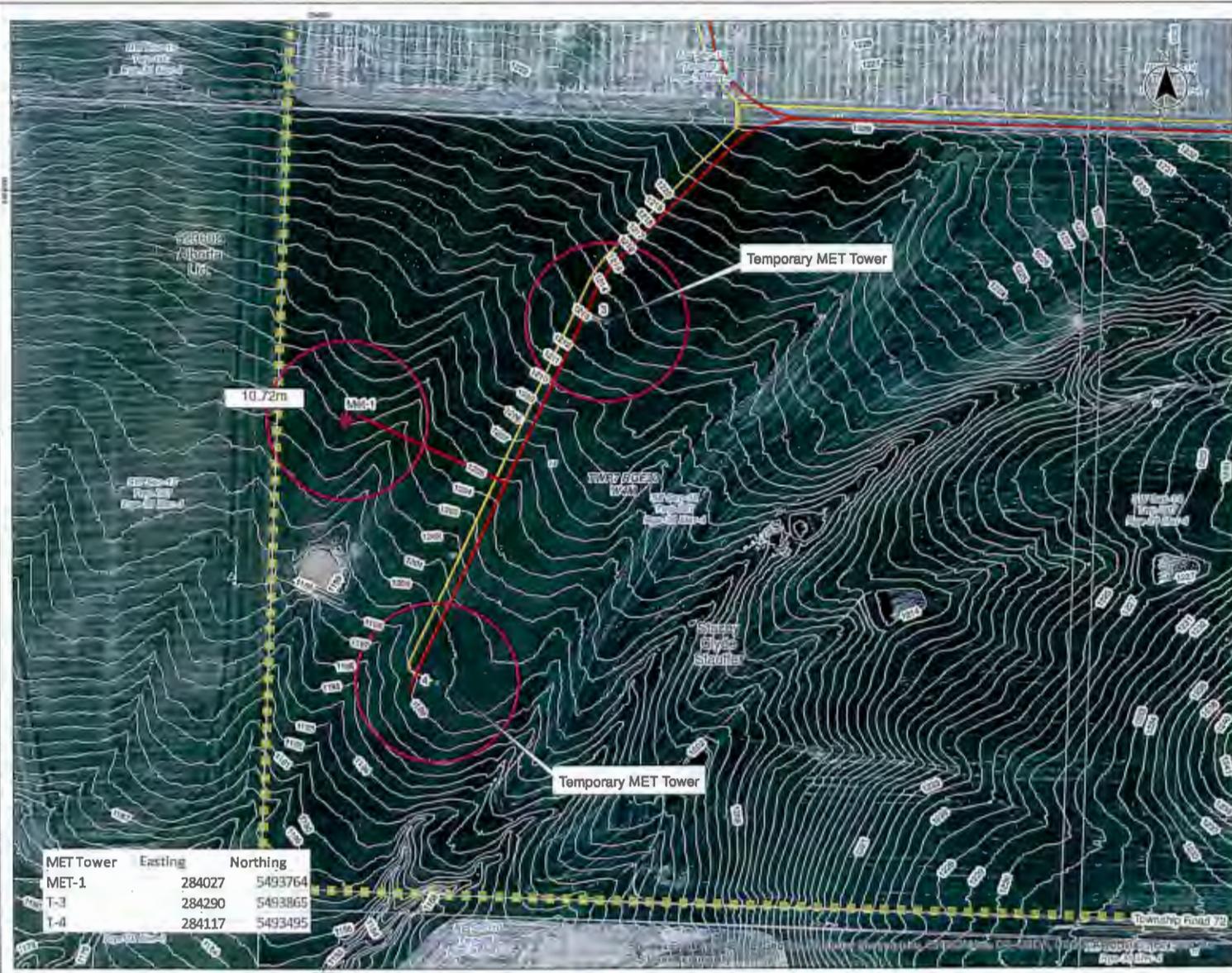
SE 15-7-30 W4M

Temporary Met Tower  
Permanent Met Tower  
Location

Temporary Met Tower  
Turbine 4 Location

SW 14-7-30 W4M





MET Tower	Easting	Northing
MET-1	284027	5493764
T-3	284290	5493865
T-4	284117	5493495



- Castle Rock Ridge Phase II Turbine Layout
- Qtr Section
- Project Lands
- \* Met Tower
- Met Tower Falldown Radius - 82m
- Project Boundary
- Access Road
- 2018 Proposed for Construction Collector
- Contours 1m
- Railway
- Major Road
- Minor Road
- Township
- Section

0 75 150 metres  
1:4,000 (At original document size of 11x17)

Notes  
1. Coordinate System: NAD 1983 UTM Zone 12N

Project Location  
M.D. of Pincher Creek AB, Canada

Client/Project  
Pincher Creek, L.P.  
c/o Enel Alberta Wind, Inc.  
CASTLE ROCK RIDGE PHASE II

Figure No.  
1



**MET Tower Locations**

## DRAWING LIST

PAGE	TITLE	REV
P-1	TOWER PROFILE	0
P-2	GROUNDING	0
P-3	ENCLOSURES	0
F-1	FOUNDATION DETAILS	0
F-2	ANCHORS DETAILS	0



CONSTRUCTION PROJECT OF A MET TOWER SITE  
RIVERVIEW & CASTLEROCK RIDGE II

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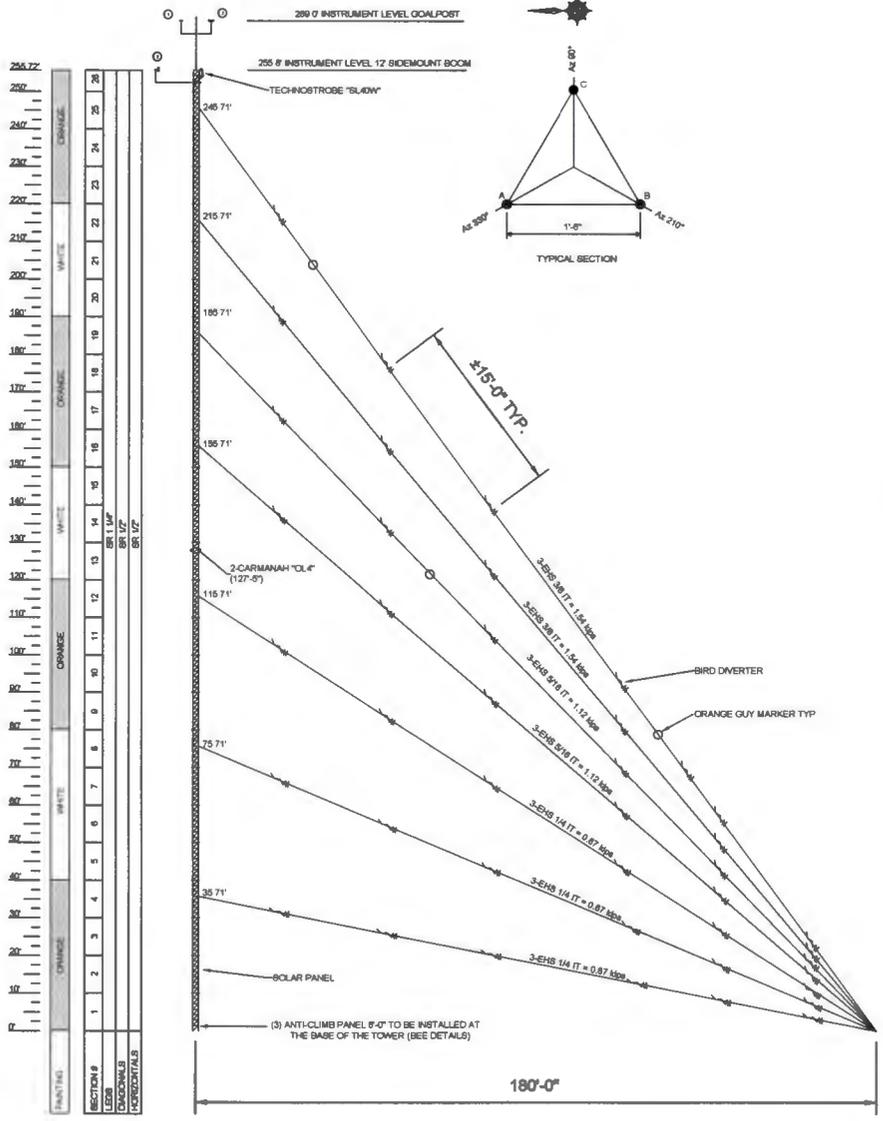
SITE: RIVERVIEW CAL 4  
CASTLEROCK  
SEPTEMBER 2018

---

PROJECT: 18CE0036

---





ANCHOR REACTIONS (FACTORED AS PER CSA-S37-13)

ANCHOR #	AZIMUTH (deg)	RADIUS (ft)	ELEVATION (ft)	HORIZ LOAD (kpa)	VERT LOAD (kpa)	AXIAL LOAD (kpa)	ANGLE (deg)
A/B/C	90/270/30	180	0.00	25.3	22.8	34.0	42

MAXIMUM BASE REACTIONS (FACTORED AS PER CSA-S37-13)

DOWNLOAD (kpa)	95.0
SHEAR (kpa)	0.5

DESIGN SPECIFICATION: CSA-S37-13  
 WIND PRESSURE: 20.05 psf  
 RADIAL ICE: 0.40 inch  
 IMPORTANCE FACTOR: 0.80  
 SERVICEABILITY FACTOR: 1.00  
 TERRAIN CATEGORY: OPEN

LOCATION OF ANCHORS UTM ZONE 18U

	EASTING	NORTHING
TOWER CENTER	284117.00	5483484.00
ANCHOR A	284088.87	5483541.81
ANCHOR B	284088.87	5483448.48
ANCHOR C	284117.88	5483484.00

	INSTRUMENT TYPE	MANUFACTURER	MODEL	EXPECTED MEASUREMENT HEIGHT (ft)	ORIENTATION (DEG TRUE)	MOUNTING APPARATUS	DISTANCE BETWEEN TOWER LEG AND SENSOR
①	ANEMOMETER	WINDSENSOR	RIBO P254(A)	289	0°	GOAL POST	---
②	ANEMOMETER	THIES	FIRST CLASS	289	180°	GOAL POST	---
③	WINDVANE	THIES	FIRST CLASS	255.8	0°	SIDEMOUNT	10'-0"



APEGA Pending Application  
 Under ID Number: 258410

TOWER SECTIONS  
 "SABRE 1800 SRWD"

TEMPORARY INSTALLATION  
 ± 6 MONTHS

**CONSERTEK**  
 3140 JACOB-JORDAN  
 TERREBONNE, QUÉBEC  
 J6X 4J6 450-918-7458  
 R.B.Q. 5854-5510-01



0	FOR CONSTRUCTION	2018-10-03	AP
A	FOR APPROVAL	2018-09-25	AP
REV	ISSUE	DATE	BY

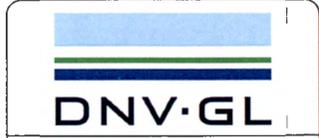
RIVERVIEW &  
 CASTLEROCK  
 RIDGE II

CAL 4  
 TOWER PROFILE

DESIGNED:	P.DESSUREAULT
DRAWN:	A.POULIN
APPROVED:	P.DESSUREAULT
PROJECT NO:	18CE0038
DRAWING NO:	1 OF 5
DATE	2018-09-25
SCALE	NONE
REVISION	SHEET
0	P-1

ALL GROUNDINGS ARE GALVANIZED STEEL  
CABLE (GSC) TYPE #6/36  $\frac{7}{16}$ "  $\varnothing$

**CONSERTEK**  
 3140 JACOB-JORDAN  
 TERREBONNE, QUÉBEC  
 J6X 4J6 450-918-7456  
 R.B.Q. 5654-5510-01

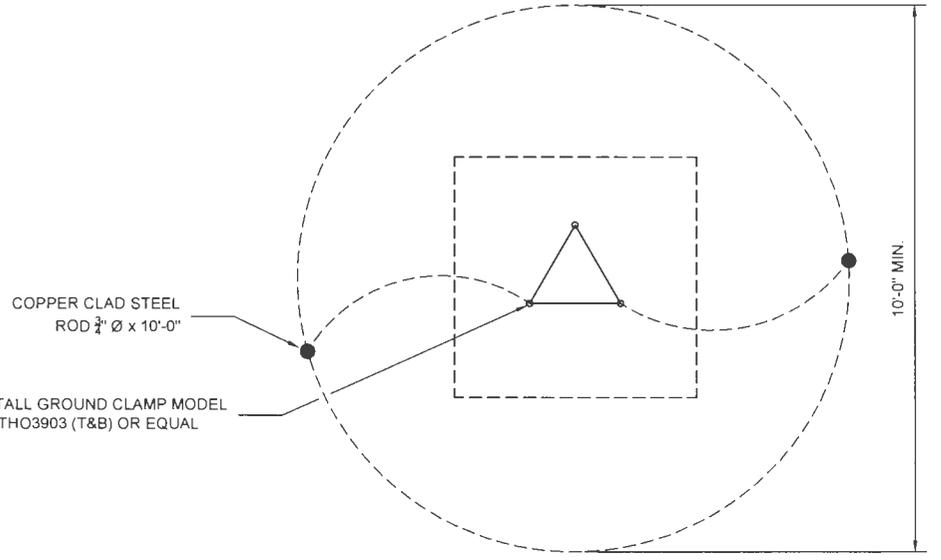


REV	ISSUE	DATE	BY
0	FOR CONSTRUCTION	2018-10-03	AP
A	FOR APPROVAL	2018-09-25	AP

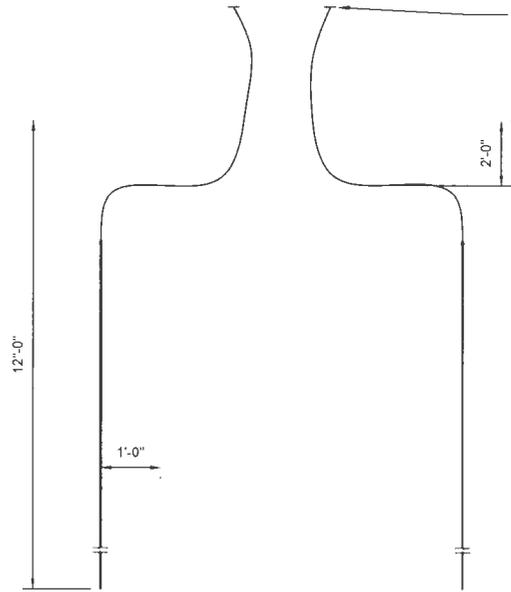
**RIVERVIEW &  
CASTLEROCK  
RIDGE II**

**CAL 4  
GROUNDING**

DESIGNED:	P.DESSUREAULT
DRAWN:	A.POULIN
APPROVED:	P.DESSUREAULT
PROJECT NO:	18CE0038
DRAWING NO:	2 OF 5
DATE	2018-09-25
SCALE	NONE
REVISION	SHEET
0	P-2



**TOWER BASE PLAN**



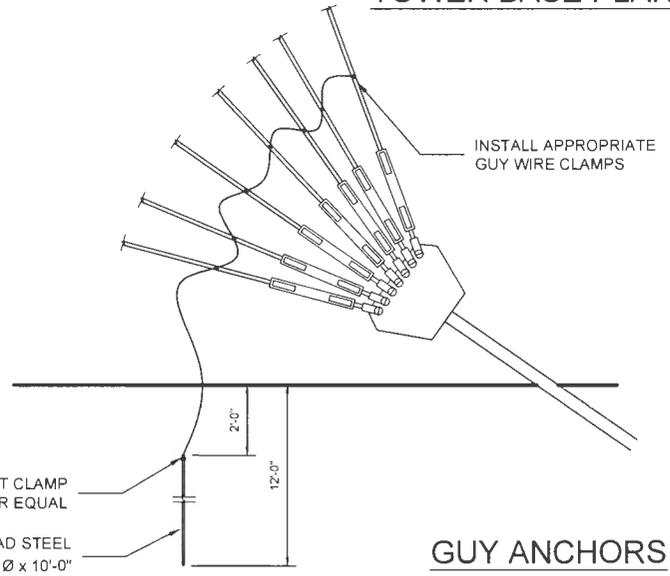
**TOWER BASE ELEVATION**



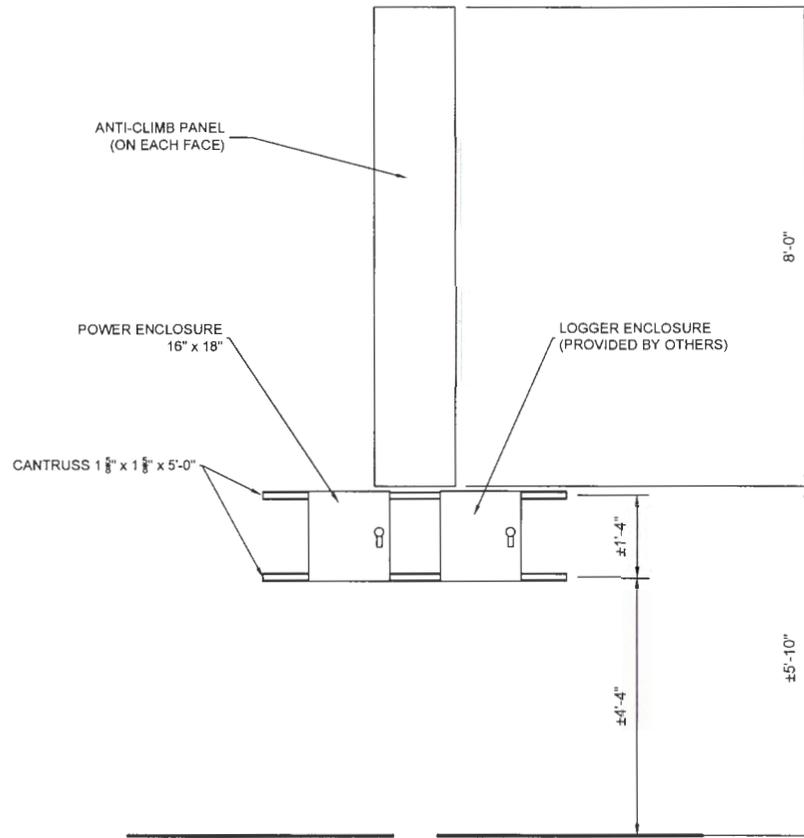
APEGA Pending Application  
Under ID Number: 258410

CONNECT CABLE TO ROD WITH U-BOLT CLAMP  
"BURIED" TYPE BLAGUV5821 OR EQUAL

COPPER CLAD STEEL  
ROD  $\frac{3}{4}$ "  $\varnothing$  x 10'-0"



**GUY ANCHORS**



APEGA Pending Application  
Under ID Number: 258410

**CONSERTEK**

3140 JACOB-JORDAN  
TERREBONNE, QUÉBEC  
J6X 4J6 450-918-7456  
R.B.Q. 5654-5510-01

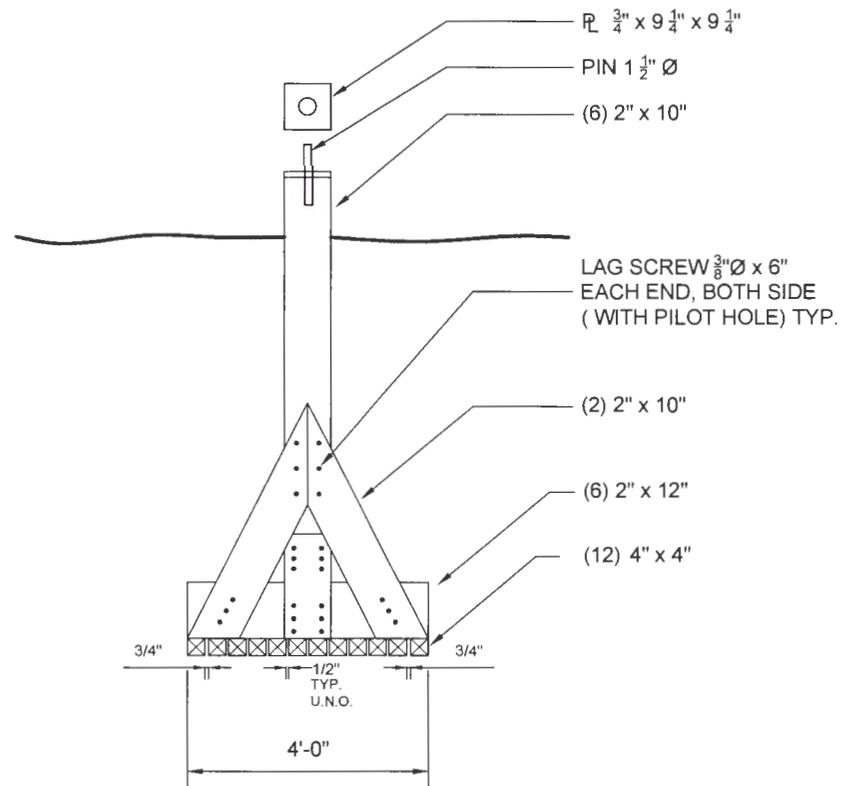


REV	ISSUE	DATE	BY
0	FOR CONSTRUCTION	2018-10-03	AP
A	FOR APPROVAL	2018-09-25	AP

**RIVERVIEW &  
CASTLEROCK  
RIDGE II**

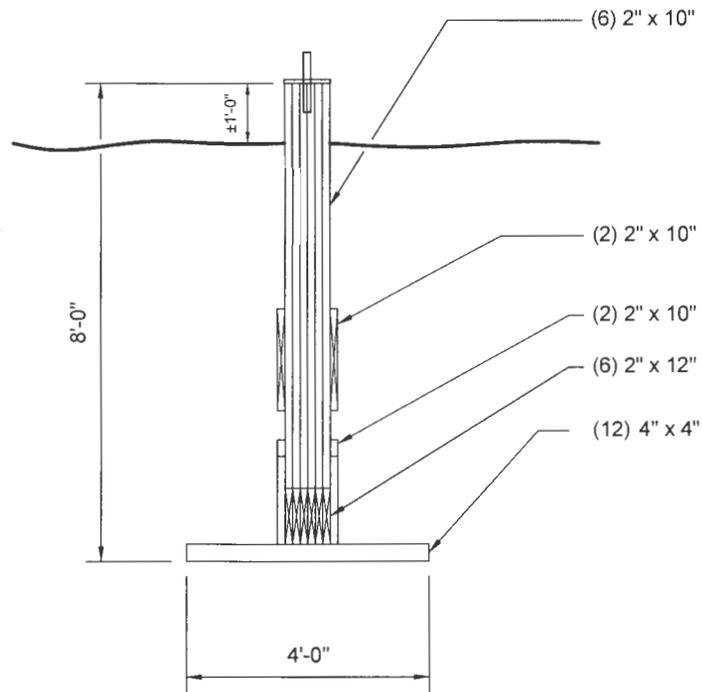
**CAL 4  
ENCLOSURES**

DESIGNED:	P.DESSUREAULT
DRAWN:	A.POULIN
APPROVED:	P.DESSUREAULT
PROJECT NO:	18CE0038
DRAWING NO:	3 OF 5
DATE	2018-09-25
SCALE	NONE
REVISION	SHEET
0	P-3



**FOUNDATION  
ELEVATION-FRONT**

**NOTES:**  
 STEEL : BLACK MIN. A36  
 WOOD : PRESSURE TREATED WOOD SPF No.2  
 OR BETTER  
 SCREWS : COMPATIBLE WITH TREATMENT.  
 LAG SCREWS : HOT DIP GALVANIZED



**FOUNDATION  
ELEVATION-SIDE**

**GENERAL NOTES:**

- 1- THE FOUNDATION DESIGN IS BASED ON THE GEOTECHNICAL REPORT (PRELIMINARY) BY STANTEC REF. 118212100 DATED AUGUST 14, 2018
- 2- SEE THE GEOTECHNICAL REPORT FOR COMPACTION REQUIREMENTS, IF SPECIFIED.
- 3- THIS FOUNDATION DESIGN ASSUMES THE FOLLOWING:
  - MINIMUM FACTORED BEARING RESISTANCE (ULS) 200 KPa
  - DESIGN WATER TABLE BELOW FOOTING.



**TOWER BASE**

1 REQUIRED

APEGA Pending Application  
 Under ID Number: 258410

**CONSERTEK**  
 3140 JACOB-JORDAN  
 TERREBONNE, QUÉBEC  
 J6X 4J6 450-918-7456  
 R.B.Q. 5654-5510-01



REV	ISSUE	DATE	BY
0	FOR CONSTRUCTION	2018-10-03	AP
A	FOR APPROVAL	2018-09-25	AP

**RIVERVIEW &  
CASTLEROCK  
RIDGE II**

**CAL 4  
FOUNDATION  
DETAIL**

DESIGNED:	P.DESSUREAULT
DRAWN:	A.POULIN
APPROVED:	P.DESSUREAULT
PROJECT NO:	18CE0036
DRAWING NO:	4 OF 5
DATE	2018-09-25
SCALE	1/2"=1'-0"
REVISION	SHEET
0	F-1

**C NSERTEK**

3140 JACOB-JORDAN  
 TERREBONNE, QUÉBEC  
 J6X 4J6 450-918-7456  
 R.B.Q. 5654-5510-01



REV	ISSUE	DATE	BY
0	FOR CONSTRUCTION	2018-10-03	AP
A	FOR APPROVAL	2018-09-25	AP

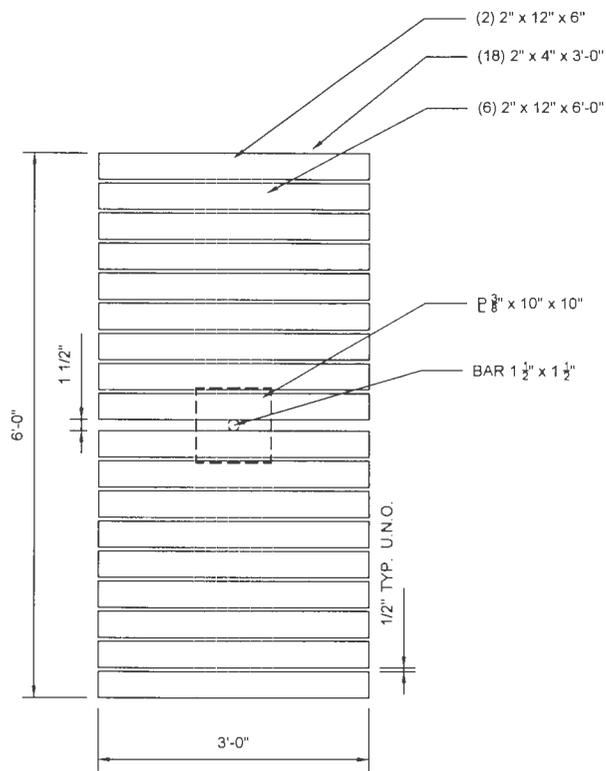
**RIVERVIEW &  
 CASTLEROCK  
 RIDGE II**

**CAL 4  
 ANCHORS  
 DETAIL**

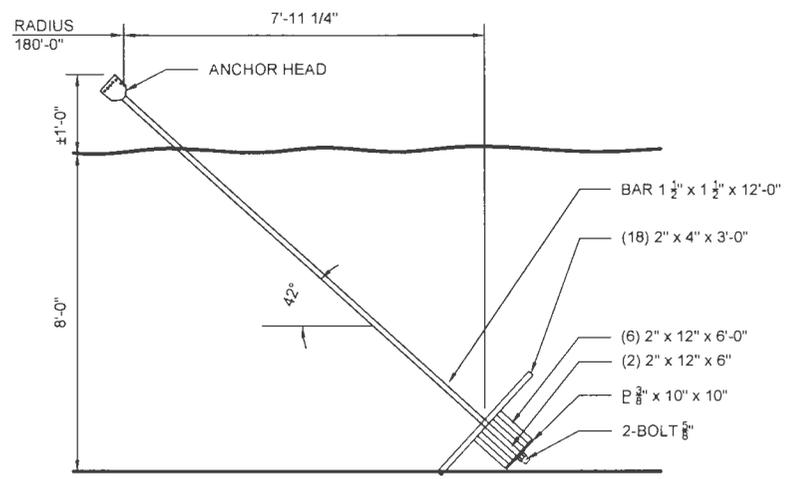
DESIGNED:	P.DESSUREAULT
DRAWN:	A.POULIN
APPROVED:	P.DESSUREAULT
PROJECT NO:	18CE0036
DRAWING NO:	5 OF 5
DATE	2018-09-25
SCALE	AS SHOWN
REVISION	SHEET
0	F-2

**NOTES**

STEEL BLACK MIN A36  
 WOOD PRESSURE TREATED WOOD SPF No 2  
 OR BETTER  
 SCREWS COMPATIBLE WITH TREATMENT  
 LAG SCREWS HOT DIP GALVANIZED



**ANCHORS PLAN**  
 SCALE: 3/4"=1'-0"



**ANCHORS ELEVATION**  
 SCALE: 3/8"=1'-0"

**GUY ANCHORS**  
 3 REQUIRED



APEGA Pending Application  
 Under ID Number: 258410

**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT**  
**September 2018**

**Development / Community Services Activities includes:**

- September 4 Planning Session Meeting
- September 4 Subdivision Authority Meeting
- September 4 Municipal Planning Commission Meeting
- September 11 Council Committee Meeting
- September 11 Council Meeting
- September 12 Joint Health and Safety
- September 13 Staff Meeting
- September 25 Council Committee Meeting
- September 25 Council Meeting
- September 27 Staff Meeting

**PLANNING DEPARTMENT STATISTICS**

**Development Permits Issued by the Director for September 2018**

No.	Applicant	Division	Legal Address	Development
2018-75	Russell Presby	4	NW 3-7-29 W4M	Home Occupation -- Machinist and Repair Shop
2018-76	Jason Marten	2	SW 2-6-29 W4M	Shop
2018-77	Patricia and Kenneth Anderson	1	NE 1-5-30 W4M	Garage
2018-78	Kelly Reimer	2	Lot 1, Block 1, Plan 1311150; NE 7-6-29 W4M	Residential Addition
2018-79	Pat Seerey	1	Ptn. NW 16-3-29 W4M	Shop
2018-80	Veronica Neuberger	3	Lot 1, Block 6, Plan 8010218; Beaver Mines	Home Based Business - retail

**Development Permits Issued by MPC for September 2018**

No.	Applicant	Division	Legal Address	Development
2018-31	Riverview Wind Farm	4	NW 7-7-29 W4M	Category 3 Wind Farm
2018-32	Riverview Wind Farm	4	SW 7-7-29 W4M	Category 3 Wind Farm
2018-33	Riverview Wind Farm	4	Lot 2, Block 1, Plan 8511150; W 6-7-29 W4M	Category 3 Wind Farm
2018-34	Riverview Wind Farm	4	NW 18-7-29 W4M	Category 3 Wind Farm
2018-35	Riverview Wind Farm	4	Lot 2, Block 1, Plan 9911860	Category 3 Wind Farm
2018-36	Riverview Wind Farm	4	NE 7-7-29 W4M	Category 3 Wind Farm
2018-37	Riverview Wind Farm	4	SE 7-7-29 W4M	Category 3 Wind Farm
2018-38	Riverview Wind Farm	4	NW 8-7-29 W4M	Category 3 Wind Farm
2018-39	Riverview Wind Farm	4	SW 8-7-29 W4M	Category 3 Wind Farm
2018-40	Riverview Wind Farm	4	NW 5-7-29 W4M	Category 3 Wind Farm
2018-42	Riverview Wind Farm	4	SE 8-7-29 W4M	Category 3 Wind Farm
2018-43	Riverview Wind Farm	4	Lot 2, Block 1, Plan 9212608; NW 4-7-29 W4M	Category 3 Wind Farm

2018-44	Riverview Wind Farm	4	Lot 1, Block 1, Plan 9911858; N 7-7-29 W4M	Category 3 Wind Farm
2018-45	Riverview Wind Farm	4	SW 5-7-29 W4M	Category 3 Wind Farm
2018-46	Riverview Wind Farm	4	NE 5-7-29 W4M	Category 3 Wind Farm
2018-49	Castle Rock Ridge Wind Farm	4	NE 15-7-30 W4M	Category 3 Wind Farm
2018-50	Castle Rock Ridge Wind Farm	4	SE 15-7-30 W4M	Category 3 Wind Farm
2018-51	Castle Rock Ridge Wind Farm	4	NW 14-7-30 W4M	Category 3 Wind Farm
2018-52	Castle Rock Ridge Wind Farm	4	SE 14-7-30 W4M	Category 3 Wind Farm
2018-64	Patrick and Sue Neumann	2	Lot B; Plan 5216FR; Lowland Heights	Single Detached Residence

**Development Statistics to Date**

<b>DESCRIPTION</b>	<b>September 2018</b>	<b>2018 to Date</b>	<b>September 2017</b>	<b>2017</b>	<b>2016</b>
Dev Permits Issued	26 6-DO / 20-MPC	71 41-DO / 30-MPC	9 8-DO / 1-MPC	65 45-DO / 20-MPC	64 40-DO / 24-MPC
Dev Applications Accepted	4	79	6	63	66
Utility Permits Issued	6	26	2	22	25
Subdivision Applications Approved	1	6	0	3	12
Rezoning Applications Approved	0	0	2	2	1
Compliance Cert	2	11	1	22	27

**RECOMMENDATION:**

That the report for the period ending September 30, 2018, be received as information.

Prepared by: Roland Milligan, Director of Development and Community Services Date: September 30, 2018

Reviewed by: Sheldon Steinke, Interim Chief Administrative Officer


Date: 2018/11/01

Submitted to: Municipal Planning Commission

Date: November 6, 2018

**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT  
October 2018**

**Development / Community Services Activities includes:**

- October 2 Special Council Meeting
- October 2 Planning Session
- October 2 Public Meeting – Windy Point Wind Farm
- October 9 Council Committee Meeting
- October 9 Council Meeting
- October 10 Joint Health and Safety
- October 11 Staff Meeting
- October 11 Public Hearing – Land Use Bylaw
- October 16 Respectful Workshop
- October 16 REMO Meeting
- October 23 Special Council Meeting
- October 23 Organizational Meeting
- October 24 Annexation Process Information Meeting
- October 30 Special Council Meeting

**PLANNING DEPARTMENT STATISTICS**

**Development Permits Issued by the Director for October 2018**

No.	Applicant	Division	Legal Address	Development
2018-81	Clayton and Meghan Davis	4	SE 6-8-1 W5M	Accessory Building - Pole Barn
2018-82	1232694 AB Ltd - Beaver Mines General Store	3	Lots 17-20 & Ptn of Closed Street, Block 15, Plan 7850AL; Beaver Mines	Restaurant Use to General Store
2018-85	Pia Blum	1	Lot 1, Block 2, Plan 0810973; NW 9-4-28 W4M	Single Detached Residence

**Development Permits Issued by MPC for October 2018**

MPC did not meet in October.

**Development Statistics to Date**

<b>DESCRIPTION</b>	<b>October 2018</b>	<b>2018 to Date</b>	<b>October 2017</b>	<b>2017</b>	<b>2016</b>
Dev Permits Issued	3 3-DO / 0-MPC	74 44-DO / 30-MPC	7 3-DO / 4-MPC	65 45-DO / 20-MPC	64 40-DO / 24-MPC
Dev Applications Accepted	5	84	6	63	66
Utility Permits Issued	1	27	1	22	25
Subdivision Applications Approved	0	6	0	3	12
Rezoning Applications Approved	0	0	0	2	1
Compliance Cert	1	12	2	22	27

**RECOMMENDATION:**

That the report for the period ending October 31, 2018, be received as information.

Prepared by: Roland Milligan, Director of Development and Community Services Date: October 31, 2018

Reviewed by: Sheldon Steinke, Interim Chief Administrative Officer Date: *2018/Nov/01*

Submitted to: Municipal Planning Commission Date: November 6, 2018

## Recommendation to Municipal Planning Commission

<b>TITLE: Extension Request – Development Permit No. 2016-18 Twin Butte Community Society – Community Hall Renovations</b>			
<b>PREPARED BY: Tara Cryderman</b>		<b>DATE: October 18, 2018</b>	
<b>DEPARTMENT: Planning and Development</b>			
<b>Signature:</b>		<b>ATTACHMENTS:</b>	
		<ol style="list-style-type: none"> <li>1. <b>Email from Twin Butte Community Society, dated October 10, 2018</b></li> <li>2. <b>Letter from Director of Development and Community Services, dated February 20, 2018</b></li> <li>3. <b>Development Permit No. 2016-18</b></li> </ol>	
<b>APPROVALS:</b>			
			
<b>Department Director</b>	<b>Date</b>	<b>Interim CAO</b>	<b>Date</b>

**RECOMMENDATION:**

**That the Municipal Planning Commission grant an extension to Development Permit No. 2016-18 for a time period of one year, to November 11, 2019.**

**BACKGROUND:**

The Twin Butte Community Society was issued Development Permit No. 2016-18 on May 11, 2016. This permit was for an addition to the Community Hall. Unfortunately, the project tenders received by the Society were greater than budgeted and the Society was forced to continue its fundraising efforts.

An extension, for a timeframe of six months, was requested on February 13, 2018. This request was granted, pursuant to Section 20.2 of the Land Use Bylaw, and an extension was issued on February 20, 2018, extending the validity of the permit until November 11, 2018.

An additional extension is being requested. The Society continues to fundraise and is optimistic that they will have the necessary funds by early Spring 2019. They have requested a one year extension, to November 2019, which will provide enough time to complete the project by Fall 2019.

Development Permits are valid for two (2) years from date of issue. If the development is not completed within this timeframe, an extension must be requested. Section 20.2 of the Land Use Bylaw authorizes the Development Officer provisions to grant an extension for six months. There are no provisions for additional extensions.

## Recommendation to Municipal Planning Commission

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**FINANCIAL IMPLICATIONS:**

None at this time.

## MDInfo

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**From:** Jason Smith <  
**Sent:** Wednesday, October 10, 2018 3:26 PM  
**To:** MDInfo  
**Cc:** Twin Butte Hall  
**Subject:** Development Permit No. 2016-18 Request for Extension (Twin Butte Community Society)

Dear Mr. Milligan,

In early 2018 we sent out a request for bids for our Community Hall addition project. When the bids were received, we were disappointed to learn that we lacked sufficient funds to proceed with the project at that time. Throughout the year we have continued our fundraising efforts and are optimistic that we can go ahead with the project in early 2019. Our Dev Permit, however, expires Nov 11, 2018 so we would like to request a one-year extension.

Please let us know of any other actions we need to take or any other documentation we can provide.

Respectfully,

Jason Smith



P.O. BOX 279  
PINCHER CREEK, ALBERTA  
T0K 1W0  
phone 403-627-3130 • fax 403-627-5070  
email: info@mdpincercreek.ab.ca  
www.mdpincercreek.ab.ca

February 20, 2018

Twin Butte Community Society

Dear Ms. Mitchell-Skinner:

Re: Development Permit No. 2016-18 Extension Request  
#5 Twin Butte  
SW 4-4-29 W4M  
Hamlet of Twin Butte

Pursuant to Section 20.2, of Land Use Bylaw 1140-08;

Where a development permit has expired in accordance with Section 20.1, the Development Officer may extend the validity of the permit by six months from the date of its expiry.

Development Permit No. 2016-18 became effective May 11, 2016. Please be advised that the permit is now extended for six months until November 11, 2018.

As the approved use was a Discretionary Use within the Hamlet Public and Institutional Land Use District, any further extension requests would be brought before the Municipal Planning Commission.

Should further information or clarification be required, please do not hesitate to contact us.

Regards,

Roland Milligan  
Director of Development and Community Services



P.O. BOX 279  
PINCHER CREEK, ALBERTA  
T0K 1W0  
phone 627-3130 • fax 627-5070  
email: info@mdpincercreek.ab.ca  
www.mdpincercreek.ab.ca

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT  
DEVELOPMENT PERMIT No. 2016-18**

This development permit is hereby issued to:

NAME: **Twin Butte Community Society**

In respect of works consisting of:

- **Addition to Community Hall  
(approx. 121.9 m<sup>2</sup> / 1312 ft<sup>2</sup>)**

On land located at: **SW 4-4-29 W4M  
Hamlet of Twin Butte  
#5 Twin Butte**

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2016-18

and is subject to the Condition(s) contained herein:

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the applicant adhere to any conditions as outlined in the required Roadside Development Permit issued by Alberta Transportation, a copy of which to be supplied and form part of this permit.

This permit becomes effective the 11<sup>th</sup> day of May, 2016, unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days.

SIGNED: \_\_\_\_\_

*R. Milligan*  
\_\_\_\_\_  
**Roland Milligan,  
Director of Development and Community Services**

**IMPORTANT – See Attached**

**THIS IS NOT A BUILDING PERMIT**





On Tue, Jun 20, 2017 at 9:53 AM, <b  
Hi Roland,

> wrote:

I really appreciate you sending in an extension request to on behalf of Twin Butte Community society(TBCS)AB Transportation on the expired 1 yr dev permit.

Thank you for verifying the 2 yr term and sending me a copy of the MD's Development Permit for TBCS which expires in May 2018 - as needed for the building permit.

Thank you for verifying that TBCS is obliged to use Superior Safety Codes as part of the MD's insurance coverage of the Twin Butte Community Hall.

Next step after the final plans are stamped and approved - is for the architects to apply directly to Superior Safety Codes for a building permit for the TBCS Barrier Free Addition.

Thanks so very much for your assistance!!

Have a great day!!!!

Becky

\*\*\*\*\*

Becky Mitchell-Skinner

Administrative Assistant - Resource Conservation, Waterton Lakes National Park

Parks Canada / Government of Canada

Box 200, Waterton Park, AB T0K 2M0

Adjointe Administrative - Conservation des ressources, Parc National des Lacs-Waterton

Parcs Canada / Gouvernement du Canada

Box 200, Waterton Park, AB T0K 2M0

Time to Connect / Un bon temps pour se rapprocher

From: Roland Milligan <[AdminDirDev@mdpincercreek.ab.ca](mailto:AdminDirDev@mdpincercreek.ab.ca)>

To: "

Date: 20/06/2017 09:15 AM

Subject: Email to Transportation

Hello Becky,

Looks like I did send it to your Gmail account.  
Here is what I replied to you and also the request I sent to  
Transportation.

Great to hear things are progressing. With regards to your enquiries  
please review the following.  
The MD's development permit is good for two years not the Alberta  
Transportation permit. I will send a request to Alberta Transportation  
asking for a renewal. It shouldn't be an issue.

Hello Leah,  
Attached is a copy of Roadside DP 4807-16 for the addition to the Twin  
Butte Community Hall.  
It expired on May 6, 2017. Can we request an extension of one year for the  
permit?  
They are planning on starting construction on the project this fall.

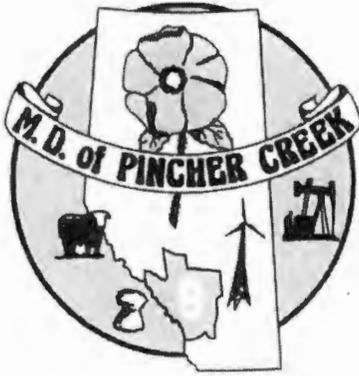
Regards,  
Roland Milligan  
Director of Development and Community Services  
M.D. of Pincher Creek No. 9  
PO Box 279, Pincher Creek, AB T0K 1W0  
Ph: 403.627.3130 Fx: 403.627.5070  
rmilligan@mdpincercreek.ab.ca

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Regards,  
Roland Milligan  
Director of Development and Community Services  
M.D. of Pincher Creek No. 9  
PO Box 279, Pincher Creek, AB T0K 1W0  
Ph: 403.627.3130 Fx: 403.627.5070  
rmilligan@mdpincercreek.ab.ca

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**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DEVELOPMENT PERMIT  
DEVELOPMENT PERMIT No. 2016-18**

This development permit is hereby issued to:

NAME: **Twin Butte Community Society**

10

In respect of works consisting of: **• Addition to Community Hall  
(approx. 121.9 m<sup>2</sup> / 1312 ft<sup>2</sup>)**

On land located at: **SW 4-4-29 W4M  
Hamlet of Twin Butte  
#5 Twin Butte**

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. **2016-18**

and is subject to the Condition(s) contained herein:

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the applicant adhere to any conditions as outlined in the required Roadside Development Permit issued by Alberta Transportation, a copy of which to be supplied and form part of this permit.

This permit becomes effective the **11<sup>th</sup> day of May, 2016**, unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days.

SIGNED: \_\_\_\_\_

*Roland Milligan*  
**Roland Milligan,  
Director of Development and Community Services**

**IMPORTANT – See Attached**

**THIS IS NOT A BUILDING PERMIT**

The development outlined above is subject to the following conditions:

- (a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.
- (b) This permit, issued in accordance with the notice of decision, is valid for a period of two (2) years from the date of issue. If, at the expiry of this period, the development has not been completed, an extension must be requested.
- (c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twenty four (24) months from the date of issue of this development permit
- (d) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
- (e) Construction undertaken in accordance with this development may be regulated by the provincial building requirements. The applicant / owner / developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by Alberta Labour.
- (f) Any development commenced prior to this permit being valid is entirely at the risk of the owner and/or applicant.

<p><b>NOTE: Information provided in this application or generated by this application may be considered at a public meeting.</b></p>
--

## Inspection Information

Alberta Safety Codes – 1-866-421-6929 – Call directly to speak with a Safety Code Officer for answers to any questions you may have about permits and / or inspections.

To obtain the necessary permits for the following types of construction, please contact:

Agency Name	Phone	Fax	Website	Permits			
				Building	Electrical	Gas	Plumbing
Superior Safety Codes Inc.	(403) 320-0734 1-877-320-0734	(403) 320-9969	<a href="http://www.superiorsafetycodes.com">www.superiorsafetycodes.com</a>	Yes	Yes	Yes	Yes
The Inspections Group Inc.	(780) 454-5048 1-866-554-5048	(780) 454-5222 1-866-454-5222	<a href="http://www.inspectionsgroup.com">www.inspectionsgroup.com</a>	Yes	Yes	Yes	Yes
Davis Inspection Services Ltd.	(403) 275-3338 1-800-639-0912	(403) 275-9790	<a href="http://www.davisinspections.ca">www.davisinspections.ca</a>	Yes	Yes	Yes	Yes
Park Enterprises	(403) 329-3747 1-800-621-5440	(403) 329-8514		Yes	Yes	Yes	Yes

Please Note: Fire Permit inquiries are to be directed to the Pincher Creek and District Fire Hall at 403-627-5333.