

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
November 3, 2015
6:30 pm
Agenda

1. **Call to Order – CAO**
2. **Election of Chairperson**
3. **Election of Vice Chairperson**
4. **Adoption of Agenda**
5. **Adoption of MPC Minutes from October 6, 2015 Pkg 1**
6. **In Camera**
7. **Unfinished Business**
8. **Development Permit Applications**
 - a. **Development Permit Application No. 2015-62**
Murray Luke Barrios
Lot 1, Plan 9912915; SE 8-6-2 W5M Pkg 2
 - b. **Development Permit Application No. 2015-67**
Kelly and Nicki Neufeld
Lot 1, Plan 9811807; SE 36-5-29 W4M Pkg 3
9. **Development Reports**
 - a. **October 2015 Pkg 4**
10. **Correspondence**
 - a. **Extension Request – Development Permit Application No. 2012-19 Pkg 5**
 - b. **Development Permits No. 2010-41 through 2010-53**
Welsch Wind Farm (26 Category 3 WECS and Substation) Pkg 6
11. **New Business**
12. **Next Regular Meeting – December 1, 2015; 6:30 pm**
13. **Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
October 6, 2015, – 6:30 pm
Municipal District of Pincher Creek No. 9 Administration Building**

ATTENDANCE

Commission: Chairman Terry Yagos, Reeve Brian Hammond, Councillors Fred Schoening, Quentin Stevick, Garry Marchuk, and Members Dennis Olson and Bev Garbutt

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

COMMENCEMENT

Chairman Terry Yagos called the meeting to order, the time being 6:30 pm.

1. ADOPTION OF AGENDA

Member Dennis Olson 15/071

Moved that the October 6, 2015 Municipal Planning Commission Agenda, be approved as presented.

Carried

2. ADOPTION OF MINUTES

Reeve Brian Hammond 15/072

Moved that the Municipal Planning Commission Minutes of September 1, 2015, be approved as presented.

Carried

3. IN CAMERA

Member Bev Garbutt 15/073

Moved that MPC and staff move In-Camera, the time being 6:31 pm.

Carried

Member Bev Garbutt 15/074

Moved that MPC and staff move out of In-Camera, the time being 7:25 pm.

Carried

4. UNFINISHED BUSINESS

- a. **Development Permit Application No. 2015-48A (Brewery)
Oldman River Brewing Ltd.
Adam and Brittney Wilgosh, and Dan Christensen
Lots 1-4, Block 2, Plan 2177S; Hamlet of Lundbreck
Micro-Brewery**

Member Dennis Olson

15/075

Moved that the following be received:

- 1) The report from the Director of Development and Community Services, dated August 27, 2015
- 2) The email from Norma Ingram, dated August 31, 2015
- 3) The fax from Pauline Winning, dated August 28, 2015
- 4) The letter from Lorna Cannon, dated August 31, 2015
- 5) The public meeting minutes from September 30, 2015
- 6) The powerpoint presentation
- 7) The letter from Larry and Jan Kaludjer
- 8) The email from Barbara Janusz, dated October 2, 2015
- 9) The email from Mike Barkwith, dated October 2, 2015
- 10) The email from Mary Ann Kylo, dated September 30, 2015
- 11) The email from Norma Ingram and Brent Dewart, dated September 30, 2015
- 12) The email from Brittney Wilgosh, dated October 5, 2015
- 13) The site plan
- 14) The parking site plan
- 15) The document entitled "Environmental Regulations and Best Management Practices – Fermentation Operations.

And that Development Permit Application No. 2015-48A be approved, subject to the following:

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08
2. That a copy of all required Alberta Gaming and Liquor Commission licences be forwarded to the municipality prior to commencement.
3. That the chiller be located or configured in such a manner, so as to mitigate any negative noise impacts that may arise from its normal operation on adjacent residential properties, and further that the proposed configuration be to the satisfaction of the Development Authority.

Carried

- b. **Development Permit Application No. 2015-48B (Tap Room/Retail/Entertainment Establishment)
Oldman River Brewing Ltd.
Adam and Brittney Wilgosh, and Dan Christensen
Lots 1-4, Block 2, Plan 2177S; Hamlet of Lundbreck
Micro-Brewery**

Councillor Fred Schoening

15/076

Moved that the report from the Director of Development and Community Services, dated August 27, 2015, be received;

And that Development Permit Application No. 2015-48B be approved subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That copies of all required Alberta Gaming and Liquor Commission licences be forwarded to the municipality prior to commencement.
3. That copies of any and all approvals from Alberta Health Services be forwarded to the municipality prior to commencement.
4. That the hours of operation for the Tap Room/Retail Store/Entertainment Establishment shall be from 10:00 am to 8:00 pm.
5. That this development meets the minimum provisions of Section 52 (Off Street Parking and Loading Requirements) of the Land Use Bylaw 1140-08.

Carried

5. **DEVELOPMENT PERMIT APPLICATIONS**

- a. **Development Permit Application No. 2015-53
William and Louise Byrne
NE 35-9-3 W5M
Accessory Building – Setback Variance Required**

Councillor Garry Marchuk

15/077

Moved that report from the Director of Development and Community Services, dated September 29, 2015, regarding Development Permit Application No. 2015-53, be received;

And that Development Permit Application No. 2015-53 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 13 metre Front Yard Setback Variance be issued, from the minimum 50 metre Setback from an Developed Road Allowance requirement, for a Front Yard Setback of 37 metres.

Carried

b. Development Permit Application No. 2015-54

Steve Oczkowski
SE 27-6-2 W5M
Private Shooting Range

Councillor Fred Schoening

15/078

Moved that the report from the Director of Development and Community Services, dated September 29, 2015, regarding Development Permit Application No. 2015-54, be received;

And that Development Permit Application No. 2015-54 be approved subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the applicant supply confirmation that the range complies with the Canadian Firearms Center guidelines.

Carried

c. Development Permit Application No. 2015-55

Alex Carnegie
Lot 1, Block 1, Plan 0211611; NW 26-7-2 W5M
Category 1 WECS

Councillor Quentin Stevick

15/079

Moved that the report from the Director of Development and Community Services, dated September 29, 2015, regarding Development Permit Application No. 2015-55, be received;

And that Development Permit Application No. 2015-55 be approved subject to the following Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.
2. That the applicant supply a copy of all approvals required by other agencies to be attached to and form part of this permit.

Carried

**d. Development Permit Application No. 2015-58
William and Christine Trotz
Lot 2, Block 1, Plan 9610744; NW 21-7-2 W5M
Accessory Building and Residential Addition – Setback Variance Required**

Councillor Garry Marchuk

15/080

Moved that the report from the Director of Development and Community Services, dated September 29, 2015, regarding Development Permit Application No. 2015-58, be received;

And that Development Permit Application No. 2015-58 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 20 metre Front Yard Setback Variance be issued for the garage, from the minimum 30 metre Setback from an Developed Road Allowance requirement, for a Front Yard Setback of 10 metres.
2. That a 20.22 metre Front Yard Setback Variance be issued for the Addition to the existing residence, from the minimum 30 metre Setback from an Developed Road Allowance requirement, for a Front Yard Setback of 9.78 metres.

Motion Defeated

Councillor Quentin Stevick

15/081

Moved that Development Permit Application No. 2015-58 be denied because the proposed development does not comply with the 30m minimum front yard setback requirement for the Grouped Country Residential land use district, within Land Use Bylaw 1140-08.

Carried

6. **DEVELOPMENT REPORTS**

Reeve Brian Hammond

15/082

Moved that the Development Report for September 2015, be received as information.

Carried

7. **CORRESPONDENCE**

Nil

8. **NEXT MEETING** – November 3, 2015; 6:30 pm

9. **ADJOURNMENT**

Councillor Garry Marchuk

15/083

Moved that the meeting adjourn, the time being 7:32 pm.

Carried

Chairperson Terry Yagos
Municipal Planning Commission

Director of Development and Community
Services Roland Milligan
Municipal Planning Commission

MD OF PINCHER CREEK

October 28, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Development Officer
SUBJECT: Development Permit Application No. 2015-62

1. Application Information

Applicant: Murray Luke Barrios
Location Lot 1, Plan 9912915; SW 8-6-2 W5M
Division: 3
Size of Parcel: 1.66 ha (4.1 Acres)
Zoning: Agriculture
Development: Accessory Building – Setback Variance Required

2. Background/Comment/Discussion

- On September 25, 2015, the MD received an application requesting the development of an accessory building on the above parcel. (Enclosure No. 1).
- The application is in front of the MPC because:
 - Within the Agriculture Land Use District of Land Use Bylaw 1140-08, the setback distance requirement from a MD road is 50 m. The proposed location of the Accessory Building will not meet that provision, therefore, requiring a setback distance variance.
- The application was circulated to the adjacent landowners with no response being received at the time of preparing this report.
- Section 16.19 of the Land Use Bylaw establishes the limitations and guidelines on variance provision available to the Development Authority.
- In approving an application for a development permit the Municipal Planning Commission shall adhere to the general purpose and intent of the appropriate land use district and to the following:
 - (a) a variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district;
 - (b) where a variance is considered that will reduce the setback from any road as defined in the Act, the Development Authority shall consider all future road construction needs of the municipality as well as the transportation requirements of the parcel(s) or lot(s) affected.

- There are two issues with this parcel that restrict the locations available for development.
- There is a drainage that meanders through the parcel that restricts the locations available to place the shop further east, away from the road.
- There is a gas pipeline right-of-way that restrict the development of the north side of the property.
- When circulated to the Public Works Superintendent has no issues with the proposed location as it is in a treed area on the east side of the MD road.

Recommendation No. 1:

That Development Permit Application No. 2015-62 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 20 metre Front Yard Setback Variance be issued, from the minimum 50 metre Setback from an Developed Road Allowance requirement, for a Front Yard Setback of 30 metres.

Recommendation No. 2:

That Development Permit Application No. 2015-62 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2015-62 be denied as it does not comply with the provisions of the Land Use Bylaw, given:

1. The proposed setback from the MD Road is stated at 30m and does not comply with the required 50m setback distance.

3. Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2015-62 and supporting documents

Respectfully Submitted,



Roland Milligan

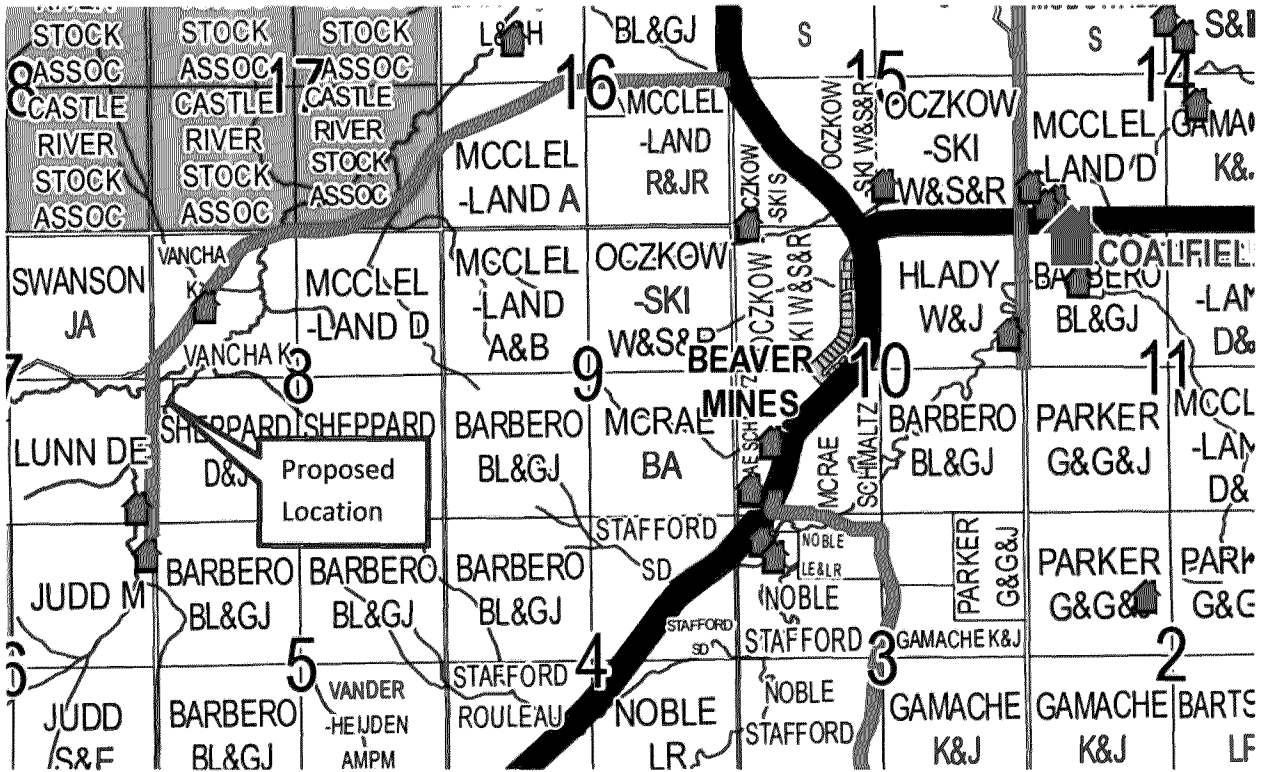
Reviewed by: Wendy Kay, CAO

W-Kay

October 29, 2015

Location of Proposed Development

SW 8-6-2 W5M





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. 2015-62

Date Application Received 2015-09-25

PERMIT FEE \$150.00

Date Application Accepted 2015-09-28

RECEIPT NO. 23641

Tax Roll # 4240.010 0115 Rge Rd 2-5

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: Murray Luke Barrios

Address: Box 134 Pincher Creek

Telephone: 403-627-1616 Email: luke_barrios@transcanada.com

Owner of Land (if different from above):

Address: Telephone:

Interest of Applicant (if not the owner):

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

40' x 40' Shop

Legal Description: Lot(s) SW8-6-2-W5 NW corner

Block Lot 1, Plan 9912915

Plan

Quarter Section

Estimated Commencement Date: May 1 2016

Estimated Completion Date: June 30 2016

SECTION 3: SITE REQUIREMENTS

Land Use District: AGRICULTURE - A Division: 3

Permitted Use Discretionary Use (WARRANT REQ'D.)

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

PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(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)

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	1.66 ha		
(2) Area of Building	1600 sq ft. 40' x 40'		
(3) % Site Coverage by Building	100%	N/A	
(4) Front Yard Setback Direction Facing: West	30m	50m	CONSIDER REQ'D.
(5) Rear Yard Setback Direction Facing: East	64m	7.5m	YES
(6) Side Yard Setback: Direction Facing: North	132m	7.5m	YES
(7) Side Yard Setback: Direction Facing: South	43m	7.5m	YES
(8) Height of Building	15'		YES
(9) Number of Off Street Parking Spaces	0	N/A	

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

SECTION 4: DEMOLITION

Type of building being demolished : _____

Area of size: _____

Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

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

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

DATE: Sept. 21 '15


Applicant


Registered Owner

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



R66. 20. 2-5

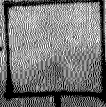
Gas Line R/W

124ft

EXISTING RESIDENCE

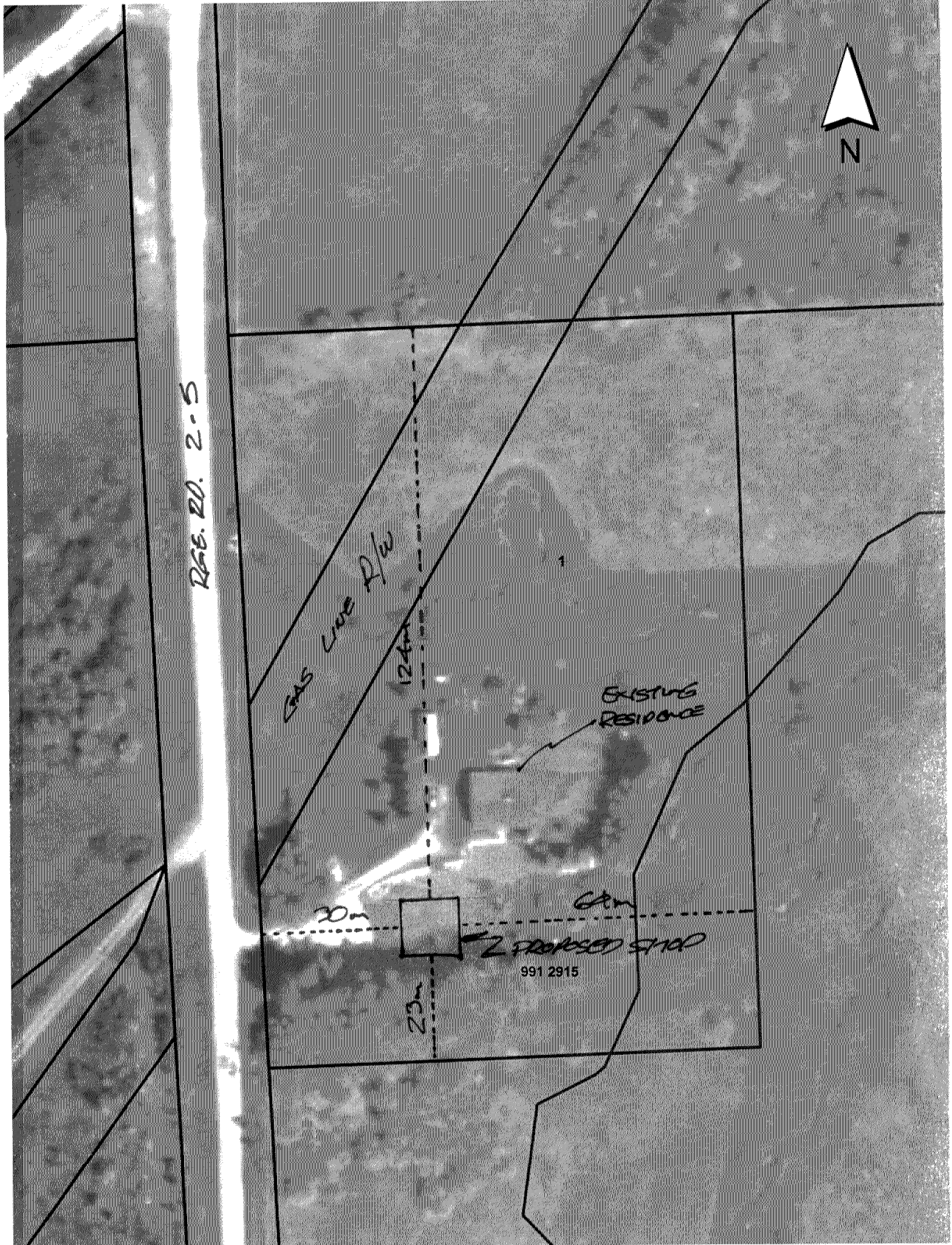
30m

23m



PROPOSED SHED

991 2915



MD OF PINCHER CREEK

October 26, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Development Officer
SUBJECT: Development Permit Application No. 2015-67

1. Application Information

Applicant: Kelly and Nicki Neufeld
Location Lot 1, Plan 9811807; SE 36-5-29 W4M
Division: 2
Size of Parcel: 2.01 ha (4.97 Acres)
Zoning: Agriculture
Development: Accessory Building Expansion – Setback Variance Required

2. Background/Comment/Discussion

- On October 19, 2015, the MD received an application requesting the development of an accessory building expansion on the above parcel. (Enclosure No. 1).
- The application is in front of the MPC because:
 - Within the Agriculture Land Use District of Land Use Bylaw 1140-08, the setback distance requirement from a MD road is 50 m. The proposed location of the Accessory Building will not meet that provision, therefore, requiring a setback distance variance.
- The application was circulated to the adjacent landowners with no response being received at the time of preparing this report.
- Section 16.19 of the Land Use Bylaw establishes the limitations and guidelines on variance provision available to the Development Authority.
- In approving an application for a development permit the Municipal Planning Commission shall adhere to the general purpose and intent of the appropriate land use district and to the following:
 - (a) a variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district;
 - (b) where a variance is considered that will reduce the setback from any road as defined in the Act, the Development Authority shall consider all future road construction needs of the municipality as well as the transportation requirements of the parcel(s) or lot(s) affected.

- The parcel has a waterway/drainage that runs through the middle of it. Development on the west side of the drainage would be very difficult.
- The existing shop is 11 metres from the road right-of-way. The addition will not reduce this setback any further.
- The Public Works Superintendent has no concerns with this proposed development.

Recommendation No. 1:

That Development Permit Application No. 2015-67 be approved subject to the following Condition(s) and Waiver(s):

Condition(s):

1. That this development meets the minimum provisions as required in Land Use Bylaw 1140-08.

Waiver(s):

1. That a 39 metre Front Yard Setback Variance be issued, from the minimum 50 metre Setback from an Developed Road Allowance requirement, for a Front Yard Setback of 11 metres.

Recommendation No. 2:

That Development Permit Application No. 2015-67 be approved subject to any conditions as determined by the Municipal Planning Commission.

Recommendation No. 3:

That Development Permit Application No. 2015-67 be denied as it does not comply with the provisions of the Land Use Bylaw, given:

1. The proposed setback from the MD Road is stated at 11m and does not comply with the required 50m setback distance.

3. Enclosures

Supporting Documents:

Enclosure No. 1 Development Permit Application No. 2015-67 and supporting documents

Respectfully Submitted,



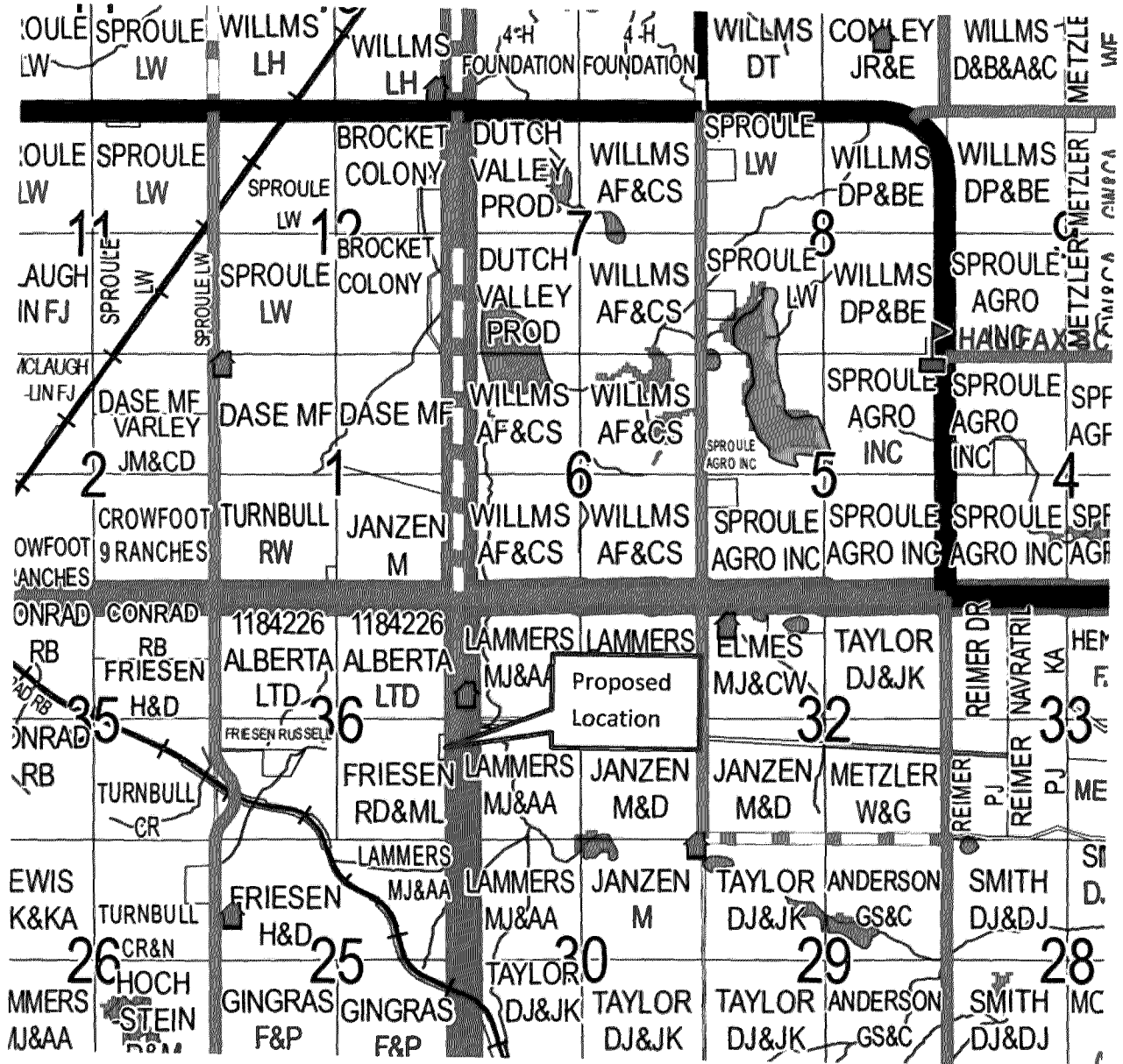
Roland Milligan

Reviewed by: Wendy Kay, CAO

W. Kay October 29, 2015

Location of Proposed Development

SE 36-5-29 W4M





DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2015-67

Date Application Received 2015-10-19

PERMIT FEE 150

Date Application Accepted 2015-10-19

RECEIPT NO. 23912

Tax Roll # 1602.010

5512 Rge Rd 29-0

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: Kelly & Nicki Neufeld

Address: Box 1448 Pincher Creek, AB T0K1W0

627-4700 h.m.

Telephone: 403-627-3666 wk. Email: windyview@telus.net

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

Enlarge ~~the~~ shop with Cold storage AREA, 2015 only
A parking pad area,

Legal Description: Lot(s) 1

Block _____

Plan 9811807

Quarter Section SE-36-005-29-4

Estimated Commencement Date: Nov. / 2015

Estimated Completion Date: spring/summer of 2016

SECTION 3: SITE REQUIREMENTS

Land Use District: Agriculture Division: 2

Permitted Use Discretionary Use

Set Back Variance

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	<u>2118.6</u>		
(2) Area of Building	<u>2119.6</u>		
(3) %Site Coverage by Building	<u>100.</u>		
(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)

Drawing of Addition

ACCESSORY BUILDING <i>ADDITION</i>	Proposed	By Law Requirements	Conforms
(1) Area of Site	<i>N/D</i>		
(2) Area of Building <i>2300 ft² ADDITION TO 1324 ft² SHOP</i>			
(3) %Site Coverage by Building	<i>N/D</i>		
(4) Front Yard Setback Direction Facing: <i>EAST (EXISTING)</i>	<i>11.0m</i>	<i>50m</i>	<i>NO</i>
(5) Rear Yard Setback Direction Facing: <i>WEST</i>	<i>87.5m</i>	<i>7.5m</i>	<i>YES</i>
(6) Side Yard Setback: Direction Facing: <i>NORTH</i>	<i>144m</i>	<i>7.5m</i>	<i>YES</i>
(7) Side Yard Setback: Direction Facing: <i>SOUTH</i>	<i>8.5m</i>	<i>7.5m</i>	<i>YES</i>
(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: *Oct 19/2015*

[Signature]
Applicant

[Signature]
Registered Owner

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

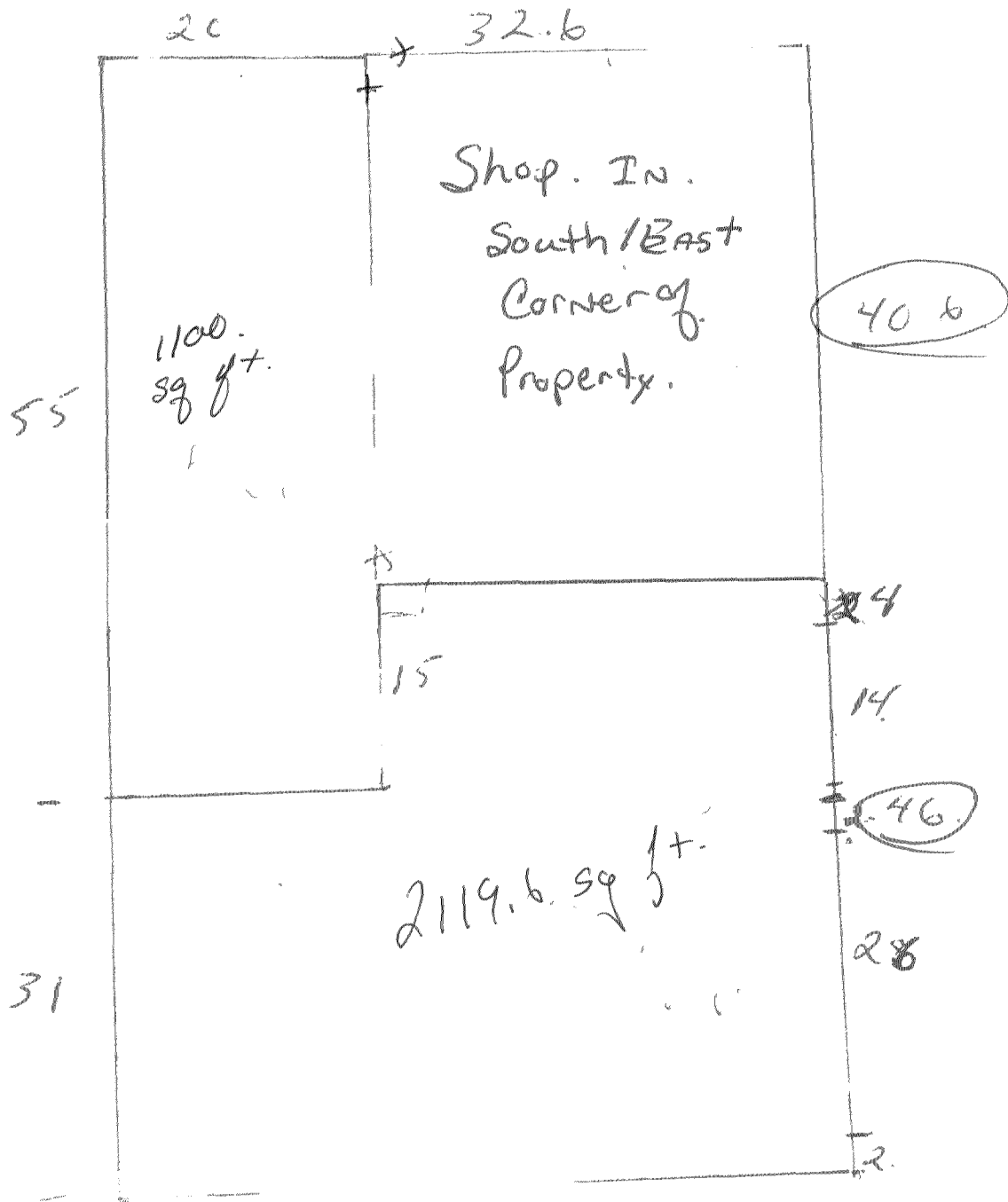
7

IMPORTANT NOTES:

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
 - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
 - (b) a scaled floor plan and elevations where construction is proposed;
 - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
 - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. **THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**
5. All development permits shall contain the following informative:

"ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER."
6. In accordance with the Municipal Government Act, a decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 14 days of the expiry of the decision date.
7. Every approach to a residence is entitled to an approach number sign supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.

N ↑

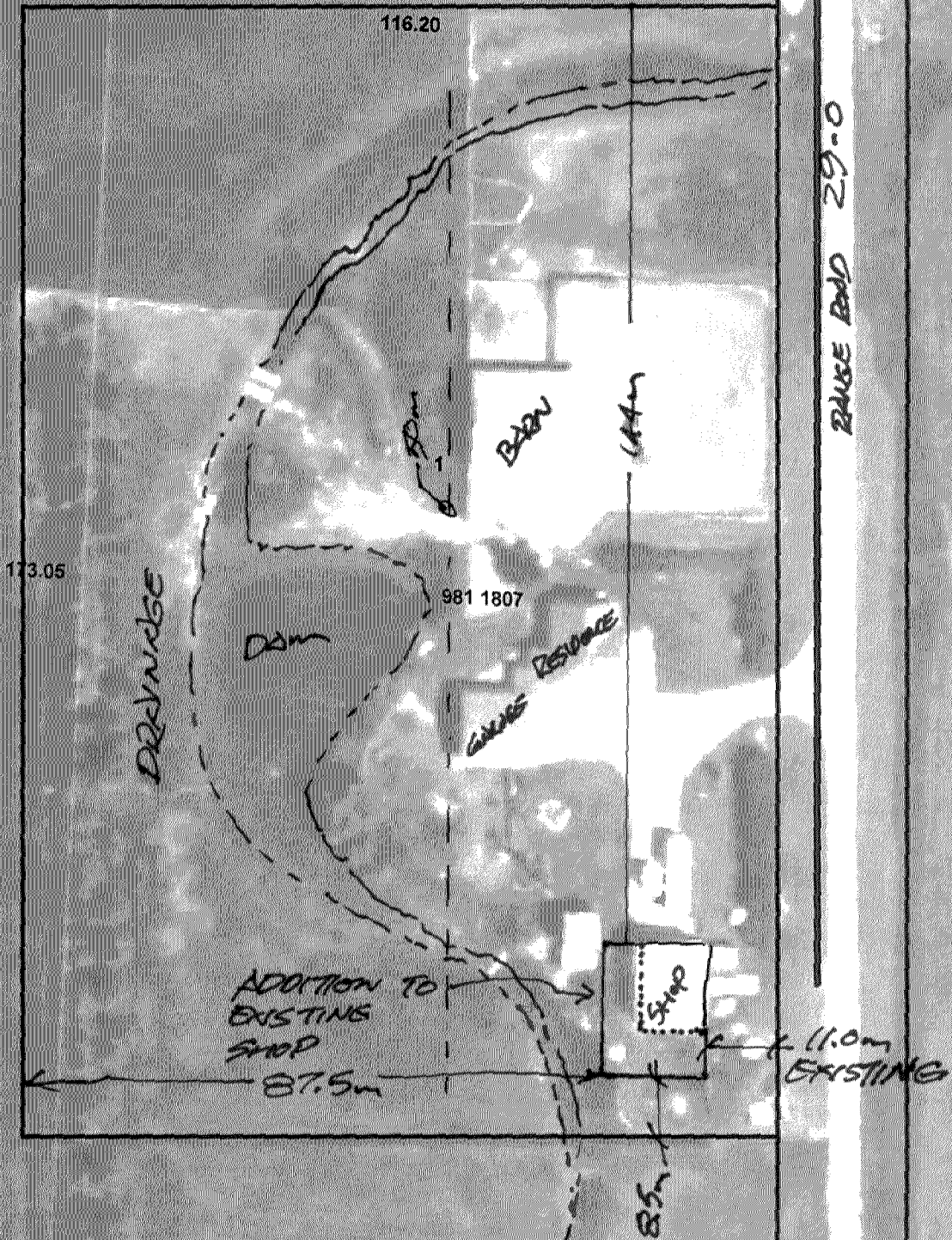


Total
Sq ft.
Adding 2119.6.

52.6
Actual
Distance 28 feet
2.5 meters or
24.6 ft.

--- fence line ---

for 2015 only a parking pad with concrete foundation so that in future can be enclosed with walls & roof



**DIRECTOR OF DEVELOPMENT AND COMMUNITY SERVICES REPORT
October 2015**

Development / Community Services Activities includes:

- October 2 Capital Planning
- October 5 LTR Guidelines Discussion
- October 6 Subdivision Authority
- October 6 Municipal Planning Commission
- October 8 Staff Meeting
- October 13 Policy and Plans
- October 13 Council Meeting
- October 14 Joint Health and Safety
- October 19 Contaminated Sites Meeting
- October 20 Intermunicipal Development Plan Committee Meeting
- October 27 Policy and Plans
- October 27 Council
- October 27 Coffee with Council
- October 29 Staff Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Director for October 2015

No.	Applicant	Division	Legal Address	Development
2015-61	Gregory Hession - INDI Solar Inc.	3	NE 1-7-2 W5M	Accessory Structure - Solar Array
2015-63	Brant Lewis	4	SE 31-7-29 W4M	Manufactured Home
2015-65	William and Christine Trotz	5	Lot 2, Block 1, Plan 9610744; NW 21-7-2 W5M	Accessory Building - Garage
2015-66	Howard and Mary Bornholdt	3	SE 21-6-30 W4M	Accessory Building - Shop

Development Permits Issued by Municipal Planning Commission for October 2015

No.	Applicant	Division	Legal Address	Development
2015-48	Oldman River Brewing Ltd.	5	Lots 1-4, Block 2, Plan 2177S; Hamlet of Lundbreck	Brewery with taproom
2015-53	William and Louise Byrne	5	NE 35-9-3 W5M	Metal Clad Storage Building - Waivers required
2015-54	Steve Oczkowski	3	SE 27-6-2 W5M	Relocation of Shooting Range
2015-55	Alex Carnegie	5	Lot 1, Block 1, Plan 0211611; NW 26-7-2 W5M	Category 1 WECS

Development Statistics to Date

DESCRIPTION	October 2015	2015 to Date	October 2014	2014	2013
Dev Permits Issued	8 4-DO /4-MPC	62 47-DO /15-MPC	5 4- DO / 1 - MPC	68 47 - DO /21- MPC	67 42 - DO / 25- MPC
Dev Applications Accepted	3	64	4	73	66
Utility Permits Issued	3	25	2	23	32
Subdivision Applications Approved	3	11	1	8	9
Rezoning Applications Approved	0	1	0	2	2
Seismic / Oil / Gas	3	19	0	0	3
Compliance Cert	2	17	1	28	19

RECOMMENDATION:

That the report for the period ending October 29, 2015, be received as information.

Prepared by: Roland Milligan, Director of Development and
Community Services

Reviewed by: Wendy Kay, CAO *w.kay*

Submitted to: Municipal Planning Commission

R.Milligan

Date: October 29, 2015

Date: *October 29, 2015*

Date: November 3, 2015

MD OF PINCHER CREEK

October 28, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Development Officer
SUBJECT: **Extension Request - Development Permit Application No. 2012-19**

1. Application Information

Applicant(s): John and Bev Krall
Location: Ptn. SE 19-7-2 W5M
Division: 5
Size of Parcel: 101.16 acres
Zoning: Agriculture - A
Development: Single Detached Residence

2. Background

- Development Permit Application No. 2012-19 (Enclosure No. 2) was originally approved by the MPC on June 6, 2012.
- Pursuant to Section 20.1(b) of the LUB, unless the development has not been completed in two (2) years from the date of issue of the permit, the permit expires.
- Permit 2012-19 was due to expire on June 12, 2014. However, the permit was extended for six months when the MD received a request from the applicant.
- Pursuant to Section 20.2, the MD issued a letter granting an extension of the permit to December 13, 2014.
- Due to ongoing delays a further extension was applied for and issued by the MPC on October 7, 2014.
- The permit is now valid until December 13, 2015.
- In an email received on October 25, 2015 (Enclosure No. 1), the applicant is requesting another extension.

3. Discussion

- The applicant states that their residential construction drawings are almost completed. They fear that they may not be able to start the construction within the timeframe of the current permit.
- The applicant has recently subdivided a portion of the neighbouring parcel to consolidate with his (Subdivision File No. 2015-0-141) for the purpose of providing a better location to construct the access to his parcel.

Recommendation

That the Municipal Planning Commission grant a one (1) year extension for Development Permit Application No. 2012-19, making the permit valid until December 13, 2016.

Enclosures

Supporting Documents:

Enclosure 1 email from applicant

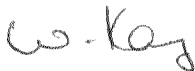
Enclosure 2 Development Permit Application No. 2012-19

Respectfully Submitted,



Roland Milligan

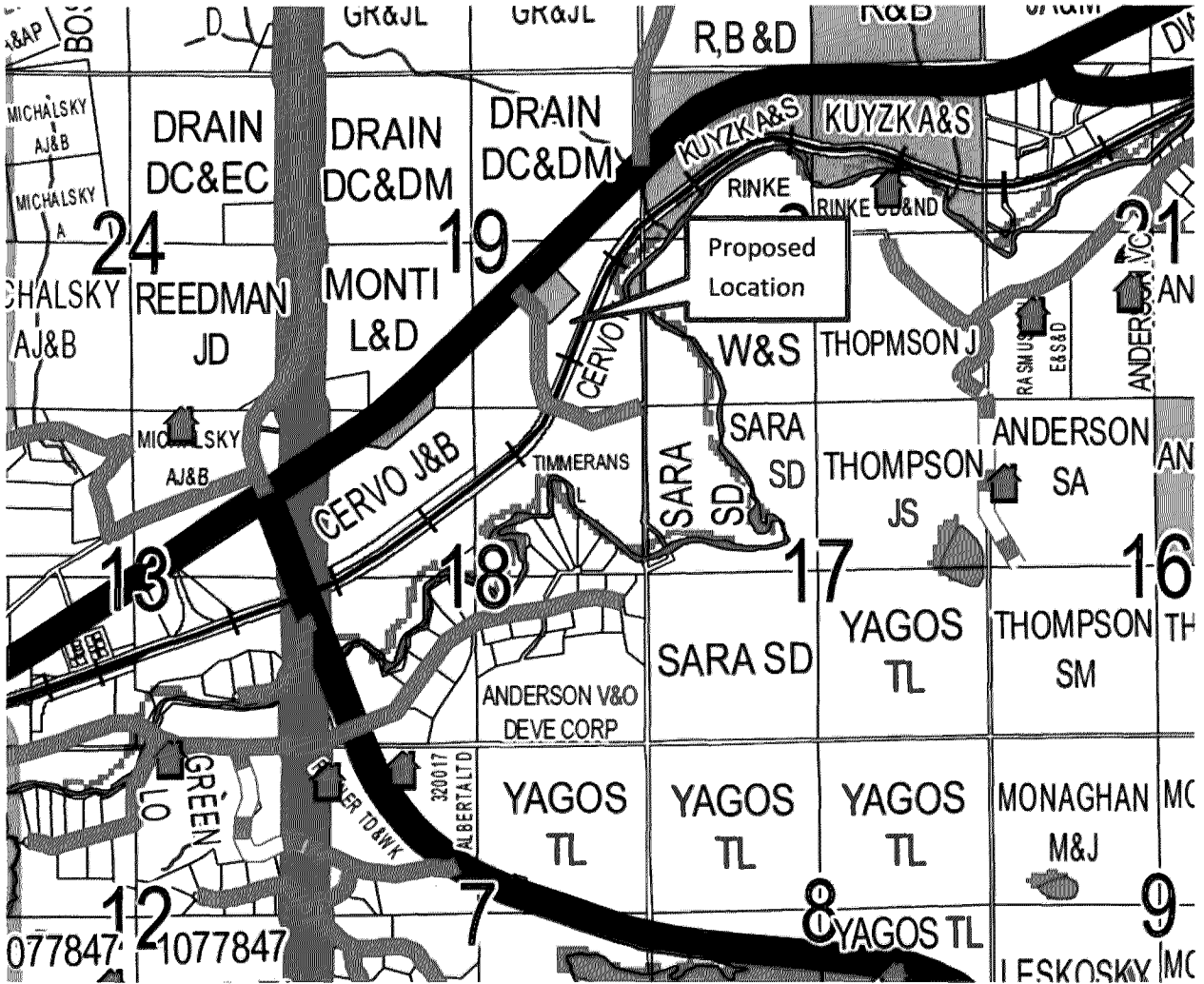
Reviewed by: Wendy Kay, CAO



October 28, 2015

Location of Proposed Development

Portion of SE 19-7-2 W5M



Roland Milligan

From: John Krall <john.w.krall@gmail.com>
Sent: Sunday, October 25, 2015 8:31 PM
To: Roland Milligan
Subject: Fw: John & Bev Krall Development Permit Extension

Sent from my BlackBerry 10 smartphone on the Bell network.

From: John Krall <john.w.krall@gmail.com>
Sent: Sunday, October 25, 2015 8:19 PM
To: Roland Milligan
Subject: John & Bev Krall Development Permit Extension

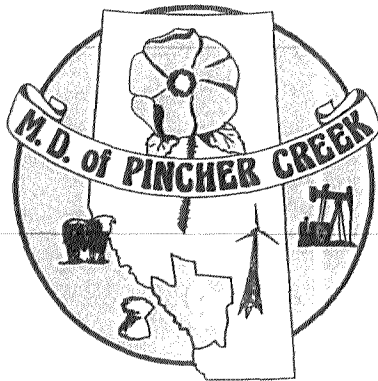
Roland

Re: Portion SE 19-7-2. West. 5 M

We have presently almost completed our residential construction drawings however we possibly may not be able to start construction with in the time frame the development permit is active. We have also purchased a 2 acre portion of land on the east border of the property which the subdivision has just been approved. With this add on 2 acres

It has change the entrance road to the property which has also changed the approach to the new residence. Now that the add on subdivision is complete the final draft blueprints can be completed. We would like an extension to the development permit if for some reason we cannot start construction in December. Thanks if you have any other question please fell free to call or e mail us

Sent from my BlackBerry 10 smartphone on the Bell network.



SCANNED

ADMINISTRATION OFFICE
P.O. BOX 279
PINCHER CREEK, ALBERTA
T0K 1W0
PHONE 627-3130 • FAX 627-5070
E-MAIL: info@mdpincercreek.ab.ca
www.mdpincercreek.ab.ca

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
DEVELOPMENT PERMIT
DEVELOPMENT PERMIT No. 2012-19**

This development permit is hereby issued to:

NAME: **John and Bev Krall**
ADDRESS: **P.O. Box 117**
Diamond City, AB T0K 0T0

In respect of works consisting of: • **Single Detached Residence**
(approx size – 111.48 m² / 1200 ft²)

On land located at: **Ptn. SE 19-7-2 W5M**

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. **2012-19**

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 enters into a Development Agreement with the MD regarding access to the parcel.

This permit becomes effective the **13th day of June, 2012**, unless an appeal pursuant to section 686(1) of the Municipal Government Act is lodged within fourteen (14) days.

SIGNED: 
Roland Milligan, Development Officer

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.

NOTE: Information provided in this application or generated by this application may be considered at a public meeting.

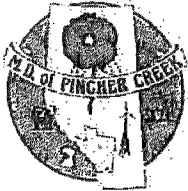
Inspection Information

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	www.superiorsafetycodes.com	Yes	Yes	Yes	Yes
The Inspections Group Inc.	(780) 454-5048 1-866-554-5048	(780) 454-5222 1-866-454-5222	www.inspectionsgroup.com	Yes	Yes	Yes	Yes
Davis Inspection Services Ltd.	(403) 275-3338 1-800-639-0912	(403) 275-9790	www.davisinspections.ca	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.



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. 2012-19

Date Application Received 2012/04/12

PERMIT FEE \$150.00

Date Application Accepted 2012/04/12

RECEIPT NO. 6888

Tax Roll # 4489.000

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: JOHN + BEV KRALL (call 403.634.5987)

Address: Box 117 DIAMOND CITY TOK-0TD

Telephone: (403) 381-4917 Email: john.krall@apexpower.ca

Owner of Land (if different from above): KELLY CERVO

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

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:

CABIN 1200 sq ft + ~~SHOP 1200 sq ft~~
SHOP DELETED MAY 31ST, 2012

Legal Description: Lot(s) _____

Block _____

Plan _____

Quarter Section PR. SE 13. 7. 2. 5

Estimated Commencement Date: MAY 2013

Estimated Completion Date: DEC 2013

SECTION 3: SITE REQUIREMENTS

Land Use District: Burns Lundbreck Corridor 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? X 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

PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	102 Acres		
(2) Area of Building	1200 sq/ft		
(3) %Site Coverage by Building	—		
(4) Front Yard Setback Direction Facing: <u>NORTH</u>	≈ 360m	7.5m	YES
(5) Rear Yard Setback Direction Facing: <u>SOUTH</u>	399m	7.5m 50m (ROAD)	YES
(6) Side Yard Setback: Direction Facing: <u>EAST (UNDEV. ROAD DULDE)</u>	129m	50m	YES
(7) Side Yard Setback: Direction Facing: <u>WEST (RAILWAY)</u>	85m	40m	YES
(8) Height of Building	16 ft		
(9) Number of Off Street Parking Spaces	—		

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

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	102 Acres		
(2) Area of Building	1200 sq/ft		
(3) %Site Coverage by Building			
(4) Front Yard Setback Direction Facing: <i>North</i>	$\approx 360m$	7.5m	YES
(5) Rear Yard Setback Direction Facing: <i>South</i>	$\approx 400m$	7.5m 20m-Road	YES
(6) Side Yard Setback: Direction Facing: <i>East (road distance)</i>	$\approx 150m$	50m	YES
(7) Side Yard Setback: Direction Facing: <i>West (Roadway)</i>	$\approx 80m$	40m	YES
(8) Height of Building	16 ft		
(9) Number of Off Street Parking Spaces			

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

SEE ATTACHMENT.

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.

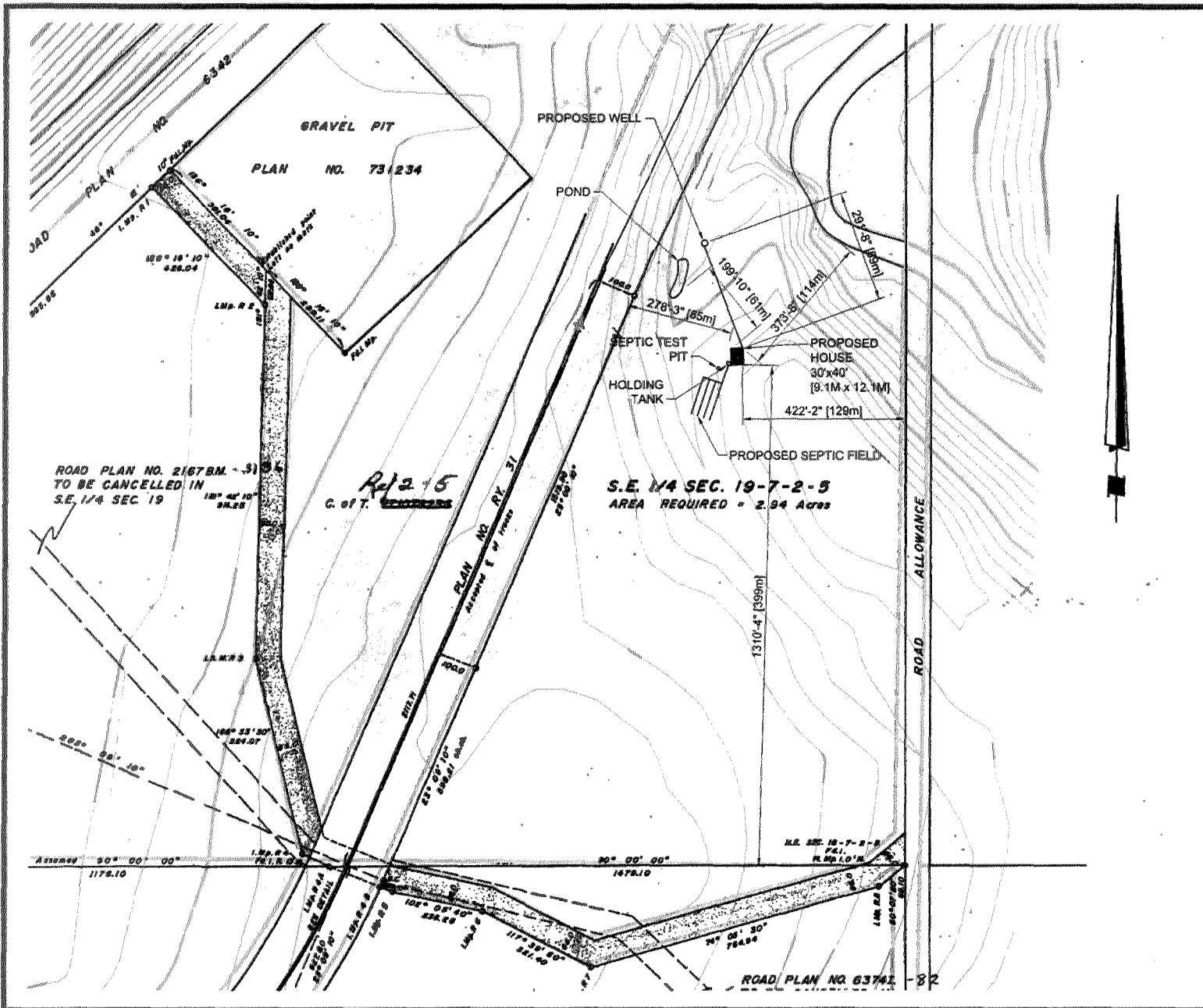
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: APRIL 10/2012

[Signature]
Applicant

[Signature]
Registered Owner

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



FIELD REVIEW:
THE ENGINEERS HAVE BEEN RETAINED FOR SITE INSPECTIONS AND THEREFORE THE OWNER AND/OR CONTRACTOR ASSUME RESPONSIBILITY FOR COMPLETION OF THE WORK TO THE CONTRACT DOCUMENTS.

SITE SAFETY:
THE ENGINEERS ASSUME NO RESPONSIBILITY FOR ON-SITE WORKER SAFETY FOR COVER THAT THEIR OWN EMPLOYER. THE OWNER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SAFETY AS PER THE OCCUPATIONAL HEALTH AND SAFETY ACT.

PLANS EXAMINATION:
DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNTIL REVIEWED AND APPROVED BY THE AUTHORITY HAVING JURISDICTION. THIS AUTHORITY, BASED ON APPLICABLE CODES, MAY REQUIRE REVISIONS AND/OR ADJUSTMENTS AND THIS MAY RESULT IN EXTRA COSTS. THESE COSTS ARE UNFORESEEN AND THEREFORE ARE THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR.

COPYRIGHTS:
ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE ENGINEER. PROTECTED BY COPYRIGHT AND MUST BE RETURNED OR DESTROYED UPON COMPLETION OF THE PROJECT. REPRODUCTION OF DRAWINGS AND SPECIFICATIONS IN PART OR IN WHOLE IS FORBIDDEN WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER AND CONTRACTOR. THESE COSTS ARE UNFORESEEN AND THEREFORE ARE THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR.

DRAWING REVIEW:
DRAWINGS MUST NOT BE SCALED. THE CONTRACTOR MUST CORRESPONDENCE ALL ARCHITECTURAL, STRUCTURAL, FOUNDATION, ELECTRICAL AND MECHANICAL DIMENSIONS AND VERIFY ALL DIMENSIONS, DRAWINGS AND SPECIFICATIONS ON SITE. ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT IMMEDIATELY PRIOR TO PROCEEDING WITH ANY PART OF THE WORK.

REVISIONS			
NO.	DESCRIPTION	DATE	BY

bc b
— engineering ltd. —
Lethbridge, Alberta, Canada

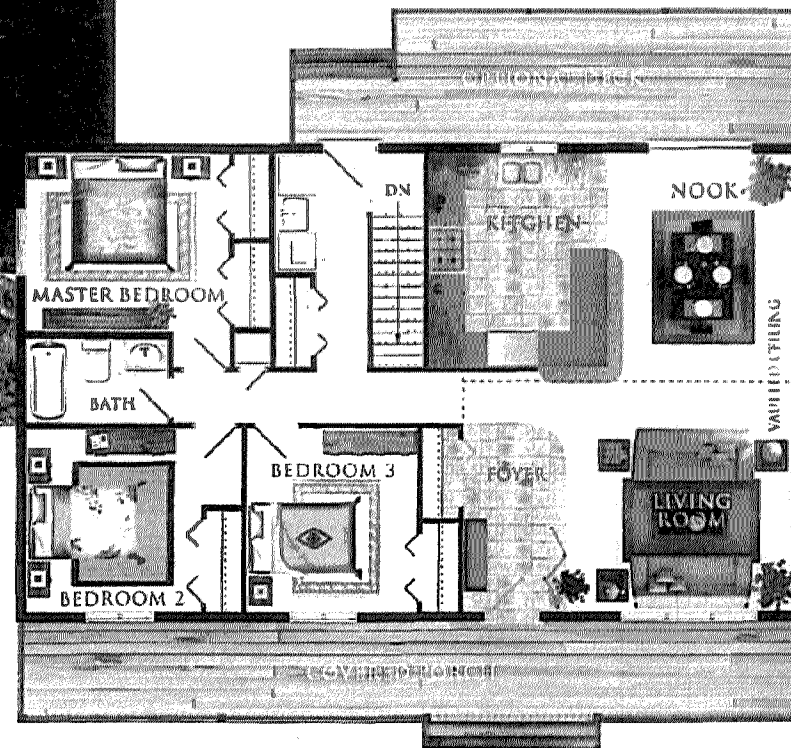
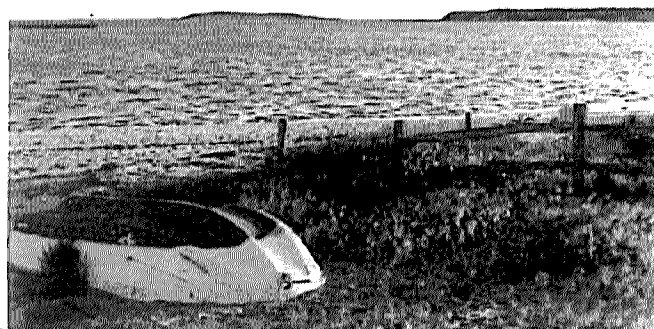
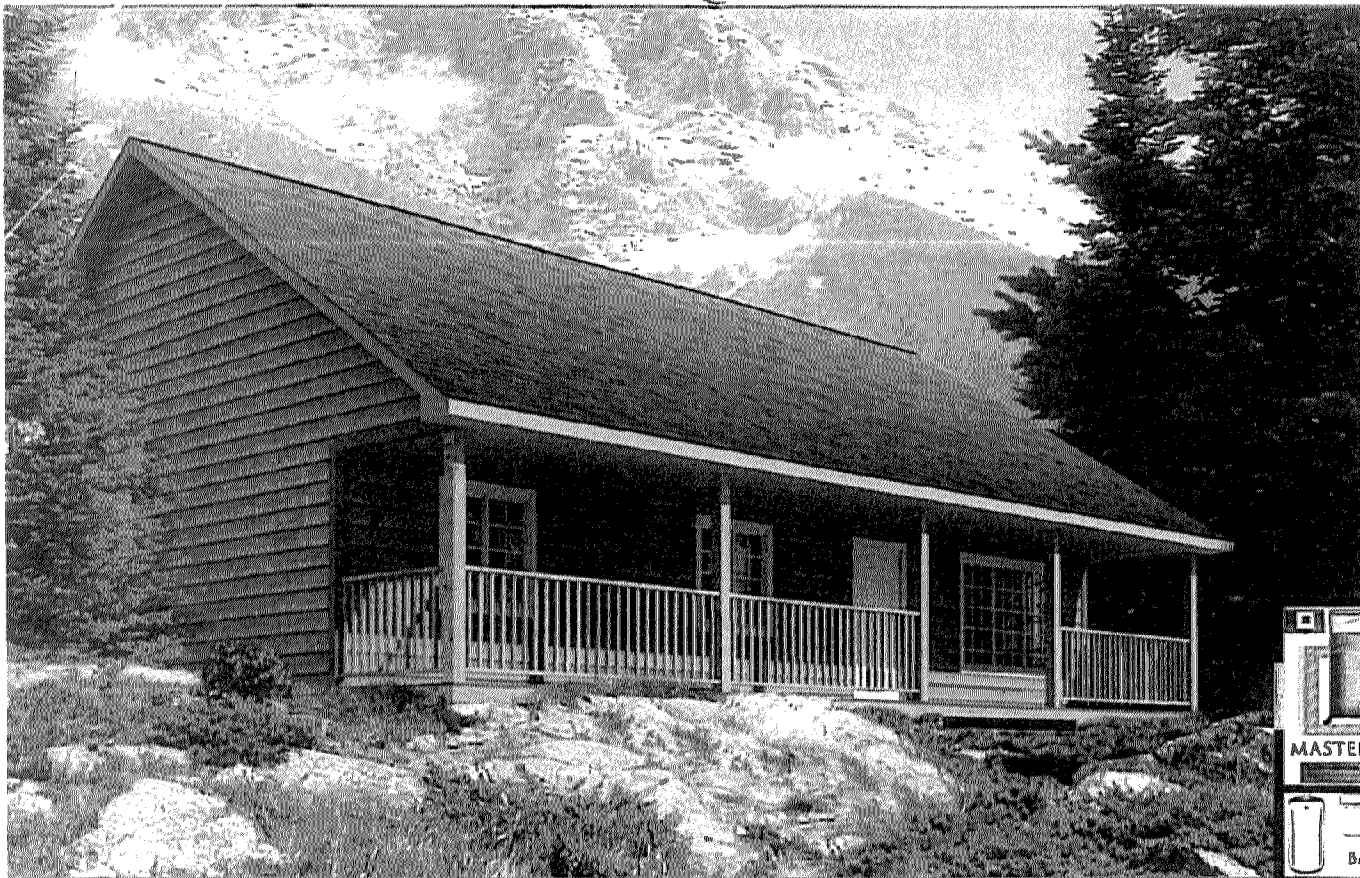
CLIENT
JOHN KRALL
DIAMOND CITY, ALBERTA

PROJECT
HOUSE PLOT PLAN
PINCHER CREEK, ALBERTA

TITLE
SITE PLAN

SCALE 1:1500	DATE MAY 25/12	DRAWING NO. 1.1
DRAWN BY JLG	CHECKED BY	REVISION: 0
FILE #: 5294		

FULMORE 1288 SQ. FT.



46'-0" w x 34'-0" d

- covered front porch
- vaulted ceiling in the living room

Living Room: 19'-5" x 14'-1"

Kitchen: 10'-4" x 12'-8"

Nook: 11'-0" x 12'-8"

Master Bedroom: 12'-0" x 10'-6"

Bedroom 2: 10'-4" x 10'-10"

Bedroom 3: 10'-0" x 10'-10"

3853-569

MD OF PINCHER CREEK

October 28, 2015

TO: Municipal Planning Commission
FROM: Roland Milligan, Director of Development and Community Services
SUBJECT: Development Permits No. 2010-41 through 2010-53
Welsch Wind Farm (26 Category 3 WECS and Substation)

Background:

- Development Permits No. 2010-41 through 2010-53 (collectively the Permit), for Eolectric's Welsch Wind Farm (the Project), were issued in by the MPC in July of 2010.
- The project lands have been rezoned to Wind Farm Industrial with the adoption of Bylaw 1173-09 in 2009.
- The project received AUC approval on February 6, 2012.
- The applicant requested an extension for the permit in June of 2012. At the MPC meeting of June 12, 2012, the MPC granted a two (2) year extension.
- Eolectric (the Applicant at that time) submitted a letter dated May 22, 2014, requesting that the Permit timeline be extended pursuant to condition b) subsection (c) of Section 53.19 of Land Use Bylaw 1140-08; *A time extension considered by MPC in (a) and (b) may be approved for a single one (1) year term and the applicant must provide reasons why the extension is necessary;*
- At the June 3, 2014 meeting, the MPC granted the request and extended the validity of Development Permits No 2010-41 through 2010-53 from July 30, 2014 to December 31, 2015, to coincide with the date of the current Alberta Utilities Commission approval for the project (Enclosure No. 1).
- Since this last extension request, the project has been purchased from Eolectric by Enercon Canada Inc., to be operated as Welsch Wind Power Inc. (WWPI).
- The MD received a request from WPPI (Enclosure No. 3) for a further Time Line Suspension under Section 53.19(d) of the LUB.
- WPPI is requesting a suspension of the development timeline until December 31, 2016.

Discussion:

- In the letter submitted, the applicant has stated the major reasons as to why the project is delayed and the request for an extension is warranted.
 1. Since the 2014 request, the Stage 2 of the AESO Connection Process (#1543) for the Project expired. WWPI was required to reapply into the Connection Process (#1660). The Connection Plan #1660 (Enclosure No. 3) allows for an In-Service-Date ("ISD") of December 2017. In light of the revised ISD, and of the fact that the Project's current AUC approval and permits expire December 31, 2016 (Enclosure No. 5), the Project plans to obtain from the AUC an extension for construction completion until December 31, 2017.
 2. In addition to the delays in interconnection, the project only recently received the AUC's approval of the transfer of ownership of the Project (Enclosure No. 4). As such, WWPI is only now able to address the stakeholders in the project as the proponent. The current Development Permit time line does not provide sufficient time for WWPI to reasonably undertake design, engineering and procurement activities as well as negotiating various

agreements that will enable start of construction. The lack of time constitutes a significant development hardship for the Project.

3. Finally, WWPI intends to revise the Noise Impact Assessment of the project owing to technological developments of the proposed turbines that allow lower noise operation. WWPI shall inform the MPC and provide appropriate studies once complete.

- The applicant has supplied a tentative schedule for the project completion (Enclosure No. 2). WWPI to commence construction in Q3 2016 and be in commercial operation by Q4 2017.
- The project has received an approval from the AUC to delay construction to December 31, 2015. Copy of which is attached as Enclosure No. 5.

Recommendation:

That the Municipal Planning Commission review the information submitted and grant the applicant's request and extend the validity of Development Permits No. 2010-41 through 2010-53, for the Welsch Wind Farm, from December 31, 2014 to December 31, 2016, to coincide with the Alberta Utilities Commission approval for the project.

Enclosure(s):

- | | |
|-----------------|--|
| Enclosure No. 1 | Project Map |
| Enclosure No. 2 | Letter June 5, 2014: Development Permit Timeline Extension |
| Enclosure No. 3 | October 29, 2015 Timeline Suspension Request |
| Enclosure No. 4 | AUC Decision 20721-D01-2015: Change of Ownership of the Welsch Wind Farm Project |
| Enclosure No. 5 | AUC Decision 2014-314: Time Extension to Complete Construction |
| Enclosure No. 6 | Connection Plan Welsch Wind Farm #1660 |

Respectfully Submitted,

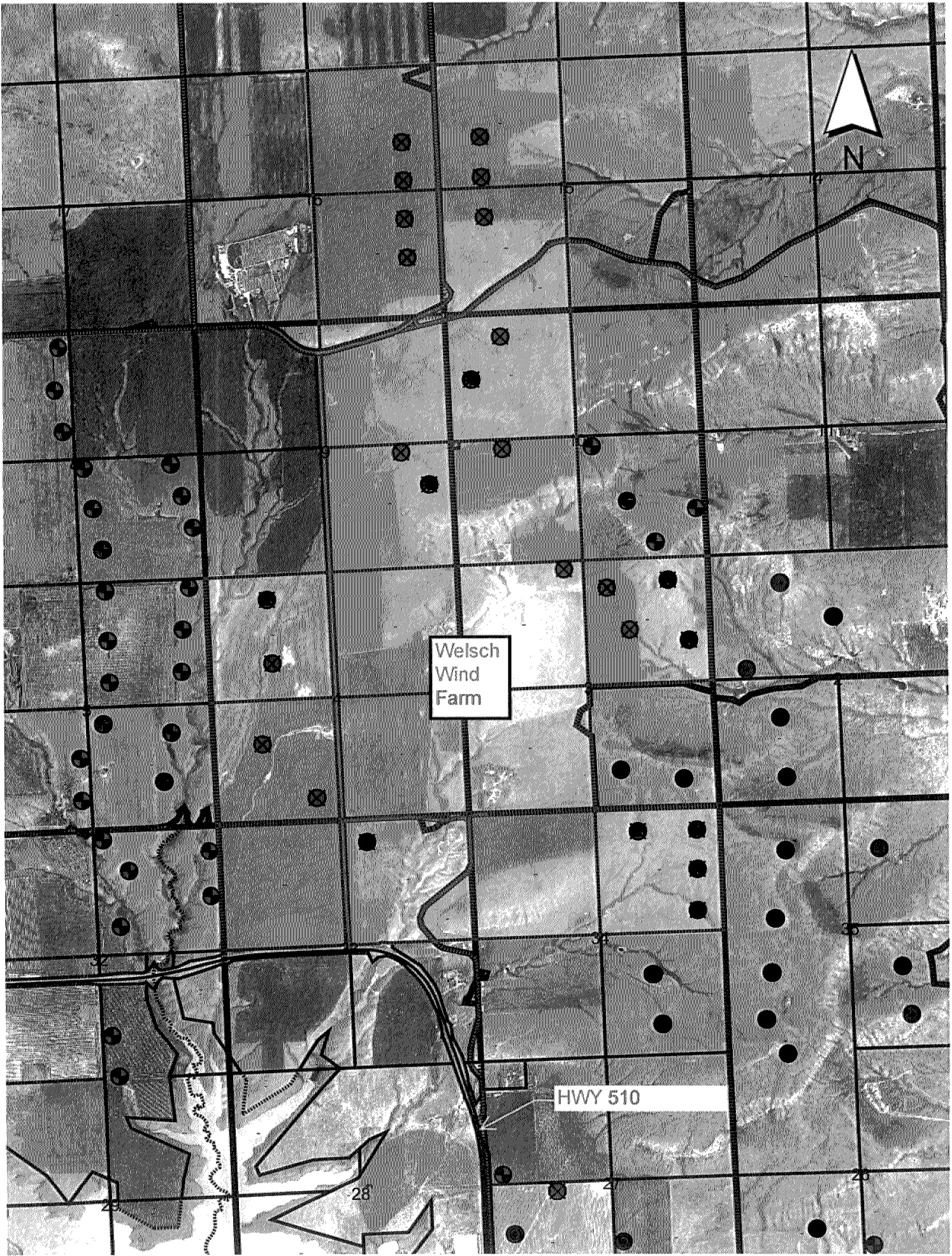


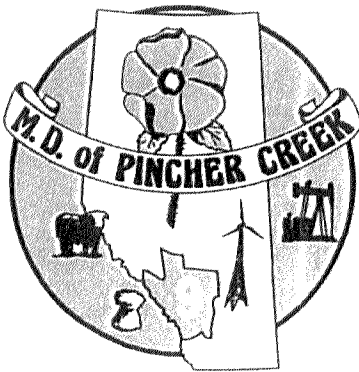
Roland Milligan

Reviewed by: Wendy Kay, CAO



October 29, 2015





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

June 5, 2014

Sent Via Email: Pascal.Moreau@eoelectric.com

Mr. Pascal Moreau
Eoelectric Development
1850 Panama Avenue
Suite 501
Brossard, Quebec
J4W 3C6

Dear Mr. Moreau:

**Re: Welsch Wind Farm Project – Development Permit Timeline Extension Request
Development Permit Nos. 2010-41 through 2010-53**

This letter is to inform you that your letter of May 22, 2014, requesting an extension of the Development Permit timeline for Permit Nos. 2010-41 through 2010-53 (the Permits), was presented to the Municipal Planning Commission at the June 3, 2014 meeting.

After review of the information submitted, the MPC passed the following Resolution No. 14/045:

Moved that the report from the Director of Development and Community Services, dated May 28, 2014, regarding Development Permits No. 2010-41 through 2010-53, be received;

And that the request to extend the validity of Development Permits No 2010-41 through 2010-53 for the Welsch Wind Farm, be granted, with the validity being extended from July 30, 2014 to December 31, 2015, to coincide with the date of the current Alberta Utilities Commission approval for the project.

The permits' timeline is now extended to match the AUC date of December 31, 2015. If a further extension or suspension is required, the application for such must be submitted prior to the completion of the current suspension. Any further requests for suspension or extension must be received 21 days prior to December 31, 2015, to ensure processing.

Should further extensions be required, please review Section 53.19 of Land Use Bylaw 1140-08 regarding this process.

Please do not hesitate to contact us if further information is required.

Regards,

Roland Milligan
Director of Development and Community Services



Hassan Shahriar
Commercial Manager, Ontario
Telephone: (416)572 8912
Email: hassan.shahriar@enercon.de

By email

October 29th 2015

Roland Milligan
Director of Development and Community Services
M.D. Pincher Creek #9
P.O. Box 279
Pincher Creek, Alberta, T0K 1W0

Re: Welsch Wind Farm Development Permit Time Line Suspension – Nos. 2010-41 through 2010-53 (the “Development Permits”)

Dear Mr. Milligan:

On August 19th 2015, the Alberta Utilities Commission (“AUC”) approved the transfer of ownership of the Welsch Wind Farm from Eolectric Development Inc. (“Eolectric”) to Welsch Wind Power Inc. (“WWPI”), a wholly owned subsidiary of ENERCON GmbH (“ENERCON”). As such, ENERCON through WWPI is currently engaged in the development of the Welsch Wind Farm (the “Project”).

Eolectric’s request for consent to assign the Development Permits from Eolectric to WWPI, dated August 10, 2015, is currently pending with the Municipal Planning Commission (“MPC”).

According to the Land Use Bylaw (“LUB”) 1104-08 Section 53.19, the Development Permits have a maximum five year development time line, unless the MPC grants a time line suspension or extension under Section 53.19 (c) or (d). To date, the MPC has granted a two year suspension in 2012 and a one year extension in 2014. The validity of the Development Permits, according to MPC’s approval dated June 5, 2014, was extended to December 31, 2015 (enclosed).

Request for Time Line Suspension under LUB-1104-08 Section 53.19(d)

WWPI hereby requests that the MPC grant a suspension of the five-year development time line until December 31, 2016, as described in Section 53.19(d), in light of the development hardship faced by WWPI.

Such a suspension will enable WWPI to begin construction in the summer of 2016, and finish construction within the timelines specified in Section 53.19 of the LUB 1104-08.

Reasons for Requested Suspension

Eolectric’s request to the MPC for an extension to the Development Permits, dated May 22, 2014, was based on delays related to transmission reinforcement, geotechnical reporting and ownership change. Since that request, the Stage 2 of the AESO Connection Process (#1543) for the Project



expired. WWPI was required to reapply into the Connection Process (#1660). The Connection Plan #1660 (enclosed) allows for an In-Service-Date (“ISD”) of December 2017. In light of the revised ISD, and of the fact that the Project’s current AUC approval and permits expire December 31, 2016 (enclosed), the Project plans to obtain from the AUC an extension for construction completion until December 31, 2017.

In addition to the delays in interconnection, the project only recently received the AUC’s approval of the transfer of ownership of the Project (enclosed). As such, WWPI is only now able to address the stakeholders in the project as the proponent. The current Development Permit time line does not provide sufficient time for WWPI to reasonably undertake design, engineering and procurement activities as well as negotiating various agreements that will enable start of construction. The lack of time constitutes a significant development hardship for the Project.

Finally, WWPI intends to revise the Noise Impact Assessment of the project owing to technological developments of the proposed turbines that allow lower noise operation. WWPI shall inform the MPC and provide appropriate studies once complete.

Project Progress to Date

Notwithstanding the delays faced by the Project, progress has been made on multiple fronts since the MPC’s approval of a time line extension dated June 5, 2014. These include:

- Completion of geotechnical studies in collaboration with the landowners;
- Completion of foundation design;
- Assessment of alternatives for transmission connection and revised Connection Scope which mitigates impact on native prairie;
- Completion of the transfer of ownership of the project from Eoletric to WWPI;
- Obtaining an extension for construction completion from AUC to December 31, 2016 (enclosed). WWPI notes that a request to extend this time line to December 31, 2017 shall be made within the required time period.

Provisional Development and Construction Schedule

Below is a summary of the major development and construction milestones and their respective time lines.

Milestone	Date
Revised Noise Impact Assessment	Q4 2015
Application for extension of Construction Completion to AUC	Q4 2015
Design and engineering and procurement activities	Q1 2016
Commencement of Construction	Q3 2016
Completion of Construction	Q3 2017
Commercial operation	Q4 2017

About ENERCON

ENERCON through WWPI is committed to building the Welsch Wind Farm as the Project represents the first wholly owned wind project for ENERCON in Canada.



Founded in Germany in 1984, ENERCON is a global leader in the design and manufacture of wind turbines. ENERCON is internationally recognised for the reliability and performance of its direct drive turbines, its high standards of manufacturing, and its long term service agreements. ENERCON has installed over 24 000 turbines globally representing more than 37 GW of installed capacity.

ENERCON Canada Inc. has been present in the Canadian market since 2001. With over 500 employees, offices in Montréal, Toronto and Dartmouth, service stations coast to coast and production facilities in Québec and Ontario, it is Canada's largest direct employer in the wind industry. With a Canadian installed capacity of almost 1,800 MW, ENERCON Canada Inc. is a market leader in wind energy. It is also a leader in off-grid, mining, and extreme cold applications with operational projects at the Diavik Diamond Mine in the North West Territories and at the Raglan Mine in Quebec.

Should you have any questions pertaining to the project or require additional information for the suspension request, please contact the undersigned.

Kind Regards,
ENERCON Canada Inc.

A handwritten signature in black ink, appearing to read "H. Shahriar", is written over a horizontal line.

Per: Hassan Shahriar, Commercial Manager

encl. Connection Plan Welsch Wind Farm #1660
AUC Decision 20721-D01-2015: Change of Ownership of the Welsch Wind Farm Project
AUC Decision 2014-314: Time Extension to Complete Construction
M.D. of Pincher Creek letter June 5, 2014: Development Permit Timeline Extension



August 19, 2015

Decision 20721-D01-2015

Welsch Wind Power Inc.
2900 – 550 Burrard Street
Vancouver, British Columbia V6C 0A3

Attention: Michael Weidemann
Executive Vice-President

**Ownership Change of the Welsch Wind Farm Project
Proceeding 20721
Application 20721-A001**

Power plant ownership change

1. Welsch Wind Power Inc. (Welsch GP), by Application 20721-A001 registered on August 11, 2015, filed an application with the Alberta Utilities Commission under Section 11 of the *Hydro and Electric Energy Act* for a transfer of ownership of the Welsch Wind Farm Project, consisting of a 69-megawatt (MW) wind farm and the Welsch Wind Farm substation, in the Pincher Creek area. The proposed ownership change is related to facilities previously approved by the AUC in Approval U2014-445¹ and Permit and Licence U2014-446.² Eolectric Development Inc. (Eolectric) is the current holder of the approval and the permit and licence.

2. Welsch GP stated that it is a British Columbia corporation extra-provincially registered in the provinces of Manitoba and Alberta and is a general partner of Welsch Wind Power Limited Partnership, a limited partnership created pursuant to the laws of Manitoba and extra-provincially registered in Alberta. Welsch GP also stated that pursuant to an asset transfer agreement entered into as of May 14, 2015, Eolectric assigned and transferred all its rights and obligations in the Welsch Wind Farm Project to Welsch GP.

3. In accordance with the requirements of Section 23 of the *Hydro and Electric Energy Act*, Welsch GP is registered under the *Business Corporations Act*. Based upon the information provided, Welsch GP has demonstrated that it is eligible to hold the power plant approval and the substation permit and licence in its name.

¹ Power Plant Approval U2014-445, Proceeding 3493, Application 1610960, November 13, 2014.

² Substation Permit and Licence U2014-446, Proceeding 3493, Application 1610960, November 13, 2014.

4. The Commission grants the approval of the requested ownership changes outlined in the application. Approval 20721-D02-2015 and Permit and Licence 20721-D03-2015 are attached.

Alberta Utilities Commission

(original signed by)

Brian Shand, P. Eng.
Director, Gas Facilities, Facilities Division
On behalf of the Alberta Utilities Commission

Attachments



Eoletric Development Inc.

**Welsch Wind Farm Project
Time Extension to Complete Construction**

November 13, 2014

The Alberta Utilities Commission
Decision 2014-314: Eolectric Development Inc.
Welsch Wind Farm Project
Time Extension to Complete Construction
Application No. 1610960
Proceeding No. 3493

November 13, 2014

Published by

The Alberta Utilities Commission
Fifth Avenue Place, Fourth Floor, 425 First Street S.W.
Calgary, Alberta
T2P 3L8

Telephone: 403-592-8845
Fax: 403-592-4406

Website: www.auc.ab.ca

1 Introduction and background

1. Eolectric Development Inc. (Eolectric), pursuant to Approval No. U2013-639,¹ and Permit and Licence No. U2013-640,² has approval to construct and operate the Welsch Wind Farm Project, consisting of a 69-megawatt (MW) wind farm and the Welsch Wind Farm substation, in the Pincher Creek area.

2. Eolectric filed Application No. 1610960 with the Alberta Utilities Commission (AUC or the Commission) on October 27, 2014, requesting approval of a time extension, from December 31, 2015 to December 31, 2016, in order to complete construction of the Welsch Wind Farm Project.

2 Discussion

3. Eolectric stated that in order to take changes to the local transmission system into account, the Alberta Electric System Operator requested an amendment to the connection proposal for the Welsch Wind Farm Project. As a result, Eolectric prepared a new engineering study report with a revised connection in-service date of June 2016. Eolectric also stated that a further 12-week delay is expected because there is an ongoing study assessing an alternate transmission route for the project.

4. Eolectric submitted that the commissioning of the 26 wind turbines that make up the 69-MW wind farm could only be started once the transmission facilities have been energized. Eolectric stated that it is expected to take approximately 10 to 12 weeks to complete the commissioning process. Eolectric concluded that the construction schedule for the Welsch Wind Farm Project should be prolonged until the end of 2016, to ensure the infrastructure required for transmission system stability and reliability is in place and in-service, and the wind turbines have been commissioned.

5. No notice was issued due to the minor nature of the application.

¹ Power Plant Approval No. U2013-639, Application No. 1610162, Proceeding No. 2966, December 30, 2013.

² Substation Permit and Licence No. U2013-640, Application No. 1610162, Proceeding No. 2966, December 30, 2013.

3 Findings

6. Eolelectric has provided information respecting the need, nature and duration of the requested time extension. Based upon the information provided, Eolelectric has demonstrated that the requested time extension is of a minor nature, but necessary in order for Eolelectric to complete construction of the Welsch Wind Farm Project.

7. Due to the minor nature of the application, a notice of application was not issued and therefore a hearing was not required. The Commission considered that its decision or order would not directly and adversely affect the rights of a person pursuant to Section 9 of the *Alberta Utilities Commission Act*.

8. Given the considerations discussed above, the Commission considers the application to be in the public interest pursuant to Section 17 of the *Alberta Utilities Commission Act*. The Commission grants the requested time extension to complete the 69-MW wind farm and substation.

4 Decision

9. Pursuant to sections 11 and 19 of the *Hydro and Electric Energy Act*, the Commission approves the application and grants Eolelectric the approval set out in Appendix 1 – Power Plant Approval No. U2014-445 – November 13, 2014 (Appendix 1 will be distributed separately).

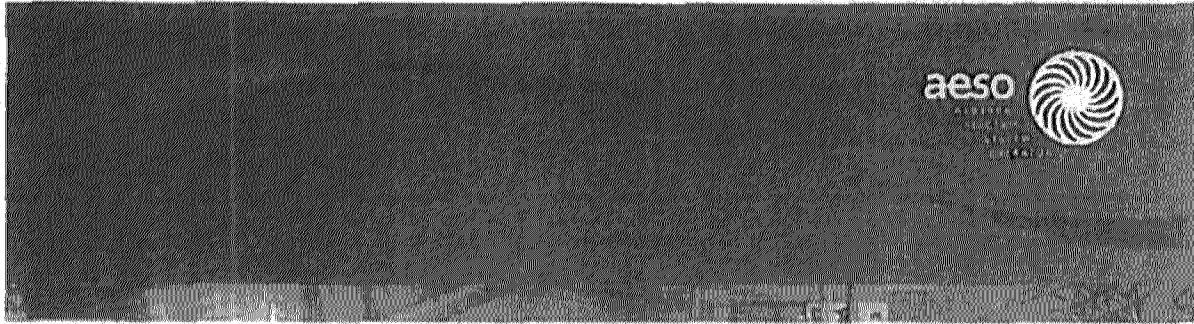
10. Pursuant to sections 14, 15 and 19 of the *Hydro and Electric Energy Act*, the Commission approves the application and grants Eolelectric the approval set out in Appendix 2 – Substation Permit and Licence No. U2014-446 – November 13, 2014 (Appendix 2 will be distributed separately).

Dated on November 13, 2014.

The Alberta Utilities Commission

(original signed by)

Neil Jamieson
Commission Member



Connection Plan

Welsch Wind Farm

AESO Project Number: 1660

Company Name	Name	Date	Signature
Welsch Wind Power Inc.	Markus Fischer	May 8, 2015	
Studies Consultant - AltaLink	Gregory Osmond	May 7, 2015	
AltaLink Management Ltd.	Gregory Osmond	May 7, 2015	
AESO Project Manager	Mark Appelt	May 7, 2015	

Document Release R2

May 6, 2015

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1. Purpose

The Connection Plan is a high-level document, similar to a Project Charter, that provides a quick overview of the Project identified in Section 2 (the "Project"). This includes a description of the Project and study area, definition of roles and responsibilities up to and including filing of the Needs Identification Document, Project considerations, general Project risks and high-level Project milestones and dates. The Connection Plan is a static document that summarizes the Project at a high level at the onset. Once executed by all parties, the Connection Plan must not be modified. Any changes to the Project that occur subsequent to execution of the Connection Plan will be tracked through change management procedures.

2. Project Description

Welsch Wind Power Inc. (the "Customer") has submitted a System Access Service Request (SASR) to Alberta Electric System Operator (AESO) for connection of the Welsch Wind Aggregated Generating Facility (WAGF) in the Fort MacLeod planning area (Area 53). The Maximum Authorized Real Power (MAR¹) for the Welsch WAGF is 69 MW. The proposed Welsch wind project consists of 26 wind turbine generators and a new collector station (hereafter called the "Project"). The requested in-service date (ISD) for the Demand Transmission Service (DTS) and the Supply Transmission Service (STS) for the Project is December 2017.

Figure 1-1 is schematic representation of the anticipated transmission system topology in the Fort MacLeod area (Area 53) west of the Peigan 59S substation in 2017.

Generation Component

- Maximum Authorized Real Power: 69 MW
- The Welsch WAGF consists of 9 Enercon E82 E2 and 17 Enercon E82 E3/E4 wind turbine generators.
- The aggregated reactive capacity of the Welsch WAGF is 38.39 MVar leading and 40.5 MVar lagging at MARP.
- The requested STS capacity is 69 MW by December 2017.
- Future Expansion: no future expansion indicated in the SASR

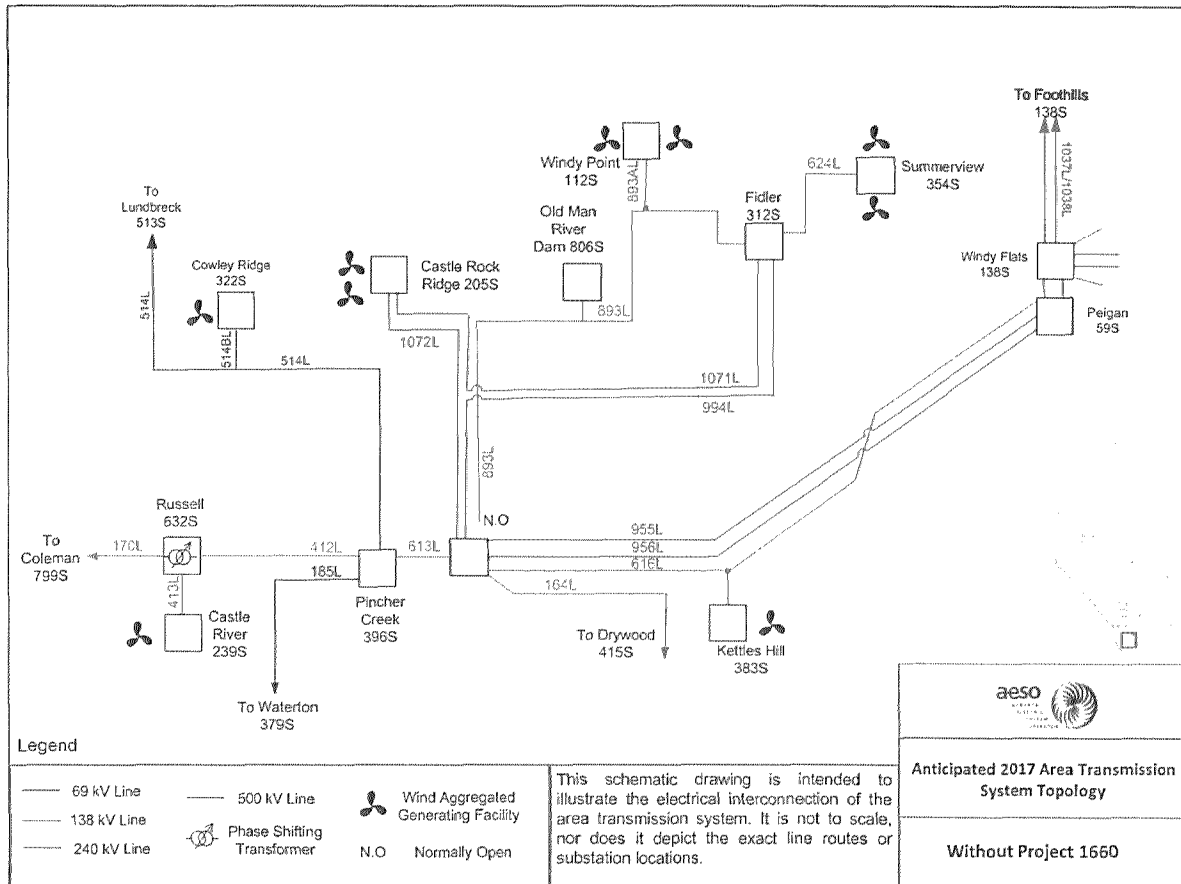
Load Component

- The requested DTS capacity is 1 MW by December 2017.
- Required to supply the auxiliary load requirement of the Welsch WAGF.
- The expected power factor is 0.9 lagging.

¹ Maximum Authorized Real Power (MAR¹) and Maximum Capability (MC) are defined in the Consolidated Authoritative Document Glossary posted on the AESO website: http://www.aeso.ca/downloads/Consolidated_Authoritative_Document_Glossary.pdf

Connection Plan

Figure 1-1 Anticipated 2017 SW Area Transmission System Topology without Project 1660



3. Study Area Description

The Welsch WAGF is proposed to connect in the Fort Macleod planning area (Area 53). The Fort Macleod area consists of 69 kV, 138 kV and 240 kV transmission systems. The schematic representation of the anticipated transmission system configuration in 2017 is shown in Figure 1-1.

The Fort Macleod area is a generation rich area under high wind conditions. Currently, under high wind conditions, the excess generation in the Fort MacLeod area flows through the 240 kV south west double-circuit lines and into 911L towards the Calgary area (Area 6) or through the low capacity 138 kV 786L to British Columbia (BC) system. As the summer ratings of 911L and 786L lines are 341 MVA and 99 MVA, respectively, the wind power production in the Fort Macleod area is highly constrained. Currently these constraints are managed by Remedial Action Schemes (RAS) defined in the ISO Rule 301.2, Information Document 2013-009R – South Area Transmission Constraint Management.

Major transmission developments will be constructed as part of the approved Southern Alberta Transmission Reinforcement (SATR) project to address the constraints in the Fort MacLeod area. The SATR developments include:

- The replacement of the existing 911L line with a new high capacity double-circuit 240 kV line with series capacitor compensation in Q3 2015.
- The construction of a double-circuit 240 kV line from the Castle Rock Ridge 205S substation to the new Chapel Rock 491S 500/240 kV substation (formerly Crowsnest substation).
- The construction of a double circuit 240 kV line, one side strung, from Goose Lake 103S to Journault 260S (formerly Sub C) and beyond.
- The Russell 138 kV phase shifting transformer (PST), currently in service at the Russell 632S substation, to prevent potential overloading of the 786L tie line to BC.

4. Roles and Responsibilities RACI

[This section should be completed by the AESO Project Coordinator with input from Market Participant, Studies Consultant and TFO. The RACI provided below represents the most common arrangement (shown in italicized text). Changes are permitted depending on the roles and responsibilities established by the Project team for the Project. Remove italics for final draft once roles and responsibilities have been agreed upon.]

The RACI chart below outlines the roles and responsibilities established for the Project up to and including filing of the Needs Identification Document:

Deliverable	AESO	Studies Consultant - AltaLink	Welsch Wind Power Inc.	AltaLink Management Ltd ²
Connection Plan	<i>A, R</i>	<i>C</i>	<i>C</i>	<i>C</i>
Connection Study Scope	<i>A, R</i>	<i>R</i>	<i>R</i>	<i>I</i>
Connection Studies	<i>C, I</i>	<i>R</i>	<i>A, R</i>	<i>I</i>
Connection Proposal ¹	<i>C</i>	<i>R</i>	<i>A, R</i>	<i>I</i>
Market Participant Contribution Decision	<i>A, R</i>		<i>I</i>	<i>I</i>
Need Identification Document	<i>A, R</i>	<i>I</i>	<i>I</i>	<i>I</i>
PDUP – Stage 1 & 2	<i>I</i>	<i>R</i>	<i>A</i>	<i>C, I</i>
PDUP – Stage 3 & 5 ³	<i>I</i>	<i>I</i>	<i>I</i>	<i>A, R</i>

1. Accountability determined in kickoff meeting
2. TFO column refers to specific TFO activities excluding those activities they may perform in the role of Studies Consultant which are to be captured in the Studies Consultant column.
3. For data submissions, refer to the Project Data Update Package – Instruction Manual (PDUP-IM) for roles and responsibilities outlined for each stage of the Connection Process: <http://www.aeso.ca/22277.html>

RACI – Responsible, Accountable, Consulted, Informed

Responsible = “the doer”. Those who do work to achieve the task. There can be multiple resources responsible.

Accountable = “the buck stops here”. The resource ultimately answerable for the correct and thorough completion of the task (also approver). There can only be one “A” specified for each task.

Consulted = “in the loop”. Those whose opinions are sought. Those who have special knowledge or expertise needed to make decisions or solve problem. Two-way communication.

Informed = “in the picture”. Those who are kept up-to-date on progress and decisions (once made). May be impacted by decision but are not active in final decision. One-way communication.

Where the Engineering Study Report and the Facility Design Report (collectively the "Reports") are prepared by the Market Participant or Studies Consultant as outlined in the RACI:

- (a) Base Cases must be downloaded from the AESO's website and converted into study cases as outlined in the Connection Study Scope;
- (b) both Reports must be authenticated (signed, stamped and dated) by a professional engineer registered in the Province of Alberta;
- (c) both Reports must be submitted to the AESO for acceptance. Upon review, the AESO may:
 - (i) accept one or both of the Reports;
 - (ii) require revisions to one or both of the Reports; or
 - (iii) reject one or both of the Reports;
- (d) following acceptance of the Reports, the AESO will require any revisions of information contained in these reports to be captured in the Connection Engineering Study Report for AUC Application Stage 3 and/or in the Functional Specification as it is developed.

The table below defines the contacts for each entity with respect to the Project. The identified Project representative for each organization should be included in all communications with respect to the Project unless otherwise indicated.

Role	AESO	Studies Consultant - AltaLink	Welsch Wind Power Inc.	AltaLink Management Ltd¹
Project Manager/ Coordinator	Mark Appelt	Gregory Osmond/Mark Reid	Markus Fischer	Gregory Osmond/Mark Reid
Project Studies Engineer	Roul Martin	Yani Jazayeri		David Hengst
Stakeholder Consultation	Matt Gray	N/A	N/A	Danielle Mossfeldt

1. TFO column refers to specific TFO activities excluding those activities they may perform in the role of Studies Consultant which are to be captured in the Studies Consultant column.

5. Project Considerations

Project considerations outlined in this section include early known considerations regarding Project assumptions, key objectives or delivery approach as agreed upon by the Project team. Considerations have been divided into 2 areas: Filing Strategy and Other Considerations, if applicable.

5.1 Filing Strategy

<u>Filing Considerations</u>	<u>Executor</u>
<i>A single, combined filing; Needs Identification Document ("NID") and the Facility Proposal ("FA") are filed with the Alberta Utilities Commission ("AUC")</i>	<i>AESO & TFO</i>
<i>TFO to perform consultations (PIP) on behalf of the AESO</i>	<i>TFO</i>

5.2 Other Considerations

The Project scope and ISD dates may change as a result of the technical studies and the selected alternatives.

6. Project Risks

Project risks identified in this section include any known risks to the delivery of the Project as agreed upon by the Project team, including study risks or risks against some of the Project Considerations noted in Section 5. The Project risks identified will likely have some impact on the cost, schedule, or scope for the Project should they occur therefore they are being identified for consideration. For identified risks it is necessary to also document the potential mitigation strategy that is being proposed. As the Project progresses the risks identified in this section will be managed by the AESO Project Coordinator and tracked through change management procedures.

See Table 6.1 – Project Risks

Table 6.1 – PROJECT RISKS			
<u>Identified Risk</u>	<u>Identified By¹</u>	<u>Mitigation Strategy</u>	<u>Assigned To¹</u>
Project Schedule & Scope			
<i>Alberta Utilities Commission (“AUC”) review and approval time. May require a Need or Facility hearing due to stakeholder objections.</i>	AESO	Hold regular status meetings and communicate any potential stakeholder risks through the life of the project.	AESO
<i>Studies may need to be refreshed before NID filing to reflect the updated transmission system status</i>	AESO	Scope to be monitored and any required changes to schedule, cost or quality to be communicated	AESO
<i>Changes to the project scope can impact schedule and cost.</i>	TFO	Project changes will be identified and communicated to the project team.	Project Team
<i>The timeline and project milestones identified in section 7 of this document are based on limited available information</i>	TFO	Schedule will be adjusted as the project advances	Project Team
<i>If construction occurs between March 15th-and approximately August 31st, environmental restrictions could interrupt or delay construction and/or increase construction costs on portions of the transmission line.</i>	TFO	For most effective mitigation, schedule construction to avoid approximately March 15-August 31.	TFO
<i>Requirement for Water Act Application could impact schedule and increase costs.</i>	TFO	Where feasible, wetlands should be avoided in routing of transmission line. Also, project schedule to consider timeline for Water Act Approval prior to construction start.	Project Team
Project Resourcing			
<i>Resource (Engineering, procurement or construction) constraints, significant volume of transmission work.</i>	AESO	Review resourcing and scheduling of system level work.	AESO

Table 6.1 – PROJECT RISKS			
<u>Identified Risk</u>	<u>Identified By¹</u>	<u>Mitigation Strategy</u>	<u>Assigned To¹</u>
Operational			
Project Complexity			
Regulatory			
<i>Assumes 6 months for AUC Approval</i>	TFO	A delay in receipt of P&L could result in a delay to the ISD.	TFO
<i>Delays in the Customer's or AESO's AUC applications could delay the project schedule.</i>	TFO	Proactive communication amongst project teams regarding regulatory delays.	Project Team
Stakeholder Relations			
<i>Consultations with stakeholders produce changes or restrictions around construction timing. Could impact ISD.</i>	AESO	Perform comprehensive consultations during PIP to reduce risk of changes.	TFO
<i>Landowners and Landowner Groups could have concerns based on other projects in the area.</i>	TFO	Perform comprehensive consultations during PIP to reduce risk of changes.	TFO
<i>Consultation delays introduced during the fall/harvest season.</i>	TFO	Perform comprehensive consultations during PIP to reduce risk of schedule impact.	TFO
<i>Consultation black-out period from mid December to early January each year.</i>	TFO	Planning consultation during the blackout period will result in delayed consultation. Schedule should reflect avoidance of this timeframe.	TFO
Market and/or Vendors			
<i>Engineering and equipment procurement delays impact construction</i>	TFO	Ensure engineering and equipment procurement lead times are reflected in	TFO

Table 6.1 – PROJECT RISKS			
<u>Identified Risk</u>	<u>Identified By</u>¹	<u>Mitigation Strategy</u>	<u>Assigned To</u>¹
<i>schedule.</i>		schedule, and funding is secured early to reduce potential delays	

¹ Indicate entity rather than individual responsible (i.e. AESO, Market Participant, Studies Consultant or TFO)

7. Project Milestones

The Project milestones outlined in this section provide a high-level summary for the Project schedule and establish a base line schedule for the Project. As the Project progresses, updates to the Project schedule will be maintained separately by the AESO Project Coordinator, communicated to the Project team and managed through change management procedures.

Milestone	Owner	Target Date
Finalize Connection Plan	AESO	May 8, 2015
Finalize Connection Study Scope	AESO	May 8, 2015
Connection Proposal	Studies Consultant	July 24, 2015
Directions to TFO	AESO	September 11, 2015
NID Filed	AESO	June 4, 2016
Facility Application Filed	TFO	June 11, 2016
AUC Approvals	AUC	December 11, 2016
Gate 5 Complete (In-Service Date)	TFO	December 31, 2017