A meeting of the Municipal Planning Commission [MPC] of The Municipal District of Willow Creek No. 26 was held in the Administration Building on the above date with Chairman Glen Alm, Deputy Chairman Evan Berger, and Members John Van Driesten, John Kroetsch, Maryanne Sandberg, Darry Markle, Ian Sundquist, Senior Planner Mike Burla from Oldman River Regional Services Commission (ORRSC), Chief Administrative Officer Cynthia Vizzutti, Manager of Planning and Development Cindy Chisholm, Superintendent Roy Johnson and Development Officer and Recording Secretary Brenda Stockton present.

Newspaper Correspondent Lawrence Gleason was present.

Jeff Olsen, Bill Truch, Leah Truch, Leonard Hofer and Daniel Frampton were present, at times throughout the meeting.

1. CALL TO ORDER

The meeting was called to order by Chairman Alm at 9:00 a.m.

Jeff Olsen, Bill Truch and Leah Truch entered the meeting at 9:00 a.m.

2. MINUTES

The minutes of the Municipal Planning Commission meeting held on August 15, 2018, were presented for adoption.

Moved by Member Sundquist the minutes of the August 15, 2018, Municipal Planning Commission meeting be adopted, as presented.

CARRIED

3. APPROVED DEVELOPMENTS

The approved Development Permit Applications for the period of August 2018 were presented as information.

Chairman Alm stated deliberations and decisions would take place after all applications had been presented.

4. DEVELOPMENT PERMIT APPLICATIONS

a) Development Application No. 070-18, Capstone Power Development (B.C.) Corp., NW 17-09-24-W4M

Chisholm presented Development Permit Application No. 070-18, a request to allow to remain, a 30 meter guyed lattice tower with accessories (environmental/acoustical monitoring equipment) to complete acoustic data (bat) survey.

Chisholm stated the following regarding the application:

- Notice of Meeting was circulated to adjacent landowners, Transport Canada, AB Culture & Tourism-Historical Resources, NAV Canada, AB Health Services and Alberta Environment and Parks;
- Comments received from Alberta Health Services;
- The applicant has commenced development without the benefit of a development permit, therefore, double the fee was required and has been submitted;
- As noted in the application, the tower is required as part of the bat monitoring program for a future proposed wind farm. The tower will be removed late October; and
- The data collected is to be submitted to Alberta Environment & Parks by April 2019.

Chisholm stated a tower is classified as a discretionary use in the 'Rural General-RG' land use district, Land Use Bylaw No.1616.

Chisholm read into the record the following comment:

- Alberta Health Services, dated September 11, 2018.

Chisholm read into the record the recommended conditions upon an approval.

Daniel Frampton entered the meeting at 9:05 a.m.

b) Development Application No. 060-18, Cardston Conveyance Corp. (Sheldon Rice), Ptn. NW 06-07-25-W4M

Chisholm presented Development Application No. 060-18, which was **"TABLED"** from the August 15, 2018 MPC meeting by the MPC for Administration to obtain additional information from the Alberta Gaming and Liquor Commission, a request for clarification on;

- Class D Licence

  Delivery Service Licence: Issued to an applicant that is involved in some form of delivery business that must continue to be the primary business activity.

- AGLC has provided information AGLC Licensee Handbook, Policy 3.10.1- A Class D Licence may be issued to an individual or company to operate a liquor delivery service where the applicant:

  a) provides other delivery services as well (ie: for groceries or prepared foods; prescriptions; gift

baskets; flower or balloon arrangements; or passengers, as in the case of a taxi company);

- The additional AGLC information has been provided to the applicant;
- The applicant has submitted a signed 'Agreement for Time Extension' with the understanding that if a decision is not made on this day, he may deem the application refused and appeal to the Development Appeal Board in accordance with the provisions of the Municipal Government Act, Revised Statures of Alberta 2000, Chapter M-26, current as of April 1, 2018.

Chisholm read into the record the recommended conditions upon an approval.

Daniel Frampton left the meeting at 9:28 a.m.

5. SUBDIVISION APPLICATION

a) Subdivision Application No. 2018-0-130, Spring Hill Cattle Co. Ltd., N ½ 25-16-30-W4M

Burla presented Subdivision Application No. 2018-0-130, N ½ 25-16-30-W4M, request to re-align two existing parcels comprising 23.5 and 160.0 acres respectively to create two slightly different certificates containing 23.82 and 157.90 acres upon registration.

Burla read into the record the recommended conditions upon an approval.

Bill Truch and Leah Truch left the meeting at 9:28 a.m.

Manager of Planning and Development Chisholm stated Philip Andres and Daniel Andres from Claresholm Solar Inc., requested to be part of the meeting for the subdivision applications for Hutterian Brethren Church of Granum. The Meeting OWL was connected at 9:39 a.m. with Philipp Andres in Ontario and Daniel Andres in Saskatchewan.

b) Subdivision Application No. 2018-0-112, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 01-13-26-W4M

Burla presented Subdivision Application No. 2018-0-112, NE 01-13-26-W4M, request to subdivide an existing 160.19 acre parcel to create two parcels of 24.78 and 135.41 acres respectively.

The 24.78 acres represents the wetland and buffer areas which will remain designated Rural General – RG while the 135.41 acres will become Rural Industrial- RI and be the site for future solar panels.

Burla read into the record the recommended conditions upon an approval.

c) Subdivision Application No. 2018-0-113, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 01-13-26-W4M

Burla presented Subdivision Application No. 2018-0-113, SE 01-13-26-W4M, request to subdivide an existing 160.10 acre parcel to create two parcels of 51.48 and 108.62 acres respectively. The 51.48 acres contains the wetland and buffer areas on the quarter section while the 108.62 acres will be utilized for future solar panels.

Burla read into the record the recommended conditions upon an approval.

d) Subdivision Application No. 2018-0-115, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 06-13-25-W4M

Burla presented Subdivision Application No. 2018-0-115, NE 06-13-25-W4M, request to subdivide an existing 160.29 acre parcel to create three titles of 33.60, 50.94 and 75.75 acres. The 33.60 and 75.75 acres will be used for the solar project while the 50.94 acres will encompass the wetland areas which traverse through this quarter section.

Burla read into the record the recommended conditions upon an approval.

Vizutti and Johnson left the meeting at 9:58 a.m.

e) Subdivision Application No. 2018-0-116, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 06-13-25-W4M

Burla presented Subdivision Application No. 2018-0-116, SE 06-13-25-W4M, request to subdivide an existing 160.16 acre parcel to create five parcels of 3.60, 0.89, 11.49, 10.31 and 133.87 acres respectively. The 0.89 acre title will be used for a proposed substation associated with the solar project. The 133.87 acres will be the location of the proposed solar panels while the 3.60, 11.49

and 10.31 acres encompass the wetland areas as well as two existing dugouts.

Burla read into the record the recommended conditions upon an approval.

f) Subdivision Application No. 2018-0-117, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SW 06-13-25-W4M

Burla presented Subdivision Application No. 2018-0-117, SW 06-13-25-W4M, request to create four parcels of 4.02, 43.02, 12.63 and 92.45 acres respectively from a titled area comprising 152.12 acres. This quarter section has been previously subdivided in 1997 to create a 7.98 acre country residential parcel in the southwest portion of the quarter section. The 12.63 and 43.02 acre parcels will be used for the solar project while the 92.45 and 4.02 acres encompass the wetland and buffer areas.

Burla read into the record the recommended conditions upon an approval.

g) Subdivision Application No. 2018-0-118, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 31-12-25-W4M

Burla presented Subdivision Application No. 2018-0-118, NE 31-12-25-W4M, request to subdivide an existing 160.21 acre parcel to create three parcels of 3.04, 34.63 and 122.54 acres. The 3.04 and 34.63 acres encompass the wetland and buffer areas while the 122.54 acres will be utilized for the solar project. A dugout is also located on the 34.63 acres.

Burla read into the record the recommended conditions upon an approval.

Johnson returned to the meeting at 10:05 a.m.

Vizzutti returned to the meeting at 10:06 a.m.

h) Subdivision Application No. 2018-0-119, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 31-12-25-W4M

Burla presented Subdivision Application No. 2018-0-119, SE 31-12-25-W4M, request to create four parcels of 53.42, 104.40, 1.58 and 1.05 acres from a titled area comprising 160.21 acres. The 104.40 acres will be used as part of the overall Claresholm

Solar Project which the other parcels contain the wetland and buffer areas.

Burla read into the record the recommended conditions upon an approval.

Meeting Owl was disconnected at 10:17 a.m.

Jeff Olsen and Leonard Hofer left the meeting at 10:17 a.m.

6. MISCELLANEOUS

a) Development Permit No. 18D 187, Chinook Feeders Ltd., NW 11-17-27-W4M, MD of Foothills No. 31

Chisholm presented request for written comments on proposed renewal of Development Permit No. 18D 187, Temporary Dwelling – Farm help.

7. INFORMATION

a) Alberta Environnent and Parks, RE : Twin Valley Resort

Chisholm presented the third and final notification for the cancellation of the Miscellaneous Lease EML 100001. Lease is officially terminted.

b) Natural Resources Conservation Board (NRCB) File No. LA17029, Hutterian Brethren of Church of Ewelme, NW 07-06-26-W4M

Chisholm presented NRCB File No. LA17029, Compliance Directive, unauthorized construction of feedlot pens at a 5,000 head beef feeder confined feeding operation. The overall size of the constructed pens is roughly 18% larger than the approved dimensions for these pens.

c) Custom Cannabis Tour

Chisholm presented an invitation for all MPC and Administration to tour Custom Cannabis facility. MPC directed Chisholm to book with Robin Wytinck for a tour of facility on October 10, 2018.

Moved by Member Van Driesten to close the meeting to the public at 10:25 a.m. for Agenda item as per the Freedom of Information and Protection of Privacy Act for the following reasons:

(a) FOIP - Section 23(1)(a)-Local public body confidences-development-noncompliance.

CARRIED

Vizutti, Burla, Johnson, Chisholm, Stockton and Lawrence Gleason left the meeting at 10:25 a.m.

Chairman Alm stated Member Kroetsch made a motion to come out of closed session at 10:53 a.m.

CARRIED

4. DEVELOPMENT PERMIT APPLICATIONS (cont'd)

a) Development Application No. 070-18, Capstone Power Development (B.C.) Corp., NW 17-09-24-W4M

Moved by Member Sandberg Development Permit Application No. 070-18, allow to remain a 30 meter guyed lattice tower with accessories (environmental/acoustical monitoring equipment) to complete acoustic data (bat) survey, be **Approved**, subject to the following conditions:

1. Approvals shall be obtained from NAV Canada and a copy filed with the Municipal District Office;
2. The developer/applicant shall obtain all necessary permits under the Alberta Safety Codes Act, (including building, electrical, gas, plumbing and private sewage disposal system) as required. Permits must be obtained from Superior Safety Codes Inc.;
3. Shall comply with all legislative requirements of The Safety Codes Act as it applies to building, electrical, gas, plumbing and private sewage permits issued by an accredited agency on behalf of the municipality; and
4. There shall be no development within 20 feet of the adjacent property lines and 75 feet of the municipal road allowance boundary, including trees and board/plank/chain link fences, unless a development permit is obtained that specifically varies the required setback to allow the development.

CARRIED

b) Development Application No. 060-18, Cardston Conveyance Corp. (Sheldon Rice), Ptn. NW 06-07-25-W4M

Moved by Member Sandberg Development Permit Application No. 060-18, to operate a liquor delivery service and office space for business operations under the name "Cardston Country Milk Run", be **Refused**, for the following reason:

1. The application does not meet with the Alberta Gaming and Liquor Commission requirements of a Class D Licence, Policy 3.10.1

CARRIED

5. SUBDIVISION APPLICATION (cont'd)

a) Subdivision Application No. 2018-0-130, Spring Hill Cattle Co. Ltd., N 1/2 25-16-30-W4M

Moved by Member Berger Subdivision No. 2018-0-130, a request to re-align two existing parcels comprising 23.5 and 160.0 acres respectively to create two slightly different certificates containing 23.82 and 157.90 acres, be **APPROVED,** with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and
3. That, the final plan of survey be acceptable for registration purposes respecting the existing water boundaries included in the proposed subdivision.

CARRIED

b) Subdivision Application No. 2018-0-112, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 01-13-26-W4M

Moved by Member Kroetsch Subdivision No. 2018-0-112, a request to subdivide an existing 160.19 acre parcel to create two parcels of 24.78 and 135.41 acres respectively, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created;

3. Than an easement for legal access across NE ¼ 01-13-26-W4M for the benefit of 24.78 acres shall be provided before final approval of the subdivision. A copy of the signed easement is required by the Subdivision Authority; and
4. ATCO Gas requires that a Utility Right-of-Way be registered prior to finalization.

CARRIED

c) Subdivision Application No. 2018-0-113, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 01-13-26-W4M

Moved by Member Markle Subdivision No. 2018-0-113, a request to subdivide an existing 160.10 acre parcel to create two parcels of 51.48 and 108.62 acres respectively, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and
3. ATCO Gas requires that a Utility Right-of-Way be registered prior to finalization.

CARRIED

d) Subdivision Application No. 2018-0-115, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 06-13-25-W4M

Moved by Member Sandberg Subdivision No. 2018-0-115, a request to subdivide an existing 160.29 acre parcel to create three titles of 33.60, 50.94 and 75.75 acres, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow

Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created;

3. ATCO Gas requires that easements be registered prior to finalization; and

4. That the final plan be amended to square-off the proposed 50.94 acre parcel in the northwesterly portion of this proposal.

CARRIED

e) Subdivision Application No. 2018-0-116, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 06-13-25-W4M

Moved by Member Sundquist Subdivision No. 2018-0-116, a request to subdivide an existing 160.16 acre parcel to create five parcels of 3.60, 0.89, 11.49, 10.31 and 133.87 acres respectively, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and

3. ATCO Gas requires that easements be registered prior to finalization.

CARRIED

f) Subdivision Application No. 2018-0-117, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SW 06-13-25-W4M

Moved by Member Van Driesten Subdivision No. 2018-0-117, a request to create four parcels of 4.02, 43.02, 12.63, and 92.45 acres respectively from a titled area comprising of 152.12 acres, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;

2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow

Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and

3. That an easement for legal access across the SW 06-13-25-W4M for the benefit of proposed Lot 4, Block 1 shall be provided before final approval of subdivision. A copy of the signed easement agreement is required by the Subdivision Authority.

CARRIED

g) Subdivision Application No. 2018-0-118, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., NE 31-12-25-W4M

Moved by Member Markle Subdivision No. 2018-0-118, a request to subdivide an existing 160.29 acre parcel to create three titles of 3.04, 34.63 and 122.54 acres, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and
3. ATCO Gas requires that easements be registered prior to finalization.

CARRIED

h) Subdivision Application No. 2018-0-119, Hutterian Brethren Church of Granum, Agent: Claresholm Solar Inc., SE 31-12-25-W4M

Moved by Member Kroetsch Subdivision No. 2018-0-119, a request to create four parcels of 53.42, 104.40, 1.58 and 1.05 acres from a titled area comprising of 160.21 acres, be **APPROVED**, with the following conditions:

1. That, pursuant to Section 654 (1)(d) of the Municipal Government Act, all outstanding property taxes shall be paid to the M.D. of Willow Creek No. 26;
2. That, pursuant to Section 655(1)(b) of the Municipal Government Act, the applicant or owner or both enter

into a Development Agreement with the M.D. of Willow Creek. No. 26 which shall be registered concurrently with the final plan against the title(s) being created; and

3. ATCO Gas requires that a Utility Right-of-Way be registered prior to finalization.

CARRIED

6. MISCELLANEOUS

a) Development Permit No. 18D 187, Chinook Feeders Ltd., NW 11-17-27-W4M

Moved by Member Berger a letter be sent stating the MPC has no concerns at this time.

CARRIED

8. ADJOURNMENT

Moved by Member Sundquist the meeting be adjourned at 11:04 a.m.

CARRIED

Meeting adjourned 11:04 a.m.

Chairman

Chief Administrative Officer