

Wheatland County

Request for Decision

Regular Council Meeting

December 15, 2020

Report prepared by: Megan Williams, Planner II



Bylaw 2020-38, First Reading Agricultural General to Energy District

Recommendation from Administration

Resolution 1: That Council grant First Reading of Bylaw 2020-38, this being a bylaw for the purpose of amending Land Use Bylaw No. 2016-01 to redesignate 160 acres of SW-9-24-23-W4M from Agricultural General District to Energy District as shown on the attached Schedule 'A'.

Resolution 2: That a public hearing for Bylaw 2020-38 be scheduled for January 12th, 2021 at 9:00 AM in Wheatland County Council Chambers. If the council chambers remain closed to the public due to COVID-19, the public hearing will be held by conference call in accordance with the *Municipal Government Act*, Section 199.

Chief Administrative Officer's Comments

N/A

Report

Division 2

The applicant is applying to redesignate 160 acres of SW-9-24-23-W4M from the Agricultural General District to the Energy District to facilitate the development of a 20.1MWac commercial solar photovoltaic facility. This facility received approval from the Alberta Utilities Commission (AUC) on August 25, 2020. It will provide power to FortisAlberta Inc.'s electric distribution system, connected to the AltaLink substation located approximately 800m east of the facility.

The County's Energy District requires a 300m setback from the adjacent property line when a dwelling is present. The two quarter sections directly north and northwest of the proposed development contain dwellings. The proposed development does not meet the 300m setback from these parcels. The AUC granted a variance to the setback, decreasing it to 26m to the property line. The applicant included a map showing the approximate distance of the affected residences from the solar photovoltaic facility. This map is attached and shows the closest residence is approximately 290m from the closest solar panel. The AUC also required a vegetative buffer to be planted along the north property line to shield the residences from the development.

The construction for the proposed development is expected to last 8 months, with 40 personal vehicles and 3 flatbed transport trucks accessing the site daily. Once construction is completed, traffic is expected to drop to 1-2 personal vehicles a week. Access to this site will be from Range Road 233 through an existing oil and gas road. The haul and access route map are also attached to this report. The developer predicts the creation of over 100 jobs during the peak of the construction phase, and they also predict 60% of the jobs created will be sourced from Strathmore and Wheatland County.

When it comes time to decommission this development, the developer is required through the Environmental Protection and Enhancement Act and Conservation and Reclamation Directive for Renewable Energy

Operations to reclaim the site to a pre-disturbance state. The reclamation obligation can only be discharged after the province has issued a reclamation certificate.

With their application to the AUC and the County, they submitted an environmental assessment. This assessment was approved by Alberta Environment and Parks (AEP) and outlines special considerations and protection/mitigation measures the developers are to take throughout the construction and operational phase of the project. It concludes that by following the mitigation measures outlined in the environmental assessment, the potential adverse effects of the project can be managed and are predicted to be of low significance. The AUC and AEP do not require securities to be placed on renewable energy projects.

Relevant Policies, Practices, and Legislation

AUC Decision 24266-D01-2020

Municipal Government Act

South Saskatchewan Regional Plan

Regional Growth Management Strategy

Municipal Development Plan

Land Use Bylaw 2016-01

Least Conflict Lands Mapping

Alignment with the Strategic Plan

Staff's preliminary review of the proposed redesignation and development identified that it would not meet the 300m setback within the Energy District, however the AUC granted a variance through Decision 24266-D01-2020.

A least conflict lands map was created for the County by the Miistakis Institute to assist in locating wind and solar projects. The data used in the map assigned values to agricultural, ecological, cultural, and scenic resources, and assigned the areas that scored the lowest as 'least conflict lands' for solar and wind developments. In the County's data set, the proposed site is not categorized as 'least conflict lands'. However, the applicant contacted the Miistakis Institute as the maps were not synonymous with the report, which identifies SW-9-24-23-W4M as being 'least conflict lands'. The Miistakis Institute confirmed the parcel should be part of the 'least conflict lands' map, and that it was not initially included due to the 'natural break' (drainage course) on the parcel.

No other pressing concerns were identified. Staff will undertake an in depth review of the relevant policies, practices, and legislation for the public hearing.

Response Options

Option 1: THAT the proposed recommendation is accepted/approved.

Option 2: THAT the proposed recommendation is not accepted/approved.

Option 3: THAT an alternate recommendation is accepted/approved.

Implications of Recommendation

General

N/A

Organizational

N/A

Financial

N/A

Environmental, Staff, and Public Safety

N/A

Follow-up Action / Communications

If granted First Reading, staff will notify the applicant and circulate adjacent landowners the date of the public hearing.

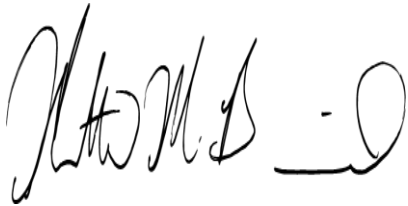
Report Approval Details

Document Title:	Bylaw 2020-38, First Reading, Solar Facility.docx
Attachments:	<ul style="list-style-type: none">- Bylaw 2020-38_SolarFacility.docx- Bylaw 2020-38 Map Package.pdf- Bylaw 2020-38 Comment summary.docx
Final Approval Date:	Dec 7, 2020

This report and all of its attachments were approved and signed as outlined below:



Sherry Baers



Matthew Boscarol



Brian Henderson