

**ROCKY VIEW COUNTY**262075 Rocky View Point
Rocky View County, AB, T4A 0X2403-230-1401
questions@rockyview.ca
www.rockyview.ca

Thursday, March 2, 2023

RealPart Canada
c/o IBI Group (Elvin Karpovich)
300, 227 - 11th Ave SW
Calgary, AB T2R 1R9

File: PRDP20226218

RE: DEVELOPMENT PERMIT CONDITION TRANSMITTAL OF DECISION

Rocky View County Council at its February 21, 2023 meeting considered Administration's request to approve a Development Permit application for a Solar Farm and ancillary uses (including a substation, community gardens, portable buildings, and over-height fencing).

Your development permit is **CONDITIONALLY-APPROVED**.

Description:

1. That a *Solar Farm* may commence on the subject lands in accordance with the application and drawings (as amended) as submitted with the application and includes:
 - i. installation of up to 500,400 solar panels;
 - ii. construction of a substation;
 - iii. placement of portable accessory building (DC Ehouses) over an area of 170.30 sq. m (1,833.16 sq. ft.) in area;
 - iv. construction of over-height substation chain-link fencing, up to 2.44 m (8.00 ft.) in height;
 - v. installation of Community Gardens, *Agrivoltaics* and *Solar Grazing*;
 - vi. site landscaping, including a landscaping berm (up to 3,225.00 cu. m); and
 - vii. site regrading (*as required and in accordance with the site plans provided*).

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit payment to the Transportation Off-Site Levy in accordance with the County's Regional Transportation Off-Site Bylaw C-8007-2020, for the total gross acreage of the lands proposed to be developed. *The total identified development area is 43.81 acres as identified in the Overall Site Plan Transportation Levy Drawing, as prepared by IBI Group, Project No. 110011, dated April 4, 2022.*
3. That prior to release of this permit, the Applicant/Owner shall submit a lighting plan, for the substation, in accordance with Sections 225-230 of the County's Land Use Bylaw C-8000-2020 (LUB), as regulated under Direct Control District 166 (DC 166).



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4. That prior to release of this permit, the Applicant/Owner shall submit an Irrevocable Letter of Credit or refundable security in the amount of \$2.5 million, for future site reclamation and decommission completion. The security shall be held with the County for the duration of the solar farm development, until decommissioned.
5. That prior to release of this permit, the Applicant/Owner shall submit a revised Traffic Impact Assessment, as prepared by IBI Group, dated September 30, 2021, that is the final signed and stamped version of the assessment, in accordance with the County's Servicing Standards.
6. That prior to release of this permit, the Applicant/Owner shall submit a confirmation letter that confirms consent from the Utility Operator (Ember Resources) to access through the Utility Right of Way Plan 081 1790. Alternatively, a revised site plan may be submitted showing the proposed approach is outside of any Right-of-Way area, in accordance with the County's Servicing Standards.
 - i. If the proposed approach remains from Range Road 282, south of Township Road 232 then approximately 50.00 m (164.04 ft.) of gravel road, including a gravel turn-around, shall be constructed onsite to facilitate the new approach.
 - ii. Alternatively, an approach and access can be taken directly from Township Road 232, which would require a paved road approach standard.
7. That prior to release of this permit, the Applicant/Owner shall submit a revised site plan, identifying all proposed approaches for the development, including the substation, community gardens and field entries) and existing approaches. The site plan shall confirm if any existing approaches will be utilized, removed, or not used by the proposed development. The site plan shall also confirm the access strategy south of Township Road 232.
8. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits are required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. The Applicant/Owner shall also confirm any requirements/applications required for any proposed or existing approach(es) off Range Road 282 or Township Road 232, with the appropriate surface type (gravel/paved). For any proposed approaches, a New Road Approach application shall be submitted.
 - ii. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Prior to Occupancy

9. That prior to development operational commencement, all landscaping, site fencing and final site surfaces shall be in place prior to occupancy of the site.
 - i. That should permission for occupancy of the site be requested during the months of October through May inclusive, occupancy may be allowed without landscaping and final site surface completion provided that an Irrevocable Letter of Credit or refundable security in the amount of 150.00% of the total cost of completing all the landscaping and



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final development items, shall be placed with the County to guarantee the works shall be completed by the 30th day of June immediately thereafter if required.

10. That prior to development operational commencement, the Applicant/Owner shall contact County Road Operations for a post-construction inspection of any proposed or removed approaches, with final acceptance and approval being issued by County Road Operations. *Any noted deficiencies from the inspection shall be corrected by the Applicant/Owner.*

Permanent:

11. That all landscaping shall be installed onsite and maintained in accordance with the approved Landscape Plan.
 - i. That no potable water should be used for landscaping or irrigation purposes.
 - ii. That the Applicant/Owner shall be responsible for irrigation and maintenance of all landscaped areas including the replacement of any deceased trees, shrubs, or plants within 30 days or by June 30th of the next growing season.
12. That all outside storage of materials, products, and equipment, not including solar panels and ancillary components, shall be limited to the fenced substation area.
13. That garbage and waste materials onsite shall be stored in weatherproof and animal-proof containers located within the DC Ehouses or adjacent to the side or rear of equipment within the substation area. The units shall be screened from view from all adjacent properties and public thoroughfares, in accordance with the submitted site plan.
14. That no business signage shall be placed onsite and, if proposed in the future, shall require a separate development permit approval.
 - i. That no temporary signs shall be placed on the site at any time except any temporary signs required during development or building construction.
 - ii. That any wayfinding or internal onsite signage is permitted and does not require additional Development Permit approval.
15. That there shall be no *retail sales* associated with the Community Gardens and that this approval does not include an approval for a *Communication Facility*.
16. That all on-site lighting and all private lighting, including site security lighting and parking area lighting, shall meet Sections 225-230 of the LUB. Lighting shall be designed to conserve energy, reduce glare, and reduce uplight. All development will be required to demonstrate lighting design that reduces the extent of spill-over glare and minimizes glare as viewed from nearby residential properties.
17. That the minimum number of parking stalls for site employees shall be maintained on-site at all times.
18. That if proposed in the future, site servicing shall be in accordance with the County's Servicing Standards. *The County supports to use of septic holding tanks, water cisterns or acceptable temporary servicing.*
19. That all approaches, proposed with the application, existing with alteration, or implemented onsite in the future, shall be constructed in accordance with the County's Servicing Standards.



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20. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of this application, in response to a prior to release or occupancy condition, referenced technical within the 'Attachment A' of the subject Council report or approved under County Redesignation file #PL20180033 shall be implemented and adhered to in perpetuity.
21. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue and completed within thirty-six (36) months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
22. That if this Development Permit is not issued by DECEMBER 31, 2023, or by an approved extension date, then this approval is null and void and the Development Permit shall not be issued.
23. That this Development Permit, once issued, shall be valid until FEBRUARY 24, 2033.

Advisory:

- That during construction and operation, all construction, building materials and solar farm components shall be maintained onsite, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- That during construction, the dust control shall be maintained on the site, and the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- That the facility shall maintain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the facility, to facilitate accurate emergency response. *The municipal address for the substation is 232006 RANGE ROAD 282.*
- That the Applicant/Owner shall adhere to any instruments registered on title in perpetuity, including any requirements of Ember Resources.
- That there shall be no parking of any kind along the adjacent County Road System.
- That the subject development shall conform to the County's *Noise Bylaw C-8067-2020 & Road Use Agreement Bylaw C-8323-2022*, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the approved onsite Weed Management Plan and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, November 16, 2022]*.
- That a Building Permit and applicable subtrade permits for the DC Ehouses and solar panel infrastructure shall be obtained through Building Services prior to any construction taking place and shall include any requirements of the provided *Building Code Comments for Proposed Development letter, dated November 10, 2021 and December 7, 2022.*
That the subject development shall conform to the National Energy Code, with documentation/design submitted at Building Permit, if applicable
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



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- That the Applicant/Owner shall obtain any required Alberta Utilities Commission, Alberta Electric Systems Operator and Environment and Protective Areas approval(s) prior to development commencement.

Please contact Jacqueline Targett at 403-520-8161 with any questions or concerns related to this decision and quote the file number noted above.

A handwritten signature in black ink, appearing to read "Michelle Mitton", is positioned above the printed name.

Michelle Mitton
Legislative Officer
(403) 520-1290
mmitton@rockyview.ca