

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 1

DATE: May 12, 2021
APPLICATION: PRDP20211218

FILE: 04835003

SUBJECT: Communications Facility (Type C) / Discretionary use, with Variances

APPLICATION: Communications Facility (Type C) and associated equipment cabinet, relaxation of the minimum distance to existing dwellings and other communication facilities.

GENERAL LOCATION: Located at the southeast intersection of Hwy. 22 and Twp. Rd. 250.

LAND USE DESIGNATION: Agricultural, General District (A-GEN)

EXECUTIVE SUMMARY: Scott Telecom Services, on behalf of Xplornet Communications Inc., is proposing to construct a Type C Communications Facility on a property south of Cochrane on Township Road 250. The communications facility will include a 30.00 m (98.43 ft.) self-support tower with a 4.46 sq. m (48.00 sq. ft.) equipment cabinet. The facility will be located on a 100.00 sq. m (1,076.39 sq. ft.) area leased by Xplornet.

The proposed location does not meet the following criteria of the County's Commercial Communications Facilities Administrative Policy (A-308):

- 18 (2), as there are three dwellings within the 500.00 m (1,640.41 ft.) minimum setback requirement, with the closest dwelling being approximately 180.00 m (590.55 ft.) to the southeast; and
- 18 (4), as there are two Type C towers within the 2,000.00 m (6,561.68 ft.) minimum setback requirement, located approximately 190.00 m (623.36 ft.) and 890.00 m (2,919.95 ft.) away. The Applicant has indicated that Xplornet will remove one tower upon construction of the proposed facility, and the other tower is not suitable for co-location due to structural and height limitations.

The Applicant circulated a notification package to 50 adjacent landowners within 1,600.00 m (5,249.34 ft.) of the proposed tower location, and they did not receive any letters of support or opposition.

Administration is of the opinion that impacts to adjacent lands would be minimal; the overall number of towers in the area will not increase, and adjacent landowners have not voiced any concerns during the notification period.

The Government of Canada is the approving authority for telecommunication antenna structures, and requires that the local land use authority and the public is consulted for input regarding the proposed placement of these structures. The County reviews the proposed facilities against Administrative Policy A-308, *Commercial Communications Facilities*, and either: issues a development permit (concurrence), or refuses the application (non-concurrence). The County cannot prevent a proponent from ultimately gaining permission from Industry Canada to install a telecommunications antenna on any lands; privately held, County owned, or otherwise.

Administration Resources

Sandra Khouri, Planning & Development Services



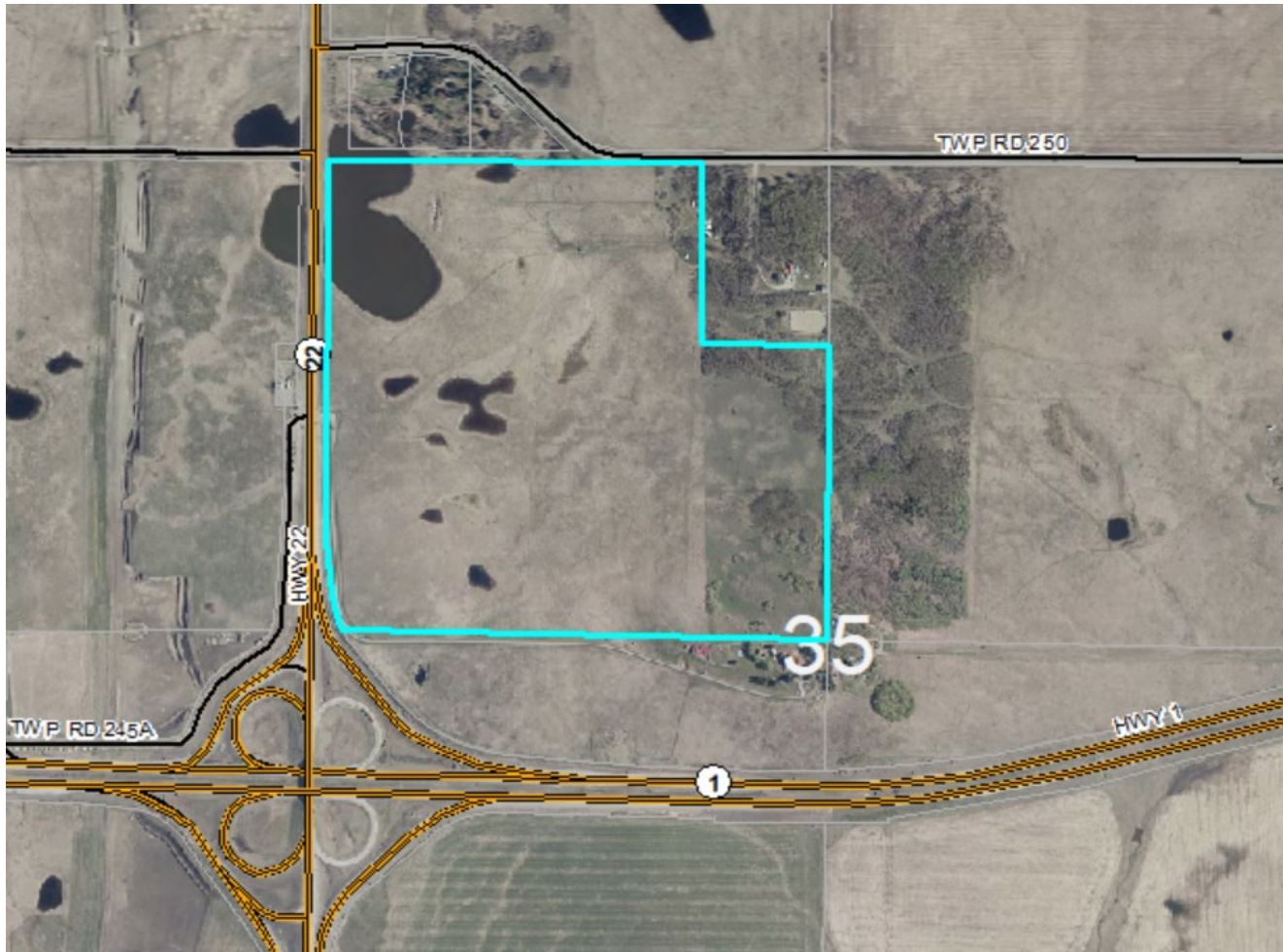
ADMINISTRATION RECOMMENDATION: Administration recommends approval in accordance with Option #1.

OPTIONS:

Option #1: THAT Development Permit Application PRDP20211218 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20211218 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



VARIANCE SUMMARY:

Variance	Requirement	Proposed	Percentage (%)
Distance from existing dwellings	500.00 m (1,640.41 ft.)	180.00 m (590.55 ft.)	64.00%
Distance from other Type B and Type C facilities	2,000.00 m (6,561.68 ft.)	190.00 m (623.36 ft.)	90.50%

**APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none">• <i>Municipal Government Act</i>;• Municipal Development Plan;• Land Use Bylaw;• Commercial Communications Facilities Policy A-308; and• County Servicing Standards.	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none">• N/A
PERMITTED USE: Commercial Communications Facility (Type C) is a discretionary use in the A-GEN district	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Additional Review Considerations

Conditions were set based on the following items:

Accessibility to a Road

The proposed tower will be accessed from an existing approach off Township Road 250.

Corporate Business Plan

This application is consistent Councils Strategic Plan in direct relation to businesses, seeing that businesses are able to thrive within the County.

CONCLUSION:

Subject to the proposed conditions of approval, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

SK/llt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That a *Communications Facility (Type C)* may be situated on the subject parcel in accordance with the approved Site Plan and details submitted with the application, and includes the following:
 - i. Placement of one self-support telecommunications tower, approximately 30.00 m (98.43 ft.) high, with a tower base area of approximately 100.00 sq. m (1,076.39 sq. ft.);
 - ii. Placement of an equipment shelter, approximately 4.46 sq. m (48.00 sq. ft.) in area; and
 - iii. Installation of an over height chain-link enclosure fence, approximately 2.43 m (7.98 ft.) in height.

Permanent:

2. That the Communications Facility (Type C) may be located within 500.00 m (1,640.41 ft.) of a residential dwelling and may be located within 2,000.00 m (6,561.68 ft.) of another Communications Facility (Type C).
3. That 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 will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
4. That no topsoil shall be removed from the site.
5. That the Communications Facility shall be neutral in colour and blend with the surroundings. Mitigation of the visual aspects of the facility should include painting, decorative fencing, screening, landscaping, and should not clash with the sky or landscape.
6. That should the Communications Facility become deactivated or unused, the Communications Facility shall be removed from the parcel within six months of becoming deactivated or unused.
7. That where possible, light shielding shall be considered to minimize the impact of the lighting to adjacent communities.

Advisory:

8. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
9. That any other federal, provincial or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
10. That if the development authorized by this Development Permit has not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within twenty-four (24) 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 Authority.



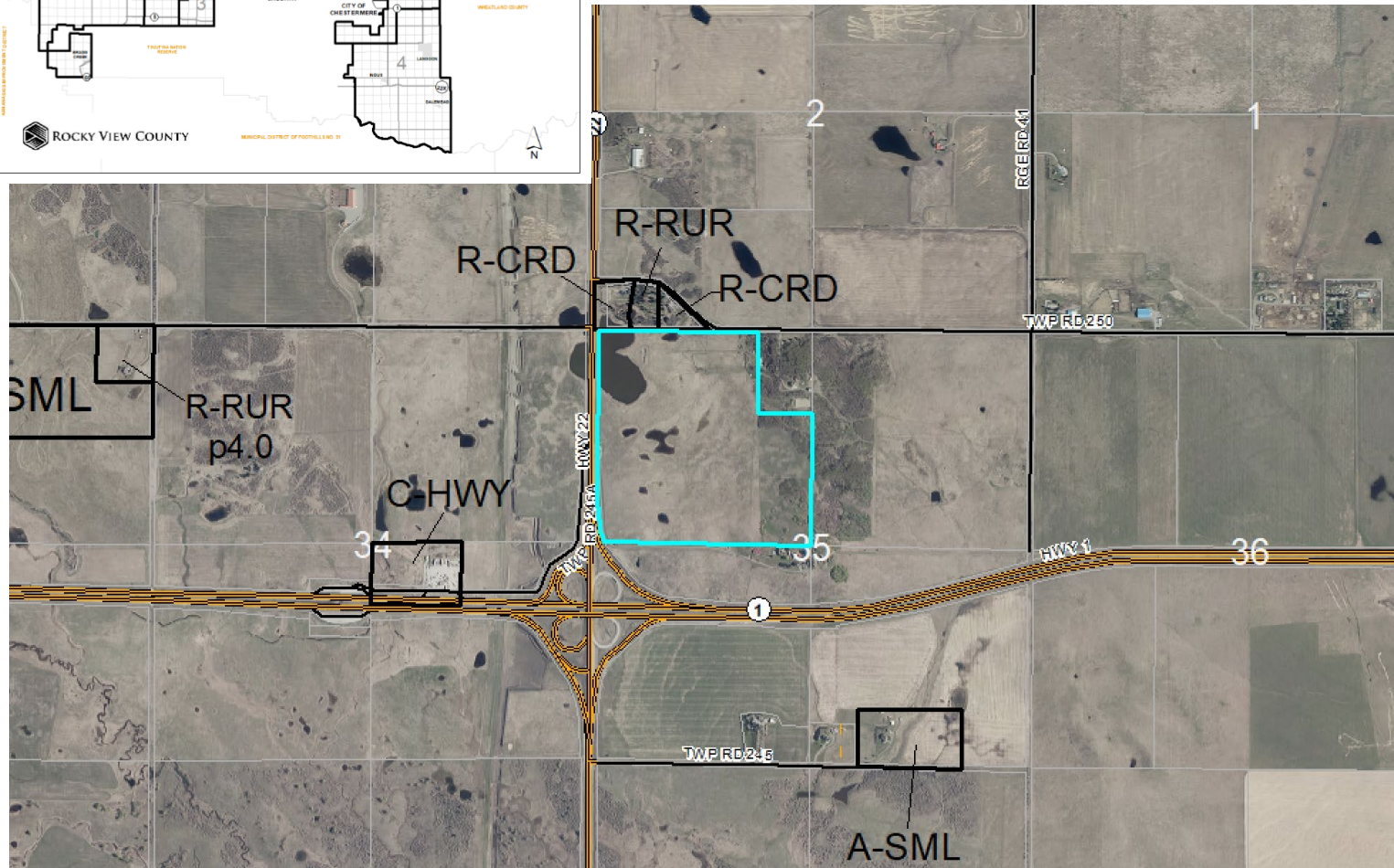
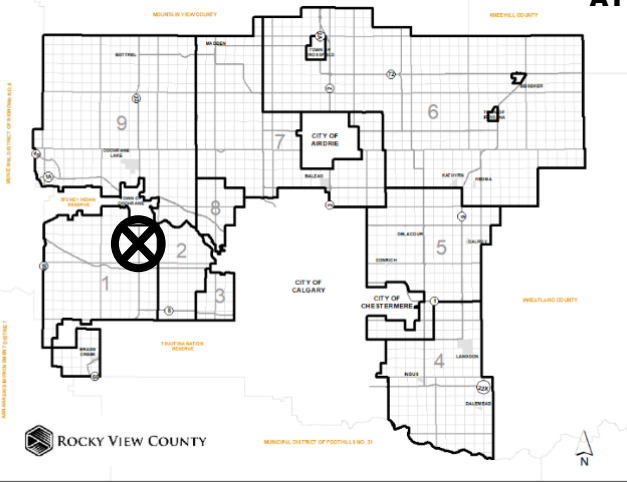
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Xplornet Communications Inc. c/o Scott Telecom Services	OWNER: Terry & Judith Edge
DATE APPLICATION RECEIVED: March 8, 2021	DATE DEEMED COMPLETE: April 1, 2021
GROSS AREA: ± 57.45 hectares (± 141.97 acres)	LEGAL DESCRIPTION: NW-35-24-04-W05M
APPEAL BOARD: Municipal Government Board	
HISTORY: N/A	
PUBLIC & AGENCY SUBMISSIONS: The Applicant circulated a public notification package to 50 adjacent landowners within a 1,600.00 m (5,249.34 ft.) radius. They did not receive any letters of support or opposition. The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Communications Facility (Type C) and associated equipment cabinet and relaxation of the minimum distance to existing dwellings and other communication facilities



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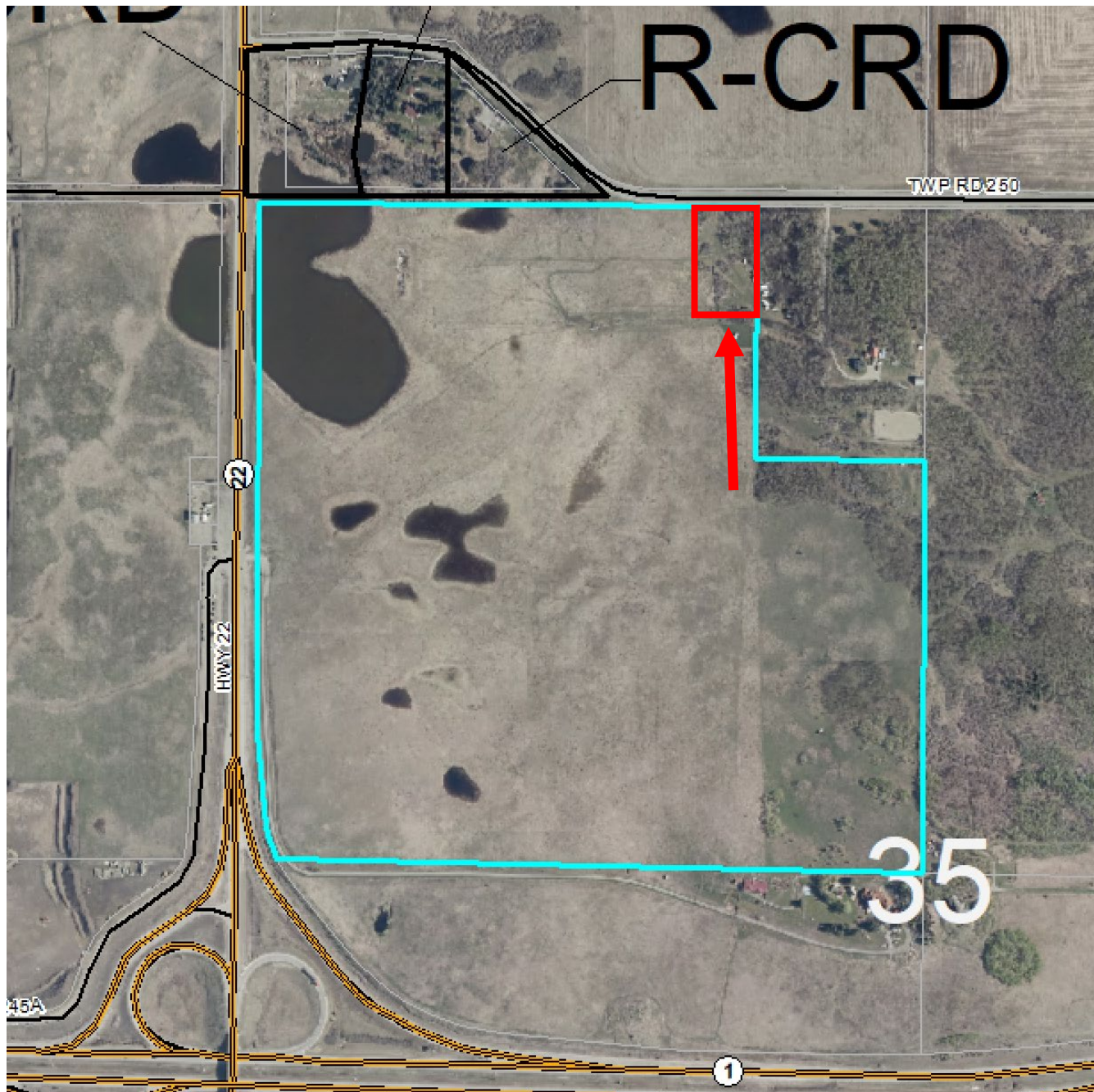




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Site Plan

Development Proposal

Communications Facility (Type C) and associated equipment cabinet and relaxation of the minimum distance to existing dwellings and other communication facilities

Site Sketch

5;4;24;35;NW

-  15m X 15m Lease
 20ft X 15ft Site
 15ft Wide Access
 Parcel Boundaries
 Existing Power Lines
 TELUS Trenches
 Landlord Requested Power Route



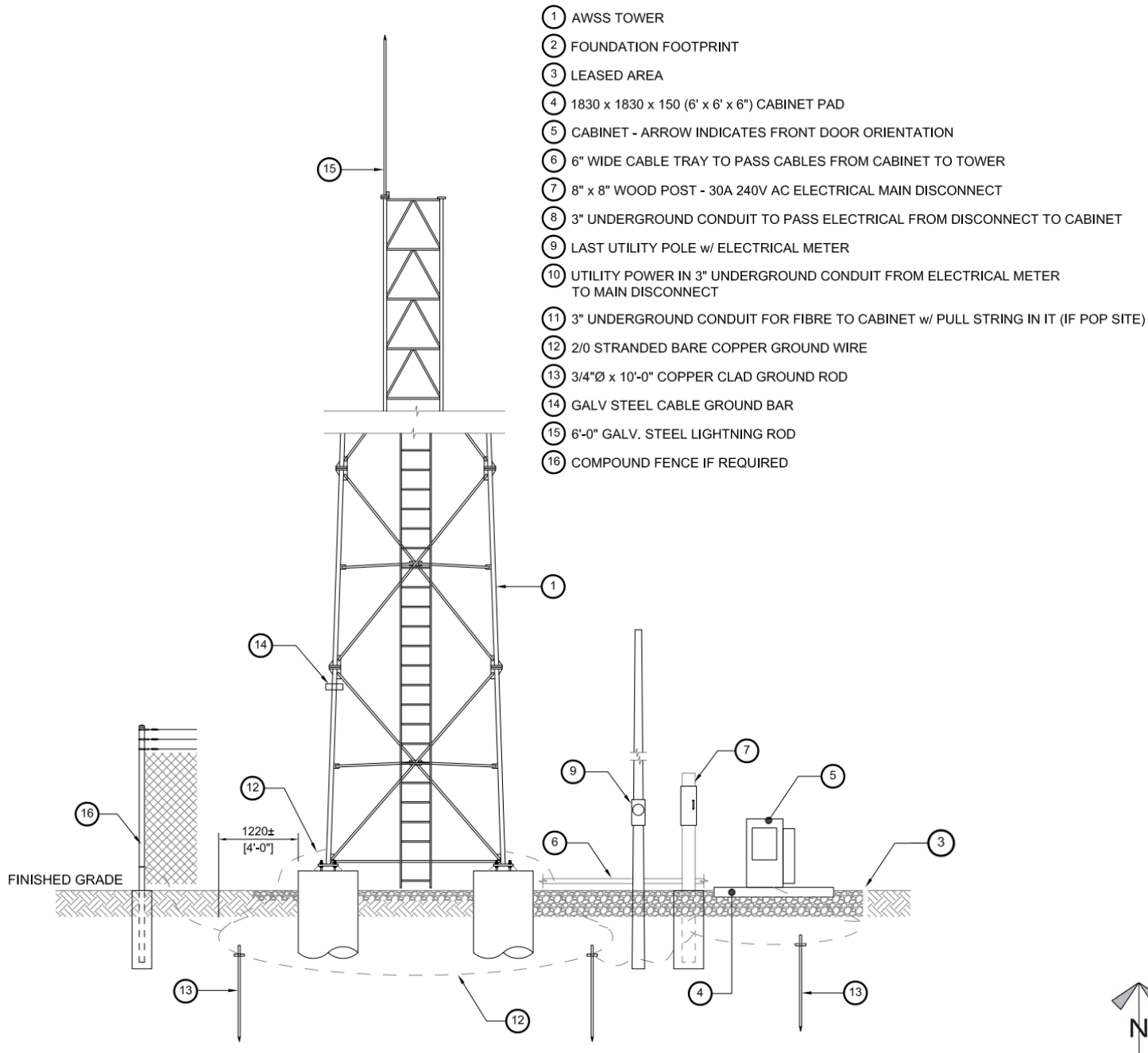
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Communication Facility Elevation

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Site Photo Rendering

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