

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 7

DATE: May 26, 2021
APPLICATION: PRDP20211415

FILE: 08603005

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

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

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) north of TWP RD 280 and on the west side of RGE RD 22.

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 in the northwest quadrant of the County. The communications facility includes a 45.00 m (147.64 ft.) self-support tower with a 4.46 sq. m (48.00 sq. ft.) equipment cabinet. The facility would be located on a 225.00 sq. m (2,421.88 sq. ft.) compound enclosed with a barbed wire and chain-link fence.

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 nine (9) dwellings within the 500.00 m (1,640.41 ft.) minimum setback requirement, with the closest dwelling being approximately 280.00 m (918.64 ft.) away.

The Applicant circulated a notification package to 71 adjacent landowners within 1,600.00 m (5,249.34 ft.) of the proposed tower location; they received two (2) letters of support and one (1) in opposition. None of the responses were from landowners within the 500.00 m (1,640.41 ft.) radius.

Administration recognizes the growing need for improved connectivity within rural areas of the County, and as the majority of responses were in support of the tower, there are no concerns with the proposal.

The Government of Canada is the approving authority for telecommunication antenna structures and requires that the local land-use authority and the public be 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 RECOMMENDATION: Administration recommends approval in accordance with Option #1.

Administration Resources

Sandra Khouri, Planning & Development Services

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20211415 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20211415 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage (%)
Distance from existing dwellings	500.00 m (1,640.41 ft.)	280.00 m (918.64ft.)	44.00%

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

Access to the proposed tower is from an existing approach off Highway 772 and a driveway located on the property to the south. A Right-of-Way Access Agreement has been signed with the landowner and will be registered on title should the tower be approved.

Corporate Business Plan

This application is consistent with Council's Strategic Plan in direct relation to businesses, seeing that businesses are able to thrive within the County. Improving telecommunications connectivity within the County will help achieve this goal.

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 45.00 m (147.64 ft.) high, with a tower base area of approximately 225.00 sq. m (2,421.88 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 an existing dwelling.
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 on adjacent communities.
8. 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.

Advisory:

9. That a Building Permit, if applicable, shall be obtained for the equipment shelter through Building Services, prior to any construction taking place.
10. That any other federal, provincial, or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Xplornet Communications Inc. c/o Scott Telecom Services	OWNER: Stewart & Karen Bannicke,
DATE APPLICATION RECEIVED: March 31, 2021	DATE DEEMED COMPLETE: April 13, 2021
GROSS AREA: ± 61.76 hectares (± 152.61 acres)	LEGAL DESCRIPTION: NE-03-28-02-W05M
APPEAL BOARD: Subdivision and Development Appeal Board (SDAB)	
HISTORY: N/A	
PUBLIC & AGENCY SUBMISSIONS: <p>The Applicant circulated a public notification package to 71 adjacent landowners within a 1,600.00 m (5,249.34 ft.) radius. They received two (2) letters of support and one (1) in opposition.</p> <p>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.</p>	

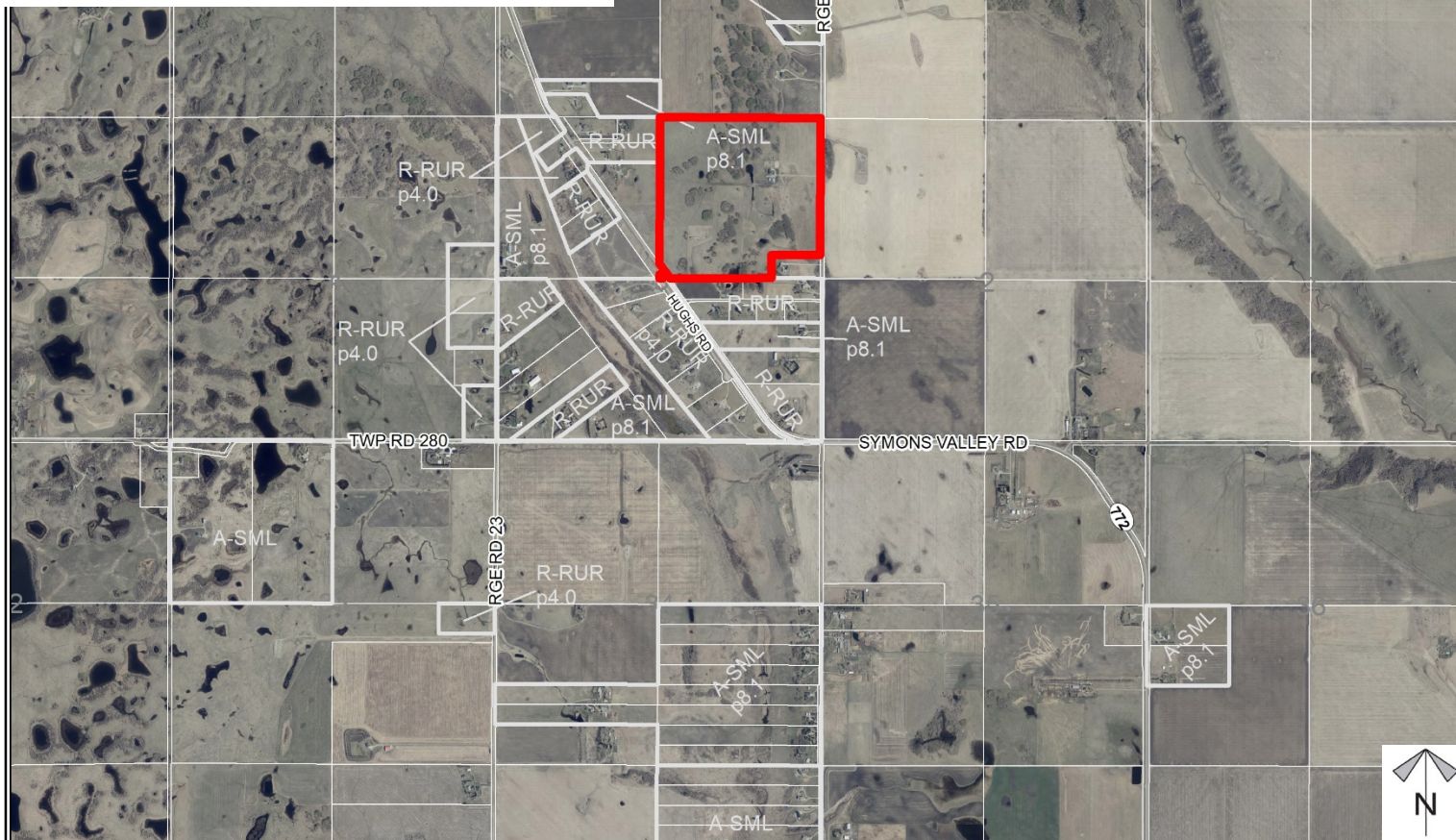
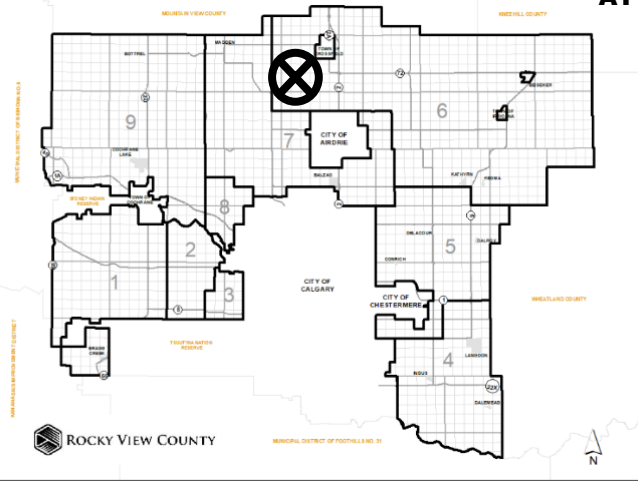


Location & Context

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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Legal: A portion of NE-03-28-02-W05M





Landowner Circulation Area

Development Proposal

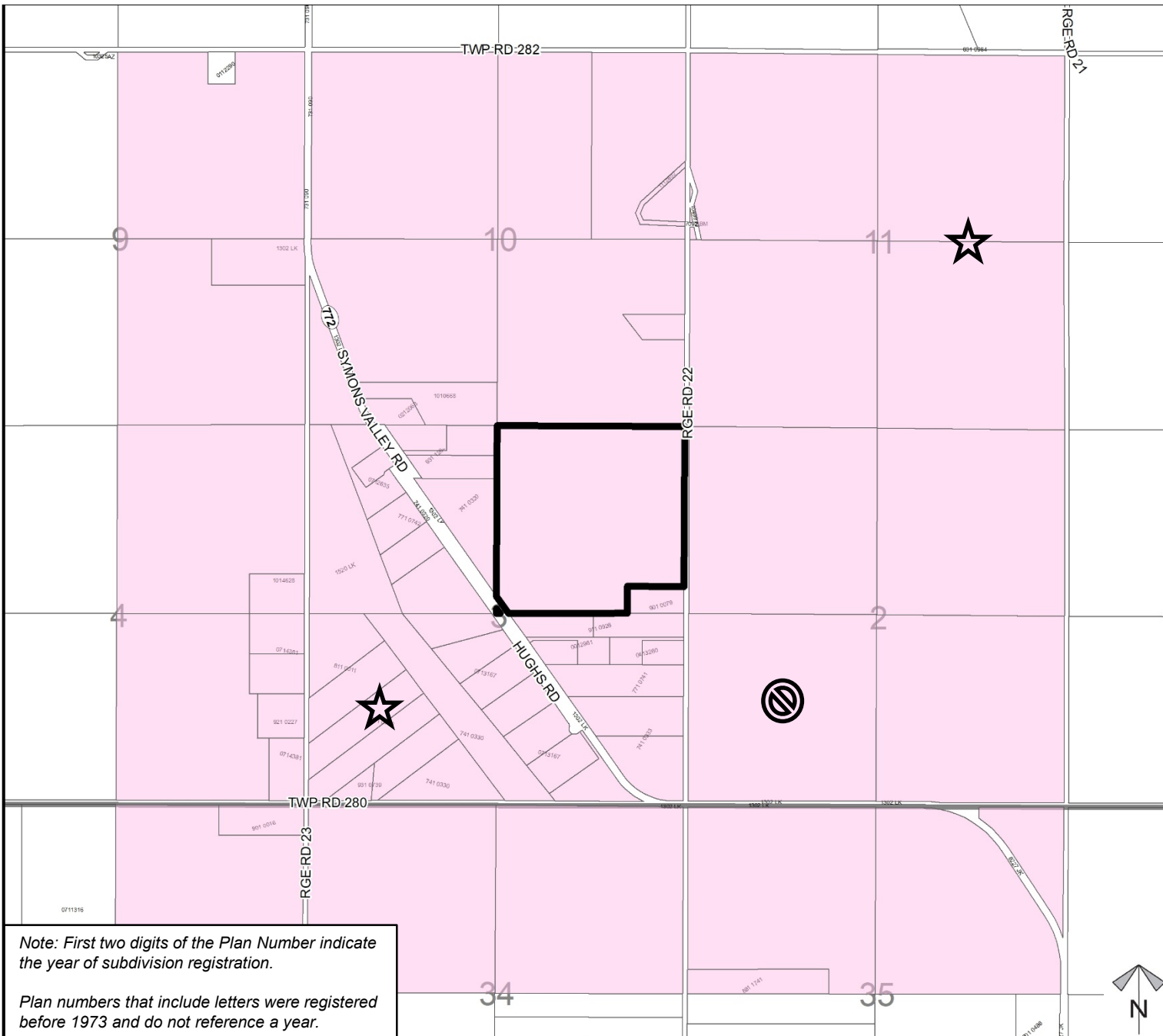
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Legend

Support



Opposition



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Policy A-308 Separation Distances

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Legend

Support



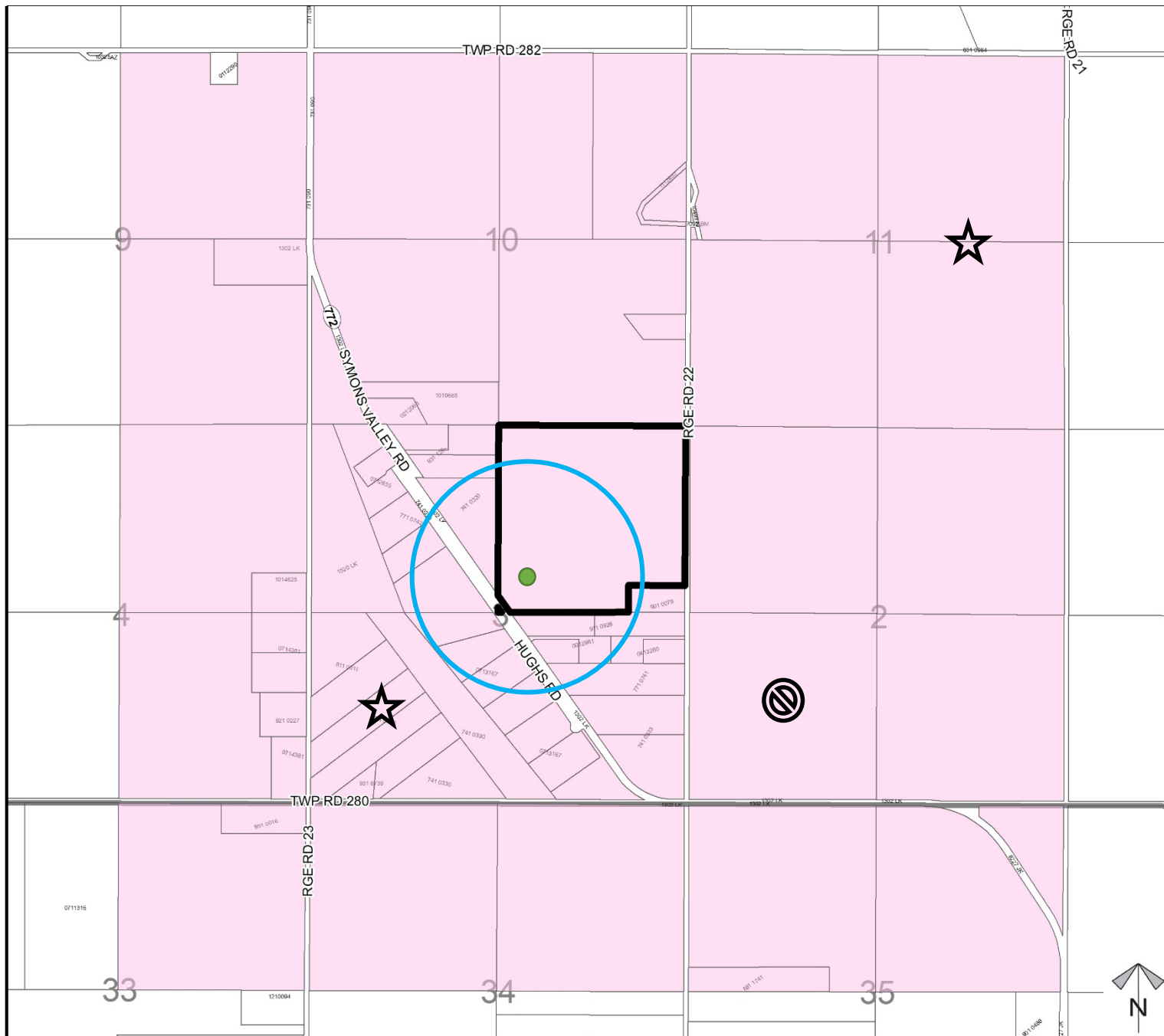
Opposition



Proposed Tower

500 m Dwelling
Radius

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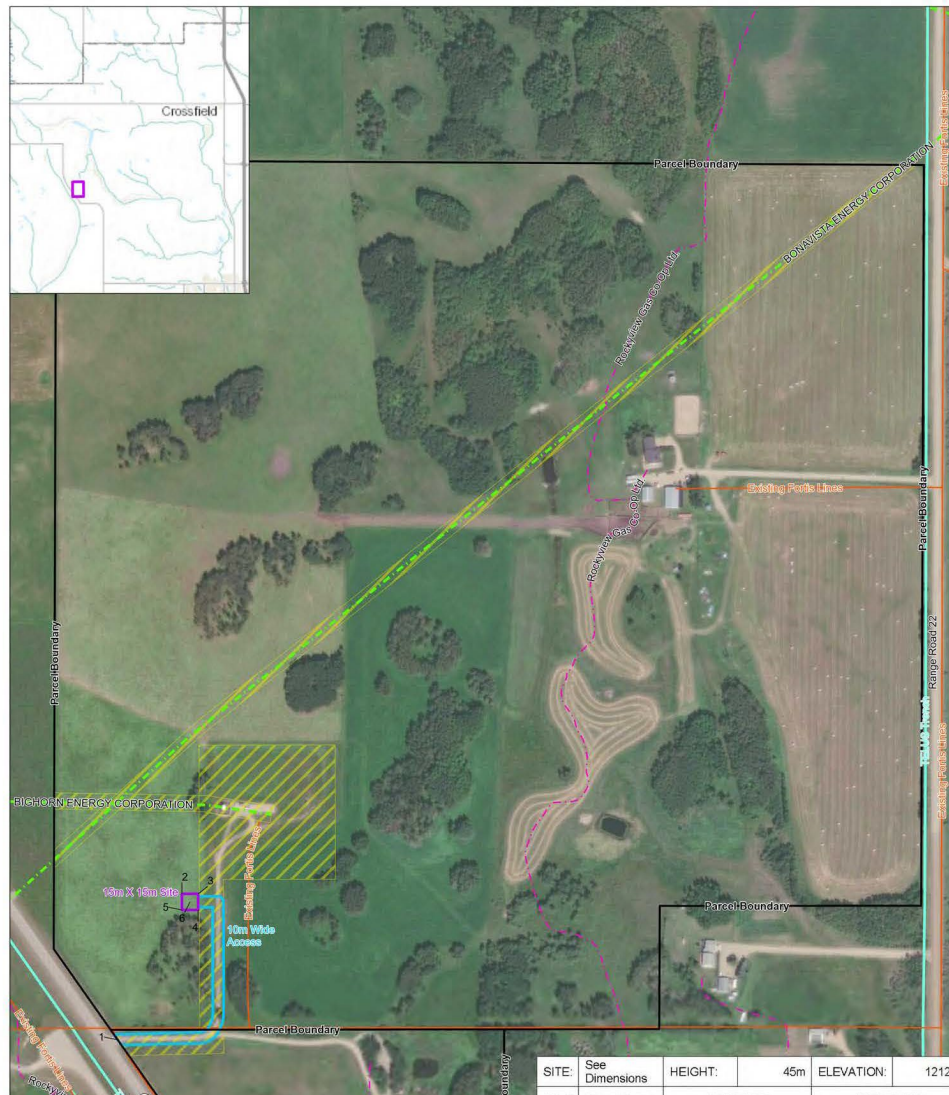




Site Plan

Development Proposal

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



SITE:	See Dimensions	HEIGHT:	45m	ELEVATION:	1212m
PT. #	Description	LATITUDE	LONGITUDE		
1	Approach	51.365640	-114.200067		
2	Corner	51.366859	-114.199215		
3	Corner	51.366860	-114.199000		
4	Corner	51.366725	-114.198999		
5	Corner	51.366724	-114.199214		
6	Tower	51.366792	-114.199107		

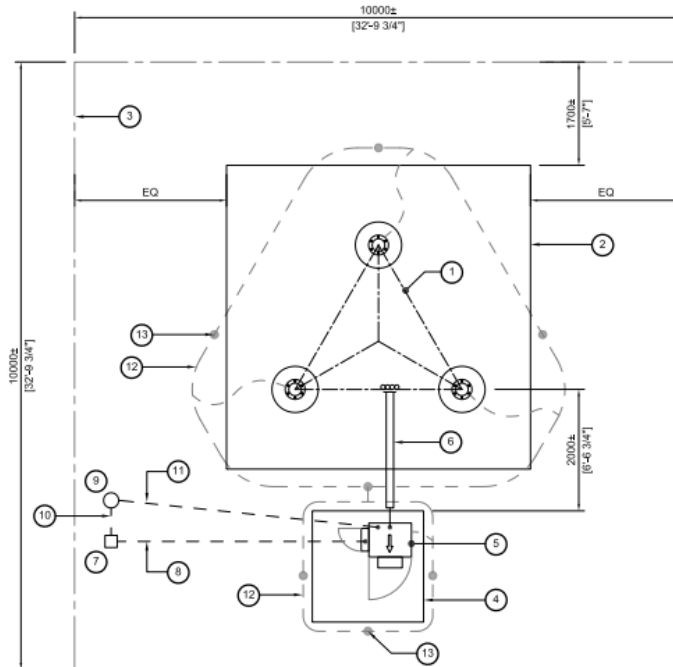


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SITE LAYOUT & GROUNDING

SCALE : NTS

NOTE:

- PRIOR TO MAKING A GROUND SYSTEM CONNECTION CLEAN THE CONNECTION PARTS OF PAINT OR OTHER FOREIGN MATTER
 - ALL BURNDY CONNECTORS AND CONNECTING WIRE OR CABLE PARTS THAT COME IN CONTACT WITH THE BURNDY CONNECTOR SHALL BE CLEANED OF ALL RUST, OXIDE OR DIRT AND THEN GIVEN A LIBERAL APPLICATION OF NO-OX-ID 'A' SPECIAL SEALING COMPOUND PRIOR TO COMPLETING THE CONNECTIONS. (ABOVE GRADE ONLY)
- ALL GROUND WIRE ABOVE GRADE IS TO BE 7/16" GALV WIRE UNLESS NOTED
- WHERE THERE IS A CONTINUOUS FLOW OF GROUND WIRE (ie. LOOP AROUND BLDG OR TOWER) CONNECT WIRE TO ROD WITH CAD WELD #115 (MOLD GTC-182G)
- WHERE THERE IS GALV WIRE TO GALV WIRE CONNECTION ARE TO BE CLEAN AND FREE OF PAINT AT THE MATING SURFACE USE CAD WELD SHOT #115 (MOLD YRC-2G2G-LH OR RH)
- AT GROUND LEVEL, ALL CONDUCTORS SHALL BE BURIED MINIMUM 600mm BELOW FINISHED GRADE
- THE TOWER/ FOUNDATION/ CABINET ORIENTATION TO BE DETERMINED ON SITE WALK
- THE LOCATION AND ORIENTATION OF (7) (8) (9) (10) (11) TO BE DETERMINED PER SITE SPECIFIC REQUIREMENT

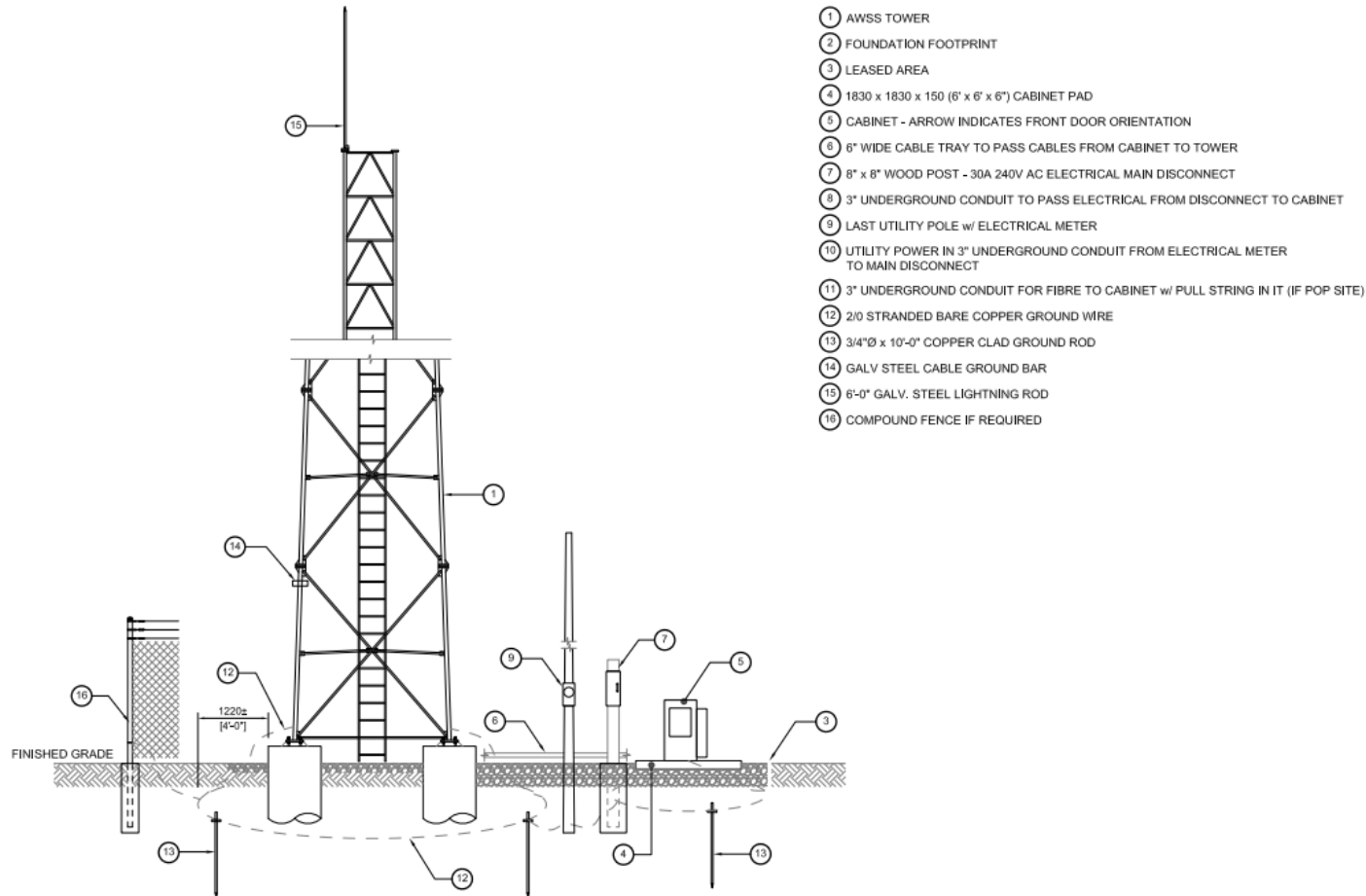
- 150' AWSS
- FOUNDATION FOOTPRINT
- 10m x 10m LEASED AREA
- 1830 x 1830 x 150 (6' x 6' x 6") CABINET PAD
- CABINET - ARROW INDICATES FRONT DOOR ORIENTATION
- 6" WIDE CABLE TRAY TO PASS CABLES FROM CABINET TO TOWER
- 8" x 8" WOOD POST - 30A 240V AC ELECTRICAL MAIN DISCONNECT
- 3" UNDERGROUND CONDUIT TO PASS ELECTRICAL FROM DISCONNECT TO CABINET
- LAST UTILITY POLE w/ ELECTRICAL METER
- UTILITY POWER IN 3" UNDERGROUND CONDUIT FROM ELECTRICAL METER TO MAIN DISCONNECT
- 3" UNDERGROUND CONDUIT FOR FIBRE TO CABINET w/ PULL STRING IN IT (IF POP SITE)
- 2/0 STRANDED BARE COPPER GROUND WIRE
- 3/4"Ø x 10'-4" COPPER CLAD GROUND ROD
- GALV STEEL CABLE GROUND BAR
- 3m GALV. STEEL LIGHTNING ROD
- COMPOUND FENCE IF REQUIRED

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Site Photos

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