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## **PLANNING AND DEVELOPMENT SERVICES**

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 9
<b>DATE:</b>	June 23, 2021	<b>APPLICATION:</b> PRDP20212715
<b>FILE:</b>	06825004	
<b>SUBJECT:</b>	Communications Facility (Type C) / Discretionary use, with no Variances	

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**APPLICATION:** Installation of a Communications Facility (Type C) [existing].

**GENERAL LOCATION:** Located at the northeast junction of Township Road 264 and Range Road 41.

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

**EXECUTIVE SUMMARY:** Xplornet Communications Inc. c/o Scott Telecom Services Ltd. previously installed a 22.00 m (72.18 ft.) wooden telecommunications tower on the subject parcel in 2008. In 2019, a 22.00 m (72.18 ft.) steel self-supporting structure replaced the existing wooden structure, due to urgent requirements for repairs.

As no development permit was acquired, this application is made to bring the existing telecommunications facility into compliance.

The proposed location meets the criteria of the County's Commercial Communications Facilities Administrative Policy (A-308).

The Federal Minister of Industry 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 facility against Administrative Policy A-308, *Commercial Communications Facilities*, and a development permit (concurrence) or refusal (non-concurrence) is issued. 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.

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20212715 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20212715 be refused.

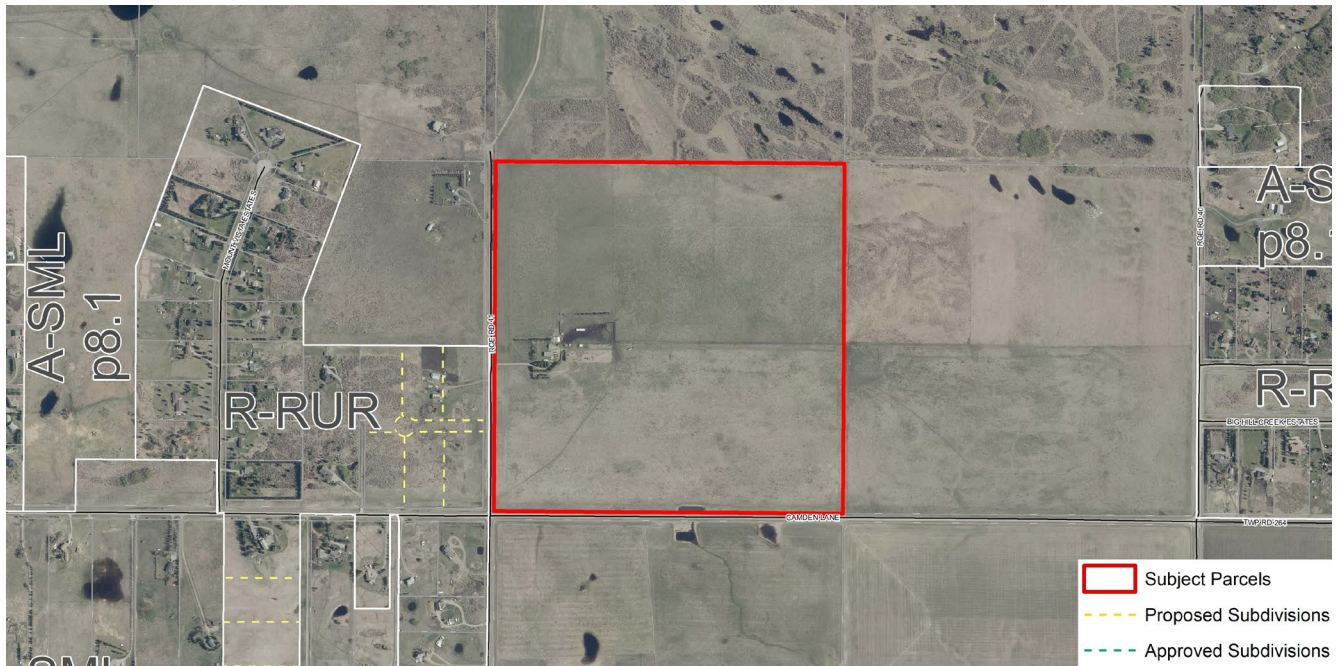
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

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### **Administration Resources**

Wayne Van Dijk, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:**



**APPLICATION EVALUATION:**

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

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

**Additional Review Considerations**

There is no development permit on file and this application is to bring the existing Tower into compliance. The original 22.00 m (72.18 ft.) Communications Facility, Type C, was installed in 2008 with a wooden structure. The original structure was replaced in 2019 by a self-support steel structure. No concerns or complaints have been received to date.

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 would 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"

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

WV/lt

**ATTACHMENTS:**

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information

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

1. That a *Commercial Communication Facility, Type C*, and associated equipment shelter 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 monopole self-support telecommunications tower, approximately 22.00 m (72.18 ft.) high.

**Permanent:**

2. 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.
3. That no topsoil shall be removed from the site.
4. That the Commercial Communication 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.
5. That should the Commercial Communication Facility become deactivated or unused; the Commercial Communication Facility shall be removed from the parcel within six months of becoming deactivated or unused.
6. That where possible, light-shielding shall be considered to minimize the impact of the lighting on the adjacent landowners.
7. That if the development authorized by this Development Permit has not commenced with reasonable diligence within 12 months from the date of issue, and completed within 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:**

8. That during construction, all construction and building materials shall be maintained on-site, 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.
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**

<b>APPLICANT:</b> Xplornet Communications Inc. c/o Scott Telecom Services Inc. (Sherilyn Batchelder)	<b>OWNER:</b> William & Lorna Callaway
<b>DATE APPLICATION RECEIVED:</b> June 18, 2021	<b>DATE DEEMED COMPLETE:</b> June 25, 2021
<b>GROSS AREA:</b> ± 64.75 hectares (± 160.00 acres)	<b>LEGAL DESCRIPTION:</b> SW-25-26-04-W05M (264058 Rge. Rd. 41)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>• PRDP20142970: renewal of HBB, Type II for accounting business</li> <li>• PRDP20122715: renewal of HBB, Type II for accounting business</li> <li>• 2011-DP-14631: renewal of HBB, Type II for accounting business</li> <li>• 2010-DP-14178: renewal of HBB, Type II for accounting business</li> <li>• 2009-DP-13740: renewal of HBB, Type II for accounting business</li> <li>• 2008-DP-13254: renewal of HBB, Type II for accounting business</li> <li>• 2007-DP-12661: Home Based Business (HBB), Type II for accounting business</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>There was a 22m wooden pole installed at the location in 2008, prior to adoption of Policy A-308. In 2019, the pole was urgently replaced by self-support due to structural and safety concerns. As there was no increase in height of the structure, in 2019 when the Tower was replaced, public notification was not undertaken by Xplornet.</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>	

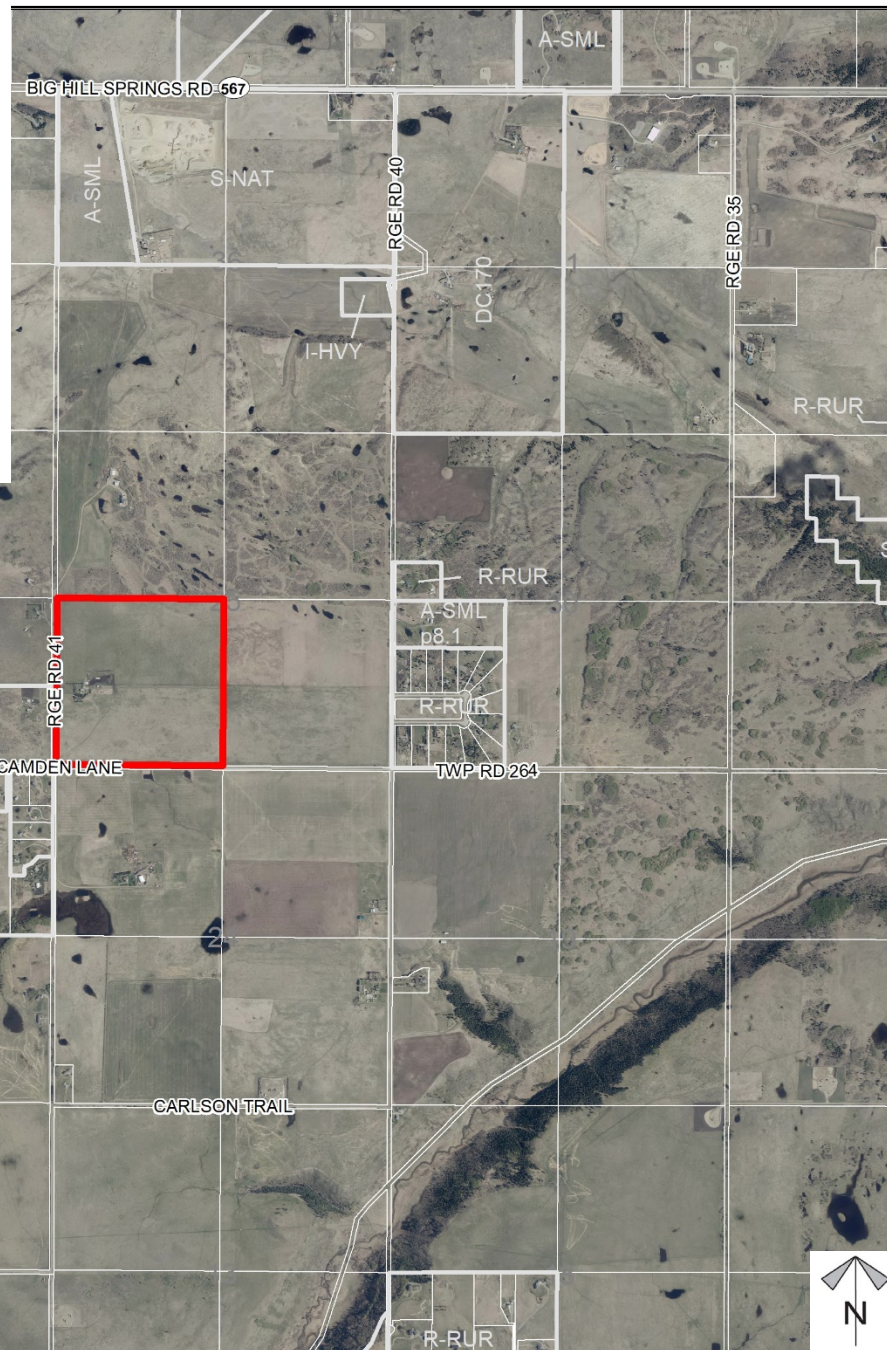
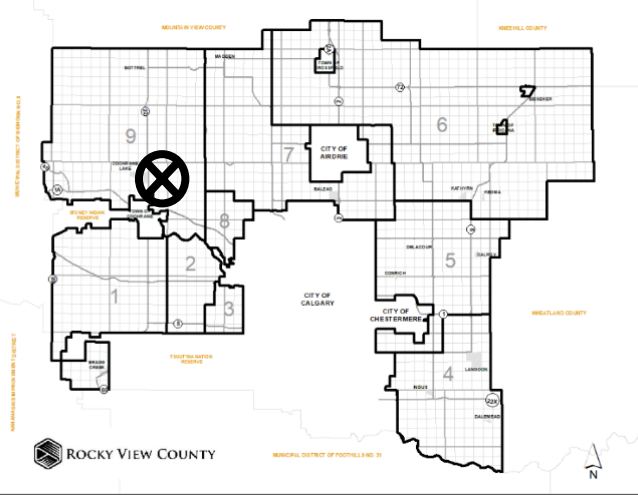


## Location & Context

### Development Proposal

Installation of a  
 Communication Facility  
 (Type C) and associated  
 equipment shelter

*Division: 9*  
*Roll: 06825004*  
*File: PRDP20212715*  
*Printed: June 25, 2021*  
*Legal: SW-25-26-04-W05M*

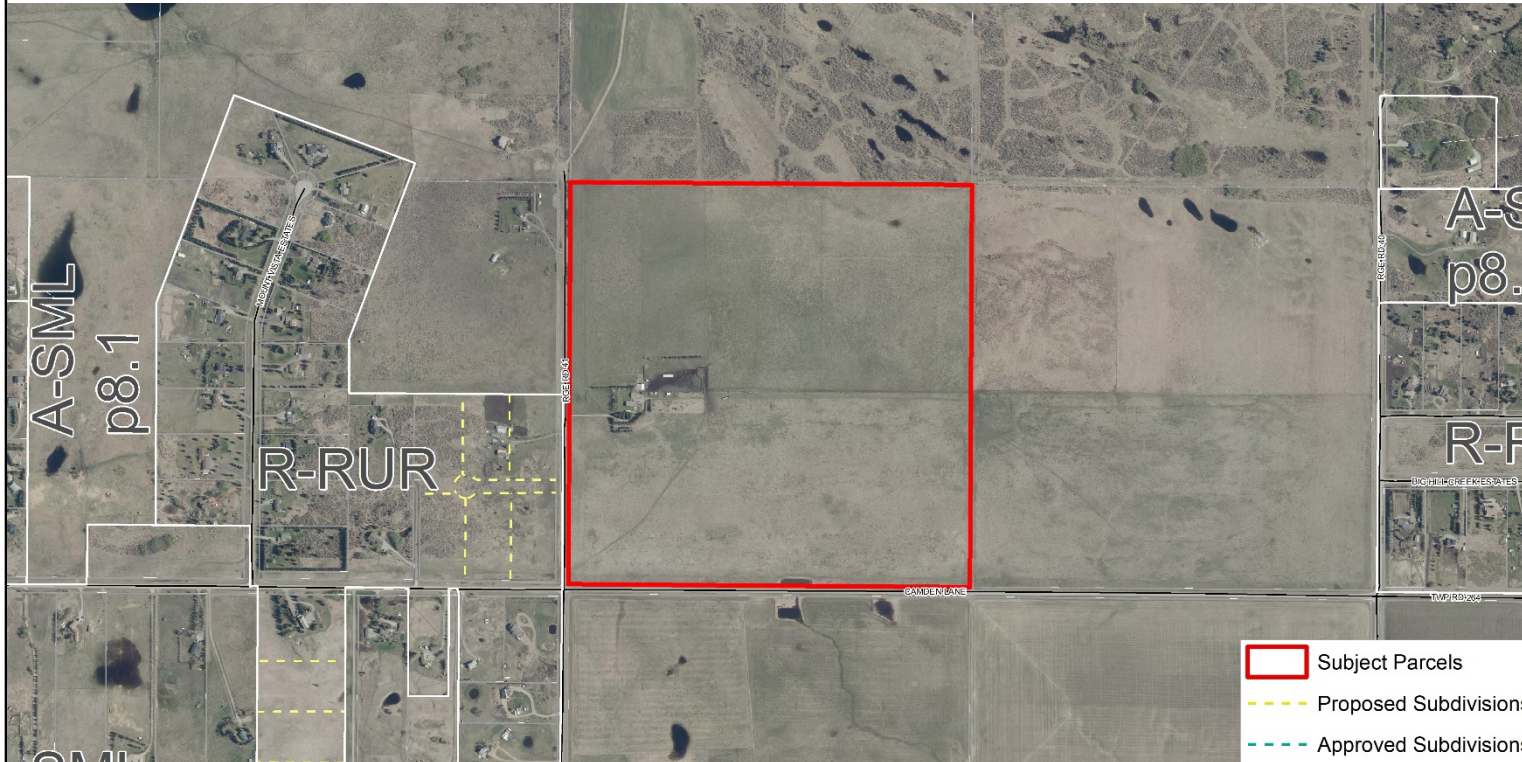




## Aerial Imagery

### Development Proposal

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Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

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## Landowner Circulation Area

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### Legend

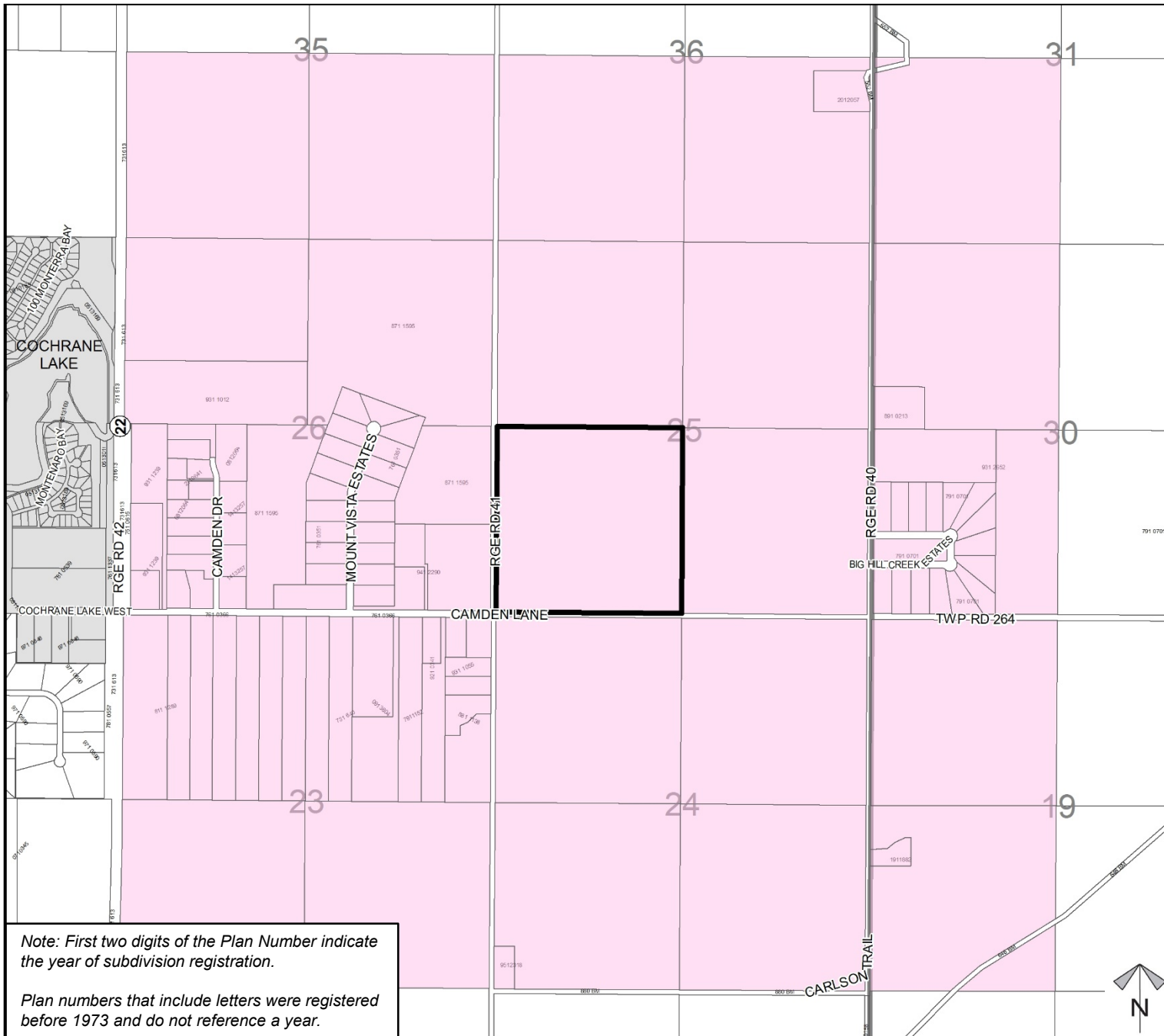
Support



Not Support



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## Site Plan

### Development Proposal

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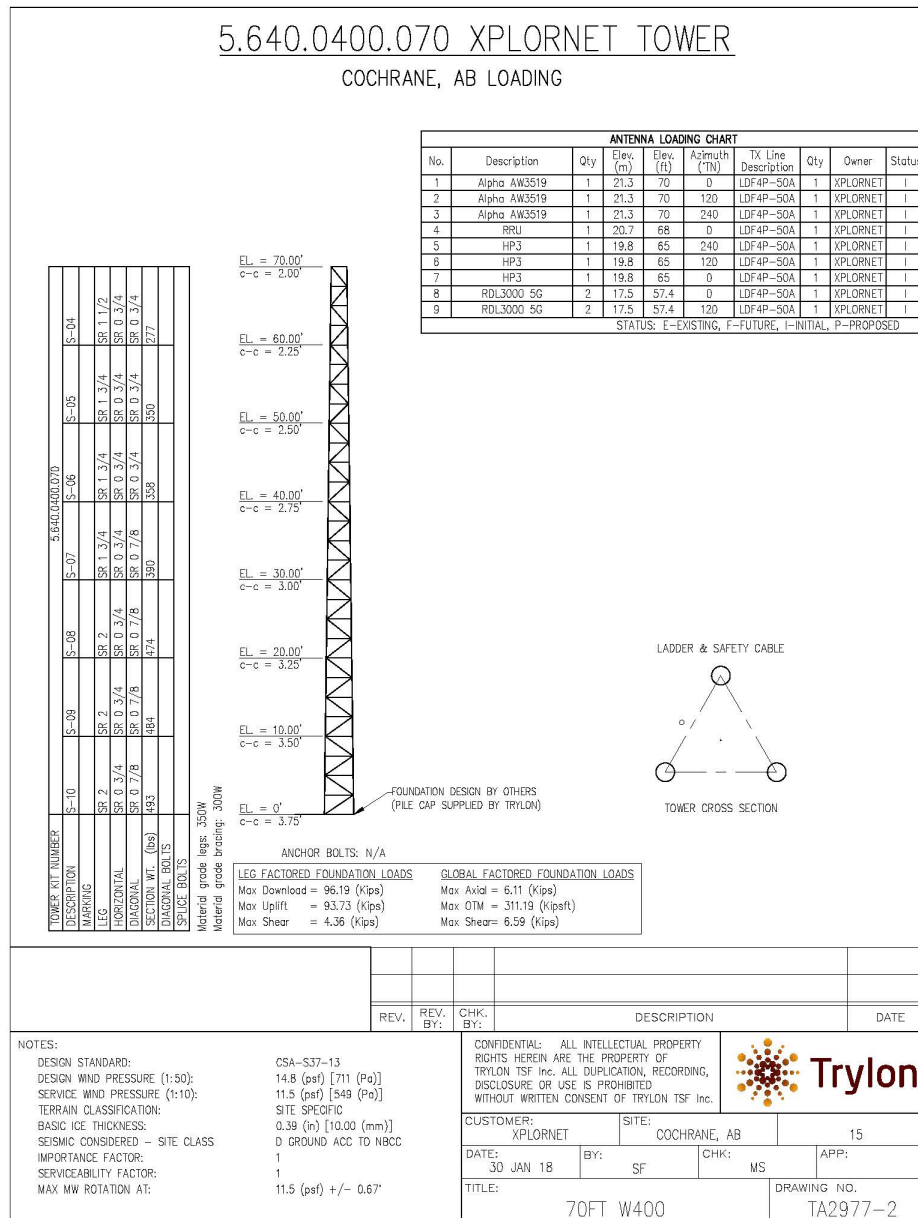


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## Tower Drawing

### Development Proposal

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## Site Photo

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## Site Photo

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