

PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 5
DATE:	December 1, 2021	APPLICATION: PRDP20214625
FILE:	07134012	
SUBJECT:	Communications Facility, Type C / Discretionary use with Variances	

APPLICATION: Communications Facility, Type C, and associated equipment cabinet.

GENERAL LOCATION: Located approximately 0.20 kilometres (0.12 miles) north of Highway 9 and on the west side of Range Road 262.

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

EXECUTIVE SUMMARY: Scott Telecom Services Ltd., on behalf of Xplornet Telecommunications is proposing to construct a Type C Communications Facility. The facility will include a 45.00 m (147.63 ft.) self-support tower with a 4.46 m² (48.00 ft²) equipment cabinet. The facility will be located on a 225.00 m² (2,421.88 ft²) compound enclosed by a 2.00 m (6.00 ft) high fence.

The proposed tower location meets policy set out in Rocky View County Policy A-308: a complete submission was received, no other towers were within two (2) kilometres of the proposed site, and the site is within a minimum distance to a road. The proposed location does not meet the following criteria of the County's Commercial Communications Facilities Administrative Policy (A-308):

- 18 (2), there are two dwellings within the area that are in proximity of less than 500.00 m from the proposed antenna site. To the north, one dwelling is roughly 450.00 m away, and to the southwest, another dwelling is roughly 480.00 m away from the proposed site.

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

Administration is of the opinion that any impacts to adjacent lands would be minimal; the surrounding lands are largely industrial and agricultural, with low residential densities. Additionally, 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 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

Reynold Caskey, Planning & Development Services

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20214625 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20214625 be refused.

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

Variance	Requirement	Proposed	Percentage (%)
Distance from dwellings	500.00 m (1,640.42 ft.)	450.00 m (1,476.38 ft.)	11.11%

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> • Subdivision and Development Regulations; • Municipal Development Plan; • Commercial Communications Facilities Policy A-308; • Land Use Bylaw; 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



ROCKY VIEW COUNTY

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 Range Road 262. Xplornet Communications Inc. will be required to apply for a Road Use Agreement when using Ember Resources Inc.'s access road. Wheatland County (the landowner), did not have any requirements for access to the parcel.

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

RC/ltt

ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

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 (147.63 ft.) high, with a tower base area of approximately 225.00 m² (2421.88 ft²);
 - ii. Placement of an equipment shelter, approximately 4.46 m² (48.00 ft²) in area; and
 - iii. That the Communications Facility, Type C, may be located within 500.00 m (1,640.41 ft.) of a residential dwelling.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit confirmation of a Road Use Agreement between Ember Resources and the landowner of N-34-27-26-W04M, inclusive of any required access right-of-way plan, to the satisfaction of the County.
3. 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 will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. That the Applicant/Owner shall also contact County Road Operations should they intend to alter the approach to Range Road 282.
 - 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.

Permanent:

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.

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. As an advisory condition, it is the Applicant/Owner's responsibility to obtain a Roadside Development Permit or waiver from Alberta Transportation as the development is within AT's development control zone.
10. That any other federal, provincial, or County permits, approvals, and/or compliances are the sole responsibility of the Applicant/Owner.
11. 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.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

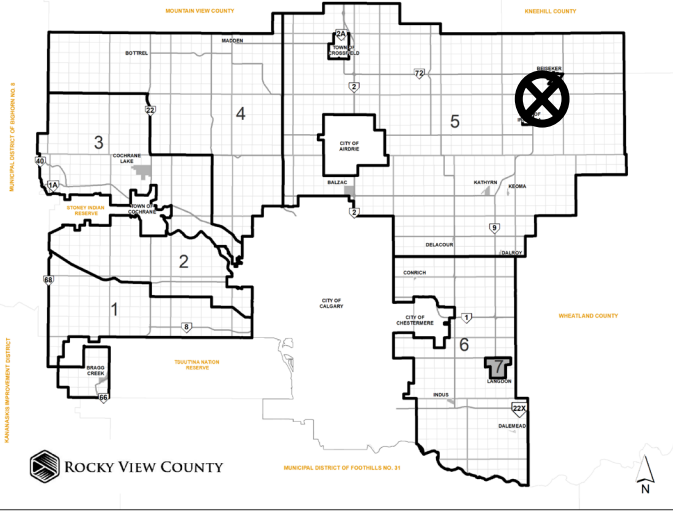
APPLICANT: Xplornet Communications Inc. c/o Scott Telecom Services Ltd. (Cam Dyer)	OWNER: The County of Wheatland No. 16
DATE APPLICATION RECEIVED: October 1, 2021	DATE DEEMED COMPLETE: October 12, 2021
GROSS AREA: ± 64.75 hectares (± 160.00 acres)	LEGAL DESCRIPTION: N-34-27-26-W04M
APPEAL BOARD: Land and Property Rights Tribunal	
HISTORY: N/A	
PUBLIC & AGENCY SUBMISSIONS: The Applicant circulated a public notification package to 60 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

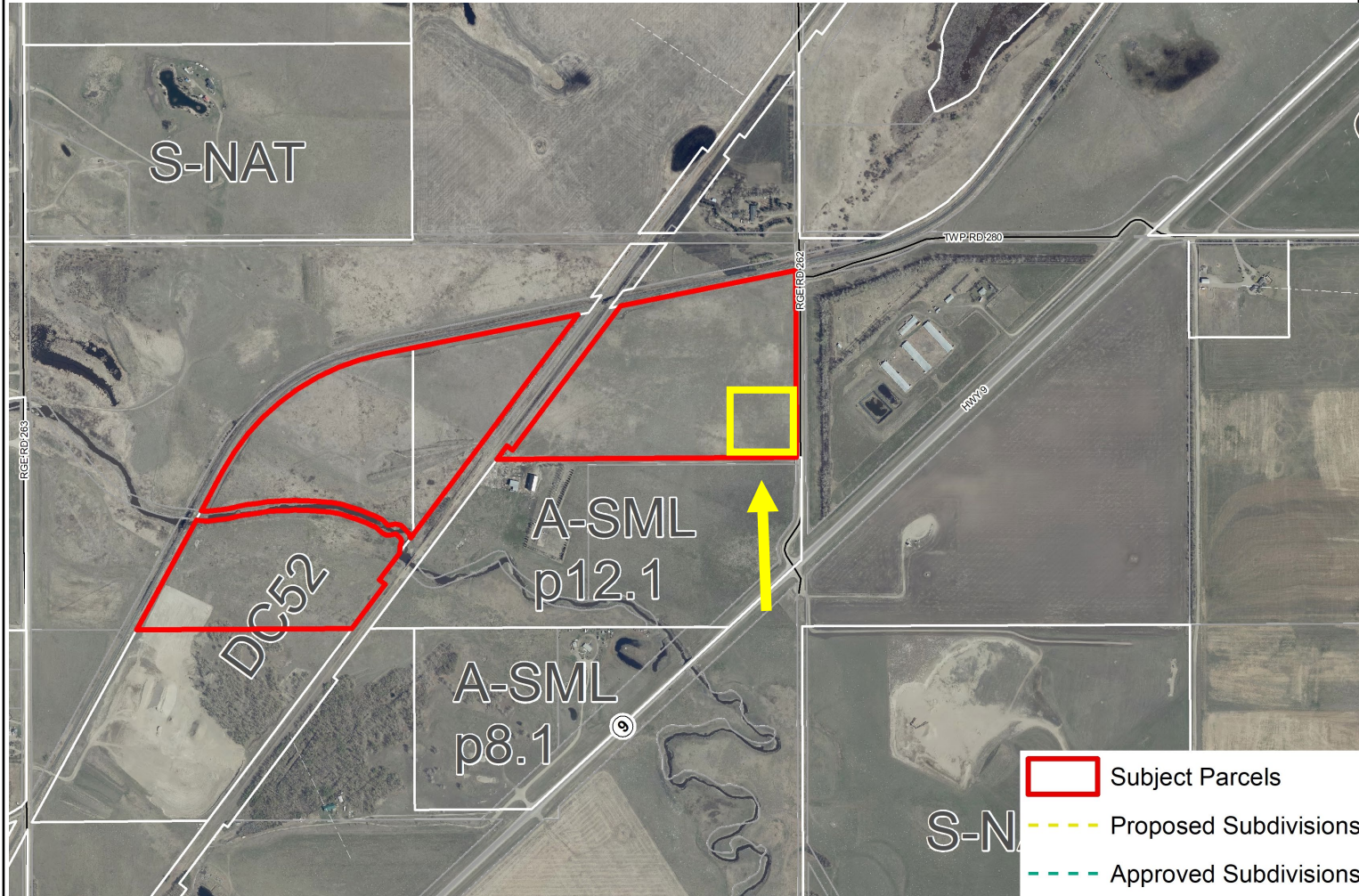
Communications Facility,
Type C, and associated
equipment shelter



Division: 5
Roll: 07134012
File: PRDP20214625
Printed: October 15, 2021
Legal: A portion of N-34-
27-26-W04M


Development Proposal

Communications Facility,
Type C, and associated
equipment shelter



- Subject Parcels
- Proposed Subdivisions
- Approved Subdivisions

Division: 5
 Roll: 07134012
 File: PRDP20214625
 Printed: October 15, 2021
 Legal: A portion of N-34-
 27-26-W04M



Site Plan

Development Proposal

Communications Facility,
Type C, and associated
equipment shelter



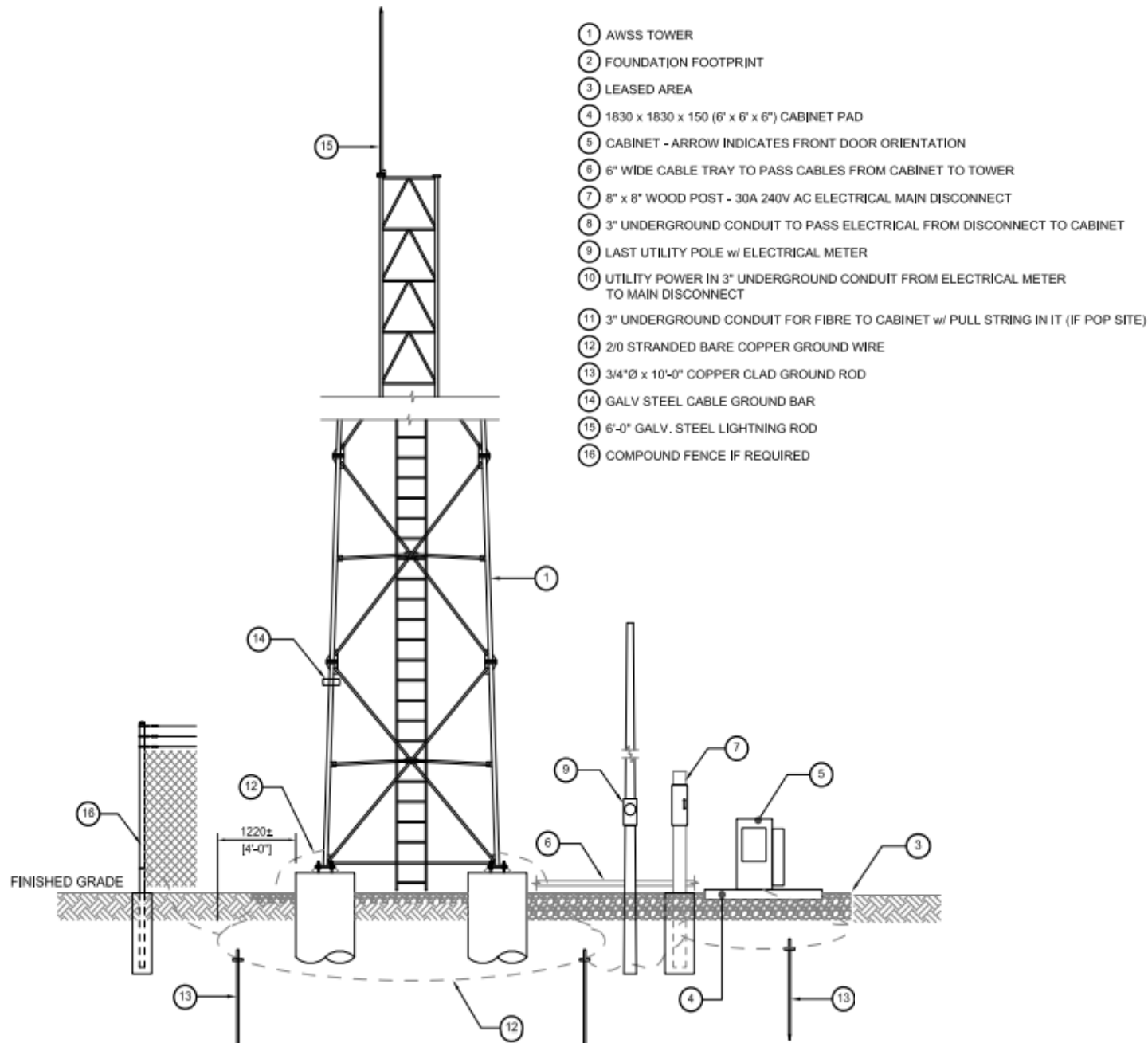
Division: 5
 Roll: 07134012
 File: PRDP20214625
 Printed: October 15, 2021
 Legal: A portion of N-34-
 27-26-W04M



Communication Facility Elevation

Development Proposal

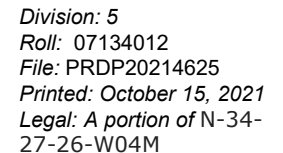
Communications Facility,
Type C, and associated
equipment shelter



Division: 5
Roll: 07134012
File: PRDP20214625
Printed: October 15, 2021
Legal: A portion of N-34-
27-26-W04M

Development Proposal

Communications Facility,
Type C, and associated
equipment shelter



Site Photo Rendering

Development Proposal

Communications Facility,
Type C, and associated
equipment shelter



*Division: 5
Roll: 07134012
File: PRDP20214625
Printed: October 15, 2021
Legal: A portion of N-34-
27-26-W04M*