



NOTICE OF DECISION

November 17, 2022

File No.: PLDP20220410

Sent via email and mail: sbrown@sabreenergyconsulting.com

TELUS COMMUNICATIONS INC. c/o Britt Radius
1100, 630 6th Ave SW
Calgary, AB T2P 0S8

Dear Samantha Brown:

RE: Proposed Development Permit

Legal: SW 7-33-5-5

Development Proposal: Communication Tower and Accessory Building - Equipment Shelter

The above noted Development Permit application on the SW 7-33-5-5 for a Communication Tower and Accessory Building - Equipment Shelter was considered by the Municipal Planning Commission on November 17, 2022.

The following policies were taken into consideration by the Municipal Planning Commission when reviewing the application:

Municipal Development Plan Bylaw No. 20/20	Section 3 Agricultural Land Use Policies
Land Use Bylaw No. 21/21	Section 10.8 Communication Tower Section 11.1 Agricultural District

The Municipal Planning Commission concluded that a Communication Tower and Accessory Building - Equipment Shelter is suitable development for SW 7-33-5-5 and conforms to the above noted policies.

As such, the Municipal Planning Commission has approved the application subject to the following conditions:

STANDARD CONDITIONS:

1. The provisions of the Land Use Bylaw No. 21/21.
2. Approval by the approving authority does not exclude the need and/or requirements of the Permittee to obtain any and all other permits as may be required by this or any other legislation, bylaws, or regulations.

3. The Development Officer may, by notice in writing, suspend a Development Permit where development has occurred in contravention to the terms and conditions of the permit and/or Land Use Bylaw.
4. If the development authorized by a Development Permit is not complete within twenty-four (24) months from the effective date of the Permit, such Permit approval ceases and the Permit itself is deemed void, expired and without effect, unless an extension to this period has been previously granted.

STANDARD CONDITIONS IF APPLICABLE:

5. Landowners shall be responsible for dust control on the County road adjacent to their property.
6. N/A
7. An Alberta Land Surveyor is to locate / post the location of the building(s) / structure(s) prior to construction as per the approved sketch. The County shall not be responsible or liable for non-compliance with this condition.
8. N/A
9. N/A
10. N/A
11. No development shall be constructed, placed or stored over an easement or utility right of way; the applicant/landowner is responsible for contacting Alberta-One-Call and/or other governing authority.

PERMITS ASSOCIATED WITH BUILDING CONSTRUCTION:

12. Permittees are advised that they are subject to standards of the Safety Codes Act of Alberta and are responsible to meet the requirements of the Act in regards to building, electrical, gas, plumbing, and private sewage disposal systems. Prior to construction required permits must be obtained from Mountain View County. Mountain View County shall not be responsible or liable in any manner whatsoever for any structural failures, defects or deficiencies whether or not the said development has complied with the Safety Codes Act of Alberta.

ADDITIONAL CONDITION(S):

13. All required permits and/or approvals from Federal Authorities must be obtained and copies provided to Mountain View County.
14. Upon no longer utilizing this site, the site will be reclaimed; meaning the removal of the entire tower, antennas, cable, equipment as per the Remediation Plan. In addition to the Remediation Plan, all concrete shall be removed.
15. All setbacks must comply with Provincial regulations with regards to the pipelines within and near the property.
16. The height of the fence that encloses the Communication Tower shall be a minimum of 8 ft high with additional anti-climb measures on the fence and tower.
17. The applicant and/or operator shall obtain a Road Use Agreement for construction of the Tower only, from Mountain View County's Operations Department 30 days prior to the proposed construction commencement date.
18. The tower will be engineered to accommodate future co-location with additional carriers and to minimize any potential negative effects on the adjacent residence.



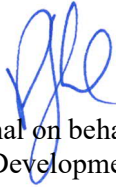
19. The applicant and/or operator shall manage vegetation including weed control.

A Notice of Decision for this Development Permit, that lists all the conditions and includes the site plan, will be placed on the County's website at <https://www.mountainviewcounty.com/p/development-permits>. This decision will be advertised on **November 22, 2022** and **November 29, 2022** in The Albertan. Should you wish to appeal this decision, or any of its conditions, your appeal must be received by the Secretary of the Subdivision & Development Appeal Board, by 4:00 p.m. on **December 08, 2022**.

Enclosed is a copy of the appeal provisions which outlines your right to appeal this decision pursuant to Section 685 of the Municipal Government Act. Please note that if development commences prior to the end of the appeal period, a fine as specified in Section 7 of Land Use Bylaw No. 21/21 may be applied.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 171 or by email at jreimer@mvcountry.com.

Yours truly,



Peggy Grochmal on behalf of Jaydan Reimer, Development Officer
Planning and Development Services

/peg

Enclosures

cc: BOOT HILL FARMS LTD RR 1 Sundre, AB T0M 1X0













7
33-5-5



Witness

Witness

LEGEND

Statutory Iron Posts found:	
Temporary Position:	
Gate:	
Power Pole:	
Proposed Tower:	
Portions referred to:	
URW referred to:	
Premises:	
Major Contour Interval:	
Minor Contour Interval:	



2	May 10/22	Added 3.0 URW and Removed 2 Options	SL	RBD	-
1	Feb. 28/22	Revised Tower Site Location & Access Road	SL	RBD	-
0	Jan. 26/22	Plan Issued	SL	RBD	JAJ
REV.	DATE	DESCRIPTION	DRAF	CHKD	SURV



NOTICE OF DEVELOPMENT APPEAL

1408 Twp. Rd. 320 / Postal Bag 100, Didsbury, AB Canada T0M 0W0
T 403.335.3311 F 403.335.9207 Toll Free 1.877.264.9754
www.mountainviewcounty.com

Excerpt from the **Municipal Government Act**, Section 685 - **Grounds for Appeal**

685(1) - If a development authority:

- (a) fails or refuses to issue a development permit to a person,
- (b) issues a development permit subject to conditions, or
- (c) issues an order under section 645,

the person applying for the permit or affected by the order under section 645 may appeal to the subdivision and development appeal board.

(2) In addition to an applicant under subsection (1), any person affected by an order, decision or development permit made or issued by a development authority may appeal to the subdivision and development appeal board.

File Number of the Development Application: _____

APPELLANT: Name: _____ Telephone: _____
Address: _____
Email: _____

LANDOWNER: Name: _____ Telephone: _____
Address: _____

LAND DESCRIPTION: Registered Plan: _____ Block: _____ Lot: _____
Part: _____ Section: _____ Twp.: _____ Range: _____ Meridian: _____

THIS APPEAL IS COMMENCED BY, ON BEHALF OF:

(a) _____ Adjacent Landowner (Fee \$425.00) (b) _____ Developer/Applicant/Landowner (Fee \$425.00)

REASON(S) FOR THE APPEAL (use additional paper if required):

The personal information on this form is being collected under the authority of Section 33(c) of the Alberta Freedom of Information and Protection of Privacy Act (FOIP) and *Municipal Government Act* Sections 678 and 686 for the purpose of preparing and conducting an Appeal Hearing. By providing the above personal information, **the applicant consents to the information being made available to the public and Appeal Board in its entirety** under Section 17(2) of the Alberta Freedom of Information and Protection of Privacy Act. Any inquiries relative to the collection or use of this information may be directed towards to: Mountain View County FOIP Coordinator 1408 - Twp Rd 320 Postal Bag 100 Didsbury AB T0M 0W0 Ph: 403-335-3311

Signature of Appellant/Agent

Date