



## NOTICE OF DECISION

January 19, 2023

File No.: PLDP20220469

Sent via email and mail: [anthony.novello@evolvesurface.com](mailto:anthony.novello@evolvesurface.com)

Rogers Communications Inc.  
c/o Evolve Surface Strategies Inc.  
105-58 Gateway Drive NE  
Airdrie, AB T4B 0J6

Dear Anthony:

**RE: Proposed Development Permit**  
**Legal: NE 16-30-1-5**  
**Development Proposal: Communication Tower**

The above noted Development Permit application on the NE 16-30-1-5 for a Communication Tower was considered by the Municipal Planning Commission on January 19, 2023.

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

Intermunicipal Development Plan	Section 4.0 Land Use Fringe Area Policies 3
Growth Centre	Section 6.0 Referrals and Circulation Process Policies 2 f.
Urban Referral/Fringe Area	
Municipal Development Plan	Section 3.0 Agricultural Land Use Policies
Bylaw No. 20/20	
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 is suitable development for NE 16-30-1-5 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. All access approaches must be to County standards. A no charge approach permit is required and can be obtained at the Mountain View County office.
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, including the removal of the tower, antennas, cable, equipment and concrete.
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 1.8 metres (6 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.
20. That the applicant and/or operator shall obtain a Roadside Development Permit from Alberta Transportation.

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 **January 24, 2023** and **January 31, 2023** 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 **February 09, 2023**.

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.

Following the appeal period, should no appeals be submitted, the Development Permit will be issued. If a Building Permit is required, please ensure the contractor receives a copy of the approved sketch so that the setbacks as approved are adhered to.

If you have any questions or concerns regarding this matter, please call me at 403-335-3311 ext. 182 or by email at [pgrochmal@mvcountry.com](mailto:pgrochmal@mvcountry.com).

Yours truly,



Peggy Grochmal, Permitting and Development Officer  
Planning and Development Services

/lc

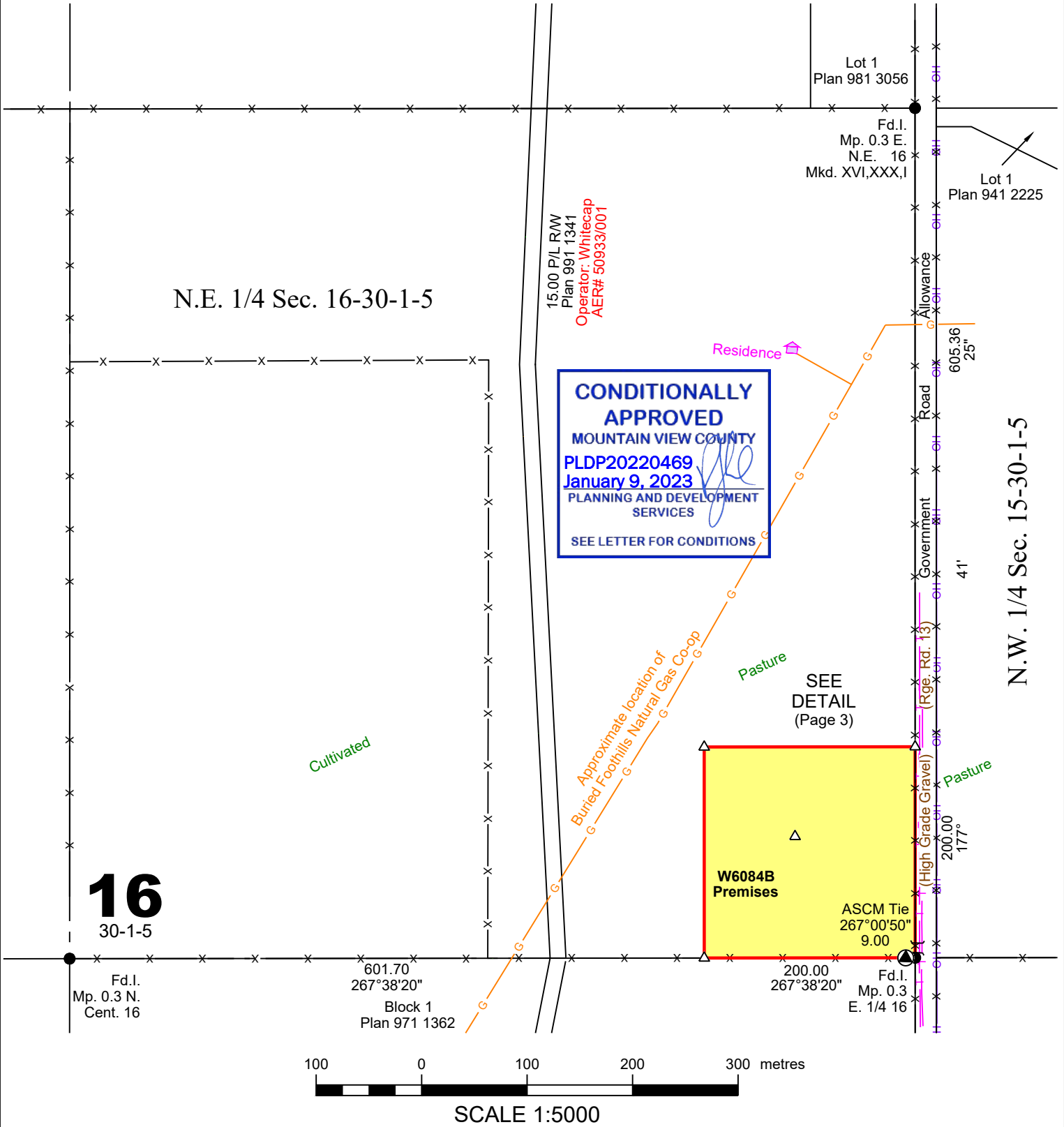
Enclosures

cc: Rasmussen, Dave Bruce & Beverly Anne [REDACTED] -

cc Alberta Transportation - via Roadside Planning and Application Tracking Hub (RPATH)



SCHEDULE 'B'



NOTES

Precision Geomatics Inc. and its employees take no responsibility for the location of any underground facilities whether shown on or omitted from this plan.  
Most underground facilities shown were located with electronic locators and may be subject to error.  
Actual locations should be verified independently by the contractor in the field prior to any crossing and/or construction.

Alberta One-Call : 1-800-242-3447  
www.albertaonecall.com

PRECISION

GEOMATICS INC.

EDMONTON

DRAYTON VALLEY

CALGARY

Phone: 780-470-4000

Phone: 780-542-5252

Phone: 403-266-6647

Toll Free: 1-888-470-4001

www.precisiongeo.ca

Fax: 403-266-6847

info@precisiongeo.ca

Toll Free: 1-877-266-6649

No.	Svy.	Dwn.	Ckd.	REVISIONS	Date
2	JK	DV	TB	Relocate	Oct. 17, 2022
1	JK	TC	TB	Added Geo-Technical Drill Information	Sep. 27, 2021
0	JK	TC	TB	Plan Issued	Sep. 13, 2021
DWG FILE:				CLIENT FILE:	EVOLVE FILE:
E21-008546 TS(2)				W6084B	EVO_27244
PAGE 2/5					REV. 2



## 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):**

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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