#### Municipal District of Pincher Creek No. 9 MUNICIPAL PLANNING COMMISSION

Council Chambers September 5<sup>th</sup>, 2023 6:30 pm Agenda

#### 1. Adoption of Agenda

- 2. Minutes
  - a. Meeting Minutes of June 6<sup>th</sup>, 2023
- 3. Public Meeting
  - a. Telecommunication Siting Protocol Application (Rogers Communication) within SW 14-6-2 W5
- 4. Closed Meeting Session
- 5. Unfinished Business
- 6. Development Permit Applications
  - a. Development Permit Application No. 2023-42
     Breanna Morrison
     NE 20-6-1 W5
     Recreational Accommodation 3 Silos
- 7. Development Reports
  - a. Development Officer's Report
    - Report for July & August 2023
- 8. Correspondence
- 9. New Business
- 10. Next Regular Meeting October 3<sup>rd</sup> 2023
- 11. Adjournment

#### Meeting Minutes of the Municipal Planning Commission July 4<sup>th</sup>, 2023 6:30 pm Council Chambers

#### **ATTENDANCE**

Commission: Chairman Jim Welsch, Member at Large Jeff Hammond, Councillors Harold Hollingshead

and John MacGarva, and Tony Bruder

Staff: CAO Roland Milligan and Development Officer Laura McKinnon

Planning Advisor:

Absent: Reeve Rick Lemire and ORRSC, Senior Planner Gavin Scott

Chairman Jim Welsch called the meeting to order, the time being 6:30 pm.

#### 1. **ADOPTION OF AGENDA**

Councillor Dave Cox 23/039

Moved that the agenda for July 4<sup>th</sup>, 2023, be approved as presented.

Carried

#### 2. **NEW BUSINESS**

#### 3. **ADOPTION OF MINUTES**

Member at Large Jeff Hammond

Moved that the Municipal Planning Commission Meeting Minutes for June 6<sup>th</sup>, 2023 be approved as presented.

Carried

23/040

#### 4. CLOSED MEETING SESSION

Councillor John MacGarva 23/041

Moved that the Municipal Planning Commission close the meeting to the public, under the authority of the *Municipal Government Act*, Section 197(2.1), the time being 6:32 pm.

Carried

Councillor Dave Cox 23/042

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:38 pm.

#### MINUTES Municipal Planning Commission (MPC) Municipal District of Pincher Creek No. 9 July 4, 2023

Carried

#### 5. UNFINISHED BUSINESS

#### 6. **DEVELOPMENT PERMIT APPLICATIONS**

a. Development Permit Application No. 2022-32
 Bobby & Kaycee Peters
 NW 12-5-30 W4
 Specialty Manufacturing/Cottage Industry

Councillor Tony Bruder

23/043

Moved that Development Permit No. 2023-32, for Specialty Manufacturing/Cottage Industry including an accessory building, be approved as amended.

#### **Condition(s):**

- **1.** That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. That if required, dust suppression be supplied by the applicant on Twp Rd 5-2 from Hwy 6 (or end of MD dust suppression) to the development site.
- **3.** That all garbage be contained in bear proof containers.

Carried

b. Development Permit Application No. 2023-33
 Donny & Tammy Lorenzen
 NE 13-6-1 W5
 Garden Suite

Member at Large Jeff Hammond

23/044

Moved that Development Permit No. 2023-33, for a Garden Suite, be approved as presented.

#### **Condition(s):**

- **1.** That this development meets the minimum provisions as required in the Land Use Bylaw 1289-18.
- 2. That this development permit is re-evaluated after five years.
- **3.** That the home be finished from the floor level to the ground within 90 days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling to the satisfaction of the development authority.
  - c. Development Permit Application No. 2023-34 Danny Roberts

#### MINUTES Municipal Planning Commission (MPC) Municipal District of Pincher Creek No. 9 July 4, 2023

## SE 7-7-2 W5 (Lot 53 Lee Lake) Accessory Building

7.

8.

9.

10.

11.

C	ouncillor John MacGarva	23/045					
M	Noved that Development Permit No. 2023-	34, for an Accessory Building, be approved as presented.					
C	fondition(s):						
1.	. That this development meets the minimum provisions as required in Land Use Bylaw 1289-1						
	Carried						
DE	EVELOPMENT REPORT						
a.	Development Officer's Report						
	Councillor Harold Hollingshead	23/046					
	Moved that the Development Officer's Report, for the period June 2023, be received as						
	information.	Carried					
CC	DRRESPONDENCE						
NE	CW BUSINESS						
No	ne						
NE	<b>EXT MEETING</b> – September 5 <sup>th</sup> , 2023; 6:	30 pm.					
AL	DJOURNMENT						
Co	uncillor John MacGarva	23/047					
Mo	oved that the meeting adjourn, the time bei	ng 6:46 pm.					
		Carried					
	nairperson Jim Welsch	Development Officer					
M	unicipal Planning Commission	Laura McKinnon Municipal Planning Commission					

## **Recommendation to Municipal Planning Commission**

TITLE: Applicant: Location Division: Size of Parcel: Zoning: Development:		ation Tower – 2023-01-T Inc. (Via LandSolutions)				
	Laura McKinnon	DATE: August 31, 2023				
DEPARTMENT:	DEPARTMENT: Planning and Development					
Signature:		ATTACHMENTS:  1. Development Permit Application —     Telecommunications with Public Notification     Package  2. GIS Site Plan  3. Land Use Bylaw 1289-18 Telecommunications     Siting Protocol Section  4. Tower Coverage Map  5. Adjacent Landowner Responses				
APPROVALS:						
		Roland Milligan 2023/08/3/				
Department Dire	ector Date	CAO Date				

#### RECOMMENDATION:

That providing municipal concurrence for Application No. 2023-01-T be subject to information collected at the public meeting. If the public meeting does not present evidence or reasoning against the development, then Administration will issue a letter of concurrence with the following Condition(s):

#### Condition(s):

- That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. The applicant is responsible for obtaining all applicable safety code permits prior to commencement
- The applicant is responsible for complying with all Provincial and Federal regulations, approvals and authorizations and obtaining all applicable permits with copies being provided to the MD of Pincher Creek.
- 4. All marking of the tower and other requirements must be consistent with Navigation Canada and Transport Canada
- 5. The top of the tower shall be lit with Transport Canada approved lighting, and if possible, least intrusive to neighbors.

Presented to: Municipal Planning Commission

Date of Meeting: September 5th, 2023

## **Recommendation to Municipal Planning Commission**

6. The applicant is responsible for reporting the location of the communication tower to the Alberta Aerial Applicators Association.

#### BACKGROUND:

- On July 18 2023, the MD accepted Application No. 2023-01-T from applicant LandSolutions Inc. (on behalf of Rogers Communications Inc.) which included the notification package to adjacent landowners (Attachment No. 1).
- The application is to allow for placement of a 60m tall telecommunications tower on an Agricultural parcel (Attachment No. 2).
- This application is being placed in front of the MPC because:
  - The Telecommunications Siting Protocol, as stated in Land Use Bylaw 1289-18, requires the MD of Pincher Creek Development Authority to issue concurrence or non-concurrence.
- In accordance with Land Use Bylaw 1289-18 a public meeting was called, as well as notifying all
  adjacent landowners within a 1 mile (1.6km) radius, including circulation to the Beaver Mines
  Community Association. The application will also have to be circulated to Alberta Transportation for
  approval.
- According to Land Use Bylaw 1289-18, the application complies with the Telecommunications Siting Protocol Requirements at the time of writing this report (Attachment No. 3).
- LandSolutions Inc supplied a coverage map for the telecommunications tower (Attachment No. 4).
- This application was forwarded to the adjacent landowners for comment. At the time of preparing this report two responses had been received (Attachment No. 5)

Presented to: Municipal Planning Commission

Date of Meeting: September 5th, 2023



1037 Herron Ave PO Box 279 Pincher Creek AB TOK 1W0 p. 403.627.3130 info@mdpinchercreek.ab.ca www.mdpinchercreek.ab.ca

# TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

	Date applica received:	ation	Date deemed complete:	Land Use (zoning):		Development permit ap also required:	plication	
For Office Use Only:	18/07/	123	25/07/23	Ag		☐ Yes No Application No:		
RT 1 - APP	LICANT INF	FORMAT	ON					
Name of App (please print):	licant LandSo	olution Inc.	(Kristina Schmidt)	Phone (	(primary):			
Mailing Addr	ess: 1420, 3	1420, 333 11 Avenue SW Calgary, AB		Phone (alternate):				
L-1000 TO 1000	Calga							
				Email:				
Postal Code:	T4R 2	T4R 2L9		' Check this box if you		Check this box if you w receive documents thro		
As applicant,	are you the o	owner of t	he property?	□ Yes	No IF	"NO" please complete b	ox below	
Name of Ow	ner: Ryan	Dougla	s McClelland,	Phone	(primary):			
Mailing Addr	Leor	Douglas McClelland and Leona McClelland.		Phone (alternate): Applicant's interest in the property:				
	POB	PO Box 1992			<ul><li>☑ Agent</li><li>☑ Antenna proponent/developer</li></ul>			
		Pincher Creek, Alberta		□ Contractor				
		0K 1W0		☐ Tenant ☐ Other		-		
RT 2 - PRO	PERTY INF	ORMATI	ON					
Municipal Address:		N/A						
Legal Descri	ption:	All/Part SW 1/4 Sect			tion 14 Twp 6		Range 2 W5M	
		Lot(s	)	Bloc	k	Plan		



1037 Herron Ave PO Box 279 Pincher Creek AB T0K 1W0 p. 403.627.3130 info@mdpinchercreek.ab.ca www.mdpinchercreek,ab.ca

## TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

What is the existing use on the parcel?

Agricultural grazing land and natural tame grasses.

PART 3 - DETAILS OF THE PROP	OSED DEVE	LOPMENT	
What currently exists on the parcel? (i.e. bu	ildings, structu	res, improvements) Single family r	residence for landlord,
farm outbuildings, storage buildings.	and animal s	shelters as required.	
What will the antenna / tower be used for?	Telecommi	unications signal transmission	to local customers.
Are there any roads or approaches on the paccess road to farm operations			
Are there any other antenna towers located for and who the operator is along with prov			
Is Co-utilization with existing antenna syste	ms proposed? _	Unavailable at this location.	
Describe the proposed finish/color and if lig	hting or any ma	arkings are proposed for the antenna	Self- Support
TOWER SIZE			
Overall tower height 60	_ <b>2</b> m <b>1</b> ft	Commencement Date: TBD	
DECLARATION OF APPLICANT/A	GENT		
The information given on this form is full a also consent to an authorized person design of an inspection during the processing of the	ated by the mui	nd is, to the best of my knowledge, a nicipality to enter upon the subject lar	true statement of the facts. In and buildings for the purpose
APPLICANT		REGISTERED OWNER (if not	the same as applicant)

Please note that all information that you provide will be treated as public information in the course of the municipality's consideration of the development application pursuant to the MGA RSA 2000 Chapter M-26 and the Land Use Bylaw. By providing this information, you are deemed to consent to its public release. Information you provide will only be used for purposes related to the evaluation and consideration of the development application. Questions about information can be directed to the FOIPPA Coordinator.



#### LETTER OF AUTHORIZATION

Date: March 24, 2023

To: WHOM IT MAY CONCERN

Legal Description: Ptn. SW 14-6-2 W5M

I/We, RYAN DOUGLAS MCCLELLAND, DOUGLAS MCCLELLAND and LEONA MCCLELLAND, as Joint Tenants, as owners of the above-mentioned property, hereby give Rogers Communications Inc. and its agents permission to act as our agent to acquire the necessary permits, drawings and/or buildings structural blue-prints, hydro information from the public utility and information from the municipality or other authorities concerned, needed to approve the construction of the telecommunications site at the address indicated above.

Sincerely,

//

RYAN DOUGLAS MCCLELLAND

—DocuSigned by:

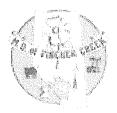
DOUGLAS MCCLELLAND

DOUGLAS MCCLELLAND

DocuSigned by:

LEONA MCCLELLAND

Rogers File: W6378 - Beaver Mines



## MD of Pincher Creek No. 9

P.O Box 279 1037 Herron Avenue
Pincher Creek Alberta T0K 1W0
(403) 627-3130
Website: www.mdpinchercreek.ab.ca

Email: info@mdpinchercreek.ab.ca

LandSolutions Inc.

## **PAYMENT RECEIPT**

Receipt Number:

59616

Date:

7/25/2023

Initials:

SLM

GST Registration #:

10747347RP

		I.	GOT REGISTRATION IN TOTAL	1. M. M. 1. W	
Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Applicatio	n Fees N/A	\$150.00	\$0.00
			Subtotal: Discount GST Total Receipt:		\$150.00 \$0.00 \$0.00 \$150.00
				Visa:	\$150.00
			Total Amount	Received:	\$150.00



Public Notification Package for Proposed Wireless Communications Installation SW 14-6-2 W5M Rogers Site: W6378

#### 1. Introduction

Rogers Communications is proposing to construct a new wireless communications installation at SW 14-6-2 W5M (the "Proposed Installation") in order to fill significant wireless coverage gaps in the area and meet the rising demand for wireless voice and data services.

This notification package sets out the pertinent details about the Proposed Installation and invites the public to submit their written comments and concerns about the Proposed Installation by August 28, 2023

## 2. Purpose of Proposed Installation and Site Selection

Based on recent feedback we have received from subscribers, as well as data we have collected on dropped calls and call quality in the area, we have determined that there are significant wireless coverage deficiencies within the area. The Proposed Installation will correct these deficiencies and allow us to provide much better service to our subscribers, including people in residences, businesses, schools, government agencies and emergency first responders.

Designing a wireless network would be similar to assembling a 3D jigsaw puzzle. Cell towers and antenna installations must be located near one another so that they are able to provide contiguous service without any holes or gaps in coverage. They must also be set at elevations that are high enough to deliver the signals to a wide service area.

Following a survey of the area, we identified the Proposed Installation - currently an agricultural lot - as the most viable candidate to meet our network coverage requirements. It will provide connectivity for an area that is currently experiencing below-average service levels and cannot be served by existing antenna sites as they are too distant and overloaded.

The location for the Proposed Installation offers technical and operations advantages, including proximity to roads for viable access for construction and maintenance, hydro connections, etc., thus reducing the need for further impact on the area. The Proposed Installation will not result in any interference or impact to the current use of the property.

## 3. Location of Proposed Installation

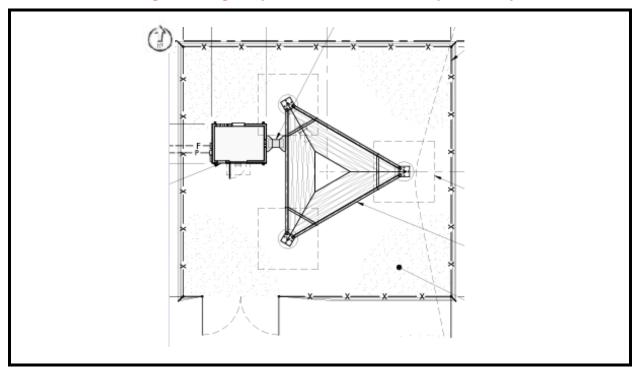
The location of the Proposed Installation is described below:

Legal description: SW 14-6-2 W5M

Geographic coordinates: 49.467295°, -114.172206°

The Proposed Installation is shown on the drawings below. The Land Use Zoning is: Agricultural.

## Drawing showing Proposed Installation Compound Layout



Aerial photograph showing Proposed Installation Location



## 4. Description of Proposed Antenna System

#### (a) Structure

The underlying structure for the Proposed Installation is a 60m self-support tower, operating at 700 - 2100Mhz frequencies.

#### (b) Antenna system

The antenna system will initially include nine (9) initial antennas, one (1) GPS antenna and one (1) microwave antenna, with provisions for future technology services. The diagram/photo below illustrates how the antennas will look when mounted on the tower.

#### (c) Premises

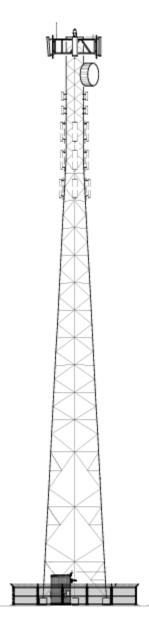
To minimize the impact on the property's current use as well as the visual impact on surrounding properties, the physical ground premises area will be located at SW 14-6-2 W5M.

The Proposed Installation will occupy a ground premises area of 20m x 20m and will include an alarmed and electronically monitored walk-in equipment cabinet surrounded by a 1.8 m high chain link security fence with a locked gate access point. The compound will also contain backup battery power, maintenance tools, manuals and first aid supplies.

It is not anticipated that tree removal will be required for the construction of the Proposed Installation. Shown on the above aerial view is the approximate location of the compound. Additional landscaping will be provided as in accordance with the direction of the MD of Pincher Creek, if required.

(d) Areas accessible to the public and measures to control public access.

The site will be surrounded by a 1.8 m high chain link security fence with barbed wire along the top and a locked gate at the access point.



# 5. Innovation, Science and Economic Development Canada (ISED) Authority and Requirements

(a) Rogers is regulated by Innovation, Science and Economic Development Canada (ISED)

As a federal undertaking, Rogers is regulated by Innovation, Science and Economic Development Canada (ISED) under the *Radiocommunication Act*. While the MD of Pincher Creek has a significant role to play in the approval of a tower or antenna installation, the ultimate decision to approve a tower or antenna systems lies with Innovation, Science and Economic Development Canada (ISED).

Because wireless services are federally regulated, the Municipal Government Act, and municipal by-laws and regulations that purport to govern the location and operation of cell towers and antenna systems do not apply. However, Innovation, Science and Economic Development Canada (ISED) has established a clear set of rules which wireless carriers must follow when seeking to install or modify a tower or antenna system (the "Innovation, Science and Economic Development Canada (ISED) Rules").<sup>1</sup>

#### (b) Consider Sharing Existing Structures

Under the Innovation, Science and Economic Development Canada (ISED) Rules, before proposing a new tower or antenna installation, a wireless carrier must first look at locating its antennas on existing towers or other structures that are located within the specific geographical area and have sufficient height and structural integrity to allow the additional equipment.

In the case of the Proposed Installation, it was determined that there were no nearby towers or structures within 800m radius before conclusively determining the importance of pursuing the Proposed Installation at this location.

<sup>1</sup> CPC-2-0-03 - Radiocommunication and Broadcasting Antenna Systems.

#### **Co-Location Review**



Furthermore, Rogers accepts to receive any colocation and tower sharing requests made by other licensed carriers. Rogers could, to the extent where the equipment installed by any third-party carrier does not create any interference or technical constraint with its equipment, agree to share the proposed site.

#### (c) Consult with the Municipality

The Innovation, Science and Economic Development Canada (ISED) Rules also require us to contact the applicable municipality to understand its local consultation requirements and any preferences it may have for tower-siting and/or design. The MD of Pincher Creek concerns, preferences and suggestions are important elements to be considered when planning a new tower or antenna system.

On September 28, 2022, Rogers corresponded with the MD of Pincher Creek to discuss the location of the Proposed Installation and to understand the MD of Pincher Creek's preliminary concerns prior to submitting our formal application for approval.

#### 6. Public Consultation

The MD of Pincher Creek has established its own tower-siting protocol entitled Telecommunication Sitting Protocol with the Land Use Bylaw 1289-18 (the "Protocol") which sets out, among other things, the requirements for Rogers to engage and consult with public about the Proposed Installation.

In accordance with the Protocol, we are providing this information package to all property owners located within a radius of 1.6km from the base of the Proposed Installation. A notice in the local community newspaper to notify the public about the Proposed Installation will also be published.

Copies of this Notification Package, as well as any correspondence between Rogers and the public, will be provided to the MD of Pincher Creek and ISED.

We will acknowledge receipt of any communications we receive from a member of the public within 14 days, and then provide a formal response within 60 days. After that, the public commentor will have a further 21 days to provide a reply.

After the public consultation process has been completed and we have addressed and resolved all reasonable and relevant concerns (and the public has not provided further comment within the 21 days), we will forward a final report setting out the details of the public consultation to the MD of Pincher Creek and Innovation, Science and Economic Development Canada (ISED). It is at this point that we will request that MD of Pincher Creek to provide its concurrence to allow the Proposed Installation to proceed.

## 7. Other Regulatory Requirements

#### (a) Safety Code 6

Rogers attests that the radio antenna system for the Proposed Installation will be installed and operated on an ongoing basis to comply with Health Canada's *Safety Code 6* limits as it may be amended from time to time, for the protection of the general public, including any combined effects of additional carrier co-locations and nearby installations within the local radio environment.<sup>2</sup>

#### (b) Environmental Assessment

Rogers attests that the Proposed Installation is not located within federal lands nor is it incidental to, or form part of, projects that are designated under the *Regulations Designating Physical Activities* or by the Minister of the Environment as requiring an environmental assessment. Therefore, in accordance with the Impact Assessment Act (S.C. 2019, c. 28, s. 1), Rogers confirms that the Proposed Installation is excluded from environmental assessment.

Detailed information on the Impact Assessment Act (S.C. 2019, c. 28, s. 1) can be found at: <a href="https://laws-lois.justice.gc.ca/eng/acts/l-2.75/page-1.html">https://laws-lois.justice.gc.ca/eng/acts/l-2.75/page-1.html</a>

Additional information is available at the following Government of Canada's websites: <a href="http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html">http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html</a>
<a href="http://www.ic.gc.nsf/eng/sf11467.html">http://www.ic.gc.nsf/eng/sf11467.html</a>
<a href="http://www.ic.gc.nsf/eng/sf11467.html">ht

#### (c) Aeronautical Obstruction Marking Requirements

Rogers attests that the Proposed Installation will be installed and operated on an ongoing basis in compliance with Transport Canada and NAV Canada aeronautical safety requirements. No lighting or markings are required as per Transport Canada and NAV Canada, pursuant to the Canadian Aviation Regulations Standard 621 - Obstruction Markings and Lighting.

Rogers will submit the necessary applications to the appropriate parties to obtain required approvals.<sup>3</sup>

#### (d) Engineering Practices

Rogers attests that the radio antenna system for the Proposed Installation will be constructed in compliance with the *National Building Code* and the Canadian Standard Association, and will respect good engineering practices, including structural adequacy.

# 8. Innovation, Science and Economic Development Canada (ISED)'s Spectrum Management

For information on the Innovation, Science and Economic Development Canada (ISED) Rules, please consult Innovation, Science and Economic Development Canada (ISED) at: <a href="www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf08777e.html">www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf08777e.html</a> or contact the applicable local office of Innovation, Science and Economic Development Canada (ISED):

ISED - Southern Alberta District Office 220 - 4th Avenue SE, Suite 478 Calgary AB T2G 4X3 p. 1-800-267-9401 e. ic.spectrumcalgary-calgaryspectre.ic@canada.ca

General information relating to antenna systems is available on Innovation, Science and Economic Development Canada (ISED)'s Spectrum Management and Telecommunications website:

www.ic.gc.ca/epic/site/smt-gst.nsf/en/home

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For additional detailed information, please consult Transport Canada at: <a href="https://tc.canada.ca/en/corporate-services/acts-regulations/list-regulations/canadian-aviation-regulations-sor-96-433">https://tc.canada.ca/en/corporate-services/acts-regulations/list-regulations/canadian-aviation-regulations-sor-96-433</a>

#### 9. Invitation for Public Comment

Members of the public are invited to provide their comments to LandSolutions Inc. on behalf of Rogers about the Proposed Installation by mail, email or phone.

To be considered part of this consultation, members of the public are invited to provide their comments by email or mail to LandSolutions Inc. on behalf of Rogers by close of business day on August 31, 2023.

LandSolutions Inc.
Attn: Kristina Schmidt, MCIP
Municipal Affairs Specialist
1420, 333 11 Avenue SW
Calgary, AB T2R 1L9

p. 403-290-0008

e. comments@landsolutions.ca

MD of Pincher Creek Attn: Laura McKinnon Development Officer Box 279

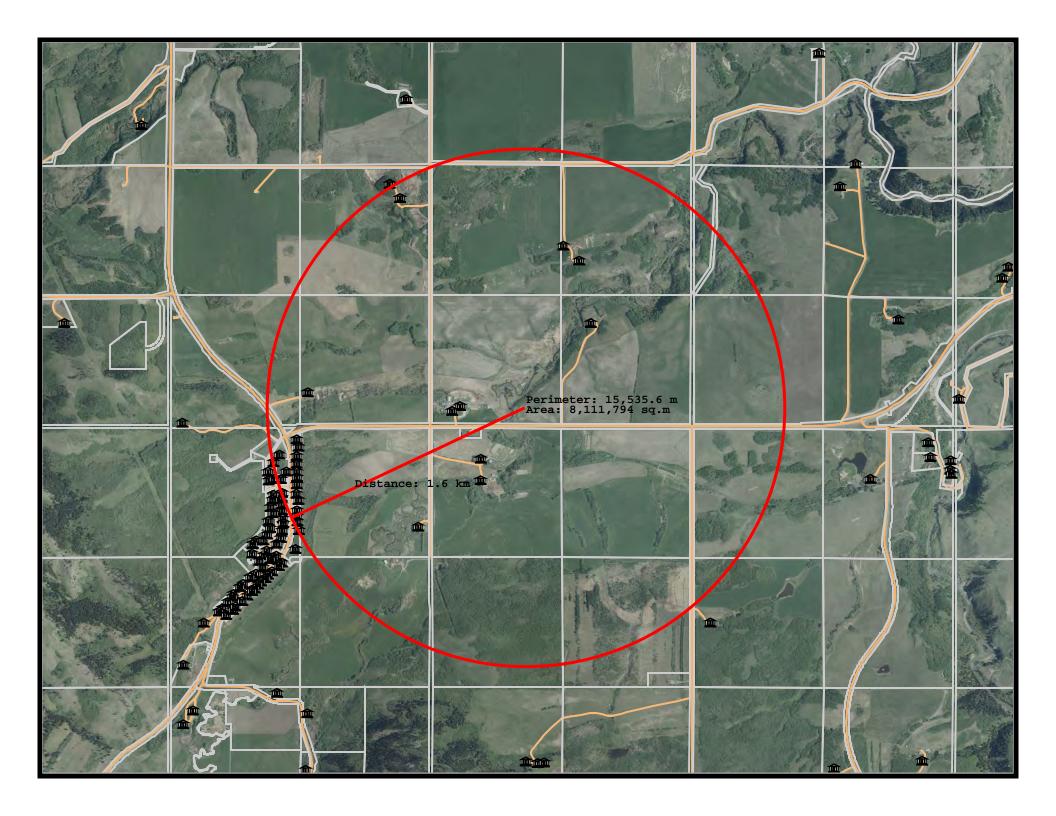
Pincher Creek, AB T0K1W0

p. 403-627-3130

e. AdminDevOfr@mdpinchercreek.ab.ca

All comments and questions received will form part of a report of consultation provided to the MD of Pincher Creek in accordance with the Protocol and the Innovation, Science and Economic Development Canada (ISED) Rules.





- (e) a site suitability analysis including but not limited to, topography; soils characteristics and classification; storm water collection; accessibility to a road; availability of water supply, sewage disposal system and solid waste disposal if applicable; compatibility with surrounding land uses; potential impacts to agricultural land, operations and pursuits; potential visual impacts, and consistency with the policies of the Municipal Development Plan;
- (f) preliminary grading/drainage plan;
- (g) any impacts to the local road system including required approaches from public roads having regard to Municipal District of Pincher Creek No. 9 standard;
- (h) post-construction reclamation plan and decommissioning plan detailing how the developed lands will be returned to as natural a state as possible, including removal of subsoil structures;
- (i) if required by the Development Authority, an Environmental Assessment Review prepared by a qualified professional or other studies and reports to demonstrate site suitability and impact mitigation;
- (i) an application shall be submitted for each titled parcel;
- (k) prior to a decision being made, the applicant shall hold a public meeting in order to solicit the views of the public in regard to the application and report the information received to the Development Authority;
- (I) the applicant shall forward to the Municipal District of Pincher Creek No. 9 copies of all regulatory and utility permits, approvals, and conditions prior to commencement of construction.
- 59.9 In the "Agriculture A", "Wind Farm Industrial WFI" and "Urban Fringe UF" land use districts, applicants shall consider the following when selecting sites:
  - (a) use of the lowest productive land, dry corners, and poor agricultural land with Canada Land Inventory (CLI) soil classification of 4 through 7, is preferred;
  - (b) to the extent possible, use of irrigated land, native prairie grassland and high quality agricultural soils with a CLI classification of Class 1 through 3, is not preferred.

#### SECTION 60 TELECOMMUNICATION SITING PROTOCOL

#### 60.1 PURPOSE

This section serves as the protocol for the installation and modification of telecommunication, radiocommunication and broadcasting antenna systems (antenna systems) in the MD of Pincher Creek. The protocol establishes the procedural standard for public participation and consultation that applies to proponents of antennas systems and identifies the MD of Pincher Creek's preferred development and design standards.

#### 60.2 APPLICABILITY

The federal Minister of Industry is the approval authority for the development and operation of antenna systems, pursuant to the Radiocommunication Act. Innovation, Science and Economic Development (ISED) Canada recognizes the importance of considering input from local Land Use Authorities and the public regarding the installation and modification of antenna systems and encourages Land Use Authorities to establish a local protocol to manage the process of identifying and conveying concerns, questions



and preferences to the proponent of an antenna system and Innovation, Science and Economic Development (ISED) Canada.

The local protocol established in this Section applies to any proposal to install or modify a telecommunication, radiocommunication or broadcast antenna system within the MD of Pincher Creek which is not excluded from the consultation requirements established by Innovation, Science and Economic Development (ISED) Canada in Client Procedures Circular CPC-2-03 [or subsequent/amended publications]. Proponents of excluded antenna systems are nevertheless encouraged to contact the MD of Pincher Creek to discuss the proposal and identify any potential issues or concerns and give consideration to the development and design standards in Section 60.5.

(a) Antenna Systems Siting Protocol Exclusion List:

Innovation, Science and Economic Development (ISED) Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the local Land Use Authority or the public. Innovation, Science and Economic Development (ISED) Canada's publication, Radiocommunication and Broadcast Antenna Systems CPC-2-0-03 lists the types of antenna installations exempted from the requirement to consult with the local Land Use Authority and the public. The installations listed in CPC-2-03 are therefore excluded from the MD of Pincher Creek Land Use Bylaw and include:

- (i) maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- (ii) addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- (iii) maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- (iv) installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and
- (v) new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

Proponents, who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the MD of Pincher Creek or Innovation, Science and Economic Development (ISED) Canada for guidance.

#### 60.3 MUNICIPAL REVIEW AND ISSUANCE OF CONCURRENCE OR NON-CONCURRENCE

(a) The MD of Pincher Creek Development Authority shall be responsible for reviewing and issuing municipal concurrence or non-concurrence for all antenna system proposals within the MD of Pincher Creek which are not excluded under Section 60.2.



- (b) Concurrence with a proposal will be measured against the requirements of the applicable land use district within which the antenna system is proposed, the development and design standards in Section 60.5, applicable policies of the MD of Pincher Creek Municipal Development Plan, and consideration of comments received during the public consultation process (section 60.7) and any other matter deemed relevant by the Development Authority:
  - (i) when a proposal is given a concurrence decision, the proponent will receive a letter of concurrence from the Development Authority documenting its decision;
  - (ii) when a proposal is given a non-concurrence decision, the proponent will receive a letter of non-concurrence from the Development Authority describing the reasons for the decision.
- (c) Municipal concurrence does not constitute approval of uses, buildings and structures which require issuance of a development permit under the Land Use Bylaw. A proposal which includes uses, buildings or structures in addition to the antenna system, is required to obtain development permit approval for such uses, buildings and structures in accordance with the provisions of the Land Use Bylaw.

#### 60.4 MUNICIPAL REVIEW PROCESSING PERIOD

- (a) Except as provided in subsection 60.4(b), the Development Authority will issue a decision of either concurrence or non-concurrence within 40 days of receiving a complete application package.
- (b) The 40-day processing time period may be extended by the proponent or the MD of Pincher Creek, through mutual consent.

#### 60.5 DEVELOPMENT AND DESIGN STANDARDS

The MD of Pincher Creek requests that the following antenna systems development and design standards be adhered to:

(a) Co-utilization

Co-utilization of existing antenna systems is the preferred option within the MD of Pincher Creek and is encouraged whenever feasible. The MD of Pincher Creek recognizes that while this is the preferred option, co-utilization of existing antenna systems is not always possible.

(b) Public Roadway Setbacks

#### Rural:

(i) In order to facilitate future widening/service road dedication and reduce potential snow drifting/sight restrictions, an antenna system (excluding any guy wires or similar support mechanisms) should be placed no closer than 30.0 metres (98.4 ft.) from the property line abutting a rural road. A lesser setback may be considered at the discretion of the Development Authority on a sitespecific basis.

#### Hamlet:

(ii) An antenna system (including any guy wires or similar support mechanisms) proposed within a hamlet should be placed no closer than 7.62 metres (25 ft.)



from the property line abutting the public road. A lesser setback may be considered at the discretion of the Development on a site-specific basis.

#### (c) Locational Criteria

- (i) Antenna systems should maintain an adequate setback from hazard lands, as required in Part VII, Section 35.
- (ii) Proponents should consult the MD of Pincher Creek Municipal Development Plan, to determine whether the proposed location of the antenna system is within an environmentally significant area. If the proposed site of the antenna systems is located within an identified environmentally significant area, the proponent should submit documentation to the Development Authority demonstrating site suitability.
- (iii) The Pincher Creek Airport (CZPC) is vital to fighting forest fires in the region and integral to future economic development. Further, the Cowley aerodrome (CYYM) is integral to recreational glider aircraft. It is the preference of the MD of Pincher Creek that no telecommunication antenna systems be developed within 4000m of either runway to help minimize aeronautical hazard.

#### (d) Lighting Signage and Appearance

- (i) Antenna structures shall be lit with Transport Canada approved lighting;
- (ii) Proponents for antenna structures which are visible from higher density residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.
- (iii) The placement of signage on antenna systems is not permitted, except where required by applicable federal agencies.

#### 60.6 APPLICATION SUBMITTAL REQUIREMENTS

- (a) Proponents are encouraged to contact the MD of Pincher Creek in advance of making their submission to obtain information about this Protocol and identify any preliminary issues or concerns.
- (b) The following application package shall be submitted to the MD of Pincher Creek for consideration of a proposed antenna system:
  - (i) a completed Telecommunication Antenna Siting Protocol application, including site plan;
  - (ii) the prescribed fee;
  - (iii) a description of the type and height of the proposed antenna system and any guy wires or other similar support mechanisms (e.g. support cables, lines, wires, bracing);
  - (iv) the proposed lighting and aeronautical identification markings for the antenna and any supporting structures;
  - (v) documentation regarding potential co-utilization of existing towers within 800 metres (0.5 miles) of the subject proposal; and



- (vi) any other additional information or material the Development Authority determines to be necessary and appropriate to properly evaluate the proposed submission.
- (c) Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit unless buildings or structures are also proposed in addition to the antenna system and supporting structures. For such proposals, the following shall be submitted in addition to the requirements of 60.6(b):
  - (i) a completed development permit application;
  - (ii) the prescribed fee.

#### 60.7 NOTIFICATION AND PUBLIC CONSULTATION PROCESS

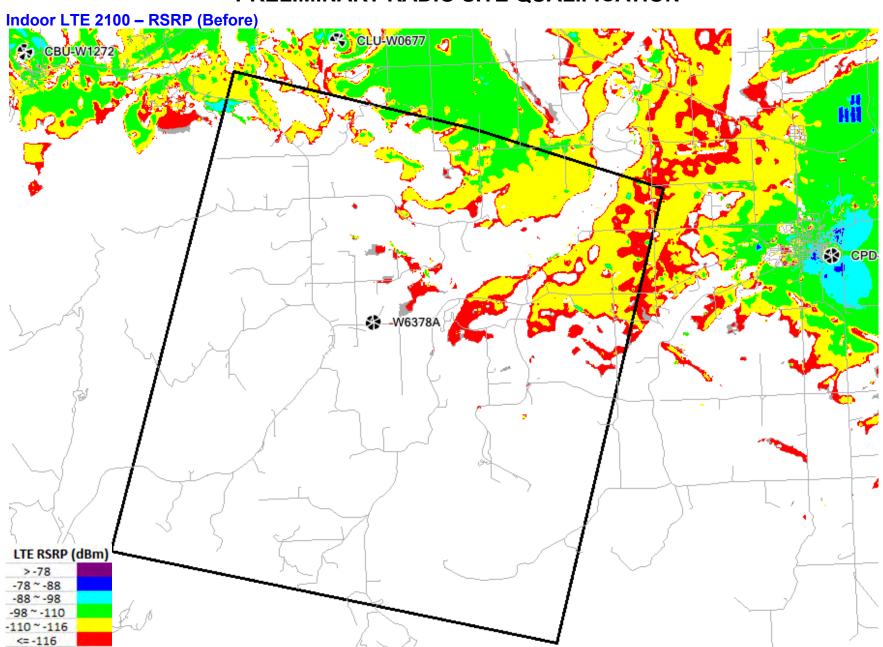
- (a) Upon receipt of an application package, the Development Authority shall review the application for completeness and, if deemed complete, will:
  - schedule a date for a public development meeting to be held by the Development Authority, at which the proposal will be reviewed and comment received regarding the proposal;
  - (ii) notify the proponent and/or representative of the antenna system of the development hearing date;
  - (iii) post a notice of the development hearing in a newspaper in accordance with Section 19 of the Land Use Bylaw; and
  - (iv) notify by mail persons likely to be affected by the proposal of the development hearing date, including:
    - a. landowners within 1.61 km (1 mile) of the proposed antenna system;
    - b. any review agencies deemed affected, as determined by the Development Authority;
    - c. any other persons deemed affected, as determined by the Development Authority;
    - d. The notifications must be sent 19 days prior to the public meeting date.
- (b) The proponent or a representative should attend the development hearing and be prepared to explain all aspects of the proposal including the siting, technology, and appearance of the proposed antenna system.

#### SECTION 61 CANNABIS PRODUCTION FACILITY

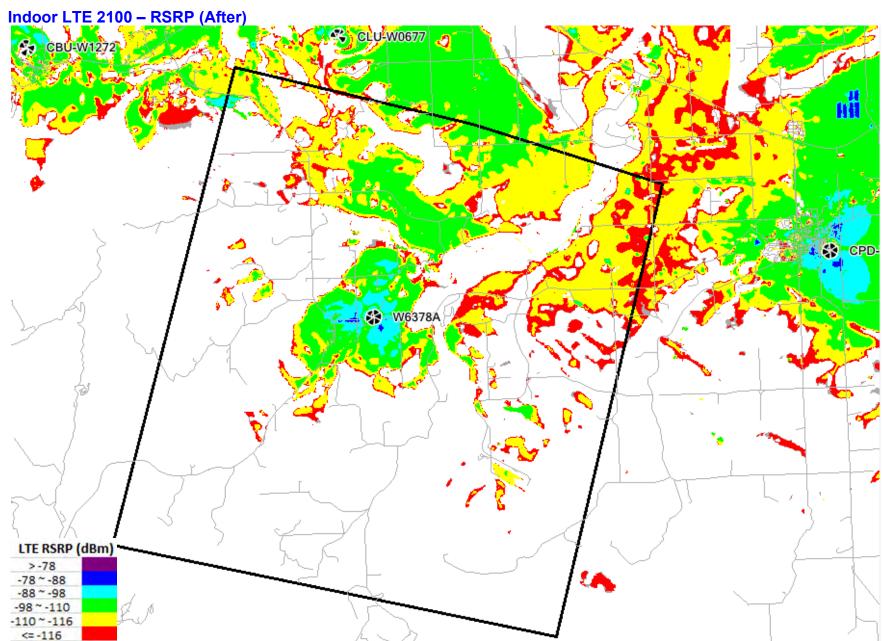
- The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with Cannabis production as issued by Health Canada.
- The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.
- The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building.
- 61.4 The development shall not operate in conjunction with another approved use.



## PRELIMINARY RADIO SITE QUALIFICATION



## PRELIMINARY RADIO SITE QUALIFICATION



#### Public Notification Rogers Site W6378

August 30, 2023

Land Solutions Inc. Kristina Schmidt, Municipal Affairs Specialist. MD of Pincher Creek Laura McKinnon Development Officer

To Whom it may concern,

It is with great disappointment that I received the Rogers W6378 communication tower applications. The proposed location is a mere 387 meters from my family's home, only 16 meters further than the landowner who accepted the project. I will receive no compensation and only suffer the ill effects of the proposed tower such as decreased land value, loss of viewscape, and possible health implications for my family and livestock.

I take exception that no environmental assessment is to be carried out. I have not been provided with any proof that the high-frequency radio waves emanating from the tower are safe. There is plenty of documentation of health concerns regarding these towers. I would like proof from studies that breeding livestock will not suffer from poor conception or health issues. Livestock can detect electronic waves and sounds completely different than humans. I will need a guarantee there will be no ill health effects to my cattle and conception rates will not fall should the tower proceed. Any reduction in conception rates will make Rogers Communications Liable to compensate my operation in perpetuity. Studies have also shown the radiation from these towers on human health can be dangerous. Radiation emitted from the towers has caused illness and cancer in humans, thus making them shut their windows and not enjoy the crisp mountain air like we do today. For my family and the new generation to raise their family here, I demand to see appropriate research on health effects on humans at this Rogers Site tower. With so many other appropriate locations for this tower away from families, this should be taken into consideration.

The proposed tower offers little benefit to residents of the area. I have never heard anyone complain about cellular service in the Beaver Mines area. On the contrary, cellular service may not be perfect but, this topography will always have "holes". The reason most residents live in this location is for the somewhat remote location and sheer beauty of the area. A 60-meter tower will be an eyesore beyond belief to the Beaver Mines Valley. I have spoken to numerous tourists and locals who will state that the Beaver Mines Valley is one of the premier sights and locations in the MD of Pincher Creek. Climbing out of Mill Creek when you crest the hill, you are greeted by ranchland transitioning to foothills with magnificent mountains as a backdrop. A 60-meter tower with a large flashing light will not endear this valley to anyone any longer, including the tourists whom this MD and Castle Park are trying to bring to the area. I do not believe improved cellular service could ever replace the loss of that view.

The proposed tower may, and I emphasize, increase some cellular coverage, but at what expense? This has been my home my entire life. I am lucky to have been born and raised right here. Should this tower be approved, my once beautiful home will be hampered by a daily and nightly reminder of what was lost. I make my living right here on a half section of land. There is no location on my property that will not be intruded by this tower. It will tower over the trees in my yard, my shop where I spend countless hours will look directly into the tower, and my calving yards will also have an unobstructed view of the hideous tower. During the night the beacon which will be on the top of the tower will flash or rotate directly over my family's ranch. During fog and snow, these lights cast an intense glow, or if they are rotating, they project a revolving beam projecting hundreds of meters away from the tower. During

calving season plenty of hours are spent outside. The view of the night sky will be gone, my astrophotography hobby taken away, and dark skies will no longer grace Beaver Mines.

This area of Alberta is well known for its horrific winds that blow from the west. Slamming into a 60-meter tower these winds will without doubt cause some type of noise. Will it howl, whistle, or both? The short distance between my residence and the tower will offer no insulation from this noise. It will be constant, and I am not prepared to put up with this. I have been offered no compensation by Rogers for the loss of all of this and neither have any other residents of the area. Our land value will decrease, and the everyday enjoyment of our lives will suffer immeasurable loss.

It is apparent that Rogers has chosen the easiest, cheapest location for this tower. Its location at the base of a valley is confusing at best. Directly East, West, and South are hills that the tower will offer no better reception behind. The letter offers no explanation of why the location was chosen. I do not begrudge decent cellular reception for residents of the area, but I am sure there are more appropriate locations and tower designs. Is it not mandated that cellular companies share infrastructure? There are numerous towers already in place at the Burmis location. Could Rogers not share room and one of those other massive towers? There is a ridge 4.5 kilometers to the Northeast of the proposed location that offers the same starting elevation. I believe the tower can be much lower to service the same valley they are trying to infiltrate now. Residences within 2km in this location would drop by over 90% compared to the proposed location. It would also offer access to Screwdriver Creek Valley, a large portion of the Castle River Valley, and a much wider service area South, East and North. Granted the landowner would have to be on board but these are discussions that will have to take place.

Rogers has in no way taken into consideration the value of this picturesque area to the MD of Pincher Creek or the wishes of local residents in choosing this proposed location. Much more needs to be discussed about this proposal.

This proposal falls under Federal Jurisdiction, and after discussions with MP John Barlow's office, they have little influence on location except for the type of beacon that will top the structure after it is approved. His staff informed me that our MD has the power to deny this location. It is at this point I ask the MD of Pincher Creek's council to deny this application. I'm sure through reasonable discussions a suitable location and better tower design can be found. Most residents in the immediate area have expressed their opposition to this proposed location.

I would ask the council to consider the value of the limited viewscapes left in the MD. These are irreplaceable and once they are gone, they are gone forever. For the past decade, discussions have taken place about protecting the area south of Highway 3 and west of Highway 6 from wind generation towers. This proposed cellular tower would fall under the same type of exceedingly high installment with obtrusive lighting. Why does this MD insist on sitting on their hands and not enacting some type of zoning limiting the height of structures? This problem is not going away. Please stand up for your ratepayers and deny this proposed location. We are the ones who may have to live and suffer, from this day forward, with an installation for a private company only concerned with the bottom line.

Sincerely,

Brent and Gloria Barbero Barbero Steelhorse Ranch LTD. Kim & Sylvia Barbero PO Box 1653 Pincher Creek, TOK 1W0

comments@landsolutions.ca

AdminDevOfr@mdpinchercreek.ab.ca

August30, 2023

To: LandSolutions Inc and Md of Pincher Creek

RE: Telecommunications Tower SW14-6-2-W5, Rogers site W6378

We object to the siting of the proposed tower. It is inappropriate to site a 60 meter tower in the lowest portion of the Beaver Creek valley. This tower will become an eyesore as it is front and center for traffic on Highway 507 and the local residents including Beaver Mines. There are no tall structures in the area and it will be unsightly. A better location with less impact to the local area must be found.

The hill top 800 meters east of the proposed site meets the criteria for better access, electricity availability is the same and with a shorter tower (perhaps 10 meters) will provide greater height to the surrounding area for better coverage.

Windmills are not allowed in this area. How is a 60 meter tower any different.

Sincerely,

Kim Barbero Sylvia Barbero

# Telecommunication Siting Protocol Application Public Meeting Notice within SW 14 6 2 W5

Jeff Boese < > Thu 2023-08-31 6:22 AM

To:comments@landsolutions.ca <comments@landsolutions.ca>;Laura McKinnon <AdminDevOfr@mdpinchercreek.ab.ca>;Laura McKinnon <AdminDevOfr@mdpinchercreek.ab.ca>

Attn: Kristina Schmidt, Laura McKinnon, and all our trusted MD Counselors:

I am writing to request a new location be chosen for the proposed Rogers Cell Tower on McClelland land at SW 14-6-2 W5. This tower is located at the bottom of the valley, which is a very poor location to place a cell tower to get the desired coverage. Just because a willing land owner will invite this kind of project should not affect the placement of a tower, a place should be chosen to maximize cell coverage in an efficient manner as to limit the number of these towers and increase efficiency of them.

Secondly, our house is directly at eye level with this tower. These towers come with very bright strobe lights that operate 24 hours per day, and can be seen for many miles. Because this 60 meter tower is only 1080 meters in front of our house, and the elevation at the tower sight is 1270 meters and our house elevation is at 1340 meters, our house is 10 meters above the tower, right across the field, and directly at eye level. These strobe lights blink day and night directly into our front windows of all the main rooms in our house. We are very concerned about this, and how to tolerate them during the day or sleep with this bright flashing strobe light directly in our windows.

This location is also directly in our line of sight of the mountains, which is why our house is located where it is, with pristine views of the Rocky Mountains and the valleys and foothills between. To have this huge tower right in our front yard is not something we appreciate.

The health of our household is also in question, having these cell waves being beamed 24 hours per day directly into our house is very concerning to us.

The land devaluation to us at this location is also of concern.

We kindly ask that the development officers and counselors please deny this application, and find a more suitable location for this tower.

Thank you,

Jeffrey and Rebecca Boese 6111 Range Road 2-1

Telecommunication Siting Protocol Application Public Meeting Notice Within SW 14-6-2 W5

Yahoo! Service

Wed 2023-08-30 11:01 PM

To:Laura McKinnon <AdminDevOfr@mdpinchercreek.ab.ca>

Tom & Vivian Judd

PO Box 582

Pincher Creek, Ab.

T0K 1W0

p. 4

e.

August 30, 2023

MD of Pincher Creek
Development Officer\Box 279
Pincher Creek, AB T0K 1W0
p. 403-627-3130

e. AdminDevOfr@mdpinchercreek.ab.ca

**RE:** Telecommunication Siting Protocol Application Meeting Notice Within SW 14-6-2 W5

Attention: Laura McKinnon

As residents in the 1 ½ km (hot zone) we strongly object to the placement of a 60m telecommunication tower for these reasons:

- 1. We believe our present view of the mountains and night skies will be further damaged, disrupted and devalued by this visual pollution.
- 2. I don't feel 1 ½ km is adequate to include all the people, wildlife, and environment that will be adversely affected by the placement of this structure on this location.

- 3. I believe there are too many conflicting stories on the health effect of RF Waves. Should this site be given approval I think a health study of all the residents, and livestock in the adjacent area be done to set as a baseline should we find out in 5, 10, 15 or 20 years that it is not healthy to live within a certain distance of RF Waves.
- 4. Before any approval is given will Rodgers Communications or the M.D. of Pincher Creek do professional market evaluations to determine property values before, and after, such development imposes visual pollution, potentially devaluing our properties.
- 5. Are there no sites already damaged with industrial pollution such as wind farms, Telus tower sites, or gas flare stacks that Rodgers could share the already compromised environment.

My grandfather lived on the property in 1897 – got title in 1900. He stayed not because it was the most profitable agricultural land, it wasn't because it was the best climate, he stayed because he loved what he believed to be the true value and that was the pristine, and natural beauty of what he saw.

It is my hope that we recognize what is here, and that we not rob future generations of what we have been privileged to see, and experience.

Submitted by:		
Tom & Vivian Judd		
Virus-free.www.avg.com		

#### **Larry Bartsoff**

Calgary, Alberta T2X 3B1

Phone: 4

#### Laura McKinnon

Development Offfice MD of Pincher Creek

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Subject: Proposed Wireless Communication Tower SW 14-06-02-W5 Site: W6378

Hi Laura. I own the property directly south of the proposed tower location. My land location and residence are in the SE 02-06-02-W5. I am I  $\frac{1}{2}$  miles south and don't know why I didn't receive a package on this proposal. I believe this will impact my property and the surrounding areas for ever. fl need to comment on the proposal. I also worked in the electrical power industry for 43 years and worked on siting issues with the Telco's as well as many line sittings.

• The need. The document takes of dropped calls and deficiencies of coverage to the few Rogers customers in the area. This is the foothills and mountains of rural Alberta. There are bad spots in any coverage in these areas and always will be due to foothills, valleys, trees, etc. The location proposed is in the bottom of a valley that will not allow for coverage into the Gladstone directly to the south due to the hill I own. Communication towers are normally placed in locations that can have a bigger footprint and not a small line of site up a portion of one valley.

The document also talks about better service to other parties. The area up the valley is a park and will have limited growth except for the ski hill area. Why not put a tower there at the hill where towers already exist and could be used to disperse signal at the hill from a higher elevation?

All first responders that I have been a part of in the past had their own coverage and any issues would have been repaired or corrected already. That' a nice statement but not accurate.

The document talks of other sites that are overloaded. Is that including all other owners that could provide space for Rogers antenna? What is the difference to add to a site to improve it to avoid adding addition infrastructure? Possible rebuild or replacement of a existing site? Where is the documentation to support this statement from Rogers?

Telus and the Internet provider are also in the area and have decent coverage already.

.....

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• Location. This location is in the bottom of a valley that has a foothill directly to the south, directly the west and an elevation rise directly to the east of 100 feet or so, I will measure this value as well. So, from this location, this tower is only able to cover a portion of areas up one valley that will still have bad spots, dead spots and nothing outside of that narrow band because of the small footprint it would have.

There are many points that are better locations that could be used to cover a larger area from a different site that would make a lot better sense than from this one.

The tower that is proposed needs to be an ungodly 200 feet high because of the poor location selected.

A 200 foot tower is a very ominous structure. If this requires three phase power, the lines in the area will also have to be replaced so there will be infrastructure issues with other providers.

• Sight Disruption. This tower would be a visual disruption to a valley that is peaceful, picturesque, free of any towers and flashing light. It would ruin the view forever. The location of the wind chargers to the east is already to close to the pristine mountains and foothills. Why would we want to have more sight pollution both day and night?

This would also impact landowners be reduced property value from having a tower of this magnitude in the area.

Safety. Several safety factors with this tower are relevant, When approaching from the east at night, coming
on Hiway 507 out of Mill Creek, you will be distracted by a flashing light directly at eye level in front of you.
 We have enough to watch for on the roads without having to by distracted by a flashing light in front of
you.

According to many sources, this type of tower brings on a rise in issues such as headaches, memory loss, congenital disabilities, cardiovascular stress, etc.

It brings increased radiation, fire risk issues, additional noise, animal issues and other issues.

In closing, I believe there is a lot of opportunities that is available to be explored that will work if this is truly required.

Larry Bartsoff SE 02-06-02W5 [Type the sender company name] Date August 28, 2023

.....

# Proposed cell tower SW 14-6-2 W5

John Lowe
Thu 2023-08-31 10:41 AM

To:Laura McKinnon <AdminDevOfr@mdpinchercreek.ab.ca>

Hello, we object to the proposed tower. There are likely other suitable sites which do not impair the natural beauty of the area near the creek. Our property is about two miles from the proposed site.

John & Elaine

Sybille Manneschmidt

Pincher Creek, AB TOK 1WO

To the MD of Pincher Creek

Attn: Laura McKinnon

e-mail: AdminDevOfr@mdpinchercreek.ab.ca

And

To Land Solutions Inc Attn: Kristina Schmidt

e-mail: comments@landsolutions.ca

August 31, 2023

To the MD of Pincher Creek and Land Solutions Inc.

I am strongly opposed to the plan to set up a cell tower for Rogers company in the proposed location.

- 1. I have not received any information in writing or per e-mail on this proposed development. It is the mandate of the MD to inform all affected neighbouring a development project. I only heard today through a neighbour of this proposal. This is not acceptable.
- 2. I am opposed to the installation of the cell tower in this location. It is in the valley and a hill top would be a more appropriate location.
- 3. The cell tower will affect the value of my property as it interferes with the view to the mountains.

Sincerely,
Sybille Manneschmidt

# Rogers communication tower

## David McNeill

Thu 2023-08-31 10:15 AM

### To:Laura McKinnon <AdminDevOfr@mdpinchercreek.ab.ca>

We're for improved internet communication capability in the Beaver Mines area, but we think Rogers would find a better site on the ridge to the west of the hamlet. The area's dark sky status would be compromised by the tower and the flashing red light at the top of the tower if the latter were to be sited where proposed.

David McNeill Linda Farley Beaver Mines

Steve & Rhonda Oczkowski 6132 HWY 507 Pincher Creek, AB TOK 1W0

August 27, 2023

To Whom it May Concern:

#### Re: Rogers Telecommunications Installation

As to the proposed development on McClelland land to install a communication tower we are opposed to development. We value what we have left for landscape views and it is too close to the highway. There are many other locations that could be considered that are off highway and not in a high visual traffic area.

Regards,

Steve and Rhonda Oczkowski

# **Recommendation to Municipal Planning Commission**

PREPARED BY: Laura McKinnon  DATE: August 30, 2023  DEPARTMENT: Planning and Development  ATTACHMENTS:  1. Development Permit Application 2023-42 2. Saddle Hill Ranch Houses Proposal 3. GIS Site Plan 4. GIS of Road 5. Landowner Response  APPROVALS:  Roland Milligan  2023/02/3/	Applicant: Breann: Location NE 20-6 Division: 3 Size of Parcel: 7.96 ha Zoning: Rural R	OPMENT PERM a Morrison 5-1 W5 (19.67 Acres) Secreation 2 – RR ional Accommod	- 2	THE PROPERTY OF THE PARTY OF TH
ATTACHMENTS:  1. Development Permit Application 2023-42 2. Saddle Hill Ranch Houses Proposal 3. GIS Site Plan 4. GIS of Road 5. Landowner Response  APPROVALS:	PREPARED BY: Laura M	cKinnon	DATE: August 30, 2023	
Signature:  1. Development Permit Application 2023-42 2. Saddle Hill Ranch Houses Proposal 3. GIS Site Plan 4. GIS of Road 5. Landowner Response  APPROVALS:	DEPARTMENT: Planning	and Developmen	t	
Data-	Signature:		<ol> <li>Development Permit App</li> <li>Saddle Hill Ranch House</li> <li>GIS Site Plan</li> <li>GIS of Road</li> </ol>	
Roland Milligan 2023/08/3/		A	PPROVALS:	
Department Director Date CAO Date				2023/00/31

#### RECOMMENDATION:

That Development Permit Application No. 2023-42, for 3 Silo Units for Recreational Accommodation use, be approved subject to the following Condition(s):

#### Condition(s):

- That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. That if required, dust suppression be supplied by the applicant on Twp Rd 6-4A
- 3. That all garbage be contained in bear proof containers.
- 4. That a pet policy must be formed, and attached to this development permit to mitigate potential pet issues.
- That adequate signage be placed on property such as, but not limited to, trespassing, garbage and river usage.

#### BACKGROUND:

- On August 9 2023, the MD accepted the Development Permit Application No. 2023-42 from applicant Breanna Morrison (*Attachment No. 1*).
- The application is to allow for Recreational Accommodation 3 Silos use on an Rural Recreational
   2 parcel.

Presented to: Municipal Planning Commission

Date of Meeting: September 5th, 2023

## **Recommendation to Municipal Planning Commission**

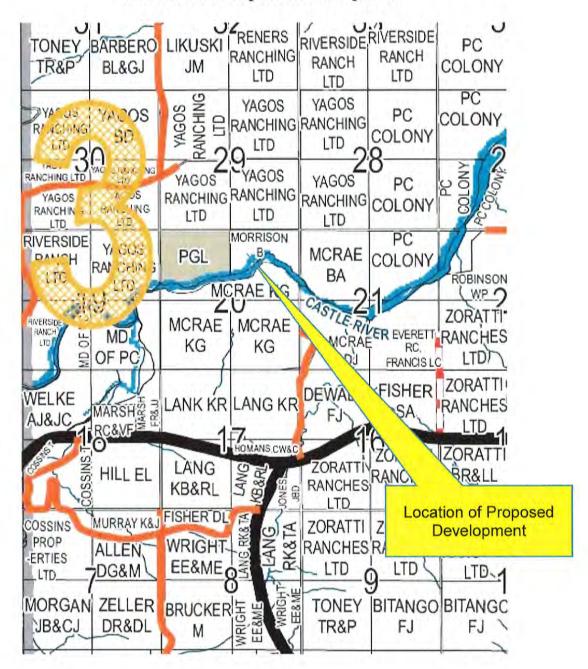
- This ~ 20 acre parcel was rezoned from Agriculture to Rural Recreation − 2 on December 13 2022 to accommodate 5 silos and 1 accessory building.
- The applicant has modified the original proposal to mitigate potential issues such as septic, water, neighbouring landowners and pets (Attachment No. 2).
  - Each silo cabin will be tied into a common sewage head connected into 1 large underground tank. This certified septic tank is equipped with a level alarm and will be pumped out. We will NOT be using a discharge system and this will have no impact on adjacent properties or Castle River.
  - The water system will be hauled water stored in a cistern. This will be contained in the shipping container used for storage and will provide fresh water for showers, washroom and kitchen use.
  - Based on the public forum and letters from neighbors we would like to address the following. We are trying to make this as simple a process as possible with the least amount of impact on our neighbors in our community.
  - There has been a large concern about free ranging dogs. We are not making these cabins dog friendly as we do not want to deal with pets. With that being said if people choose to leave their dogs tied up outside they will be required to be on a leash. If they have their dogs on the property at all we will require them to be on a leash. We have dogs as well and I recognize the concern. We will do our best to maintain this but there are no more cattle being leased on our property and all neighboring houses are several km away so we do not foresee this as a problem. There will probably be no dogs in the winter as people will not want to leave them outside in the cold.
  - Trespassing on neighboring lands: the property is entirely fenced, we will post no trespassing signs but we do not believe people will be trying to trespass while staying at our rentals. They will be at the river during the summer and the ski hill in the winter. We aren't advertising any trails or activities to do on the property. We do not believe this will be an issue and will have signs posted in each cabin that says to stay within the property fence lines.
  - Garbage management we already have a dumpster service provided by a business in town. We will have bear bins for the cabins to adhere to all provincial BearSmart regulations. These will be dumped on a monthly basis.
- This application is being placed in front of the MPC because:
  - Within the Rural Recreation -2 RR-2 Land Use District, Recreational Accommodation within Lot 1, Block 1, Plan 1911330 (NE 20-6-1 W5) is a Discretionary Use.
- The proposed location of the 3 Silos meets all required setbacks (Attachment No. 3).
- The applicant's currently have a development agreement registered on title regarding road use on the undeveloped road allowance (*Attachment No. 4*) and will be required to maintain this for potential additional road use.
- This application was forwarded to the adjacent landowners for comment. At the time of preparing this report two responses had been received (Attachment No. 5)

Presented to: Municipal Planning Commission Page 2 of 3

Date of Meeting: September 5<sup>th</sup>, 2023

# **Recommendation to Municipal Planning Commission**

## **Location of Proposed Development**



Presented to: Municipal Planning Commission

Date of Meeting: September 5th, 2023



# **Municipal District of Pincher Creek**

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

# DEVELOPMENT PERMIT APPLICATION

All grey areas will be	completed by the Planning Authority DEVELOPM	ENT PERMIT APPLICATION NO. 2023-42
Date Application Re	ceived 2583/08/09	PERMIT FEE \$150 Discretionary
		RECEIPT NO. 59765
Tax Roll #	cepted <u>Aug 9 2023</u>	10.21703
IMPORTANT: This informat This information may also a available to the public and	tion may also be shared with appropriate governm be used by and for any or all municipal programs	nent / other agencies and may also be kept on file by those agencies. and services. The application and related file contents will become information and Protection of Privacy Act (FOIP). If you have any al District of Pincher Creek No. 9
SECTION 1: GENE	RAL INFORMATION	
Applicant: Brear	na Morrison	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
Address: Box 26	08, Pincher Creek, AB T	0K 1W0
Telephone: 4	Email:	
	fferent from above):	
Address:		Telephone:
Interest of Applicant	(if not the owner):	
SECTION 2: PROP	OSED DEVELOPMENT	
A brief description o	porting information submitted herewith f the proposed development is as follows:	or the provisions of Land Use Bylaw No. in accordance and which forms part of this application.  ws:  Cabins as per approval through
	ncher Creek in January	DENIE DE PROPERTIES
The Samuel	TA B.S.	
Legal Description:	Lot(s)	
	Block	
	Plan	
	Quarter Section NE 20-6-1 W	V5
Estimated Commen	September 01,	2023
Estimated Completic	on Date: November 01, 202	3
Estimated Completion	m Pater	

			-
Land Use District: Rural Recreation	-2	Division:	3
☐ Permitted Use ☐ Discretionary Use			
Is the proposed development site within 100 metre or floodplain?	s of a swamp, gully, ravi	ne, coulee, natural	drainage cours
□ Yes ■ No			
Is the proposed development below a licenced dam	?		
□ Yes ■ No			
Is the proposed development site situated on a slop	ne?		
□ Yes ■ No			
If yes, approximately how many degrees of s	slope? degre	ees	
Has the applicant or a previous registered owner useful evaluation of the proposed development site?	indertaken a slope stabil	ity study or geotec	hnical
☐ Yes ☐ No ☐ Don'	t know	required	
Could the proposed development be impacted by a  ☐ Yes	geographic feature or a t think so	waterbody?	
PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	20 acres		
(2) Area of Building	350 sq feet		
(3) %Site Coverage by Building (within Hamets)	N/A	15 deferme	d
(4) Front Yard Setback	SW	1 wil	
Direction Facing: (5) Rear Yard Setback		70/6	
Direction Facing:	N	Box Ma	
(6) Side Yard Setback:		hy "	
Direction Facing: (7) Side Yard Setback:	_	0-1	
Direction Facing:			
(8) Height of Building	18 Feet		
(9) Number of Off Street Parking Spaces	N/A		
Other Supporting Material Attached (e.g. site plan, ar	chitectural drawing)	N. H. M. J.	

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			J
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			
Other Supporting Material Attached (e.g. site plan, arch	itectural drawing)		
SECTION 4: DEMOLITION	itectural drawing)		
SECTION 4: DEMOLITION  Type of building being demolished :	itectural drawing)		
SECTION 4: DEMOLITION  Type of building being demolished:			
SECTION 4: DEMOLITION  Type of building being demolished:  Area of size:			
SECTION 4: DEMOLITION  Type of building being demolished:  Area of size:  Type of demolition planned:	i <b>red)</b> e and is, to the best o	my knowledge, a true	e statement of th
SECTION 4: DEMOLITION  Type of building being demolished:  Area of size:  Type of demolition planned:  SECTION 5: SIGNATURES (both signatures requires)	ired) e and is, to the best of ermit. e municipality to enter		

Information on this application form will become part of a file which may be considered at a public meeting.

Registered Owner

#### **IMPORTANT NOTES:**

THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.

- 1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
  - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
  - (b) a scaled floor plan and elevations where construction is proposed;
  - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
  - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
- 2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
- 3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
- 4. All development permits shall contain the following informative:
  - "ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER."
- 5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.
  - A decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 21 days, of the expiry of the decision date.
- 6. Every approach to a residence is entitled to a civic address sign, supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.



### MD of Pincher Creek No. 9

P.O Box 279 1037 Herron Avenue Pincher Creek Alberta TOK 1W0 (403) 627-3130 Website: www.mdpinchercreek.ab.ca

Vebsite: www.mdpinchercreek.ab.ca Email: info@mdpinchercreek.ab.ca

Morrison, Brendon

# **PAYMENT RECEIPT**

Receipt Number:

59765

Date:

8/9/2023

Initials:

SLM

**Total Amount Received:** 

\$150.00

**GST Registration #:** 

10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00
			Subtotal: Discount GST Total Receipt:		\$150.00 \$0.00 \$0.00 \$150.00
				Visa:	\$150.00

# Saddle Hill Ranch Houses

Located NE-20-6-1 W5
Prepared for M.D. of Pincher Creek No. 9 Council\_
August 25, 2023



"A unique vacation experience in beautiful Southern Alberta"

# **Business Concept:**

The purpose of this business plan is to identify the opportunity and potential rewards with a relaxing, unique vacation possibility. Secluded in the country, mountain views and private access to Castle River.

# **Market Summary:**

The location (NE 20-6-1 W5) is approximately 20 minutes outside of Pincher Creek. Pincher Creek is a central sweet spot for tourism year-round, close to Waterton National Park, Castle Mountain Ski Resort and the Crowsnest Pass. The adventure and outdoor activities are limitless year round from hiking to skiing to having private access to Castle River where you can kayak, fish, swim and tube.



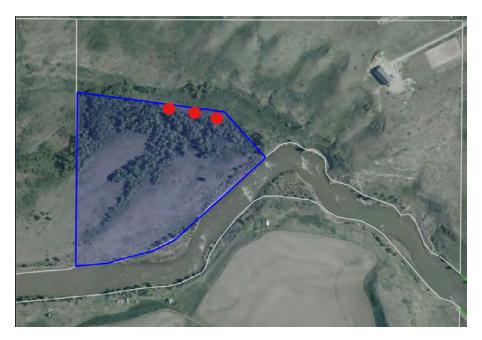
# Purpose:

The purpose of this proposal is to re-zone the parcel of land (NE-20-6-1 W5) from agriculture to rural recreation. The land has been subdivided and the parcel is approx. 83 acres, however we are proposing 20 acres to be re-zoned as rural recreational for the purpose of the silo cabins.

# Location:

The location is 20 minutes outside of Pincher Creek between Lundbreck and Beaver Mines. There is 83 acres and a shop house that was constructed in 2020. The potential location for the silos is approximately 20 acres located near the river. The land is unusable for agriculture, no hay can be planted and the grazing is minimal as grass is fairly bare. The road and area will be fully fenced so cattle can still be grazed on the remainder of the land. The cabins would be using a 'free space' without taking away from the agriculture use of the entire property.





The above google maps image shows the rezoned 20 acres as rural recreational, as well as the locations of the cabins.

# **Team Members:**

Meet Dylan & Breanna Morrison:

Dylan and Breanna Morrison have been together for nearly 10 years. They have built the business 2127540 Alberta Ltd. from the ground up and are looking to expand into other opportunities that take advantage of their inherited land.

Dylan is a Heavy-Duty Mechanic who contracts to several different companies but currently works at the mines in Elkford, B.C. He is highly proficient, organized and has nearly 18 years of experience. He is a 'handy-man'; growing up building houses with his dad he is capable of doing electrical, plumbing and framing. Therefore the majority of the labor for constructing the silos can be done themselves and therefore much more cost efficient.

Breanna Morrison is a Commercial Bank Manager for CIBC. She holds a Bachelors Degree in Management and has worked in Corporate Finance for nearly 7 years. She is ready to take on a business venture with the necessary leadership, management and financial tools to make it a success. She was gifted 83 acres of land outside Pincher Creek, which is currently utilized for agriculture and where they built their forever home.

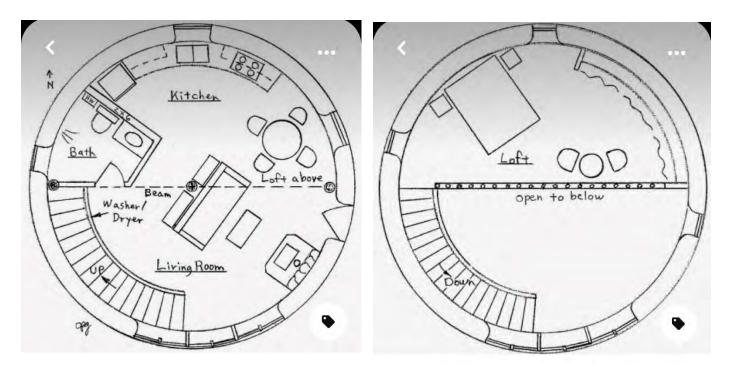
The potential location for the guest cabins is down the hill from the house and secluded in its own area surrounded by trees and the river. There would be complete privacy for both areas but still having someone on the property should any problems or situations arise with the guest cabins.

# The Cabins

The guest cabins are to be renovated grain silos. This in itself is a very unique and one of a kind structure. There will be 5 potential cabins however we are starting the project with 3. Each cabin will provide the usual amenities.

The amenities for the 3 standard cabins will include the following:

- 600 square feet of room (more than a standard hotel room)
- 1 king bed
- 1 bathroom including 1 sink and shower
- 1 kitchen including sink, fridge and microwave
- 1 electric fireplace
- 1 air conditioning unit
- 1 front porch deck that seats 2



The property itself will have plenty of availability for parking, as well as a shipping container for storage. This will store river activity equipment including tubes, etc. that can be used by customers should they choose. This will also have 2 washing machines and dryers to be shared between the cabins and will provide more efficiency for the cleaners.

Each cabin will have an electric fireplace and an air conditioning unit to provide hot and cold air making the cabins livable year round.

Each cabin will have its own electrical panel with full 120v service, and all the structures will be built to be in code according to the *Alberta Building Code Requirements*.

# Impacts as applicable (Per Recreation and Tourism development according to M.D. of Pincher Creek)

Site Plannings and Drawings

As per above there are sketches outlining the basic blueprints of the silo's.

Google maps overview that shows re-zoned property and approximate silo locations

Compliance with all provincial policies

Potential locations of the silos are greater than 100m from the river. Within guidelines of STEPPING BACK FROM THE WATER. The silos are far enough away from the floodways, there is no slope as the land is flat, there is no risk for groundwater contamination or shoreline migration. Since the properties are far enough setback from the floodway the bank stability is not applicable.

Silos will be constructed by licensed contractors and be up to code according to Superior Safety Codes in Lethbridge, AB.

We will utilize Alberta FireSmart resources and provide the information to our guests when booking. There will also be resources provided in each silo cabin for guests to have access to as well as on our website.

Growing up in the area we understand the importance of safety when it comes to bears for both the guests and the animals. We will provide the guests with the necessary resources from Alberta BearSmart Guide and these will also be provided in each silo cabin as well as on our website. We will have bear bins that will dumped monthly.

River Bend Ranch Cabins are fully committed to following all regulations and policies outlined by provincial and municipal legislations

Neighbor concerns

Based on the public forum and letters from neighbors we would like to address the following. We are trying to make this as simple a process as possible with the least amount of impact on our neighbors in our community.

There has been a large concern about free ranging dogs. We are not making these cabins dog friendly as we do not want to deal with pets. With that being said if people choose to leave their dogs tied up outside they will be required to be on a leash. If they have their dogs on the property at all we will require them to be on a leash. We have dogs as

well and I recognize the concern. We will do our best to maintain this but there are no more cattle being leased on our property and all neighboring houses are several km away so we do not foresee this as a problem. There will probably be no dogs in the winter as people will not want to leave them outside in the cold.

- Trespassing on neighboring lands: the property is entirely fenced, we will post no trespassing signs but we do not believe people will be trying to trespass while staying at our rentals. They will be at the river during the summer and the ski hill in the winter. We aren't advertising any trails or activities to do on the property. We do not believe this will be an issue and will have signs posted in each cabin that says to stay within the property fence lines.
- Garbage management we already have a dumpster service provided by a business in town. We will have bear bins for the cabins to adhere to all provincial BearSmart regulations. These will be dumped on a monthly basis.

#### Identification of hazards

As the land borders the river there is risk of flood plains, however the silo cabins will be far enough away that no risks are involved.

As the cabins will be within all guidelines there are no environmental risks to Castle river

Sewer system

Each silo cabin will be tied into a common sewage head connected into 1 large underground tank. This certified septic tank is equipped with a level alarm and will be pumped out. We will NOT be using a discharge system and this will have no impact on adjacent properties or Castle River.

Domestic water

The water system will be hauled water stored in a cistern. This will be contained in the shipping container used for storage and will provide fresh water for showers, washroom and kitchen use.

Roadways and access points

The access road is a gravel road between Lundbreck Dump and Blue Bridge. Although it is currently gravel there is potential that it could be paved in the future.

The remaining of the roadway is private land access past the personal home to get down the hill to the location. The road has already been constructed within accordance to the MD requirements that was required with our own driveway and was constructed by Reviere Construction Ltd.

Provision for other utilities and services

Power poles will be ran to the location from a paralleling line. There will be approximately 4 poles with a transformer feeding the underground services.

Water will be hauled and stored in a cistern.

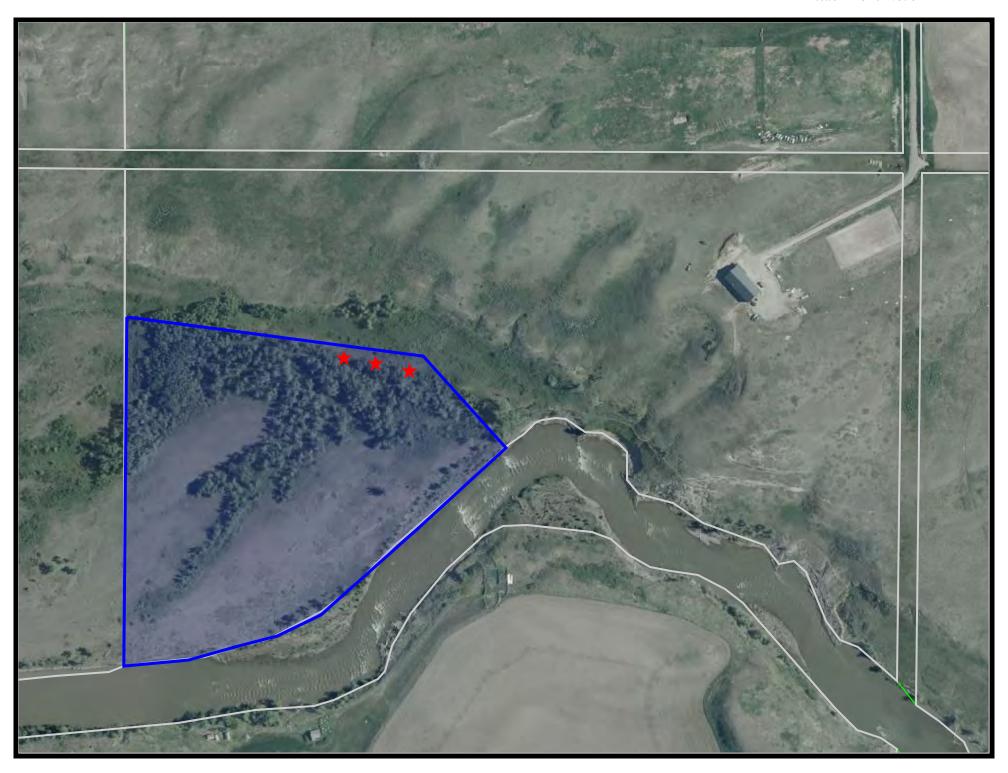
The sewage system is a certified septic tank that will be pumped out, it is NOT a discharge system and is in accordance with regulations. This will have no impact with adjacent properties or Castle River.

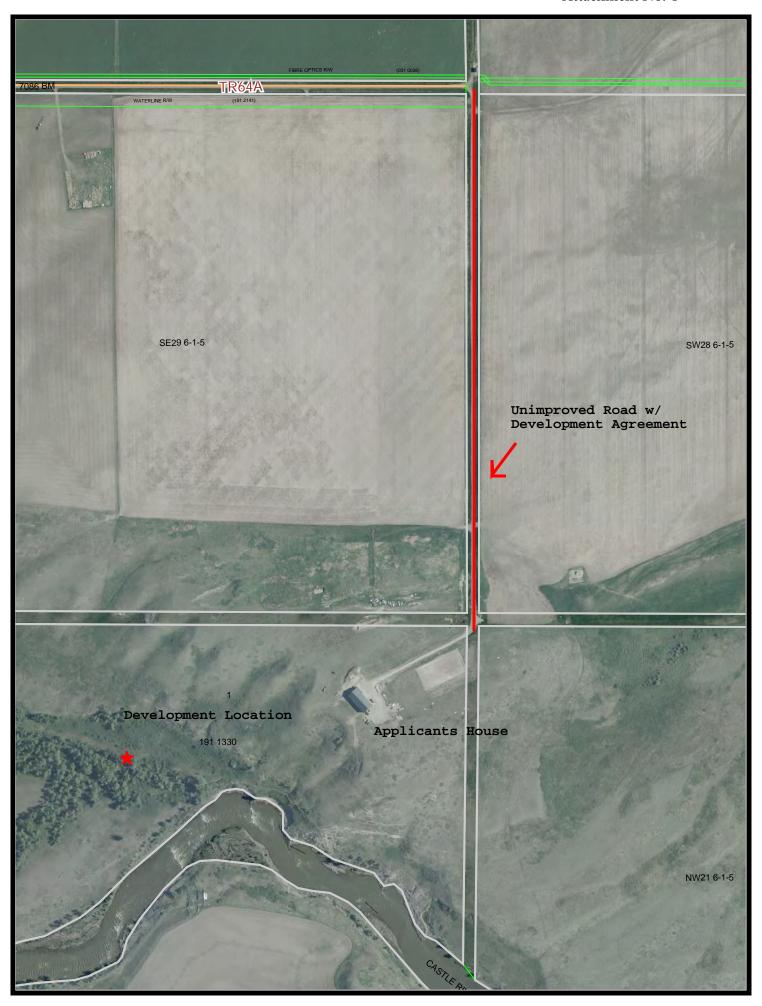
Stormwater surface drainage control

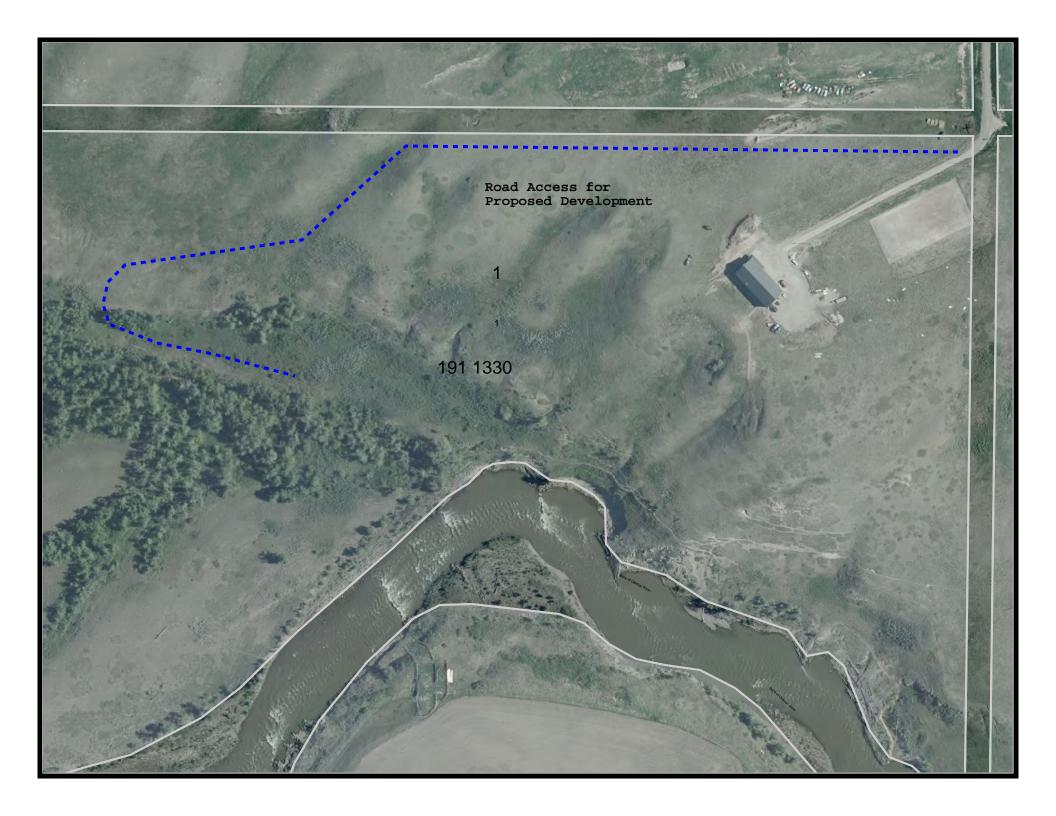
Each silo cabin will have proper eavestroughs that will drain into water barrels. This water will be emptied and utilized on the property without disrupting the adjacent parcel or Castle River.

Landscaping and appearance

The silo cabins will match the agricultural aesthetic in the area, they are also located in a secluded area surrounded by trees, therefore have limited impact to the landscape of the area. There is also no impact to the views accessed by adjacent parcels.







Cormerview Ranch Holdings Ltd. Aug 28, 2023 Bill - Cecile Homans Pincher Creek, alte. Municipal District #9 Box 270 Pincher Ereck alla. TOK IWO Action: Laura McKinnon Development Officer. Re 8 Development Permit application No. 2023-42 un comments and concerns have not changed at all since we wrote our letter to the M.D. in December of 2022 (a copy of that letter is attacked). Ces stated in that letter we have rented Ken Mckae's land for the last 15 plus years. Cariosity to old building etc could likely bring people accross the river and create foot traffic through our hay and crop land. Therefore I ful all the River Bend Ranch House quests should be pestricted to liking + exploring the recreationally zoned 20 acres, or visit one of our Krovincal or Fedral Parks. also a big concern is dogs coming in contact with our cattle. I would strongly suggest no off leach dogs as they don't know

how to read maps or signs and should remain on the same 20 acres. people seem to bring in. I realize there will likely be bearproof bins in the cabin area but will there be somebody there to puck up the garbage that doesn't make it to the bins before it blows into fields.
We feel our concerns are more than valid and shouldn't be disreguarded or not taken seriously. We know that everyone has the right to make a living on their place, but what the Morrison's are planing has nothing to do with agriculture, as well their proporty is surrounded by other panching aperations. We have been told that communications are key, but there has been nothing with us. Thank you for considering and taking our concerns into consideration.

Lill + Cecele Homans.



Municipal District #9 Box 270 Pincher Creek, AB. TOK 1W0

**ATTN: Mr Roland Milligan** 

RE: Land Use Bylaw Amendment- 1345-22 Public hearing

The reason for our late letter of concerns to the River Bend Ranch Houses is that we were unaware till we read it in the newspaper Friday, Dec 9<sup>th</sup> /22.

We, have rented Mr Ken McRae's land for nearly 15 years, growing hay and green feed on approximately 200 acres and pasturing the remainder of his land.

We take great pride in raising quality hay and green feed for our use and marketing. In the last 1.5 years we have spent \$ 9000.00 on herbicide and spraying to keep the greenfeed clean and weed free. Now we are concerned with trash blowing in from the proposed project. When you have a group of people you have trash/ garbage!! And if you do not think so, then why does the 4 H clubs pick truck loads of garbage each year from the same roadways.

Another concern is people bringing their pets (dogs) for a get away in the country. We pasture bred Heifers (young cattle) there also and do not want dogs running loose having a good time, chasing or playing with our cattle. We do not think that it's fair to put us in the position of having to shoot these dogs. Also people have a curiosity to hike and explore old buildings etc. We would not like to find people and pets walking through our hay and crop before it is harvested, creating damage.

We are part of the 2% of the population trying to help feed 100% of the population. We live in an agricultural community and hope that it will stay that way.

Thank you for considering our concerns, Bill and Cecile Homans

# YAGOS RANCHING LTD.

Attention: Laura McKinnon M.D Pincher Creek # 9

#### TO THE COUNCIL MEMBERS,

This letter is our comments and concerns regarding the proposed development Application No. 2023 -42 (Recreational Accommodation – 3 Silo Bins).

First and foremost, Yagos Ranching Ltd. are not acting in spite, but in the best interests of our ranch that has been a part of this community for five generations. Our concerns are in what we feel to be the best interests of the castle river water shed, our neighbors, and our ranch.

As previously noted in our letter to council when the land use change was first proposed, we have yet to be advised on how these concerns will be addressed.

- The access to this location is via an unimproved roadway that is not currently maintained by the M.D. Without proper/adequate maintenance as specially during the winter months, we are concerned about plugged impassible access resulting in persons alternatively opening our gates and driving across our fields. We have winter fed our cattle adjacent to these roads for many decades, and with this increase in traffic it also has us on the hook for increased liability insurance. This recent winter was a good example of this as on many occasions the residence only access to their property was through our privately owned land as they had inadequate ability to keep their road cleared.
- NW 20-006-01W5M Lease. Yagos Ranching has held this lease for many years, and it's a very important part of our operation. We are also very cautious and proud of how we maintain this lease by limiting its use by us and following all provincial lease guidelines to ensure its sustainability for use by our ranch in the future. There has never been road access to this lease before, and we fear an increase in persons accessing the lease could have a very negative impact on it and our ability to utilize it for our operation.
- Bio-threats to livestock, we have a very big concern with out of country guests being in
  close proximity to our land and livestock. For example, out of country visitors would not
  declare to Canadian customs that they would be visiting a farm, however, they would be
  wandering up the river where our livestock graze, and more concerning, very close to our

calving grounds. As you are very aware, biosecurity has become a major part of protecting and managing Canadian farms and ranches; The recent August 2023 article in the "Alberta Beef" magazine titled "Is Canada ready for a FMD outbreak?" highlights this very real threat.

- Domestic animals/pets, we have great concern on how visitor's pets will be kept off our property, undoubtedly there will be a desire and draw for some gests to wander up and down the river with their animals, our spring calving takes place very near this proposed site, as does our summer grazing, we are concerned with dogs chasing/harassing our livestock.
- Trespassing and liability; we would like to know what precautions will be implemented to keep visitors and their children from trespassing on our property, with a heard of unpredictable livestock adjacent to this location we have a heightened concern of liability from a trespassing incident.
- Bears. As this council is very aware, the existence of bears in this area is a never-ending problem, and a devastating threat to a cow/calf operation. The introduction of people/campers to an area like this, also brings more garbage and smells that attract bears.
- Sewage. As a home user of water from the Castle River we would like to know if an environmental assessment has been completed to determine what affects the sewage will have on the River, and other immediate downstream users of the water. "South Lundbreck Water Coop, Town of Pincher Creek, and the Pincher Creek Hutterite Colony, who all take water from the river downstream of this location.

Thank you for taking the time to review our concerns, should you have any further questions please feel free to contact us anytime.

Bruno & Sue Yagos Yagos Ranching Ltd.

## DEVELOPMENT OFFICER REPORT

## July & August 2023

# **Development / Community Services Activities includes:**

101	panent, community	Del vices richitates metades
•	July 4	Municipal Planning Commission Meeting
•	July 5	Landowner Meeting
•	July 11	Council & Committee Meeting
•	July 12	Planning Session
•	July 13/14	SDO/Vacation
•	July 17	TC Energy Meeting
•	July 18	Landowner Meeting
•	July 19	Crown of The Continent Executive Committee Meeting
•	July 21	Vacation
•	July 24-28	Safety Codes Council Audit
•	July 26	Violence and Harassment Training Session
•	August 4	SDO
•	August 15	South Canadian Rockies Board Meeting
•	August 16	Bylaw Inspection – Lundbreck
•	August 22	Council & Committee Meeting
•	August 24	Administration Staff Meeting
•	August 24	South Canadian Rockies – Advisor Meeting & Selection Meeting
•	August 24	Bylaw Inspection - Lundbreck
•	August 30	Planning Session
•	September 4	Holiday

## PLANNING DEPARTMENT STATISTICS

# Development Permits Issued by the Development Officer for July & August 2023

No.	Applicant	Division	Legal Address	Development
				Single Detached Residence – 3
2023-38	Spring Point Colony	4	NW 25-8-29 W4	Plex
2023-39	Derek Havens	1	NW 85-5-29 W4	Accessory Building
			Lot 1, Block 1, Plan 211149	
2023-40	Randy Donahue	5	within SE 14-9-2 W5	Modular Home
2023-41	Drew & Karen Rendell	5	Within NE 21-7-2 W5	Accessory Building
			Lot 1, Block 1, Plan 1410546	
2023-42	Don Hill	1	within NE 9-4-29 W4	Accessory Building
			Lot 2, Block 1, Plan 2310212	
2023-44	Peter & Cindy Seberg	5	within NW 26-7-2 W5	Single Detached Residence

# Development Permits Issued by Municipal Planning Commission July 2023

2023-32	Bobby & Kaycee Peters	1	NW 12-5-30 W4	Specialty Manufacturing/Cottage Industry
2023-33	Donald & Tammie Lorenzen	3	NE 16-5-1 W5	Garden Suite
2023-34	Danny Roberts	5	Lot 53 Lee Lake within NE 7-7-2 W5	Accessory Building

## **Development Statistics to Date**

DESCRIPTION		2023 To date (Aug)	2022	2021	2020
Dev Permits Issued	9 – July & Aug	39 24 -DO 15 -MPC	48 29 – DO 19 - MPC	68 46-DO 19-MPC	67 57–DO 10–MPC
Dev Applications Accepted	7 – July & Aug	44	49	70	67
Utility Permits Issued	10 – July & Aug	28	12	31	27
Subdivision Applications Approved	0 – July & Aug	0	8	20	18
Rezoning		0	5	0	0
DESCRIPTION		2023 to Date (Aug)	2022	2021	2020
Compliance Cert	3 – July & Aug	15	32	41	24

Date: August 31, 2023

# RECOMMENDATION:

That the report for the period ending August 31, 2023, be received as information.

Prepared by: Laura McKinnon, Development Officer

Respectfully Submitted to: Municipal Planning Commission