



ROCKY VIEW COUNTY
Cultivating Communities

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| | Title: Circulation and Notification Standards |
| Approval Date: January 1, 2018 Effective Date: January 1, 2018 Review Date: January 1, 2021 Revision Date(s): | Sponsoring Department(s): Legislative and Legal Services Planning Services Communication Services |
| Repeals: Policy 307- Referral and Notification of Planning Applications Procedure 306 - Referral and Notification of Planning Applications | References: <i>Municipal Government Act</i> ; Land Use Bylaw C-4841-97; Policy 314 License of Occupation for County Lands; Policy 443 Road Allowance Closure and Disposal; Procedure 314 License of Occupation for County Lands; Procedure 443 Road Allowance Closure and Disposal |

PURPOSE

- 1 This policy establishes standards for public notice signs, the circulation of planning applications, license of occupation for county lands applications, road allowance closure/opening applications and notifications of public hearings of Council and Subdivision and Development Appeal Board hearings.

POLICY STATEMENT

- 2 The County is committed to providing a high standard of customer service to ensure equitable access to the County's circulation and notification processes, openness and transparency, and a consistent service standard.

DEFINITIONS

- 3 In this policy:
 - (a) **"Administration"** means the general operations of Rocky View County, including all employees and volunteers;
 - (b) **"Agricultural Area"** means the area of Rocky View County where redesignation, subdivision, and lot development are not guided by an Area Structure Plan, conceptual scheme, or master site development plan;
 - (c) **"Aggregate"** means gravel, sand, marl, clay or shale, individually or in combination with two or more such materials;
 - (d) **"Applicant"** means the registered owner of the land or his or her representative or agent certified as such;
 - (e) **"Area Structure Plan"** means an area structure plan within the meaning of section 633 of the *MGA*, that has been adopted by bylaw and provides a framework for subsequent subdivision and development of an area of land;
 - (f) **"Assessed Owner"** has the same meaning as assessed person in Part 9 of the *MGA*;

- (g) **“Business Development”** encompasses commercial, industrial, agriculture, and home based activities.
- (h) **“Circulation”** means the referral period at the beginning of the application process where planning applications, license of occupation for County Lands applications, and road allowance closure/opening applications are circulated to landowners with the intent to receive resident and/or landowner comments/submissions on the application;
- (i) **“Circulation Area”** means the prescribed area that has received a circulation notice;
- (j) **“Circulation Package”** means written notice and appropriate maps (i.e. location map);
- (k) **“County”** means Rocky View County;
- (l) **“County Lands”** means any and all land to which Rocky View County holds title;
- (m) **“Development Application”** means an application that is submitted for a development permit to the development authority;
- (n) **“Farmstead District”** is the zoning on which a single parcel of land where a habitable residence is situated for a minimum of 10 years, is used in connection with the ranching or farming operation, and is located on a previously unsubdivided quarter section;
- (o) **“First Parcel Out”** means the subdivision of a single residential or agricultural parcel created from a previously un-subdivided quarter section;
- (p) **“Fragmented Country Residential”** means a quarter section of land within the agricultural area divided into six or more residential lots and/or small agricultural parcels, each of which is less than 24.7 acres in size;
- (q) **“Hamlet”** has the same meaning as in the *MGA* and refers to an unincorporated community, governed by the rules and regulations of the County, with boundaries approved by Council;
- (r) **“Hamlet Core”** means a mainly non-residential part of the hamlet that has businesses that service the greater Hamlet community;
- (s) **“Land Use Bylaw”** means Rocky View County bylaw No C-4841-97, *“Land Use Bylaw”*;
- (t) **“License of Occupation for County Lands”** has the same meaning as in Rocky View County Procedure PRO-314, *“License of Occupation for County Lands”*;
- (u) **“Licensed Medical Marijuana Production Facility”** has the same meaning as in the *Land Use Bylaw*;
- (v) **“Local Plan”** means a conceptual scheme as defined in the *MGA* or a master site development plan as defined in the *County Plan*;
- (w) **“MGA”** means the *Municipal Government Act*, RSA 2000, c M-26;
- (x) **“Notification”** means a notice that is published in the newspaper in the area, mailed or delivered to residents and landowners providing notice of a bylaw, resolution, meeting, public hearing, appeal hearing or other thing;

- (y) **“Notice of Decision Notification Area”** means the prescribed area, as outlined in the *Land Use Bylaw* that receives hard copy mail outs of a decision made by the County on a Development Application;
- (z) **“Planning Application”** means an application for redesignation, subdivision, local plan, and area structure plan amendment;
- (aa) **“Planning Application Circulation Area”** means the prescribed area that receives a Circulation Package informing the Assessed Owner of a Planning Application.
- (bb) **“Public Hearing”** has the same meaning as in the *MGA*;
- (cc) **“Reserve Land”** has the same meaning as in the *MGA*;
- (dd) **“Rocky View County”** means Rocky View County as a municipal corporation established pursuant to the laws of the Province of Alberta and the area within the jurisdictional boundaries of Rocky View County, as the context of this Policy so requires;
- (ee) **“Signage Maintenance Period”** is the twenty-one day period where the Applicant is responsible for the placement and removal of the sign, including replacement of the sign should it be damaged during the 21 day period.
- (ff) **“Subdivision and Development Appeal Board”** is the board that is governed under the *MGA* to hear appeals from the subdivision authority and the development authority.
- (gg) **“Subject Lands”** means the property or properties that are the subject of the application;

POLICY

Measurement

- 4 When identifying the Circulation Area, Administration will measure the distance from the Subjects Lands and include all properties, as measured from the property line of the Subject Lands, to the minimum distance (i.e. 1/2 mile or 1 mile).
- 5 When identifying the Circulation Area within a 2 lot depth, Administration will include all properties adjacent to the Subject Lands and the parcels adjacent to those properties.
- 6 When identifying the Circulation Area within a 5 lot depth, Administration will include all properties adjacent to the Subject Lands and the next 4 parcels adjacent to those properties.
- 7 When identifying the Circulation Area where it reaches a property within a cul-de-sac, Administration will include all properties within the cul-de-sac.

Minimum Standards

- 8 Administration shall, at a minimum, meet the circulation and notification requirements established by the *MGA* or other statutes and associated regulations.

Public Notice Sign Requirements

- 9 An Applicant is required to install and maintain the display of a public notice sign for the following types of Planning Applications:
 - (1) An application to make an amendment to an Area Structure Plan;
 - (2) An application made to adopt or amend a Local Plan; and
 - (3) An application made to amend the *Land Use Bylaw* for the purposes of changing or amending a land use district or making such other amendments necessary to facilitate the development of a property, with the exception of redesignation:
 - i. To a Farmstead District;
 - ii. For the purposes of a First Parcel Out; or
 - iii. To a land use consistent with an approved Local Plan.
- 10 Where required by section 9, the public notice sign shall be maintained for the Signage Maintenance Period:
 - (1) The Signage Maintenance Period shall begin within 5 business days of the Planning Application going into Circulation.
 - (2) Should the sign be damaged or vandalized during the Signage Maintenance Period, the Applicant shall be responsible for the replacement and repair of the sign.
- 11 Upon completion of the Signage Maintenance Period the Applicant shall provide to the County a statutory declaration stating that the public notice sign was maintained in accordance with this policy.
- 12 Signs shall be:
 - (1) placed in a manner that keeps traffic and safety in mind;
 - (2) placed on the Subject Lands;
 - (3) placed on or within 1.5 m of the road frontage of the land;
 - (4) a minimum of 0.5 m above ground level;
 - (5) positioned to be visible from the constructed road frontage; and
 - (6) placed on each constructed road frontage where the property has multiple road frontages.

Planning Application Circulation Requirements

- 13 In Agricultural Areas, Administration will advise all Assessed Owners within a ½ mile (\pm 805 m) of the Subject Lands of a Planning Application by mailing to them a Circulation Package.
- 14 In Fragmented Country Residential areas, Administration will advise all Assessed Owners within a 2 lot depth of the Subject Lands of a Planning Application by mailing to them a Circulation Package.
- 15 Within the boundary of an Area Structure Plan, Administration will advise all Assessed Owners within a ½ mile (\pm 805 m) of the Subject Lands of a Planning Application by mailing to them a Circulation Package.

- 16 Notwithstanding section 15, within the boundaries of a Hamlet, Administration will advise all Assessed Owners within a 5 lot depth of the Subject Lands that are within the Hamlet boundary, and adjacent lands that are outside of the Hamlet boundary up to ½ mile (± 805 m) of a Planning Application by mailing to them a Circulation Package.
- 17 For any other Planning Application not covered within sections 13 through 16 of this Policy, Administration will advise all Assessed Owners within a ½ mile (± 805 m) of the Subject Lands of a Planning Application by mailing to them a Circulation Package.
- 18 In the following circumstances and notwithstanding sections 13 through 17 of this policy, Administration will advise all Assessed Owners within 1 mile (± 1609 m) of the Subject Lands of a Planning Application by mailing to them a Circulation Package:
 - (1) Aggregate extraction applications;
 - (2) Local Plans;
 - (3) Business Development proposals outside of an Area Structure Plan boundary;
 - (4) Commercial communications facilities (Type A, B, and C in the *Land Use Bylaw*);
 - (5) Applications proposing an industrial use that may have an effect on the safety, use, amenity, or enjoyment of nearby sites due to noise, odour, or emissions (e.g., General Industry Type III in the *Land Use Bylaw*);
 - (6) Applications for commercial, industrial, or business developments within a Hamlet Core; and
 - (7) Licensed Medical Marijuana Production Facility applications.

License of Occupation for County Lands Circulation Requirements

- 19 In Agricultural Areas, Administration will advise all Assessed Owners within a ½ mile (± 805 m) of the Subject Lands of a License of Occupation Application by mailing to them a Circulation Package.
- 20 In Fragmented Country Residential areas, Administration will advise all Assessed Owners within a two lot depth of the Subject Lands of a License of Occupation Application by mailing to them a Circulation Package.
- 21 For any other License of Occupation Application not covered within sections 19 and 20 of this Policy, Administration will advise all Assessed Owners within a ½ mile (± 805 m) of the Subject Lands of a License of Occupation Application by mailing to them a Circulation Package.

Road Allowance Closure/Opening Circulation Requirements

- 22 In Agricultural Areas, Administration will advise all Assessed Owners within a ½ mile (± 805 m) of the Subject Lands of a Road Allowance Closure/Opening Application by mailing to them a Circulation Package.
- 23 In Fragmented Country Residential areas, Administration will advise all Assessed Owners within a two lot depth of the Subject Lands of a Road Allowance Closure/Opening Application by mailing to them a Circulation Package.
- 24 For any other Road Allowance Closure/Opening Application not covered within sections 22 and 23 of this Policy, Administration will advise all Assessed Owners within a ½ mile

(± 805 m) of the Subject Lands of a Road Allowance Closure/Opening Application by mailing to them a Circulation Package.

Council Public Hearing Notification Requirements

- 25 As a minimum requirement, Notification of a Public Hearing shall be in accordance with section 606 of *MGA*.
- 26 Notification of a Public Hearing shall be circulated to the same area as the Planning Application Circulation Area, and road allowance closure/opening application.

Subdivision and Development Appeal Board Hearing Notification Requirements

- 27 As a minimum requirement, hearing Notifications for the Subdivision and Development Appeal Board will meet the requirements as set out in Part 17 Division 10 of the *MGA*.
- 28 Subdivision and Development Appeal Board hearing Notification areas shall be the same as the Notice of Decision Notification Area and the Planning Application Circulation Area.