

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	
ROLL NO.	
RENEWAL OF	
FEES PAID	
DATE OF RECEIPT	

APPLICANT/OWNER							
Applicant Name:				Email:			
Business/Organization Name (if applicable):							
Mailing Address:					Postal Code:		
Telephone (Primary):			Alternative:				
Landowner Name(s) per title (if not the Applicant):							
Business/Organization Name (if applicable):							
Mailing Address:					Postal Code:		
Telephone (Primary):			Email:				
LEGAL LAND DESCRIPTION - Subject site							
All/part of:	¼	Section:	Township:	Range:	West of:	Meridian	Division:
All parts of Lot(s)/Unit(s):		Block:	Plan:		Parcel Size (ac/ha):		
Municipal Address:				Land Use District:			
APPLICATION FOR - List use and scope of work							
Variance Rationale included: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A				DP Checklist Included: <input type="checkbox"/> YES <input type="checkbox"/> NO			
SITE INFORMATION							
a. Oil or gas wells present on or within 100 metres of the subject property(s)						<input type="checkbox"/> YES <input type="checkbox"/> NO	
b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant)						<input type="checkbox"/> YES <input type="checkbox"/> NO	
c. Abandoned oil or gas well or pipeline present on the property (Well Map Viewer: https://extmapviewer.aer.ca/AERAbandonedWells/Index.html)						<input type="checkbox"/> YES <input type="checkbox"/> NO	
d. Subject site has direct access to a developed Municipal Road (accessible public roadway)						<input type="checkbox"/> YES <input type="checkbox"/> NO	



AUTHORIZATION

I, _____ (Full name in Block Capitals), **hereby certify** (initial below):

_____ That I am the registered owner **OR** _____ That I am authorized to act on the owner's behalf.

_____ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

_____ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.

_____ That I am aware of and have read and agree to the following:

- The personal information collected on this application is collected in accordance with s.33(c) the Alberta Freedom of Information and Protection of Privacy Act (FOIP).
- I have obtained written permission from the copyright holder for any information included with this application which is protected by copyright.
- I agree to indemnify, save and hold harmless the County, its elected officials, agents, and employees from and against all demands, claims, liability costs and expenses (including legal fees) in relation to copyright infringement as a result of the information submitted.
- The information collected will be used to communicate with the applicant during the application review and site inspection processes.
- As part of the review process, both personal information and copyrighted materials will be circulated as needed to relevant internal departments, provincial and federal governments, external partners, and adjacent landowners.
- Such information and materials may also be submitted to the Subdivision and Development Appeal Board and the Land and Property Rights Tribunal.
- Personal information and copyrighted materials may also be included in public meeting agendas, on the County's website, and on the Rocky View County Planning Development Map web application and other public resources maintained by the County.
- The applicant's name and the nature of the application will be publicly available, in accordance with the FOIP Act.
- For questions on FOIP or copyright issues, please contact the Manager of Planning at 403-230-1401.

Applicant Signature _____

Date _____

Landowner Signature _____

Date _____



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

Applicant Checklist	Office Use Only	All plans shall be submitted as one PDF document in DIGITAL form Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing.
<input type="checkbox"/>	<input type="checkbox"/>	APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
<input type="checkbox"/>	<input type="checkbox"/>	APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.
<input type="checkbox"/>	<input type="checkbox"/>	CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 DAYS of application submission: <ul style="list-style-type: none"> Copy of all <u>non-financial</u> instruments/caveats registered on title <input type="checkbox"/> I give the Development Authority authorization to pull a Land Title Certificate at a \$20.00 fee
<input type="checkbox"/>	<input type="checkbox"/>	TIME EXTENSION FORM: Authorizing the County to continue your application if there are any delays meeting the 40-day timeline as set out by the Municipal Government Act of Alberta (MGA).
<input type="checkbox"/>	<input type="checkbox"/>	LETTER OF AUTHORIZATION: Signed by applicant <u>if acting on behalf</u> of the registered landowner(s).
<input type="checkbox"/>	<input type="checkbox"/>	AFFIDAVIT: If the registered owner on title is a company, signed and stamped by a Commissioner of Oaths.
<input type="checkbox"/>	<input type="checkbox"/>	COVER LETTER, shall include: <ul style="list-style-type: none"> Proposed land use(s) and scope of work on the subject property Detailed rationale for any variances requested Any type of business must provide details on days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, etc. Reference to any Supporting Documents, images, studies, plans, etc. provided within the application
<input type="checkbox"/>	<input type="checkbox"/>	SITE PLAN, shall include: <ul style="list-style-type: none"> Legal description and municipal address All property lines, dimensions, and north arrow Setbacks/dimensions from all property lines to existing buildings, proposed buildings, changes, etc. Dimensions of all buildings/structures on site Location and labels for existing/proposed approach(s)/access to property Identify names of adjacent internal/municipal roads and highways Identify any type of oil wells, septic fields/tanks, or water wells on site, including their distances to existing/proposed buildings Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc. Identify site slopes greater than 15% and distances of these slopes from existing/proposed structures Location and labels for easements and/or rights-of-way on title
<input type="checkbox"/>	<input type="checkbox"/>	FLOOR PLANS/ELEVATIONS, shall include: <ul style="list-style-type: none"> Overall dimensions on floor plans for all proposed buildings/structures Indicate floor area and existing/proposed uses on floor plans and height(s) on elevations Indicate type of building/structure on floor plans and elevations
<input type="checkbox"/>	<input type="checkbox"/>	PHOTOGRAPHS: Of existing site, building(s), structure(s), signage, site features, taken from all sides including surrounding context, and when existing floor plans/elevations are not available.
<input type="checkbox"/>	<input type="checkbox"/>	SUPPORTING DOCUMENTS (as applicable): Include technical studies/reports and any additional plans relating to the proposed development (lot grading, site lighting, storm water management plans, etc.)

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Proposed Use(s):	Land Use District:
Applicable ASP/CS/IDP/MSDP:	
Included within file: <input type="checkbox"/> Information Sheet <input type="checkbox"/> Parcel Summary <input type="checkbox"/> Site Aerial <input type="checkbox"/> Land Use Map Aerial <input type="checkbox"/> Site Plan	

NOTES:

Staff Signature: _____



Planning Services

File Number / Roll Number

Development Permit Application Time Extension Agreement Form (Decision past 40 days)

APPLICANT: _____

LEGAL
DESCRIPTION: _____

The *Municipal Government Act* recommends that the Development Authority of Rocky View County is required to make a decision on a completed Development application within **40 days** of its receipt application, unless an agreement has been entered into with the Applicant and Development Authority to extend the 40 day period.

In order to permit the Development Authority of Rocky View County to make a decision on your application, we are requesting that you enter into the Time Extension Agreement as set out below.

If you concur with our request, please complete the agreement set out below and forward it to:

ROCKY VIEW COUNTY
Planning and Development Services
262075 Rocky View Point
Rocky View County, Alberta T4A 0X2
development@rockyview.ca

In accordance with the *Municipal Government Act*,

I/We, _____
hereby enter into an agreement with Rocky View County to extend the time prescribed for the processing of the Development Application

Date

Applicant's Signature



LETTER OF AUTHORIZATION – PLANNING AND DEVELOPMENT SERVICES

I, (We) _____ (print name) Owner 1

_____ (print name) Owner 2

being the owner(s) of: Lot: _____ Block: _____ Plan: _____

Legal Description:

Quadrant _____ ¼ Section _____ Township _____ Range _____ West of _____ Meridian

give _____ (print name of Applicant)

permission to act on my (our) behalf for the following application at the above-noted property

(select one):

- ☐ Development Permit
- ☐ Subdivision
- ☐ Redesignation
- ☐ Local Plan

Owner 1 Signature

Owner 2 Signature

Date Signed

AFFIDAVIT - VERIFYING CORPORATE SIGNING AUTHORITY

I, _____, of _____

make oath and say:

1. I am the officer/director of (company name):

being the corporation named as the owner, in the Development Permit / Subdivision / Redesignation / Local Plan Application (select one), affecting Lands described as:

Legal Description

_____/ Lot: _____ Block: _____ Plan: _____

2. I am authorized to sign the Development Permit / Subdivision / Redesignation / Local Plan Application (select one), on behalf of the corporation without affixing a corporate seal and I hereby appoint (name of Applicant):

_____ as our agent for the above application at the above-noted property.

FOR USE BY APPOINTED COMMISSIONER FOR OATHS

SWORN/AFFIRMED before me

at the (City/County/Town): _____,

in the Province of Alberta, this _____ day of _____ (month) _____ (year).

Signature

A Commissioner for Oaths in and for Alberta

Commissioner of Oaths Stamp



Policy Number:	A-308
Policy Owner:	Planning and Development Services
Adopted By:	Chief Executive Officer
Adoption Date:	2020 October 21
Effective Date:	2020 October 21
Date Last Amended:	n/a
Date Last Reviewed:	n/a

Purpose

- 1 This policy establishes Rocky View County's (the County's) process for evaluating proposals for commercial communications facilities in the County.



Policy Statement

- 2 The County is not the approving authority for commercial communications facilities.
- 3 Industry Canada mandates the placement, modification, or removal of commercial communications facilities in Canada. In certain cases, Industry Canada consults with the County and the public regarding the development of these facilities.
- 4 This policy:
 - (1) outlines the roles and responsibilities of the applicant, Planning and Development Services, and the Development Authority when processing a proposal for commercial communications facilities;
 - (2) provides clear guidelines for the location and design of proposed commercial communications facilities in the County;
 - (3) ensures that there are guidelines for telecommunications service providers to locate their facilities in the County given current and anticipated future demand; and
 - (4) ensures that the evaluation process is transparent and gives the public adequate opportunity to comment on significant facility installations in their communities.





Policy

Commercial Communications Facility Proposals

- 5 The County uses its development permitting process to evaluate proposals for commercial communications facilities. A development permit (concurrence) or refusal (non-concurrence) is issued after a commercial communications facility proposal has gone through the development permitting process.
- 6 Planning and Development Services uses this policy to make recommendations to the Development Authority as to whether a development permit for a commercial communications facility can be issued.
 - (1) At its discretion, Planning and Development Services may relax or expand the criteria outlined in this policy when making recommendations to the Development Authority.
- 7 The Development Authority is not bound by the recommendations Planning and Development Services makes based on this policy.

Public Notification

- 8 The applicant must notify the public of the proposed development prior to the submission of any development permit application for Type A, Type B, or Type C facilities.
- 9 The applicant must distribute the public notification to all properties within:
 - (1) 250 metres of the proposed Type A facility;
 - (2) 500 metres of the proposed Type B facility; and
 - (3) 1,600 metres of the proposed Type C facility.
- 10 The public notification packages must include all relevant information related to the proposed commercial communications facility, including a location map, elevation drawings, a written description, and the applicant's contact information.
- 11 The public notification period must last at least 21 days.



Application Submission

- 12 Planning and Development Services cannot consider a development permit application for a commercial communication facility (Type A, B, or C) unless it is a listed use in the *Land Use Bylaw* for the applicable land use district.
- 13 The applicant:
 - (1) notifies the County's Emergency Services department with plans for proposed Type B or Type C facilities and, where possible, coordinates the location of emergency equipment on the proposed facility with Emergency Services;
 - (2) submits a development permit application in accordance with relevant legislation, bylaws, and policies; and
 - (3) pays all applicable fees as set out in the *Master Rates Bylaw*.

Type A Facilities

Application Requirements for Type A Facilities

- 14 Development permit applications for Type A facilities must include:
 - (1) current photographs of the existing building or structure where the Type A facility is proposed, taken from the north, south, east, and west, to show the site prior to the proposed development;
 - (2) a second set of these photographs with the proposed Type A facility superimposed to reflect the appearance of the proposed development and associated structure after installation. This is not required when a proposed antenna will be attached to an existing commercial communications facility; and
 - (3) all public submissions received during the public notification period.

Evaluation Criteria for Type A Facilities

- 15 Planning and Development Services evaluates proposals for Type A facilities based on the following criteria:
 - (1)



Any new antennae must not project above the highest point of the structure more than a length equal to 25% of the structure to which it is attached; and

- (2) Any new antennae must not project more than 4 metres beyond the vertical plane of the structure to which it is attached.

Type B and C Facilities

Application Requirements for Type B and Type C Facilities

- 16 Development permit applications for Type B or Type C facilities must include:
 - (1) current photographs of the lands where the Type B or C facility is proposed, taken from the north, south, east, and west, to show the site prior to the proposed development;
 - (2) a second set of these photographs with the proposed Type B or C facility superimposed to reflect the appearance of the proposed development and associated buildings after installation;
 - (3) a letter to the County stating that the carrier permits co-location with other users, provided all structural and technological characteristics of the facility support the additional development;
 - (4) letters of offer to the other major carriers to co-locate on the proposed commercial communications facility. Responses to these letters from the other carriers must be included in the application package; and
 - (5) all public submissions received during the public notification period.
- 17 If there are other structures (i.e. other Type B or Type C facilities, flag poles, church steeples, electrical transmission towers, smoke stacks, etc.) that could support communications equipment within two kilometres of the proposed location for the new facility, the applicant must identify them and provide reasons why these structures are unable to accommodate additional communications equipment (i.e. structural capabilities, safety, available space, frequency interference, etc.).

Evaluation Criteria for Type B and Type C Facilities

- 18 Planning and Development Services evaluates proposals for Type B and Type C facilities based on the following criteria:
 - (1) In consideration of the rural vistas of the County, Planning and Development favours facility locations that protect prominent natural or cultural features and views;



- (2) Any facility proposed on a site abutting existing dwellings must be located a minimum of 500 metres from those dwellings;
 - (3) The minimum distance between a proposed tower and an existing or future road allowance must be at least half of the height of the proposed tower. This criteria may be relaxed at the discretion of the Development Authority; and
 - (4) The minimum distance between the proposed Type B or Type C facility and another Type B or C facility must be two kilometres.
- 19 Co-location of communications equipment on Type B and Type C facilities is preferred whenever possible.
- 20 Where applicable, Type B and Type C facilities must comply with Transport Canada's painting and lighting requirements for aeronautical safety. In all other locations, Type B and Type C facilities must be lit with the lowest intensity light possible.

Overall Visual Impact Evaluation Criteria

- 21 The proposed commercial communications facility must be designed to limit the overall visual impact to the area.
- 22 Planning and Development Services evaluates the design of the proposed commercial communications facility based on the following criteria:
- (1) All towers and pole structures should be screened or concealed using innovative design strategies or camouflage, to the satisfaction of the Development Authority. The use of landscaping, fences, and architectural features on and around the equipment compounds, shelters, and cabinets associated with the proposed development should contribute to these structures blending in with their surrounding environment.
 - (2) Proposed commercial communications facilities that are neutral in colour and blend in with the surroundings are preferred. Mitigation of the proposed development's visual aspects may include painting, appropriate and effective decorative fencing, screening, and landscaping. The proposed commercial communications facility should not visually interfere with the sky or landscape, given Alberta's changing seasons, to the satisfaction of the Development Authority.
 - (3) Planning and Development Services may consider a proposed commercial communications facility as stealthy or camouflaged if the design of the facility blends its appearance into and with the surrounding lands to the satisfaction of the department.



Planning and Development Services will evaluate facilities based on the massing, form, colour, material, and other decorative elements.

Mandated Installation of a Commercial Communications Facility on County Land

- 23 If Industry Canada mandates the installation of a commercial communications facility on County lands, the proponent must request a 'Licence of Occupation-Telecommunications' from the County's Legal and Land Administration department.
- 24 Proponents are responsible for all public consultation pertaining to the placement of a commercial communications facility in accordance with the public notification section(s) of this policy.
- 25 Proponents must minimize visual impact through structure design and provisions for co-location opportunities pursuant to this policy and to the satisfaction of the County's Legal and Land Administration department.
- 26 The subject County lands must hold an appropriate land use designation in which a commercial communications facility is listed as a permitted or discretionary use.
- 27 Occupants of the facility must hold adequate insurance liability coverage, as determined by Legal and Land Administration, for the duration for the 'Licence of Occupation-Telecommunications'.
- 28 Occupancy fees associated with the 'Licence of Occupation-Telecommunications' are determined in accordance with the County's *Master Rates Bylaw*.

Removal of Inactive Commercial Communications Facilities

- 29 The County strives to have only active commercial communications facilities on the landscape.
- 30 Once a commercial communications facility is inactive for more than six consecutive months, the carrier is responsible for the removal of the commercial communications facility.
- 31 If the carrier does not remove an inactive commercial communications facility, the Planning and Development Services department may request the removal of the facility through Industry Canada.





References

Legal Authorities

Related Plans, Bylaws, Policies, etc.

Related Procedures

Other

- *Municipal Government Act*, RSA 2000, c M-26
- *Radiocommunication Act*, RSC 1985, c R-2
- Rocky View County bylaw C-8000-2020, *Land Use Bylaw*
- Rocky View County *Master Rates Bylaw*
- Rocky View County bylaw C-7967-2019 *Municipal Planning Commission Bylaw*
- N/A
- Industry Canada CPC-2-0-03, *Radiocommunication and Broadcasting Antenna Systems*



Policy History

Amendment Date(s) – Amendment Description

Review Date(s) – Review Outcome Description

- Council Policy C-308 rescinded (2020-04-28) and replaced by A-308 (2020-10-21)
- N/A



Definitions

32 In this policy:

- (1) “applicant” means any person applying for a commercial communications facility in accordance with this policy;
- (2) “carrier” means a business that provides network, voice, and data services to subscribers;
- (3) “co-location” means the locating multiple wireless broadcast facilities or providers within the same facility;
- (4) “commercial communication facility” means a facility that is used for transmission of wireless communication signals and includes Type A, B, and C facilities. These facilities include telecommunications towers, antennae, and the buildings that house their supporting equipment. These facilities are used to transmit radio-frequency signals, microwave signals, or other communications energy;
- (5) “County” means Rocky View County;



- (6) “County land(s)” means land legally owned by the County including municipal reserves; environmental reserves; municipal and school reserves; public utility lots; fee simple lands; and land owned by another party but administered by the County, including but not limited to road allowances, easements, and leased and Licenced land;
- (7) “Development Authority” means a committee or person:
 - (a) authorized to make development decisions on behalf of the County as outlined in the *Land Use Bylaw*; and
 - (b) delegated the authority, as outlined in , to make decisions on commercial communications facility proposals;
- (8) “existing structures” means operating communications towers, utility towers or poles, farm and other commercial buildings, private residences, or any other building currently on the proposed land;
- (9) “Industry Canada” means the department of the Government of Canada responsible for regulating radio communications in Canada;
- (10) “*Land Use Bylaw*” means Rocky View County Bylaw C-8000-2020, the *Land Use Bylaw*, as amended or replaced from time to time;
- (11) “Licence of Occupation-Telecommunications” means a non-exclusive formal agreement between the County and a telecommunications service provider that is specific to the installation of a commercial communications facility on County lands;
- (12) “*Master Rates Bylaw*” means the Rocky View County bylaw known as the *Master Rates Bylaw*, as amended or replaced from time to time;
- (13) “*Municipal Government Act*” means the province of Alberta’s *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (14) “occupancy fee” means monies specific to occupancy occurring on County Lands and collected by the County in accordance to the *Master Rates Bylaw*;
- (15) “proponent” means a party or an individual representing a telecommunications service provider developing a commercial communications facility;
- (16) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
- (17) “Transport Canada” is the department of the Government of Canada responsible for transportation policies, services, and programs, including air navigation services;



- (18) “Type A facility” means an antennae that is incorporated within or mounted on an existing structure, such as a building or other commercial communication facility, no more than four metres (13.12 feet) above the highest point of the structure;
- (19) “Type B facility” means either a tower or pole structure between four and 20 metres (13.12 to 65.62 feet) in height to which antennae are mounted for the purpose of telecommunications broadcast or signal transmission; and
- (20) “Type C facility” means either a tower or pole structure greater than 20 metres (65.62 feet) in height to which antennae are mounted for the purpose of telecommunications broadcast or signal transmission.