

Policy Number:	C-327
Policy Owner:	Planning & Development Services
Adopted By:	Council
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Date Last Amended:	2021 May 11
Date Last Reviewed:	2021 April 22

Purpose

- 1 This policy establishes standards for public notice signs and:
 - (1) circulation for:
 - (a) statutory plan amendments;
 - (b) planning applications;
 - (c) license of occupation of County lands applications; and
 - (d) road allowance closure/opening applications;
 - (2) notification of:
 - (a) Council public hearings;
 - (b) Subdivision and Development Appeal Board (SDAB) hearings; and
 - (c) development permit notices of approval.



Policy statement

- 2 The County commits to ensuring equitable circulation and notification processes that inform affected landowners and provide the opportunity for landowners to participate in the

development of the County.

- 3 The County commits to transparency and providing a high standard of customer service.



Policy

Measurement

- 4 The radii of a circulation area or notification area are determined by Sections 21 through 24, inclusive.
- 5 The radii is taken from the property line of the subject lands.
- 6 All properties touched within the radius are included in the circulation area or notification area.
- 7 Where the radii reaches a property within a cul-de-sac, all properties in the cul-de-sac are included in the circulation area or notification area.
- 8 Notwithstanding any section of this policy; all parcels adjacent to the subject lands shall be included in the circulation or notification area.
- 9 The circulation and notification radii may be varied at the discretion of Council, Municipal Planning Commission, or SDAB.
- 10 All County circulations and notifications meet the requirements established by the *Municipal Government Act (MGA)* or other statutes and associated regulations.
- 11 Any applicable intermunicipal development plan and privacy legislation supersedes this policy.

Hearing notifications

- 12 All Council public hearing notices are available on the County's website, as per the *Public Notification Bylaw C-7860-2019*.
 - (1) Should the *Public Notification Bylaw C-7860-2019* be rescinded then notification shall default back to Section 606 of the *MGA*.
- 13 Notification of a Council public hearing is mailed to the same area as the application circulation area.

- 14 Notification of a SDAB hearing on a development permit application is the same as the development permit notice of approval notification area.
- 15 Notification of a SDAB hearing on a subdivision application is the same as the subdivision application circulation area.

Public notice sign requirements

- 16 An applicant installs and maintains the display of a public notice sign for the following types of planning applications:
 - (1) to amend a statutory plan;
 - (2) to adopt or amend a local plan; and
 - (3) to amend the *Land Use Bylaw*, with the exception of redesignation to an Agricultural, General District as defined by the *Land Use Bylaw*.
- 17 At the beginning of the sign maintenance period, an applicant provides the County with:
 - (1) a statutory declaration stating that the public notice sign was placed on the subject lands in the format provided by the County and in accordance with this policy; and
 - (2) a photograph of the sign placed on the subject lands.
- 18 Where required by this policy, the public notice sign is maintained for the signage maintenance period:
 - (1) the signage maintenance period begins five business days after the planning application is sent to landowners in the identified circulation area; and
 - (2) if a public notice sign is damaged or vandalized during the signage maintenance period, the applicant is responsible for replacing and repairing the sign.
- 19 At the end of the signage maintenance period, the applicant provides the County with a statutory declaration stating that the public notice sign was maintained according to this policy.
- 20 Public notification signs must be:
 - (1) placed in a manner that keeps traffic and safety in mind;

- (2) placed on the subject lands, not within road right-of-ways;
- (3) placed on each road frontage if the subject lands have multiple road frontages;
- (4) positioned to be visible from each road frontage and located no further than 1.5m from the property line of the subject lands which is adjacent to the road frontage;
- (5) positioned a minimum of 0.5m above the ground level; and
- (6) a minimum of 0.5m² (5.38ft²) in size.

Circulation and notification radii

- 21 The radii for license of occupation or road allowance closure/opening application shall be 800m (½ mile).
- 22 The radii for statutory plan amendment or local plan application circulations shall be 1600m (1 mile).
- 23 The radii for redesignation application circulations shall be:
 - (1) 800m (1/2 mile) for applications within an Area Structure Plan;
 - (a) Notwithstanding 23 (1), the radii shall be a minimum 1600m (1 mile) for redesignation application circulations where natural resource extraction/processing, as defined by the Land Use Bylaw, is a listed use; and
 - (2) 1600m (1 mile) for applications outside of an Area Structure Plan.
- 24 The radii for subdivision application circulations shall be 800m (1/2 mile).
- 25 The notification radii for development permit notifications shall be the lesser of a two lot depth, being the parcels that are adjacent to the Subject Lands and the parcels adjacent to those properties, or 800m (1/2 mile).
 - (1) Notwithstanding 25, the radii shall be a minimum 400m (1/4 mile) for development permit notifications for the following uses, as defined by the *Land Use Bylaw*:
 - (a) billboards;

- (b) cannabis retail store;
 - (c) cannabis cultivation;
 - (d) cannabis facility; and
 - (e) retail (restricted).
- (2) Notwithstanding 25 (1), the radii shall be a minimum 1600m (1 mile) for development permit notifications for natural resource extraction/processing, as defined by the Land Use Bylaw.

Additional circulation and notification requirements

- 26 In instances where a circulation or notification area includes landowners in an adjacent municipality, Administration attempts to procure the addresses for the affected landowners to mail to them a circulation package or notice of approval.



References

Legal Authorities

Related Plans, Bylaws, Policies, etc.

Related Procedures

Other

- [Municipal Government Act, RSA 2000 M-26](#)
- County [Land Use Bylaw C-8000-2020](#)
- County [Public Notification Bylaw 7860-2019](#)
- County [Policy 314 License of Occupation for County Lands](#)
- County [Policy 443 Road Allowance Closure and Disposal](#)
- County [Policy A-308 Commercial Communication Facilities](#)
- County Procedure 303 *Notification of Landowners and Developers*
- County Procedure 306 *Referral and Notification*
- County Procedure 314 *License of Occupation for County Lands*
- County Procedure 443 *Road Allowance Closure and Disposal*
- N/A



Policy history

Amendment Date(s) – Amendment Description

Review Date(s) – Review Outcome Description

- 2021 May 11 – Major amendments by Council including applying current policy format and writing standards. Consistency of notification areas introduced through uniform measurement distances while allowing for variable distances for specific types of development permit applications.
- 2021 April 22 – Recommend amendments to simplify and clarify which properties are notified based on the type of application or hearing.



Definitions

27 In this policy:

- (1) “adjacent” means land that is contiguous to the subject parcels and includes any other land identified in a *Land Use Bylaw* as adjacent land for the purpose of notification under the *MGA*;
- (2) “Administration” means the general operations of Rocky View County, including all employees and volunteers;
- (3) “applicant” means the registered owner of the land or their representative or agent certified as such;
- (4) “Area Structure Plan” means a document that is approved by Council as bylaw that provides a planning framework that guides future development of a specific area;
- (5) “billboard” has the same meaning as in the *Land Use Bylaw*;
- (6) “cannabis cultivation, cannabis processing or cannabis retail store” has the same meaning as in the *Land Use Bylaw*;
- (7) “circulation” means the referral period at the beginning of an application process where planning applications, development permit applications, license of occupation for county lands applications, and road allowance closure/opening applications are sent to landowners with the intent to receive resident and/or landowner comments/submissions on the application;
- (8) “circulation area” means the prescribed area that receives a circulation package;

- (9) “circulation package” means written notice and appropriate maps (i.e. location map);
- (10) “Council” means the duly elected Council of Rocky View County;
- (11) “County” means Rocky View County;
- (12) “County lands” means any and all land to which Rocky View County holds title;
- (13) “cul-de-sac” means a dead-end road that is less than 400m in length;
- (14) “development permit application” means an application that is submitted for a development permit to the development authority;
- (15) “*Land Use Bylaw*” means Rocky View County Bylaw C-8000-2020, as amended or replaced from time to time;
- (16) “license of occupation” means a legal agreement authorizing the use/occupation of Crown lands managed by the County for a specific period of time with terms and conditions related to the use/occupation;
- (17) “listed use” means a use listed within a Land Use District or a Direct Control District;
- (18) “local plan” means a conceptual scheme as defined in the *MGA* or a master site development plan as defined in the County Plan;
- (19) “*MGA*” means the *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time;
- (20) “Municipal Planning Commission” means the Municipal Planning Commission of Rocky View County;
- (21) “natural resource extraction/processing” has the same meaning as defined in the *Land Use Bylaw*;
- (22) “notice of approval” means a notice that is published to the County website, or mailed to residents and owners providing notice of an approved development permit subject to the statutory appeal period;
- (23) “notification” means a notice that is published in a newspaper, to the County website, mailed, or delivered to residents and landowners providing notice of a bylaw, resolution, meeting, public hearing, appeal hearing, or other thing;

- (24) “notification area” means the prescribed area that receives a notification package;
- (25) “notification package” means written notice;
- (26) “parcel” means the one or more areas of land described in a certificate of title, and may also be referred to as a site;
- (27) “planning application” means an application for redesignation, subdivision, local plan, or area structure plan amendment;
- (28) “public hearing” has the same meaning as in the *MGA*;
- (29) “public notice signs” means a Coroplast or similar durable material with dimensions of 60 cm by 90 cm (24 x 36 inches) intended to advertise or call attention to a particular planning application applied for on the lands to which the object is affixed;
- (30) “retail (restricted)” has the same meaning as in the *Land Use Bylaw*;
- (31) “road allowance closure/opening application” means an application for closure/opening of a road allowance, lane and/or right(s)-of-way, as defined within the *MGA*;
- (32) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires;
- (33) “SDAB” means the Subdivision and Development Appeal Board as appointed by Council under the *MGA*;
- (34) “signage maintenance period” is the 21 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;
- (35) “statutory declaration” means a solemn declaration made in writing by a person believing it to be true and knowing that is of the same force and effect as if made under oath, as defined within the *Canada Evidence Act*, RSC 1985, c C-5, as amended or replaced from time to time; and
- (36) “subject lands” means the property that is the subject of the application or hearing.