

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY AGENDA**

Date: June 17, 2021
Time: 9:00 AM
Location: <https://www.rockyview.ca/>

Pages

A. CALL MEETING TO ORDER

B. DEVELOPMENT APPEALS

9:00 AM APPOINTMENTS

1. Division 8 File: 05629083; PRDP20211237

2

An affected party appeal against the Development Authority's decision to approve a development permit application for the construction of dwelling, single detached, relaxation of the maximum height requirement at 24050 Aspen Drive (Lot 6, Block 10, Plan 1911658, NE-29-25-02-05) and located approximately 1.6 km (1 mile) south of Burma Rd. and 0.30 km (1/4 mile) west of Rocky Ridge Road.

Appellant: Wayne Bobye

Applicant: Muhammad Basit

Owners: Nida & Muhammad Basit

C. ADJOURN THE MEETING

D. NEXT MEETING

PLANNING AND DEVELOPMENT SERVICES

TO: Subdivision and Development Appeal Board
DATE: June 17, 2021 **DIVISION:** 8
FILE: 05629083 **APPLICATION:** PRDP20211237
SUBJECT: Development Item: Construction of a Dwelling, Single Detached / Permitted use, with Variances

APPLICATION: Application is for the construction of a dwelling, single-detached with relaxation to the maximum building height.

GENERAL LOCATION: Located approximately 0.40 kilometres (1/4 mile) west of Rocky Ridge Road and on the north side of Aspen Drive.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The application was received on March 26, 2021. The Development Authority reviewed the application and it was conditionally approved and the Notice of Decision was sent out on May 4, 2021

The Application is for the construction of a dwelling, single-detached with relaxation to the maximum building height from 12.00 m (39.37 ft.) to 12.56 m (41.20 ft.).

On May 20, 2021, the appellant appealed the decision of the Development Authority for several reasons, which are noted in the agenda package.

DECISION: Conditionally approved.

DECISION DATE: May 4, 2021 **APPEAL DATE:** May 20, 2021 **ADVERTISED DATE:** May 4, 2021

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Wayne Van Dijk, Planning and Development

**APPLICATION EVALUATION:**

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020; and • Bearspaw Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
PERMITTED USE: <ul style="list-style-type: none"> • Dwelling, Single Detached but requires a variance to the maximum building height that is greater than 12.0 m (39.37 ft.) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Development Authority

Additional Review Considerations

No previous development permit history on the parcel.

APPEAL:

See attached report and exhibits.

Respectfully submitted,

“Heather McInnes”

Supervisor
Development and Compliance

WV/lt



APPLICATION INFORMATION

APPLICANT: Muhammad Basit	OWNER: Muhammad and Nida Basit
DATE APPLICATION RECEIVED: March 26, 2021	DATE DEEMED COMPLETE: April 15, 2021
DEVELOPMENT AUTHORITY DECISION DATE: May 4, 2021	
APPELLANTS: Wayne Bobye	
GROSS AREA: ± 5.11 hectares (± 12.63 acres)	LEGAL DESCRIPTION: Lot 6, Block 10, Plan 1911658, NE-29-25-02-W05M (24050 Aspen Drive)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> No previous development or building history 	
AGENCY SUBMISSIONS: The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	



PLANNING AND DEVELOPMENT SERVICES

TO:	Development Authority	DIVISION:	8
DATE:	April 14, 2021	APPLICATION:	PRDP20211237
FILE:	03908057		
SUBJECT:	Construction of a Dwelling, Single Detached / Permitted use, with Variances		

APPLICATION: Application is for the construction of a dwelling, single-detached with relaxation to the maximum building height, specifically from 12.00 m (39.37 ft.) to 12.56 m (41.20 ft.).

GENERAL LOCATION: located approximately 0.40 km (1/4 mile) west of Rocky Ridge Road and on the north side of Aspen Drive.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

EXECUTIVE SUMMARY: The Applicant is proposing to construct a new dwelling, single-detached approximately 890.10 sq. m (9,581.00 sq. ft.) above grade, with a basement of approximately 426.80 sq. m (4,459.00 sq. ft.). Due to the building being a walk-out, the approximate average building height is 12.56 m (41.20 ft.). Relaxation to the maximum building height is required.

ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20211237 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211237 be refused for the following reasons:
1. That is the opinion of the Development Authority; the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

AIR PHOTO & DEVELOPMENT CONTEXT:



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage
Maximum Building Height	12.00 m (39.37 ft.)	12.56 m (41.20 ft.)	4.67%

APPLICATION EVALUATION:

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> <i>Municipal Government Act</i> Land Use Bylaw C-8000-2020 Bearspaw Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> None
PERMITTED USE: <ul style="list-style-type: none"> Dwelling, Single Detached but requires a variance to the maximum building height that is greater than 12.0 m (39.37 ft.) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> Municipal Planning Commission

Additional Review Considerations

No additional review considerations.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WV/ilt



DEVELOPMENT PERMIT REPORT CONDITIONS

Option #1:

Approval subject to the following conditions:

The Development Permit application for Construction of dwelling, single detached, relaxation of the maximum height requirement has been **conditionally approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the construction of a dwelling, single-detached may commence on the subject parcel in general accordance with the drawings submitted with the application.
 - i. That the maximum building height shall be relaxed from **12.0 m (39.37 sq. ft.)** to **12.56 m (41.20 ft.)**.

Prior to Release:

1. That Prior to Release of this permit, the applicant shall confirm acceptance of or refusal to participate in the voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.
2. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of the condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

3. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed accessory building under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.
4. That the Applicant/Owner shall ensure any excavation and fill has been completed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage.
5. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.

Advisory:

6. That a Building Permit(s) shall be obtained through Building Services, prior to any construction taking place.
7. That during the construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
8. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.



9. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
10. That if this Development Permit is not issued by **November 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



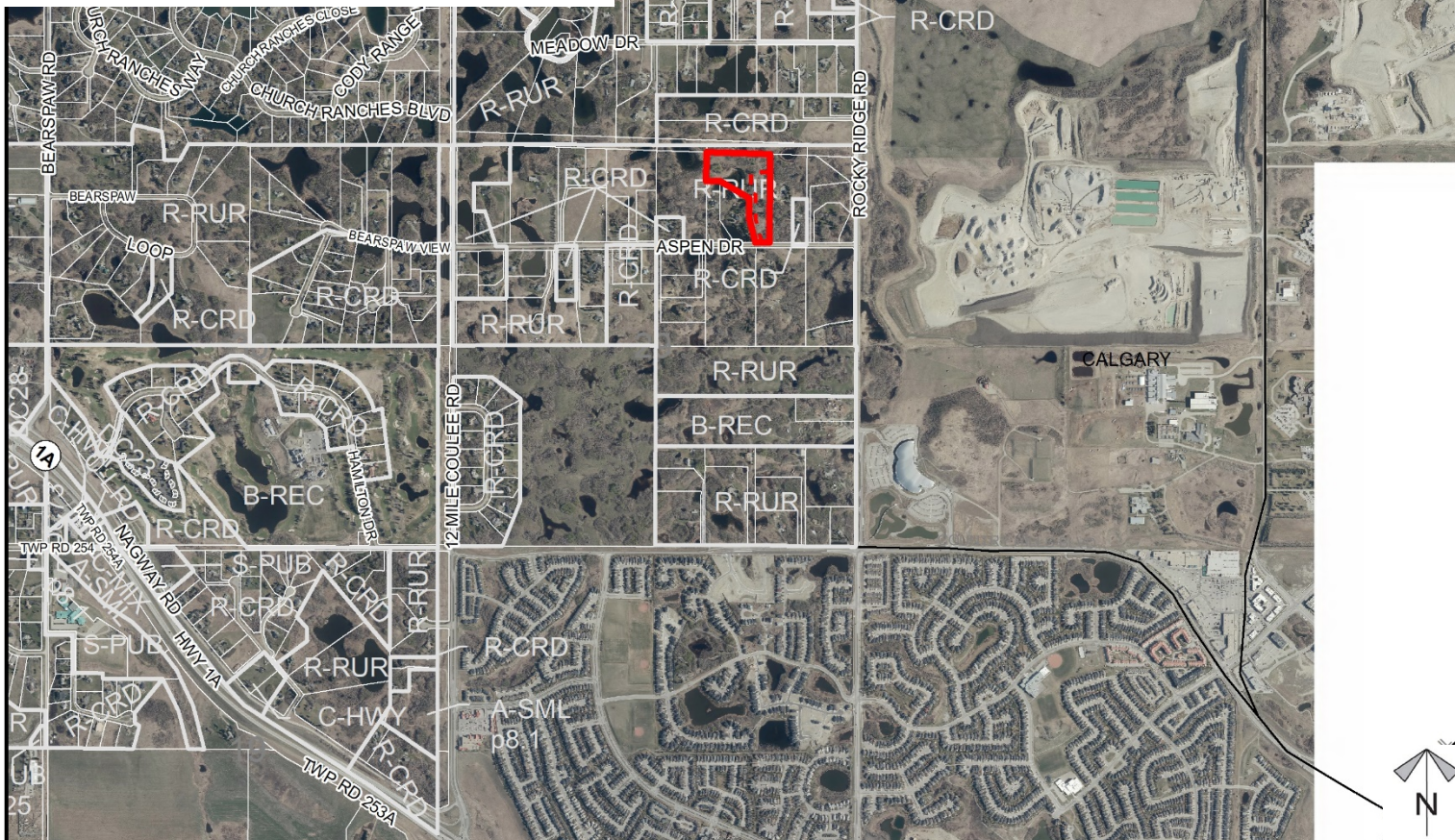
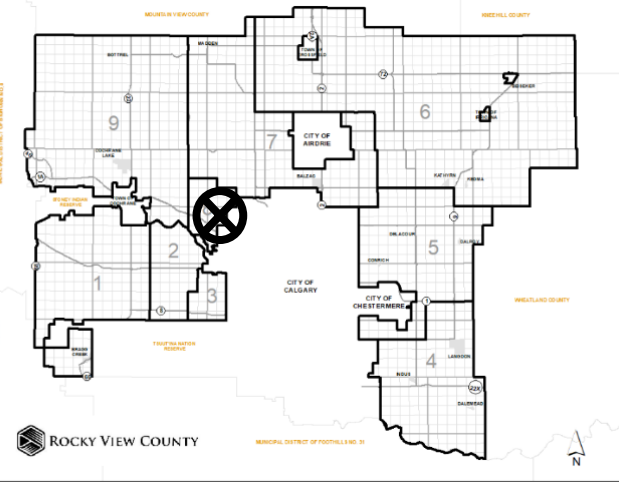
MAPS AND OTHER INFORMATION

APPLICANT: Muhammad Basit	OWNER: Muhammad and Nida Basit
DATE APPLICATION RECEIVED: March 25, 2021	DATE DEEMED COMPLETE: April 15, 2021
GROSS AREA: ± 5.11 hectares (± 12.63 acres)	LEGAL DESCRIPTION: Lot 6, Block 10, Plan 1911658, NE-29-25-02-W05M (24050 Aspen Drive)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> No previous development or building history on the parcel 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

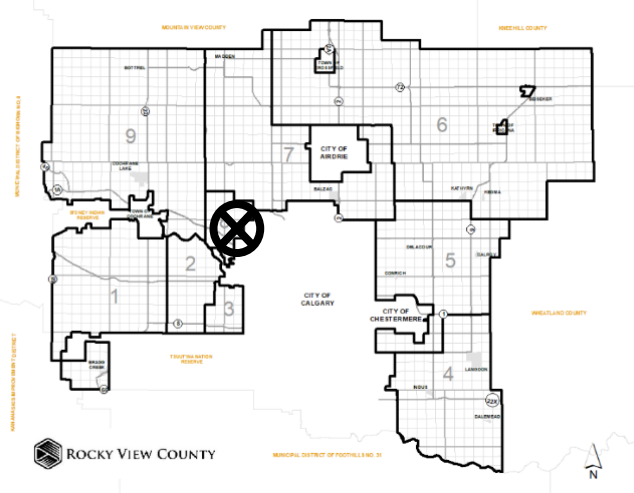
Dwelling, single detached
 with relaxation to the
 maximum building height



Location & Context

Development Proposal

Dwelling, single detached
 with relaxation to the
 maximum building height

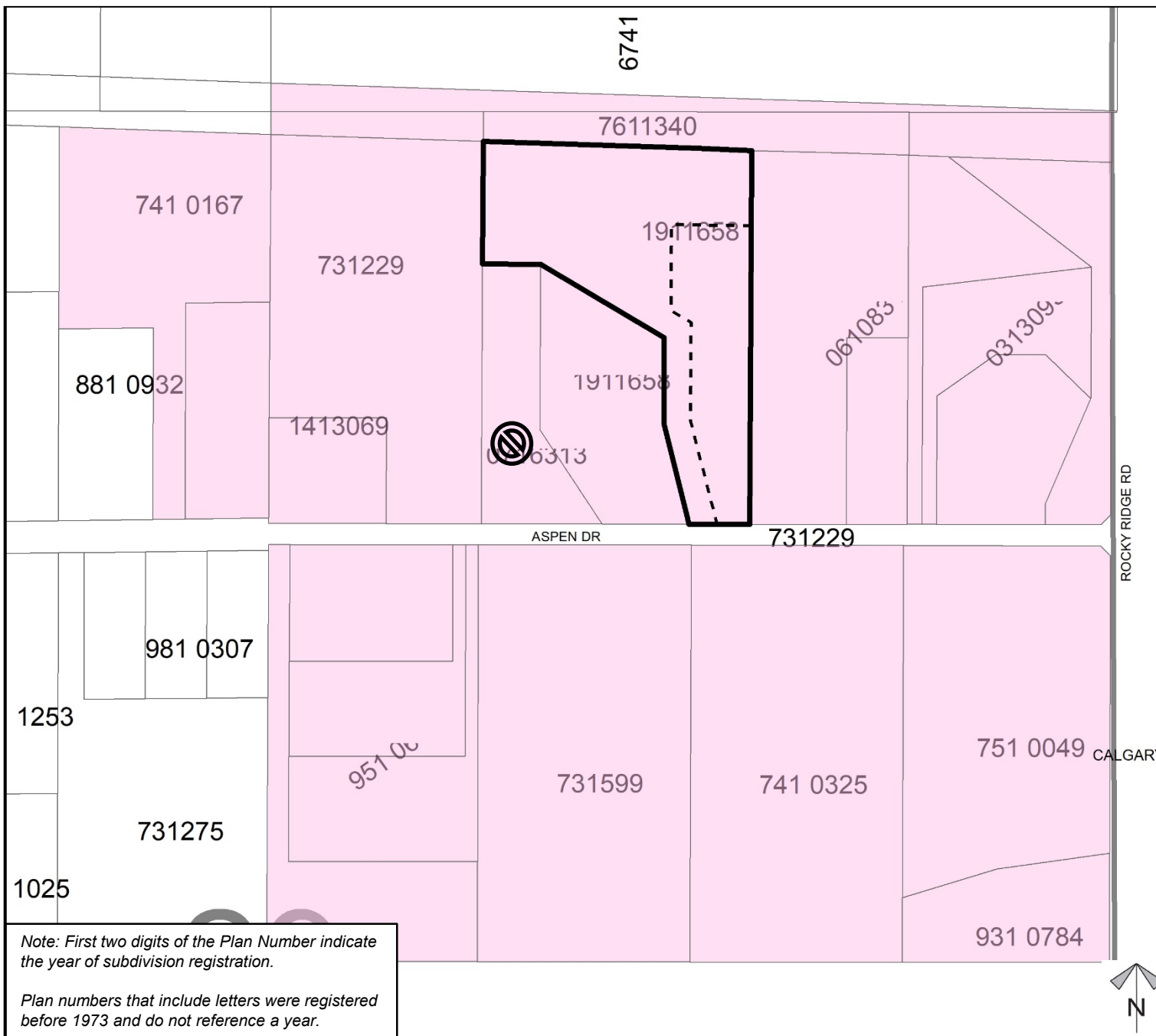


Division: 08
 Roll: 05629083
 File: PRDP20211237
 Printed: May 20, 2021
 Legal: Lot: 6 Block: 10
 Plan: 25-02-W05M
 Page 10 of 33

Landowner Circulation Area

Development Proposal

Dwelling, single detached
with relaxation to the
maximum building height



Legend

Support



Opposition



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Division: 08
 Roll: 05629083
 File: PRDP20211237
 Printed: May 20, 2021
 Legal: Lot:6 Block:10
 Plan: 25-02-W05M
 Page 11 of 33



1
A0.0



2 SITE PLAN
A0.0 1 : 1000

[illegible]

direct stamp:

PLP Architecture Inc.

Commercial & Residential
Design Services

107 Copperfield Cl. SE. Calgary A.B.,
T2Z4L3
(403) 454-7932 parry@plparchitecture.ca

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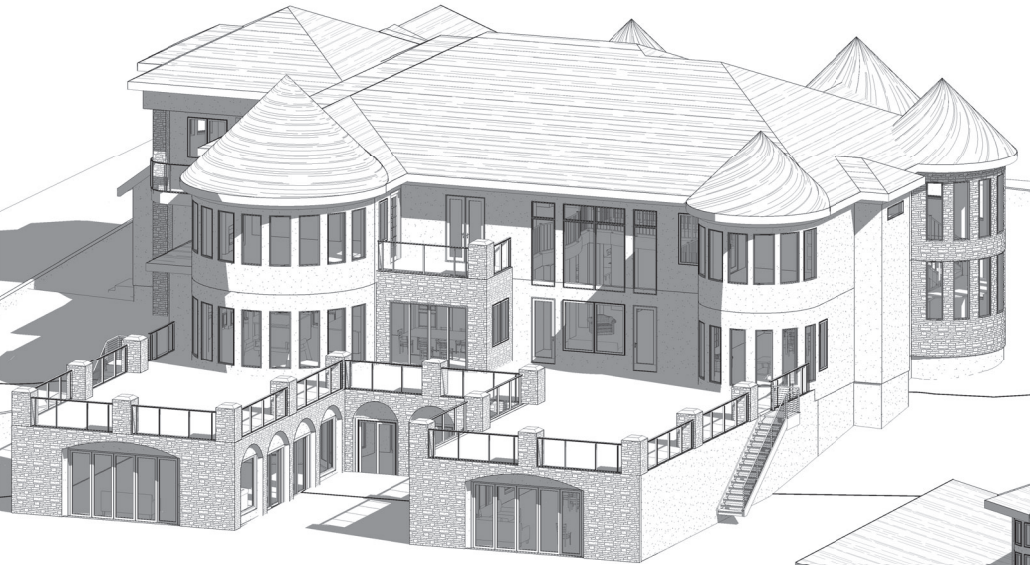
COVER / SITE
PLAN

project:

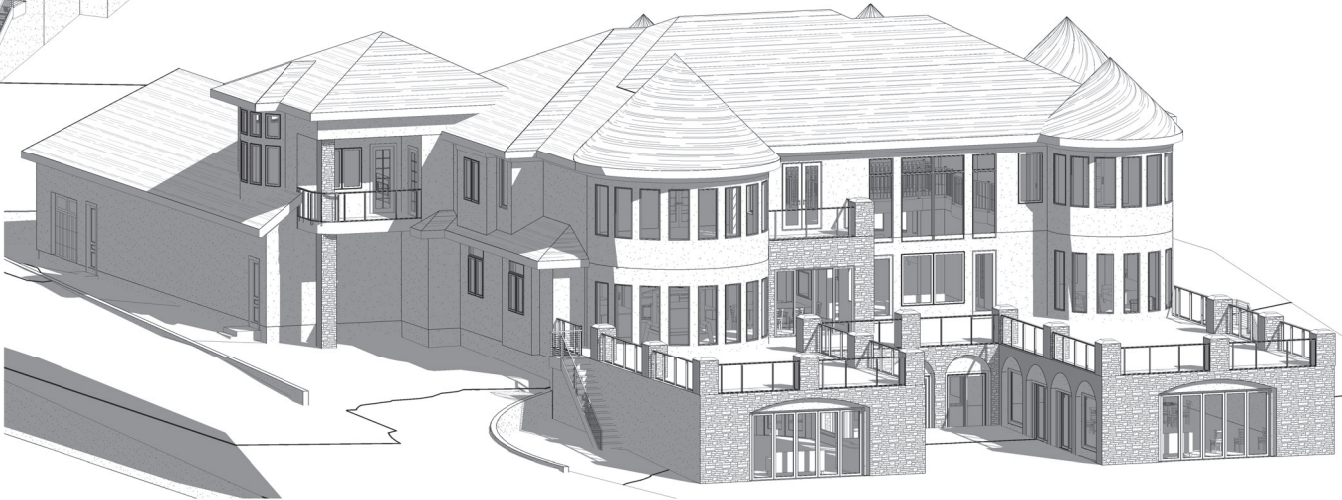
BASIT
RESIDENCE

24050 ASPEN DR ROCKY VIEW COUNTY A.B.
LOT 6, BLOCK 10, PLAN 191-1658

dn by:	Author	no. 01/1
file no.	2020-106	sheet no. D
sheet no.	A0.0	dwg scale:
		As indicated



1 3d rear 1
A1.0



2 3d rear 2
A1.0

EXTERIOR ELEVATION NOTES:

ELEVATIONS ARE ILLUSTRATIONS ONLY. ACTUAL GRADING MAY ALTER APPEARANCE.

MANUFACTURED STONE TO BE INSTALLED AS PER MANUF. SPEC.

MANUFACTURED STONE GRIDS TO BE INSTALLED 2" ABOVE FINISHED GRADE/DRIVEWAY.

PROVIDE EXTERIOR FLASHING AROUND ALL CHIMNEYS, EXTERIOR OPENINGS, AT CHANGES IN EXTERIOR MATERIALS, INTERSECTION BETWEEN WALL & ROOF & ROOF VALEYS. COLOR TO MATCH ADJACENT MATERIALS.

INSTALL EXTERIOR WINDOW WELLS WITH VERTICAL WEEDING TILE & DRAINAGE ROCK AS REQUIRED.

FINISHING TO ALL EXPOSED CONCRETE FOUNDATION.

PROVIDE HUNTER BARS TO FRONT OF HOME OR AS INDICATED BY DRAWING.

EXTEND VINYL SIDING ON PT. ON SLEEPERS @24" O.C. ADJUST TO SUIT SITE.

MAXIMUM FACING EXPOSURE TO BE 18"

WINDOW-DOOR-SKYLIGHT
PERFORMANCE INFORMATION

ALL WINDOWS DOORS AND SKYLIGHTS TO CONFORM TO THE FOLLOWING MINIMUM STANDARDS

ABC DIVISION B 9.7.4.2	
PRODUCT HEIGHT	10 M
MIN. PERFORMANCE GRADE (PG)	40
MIN. POSITIVE DESIGN PRESSURE	1920 PA
MIN. NEGATIVE DESIGN PRESSURE	1920 PA
MIN. WATER PENETRATION TEST PRESSURE	260 PA
MIN. AIR INFILTRATION/EXFILTRATION	A2
TERRAIN TYPE	ROUGH
ABC DIVISION B 9.7.3.3	
WINDOW-DOOR-AND SKYLIGHT GLAZING ALL WEATHER WINDOWS PRODUCT HS4 DUAL PANE WITH SUNSTOP LOW-E AND ARGON GAS	
MAXIMUM U-VALUE	1.408



3 FRONT ELEVATION
A1.0 3/16" = 1'-0"

Layout Page Table	
SHY. #	Sheet Title

architect stamp:

PLP Architecture Inc.
Commercial & Residential
Design Services
107 Copperfield Ct. SE, Calgary A.B.,
T2Z4L3
(403) 454-7932 parry@plparchitecture.ca

REVISIONS		
Date	By	Description
MAR 24 21	PP	LP DEVELOPMENT PERMIT

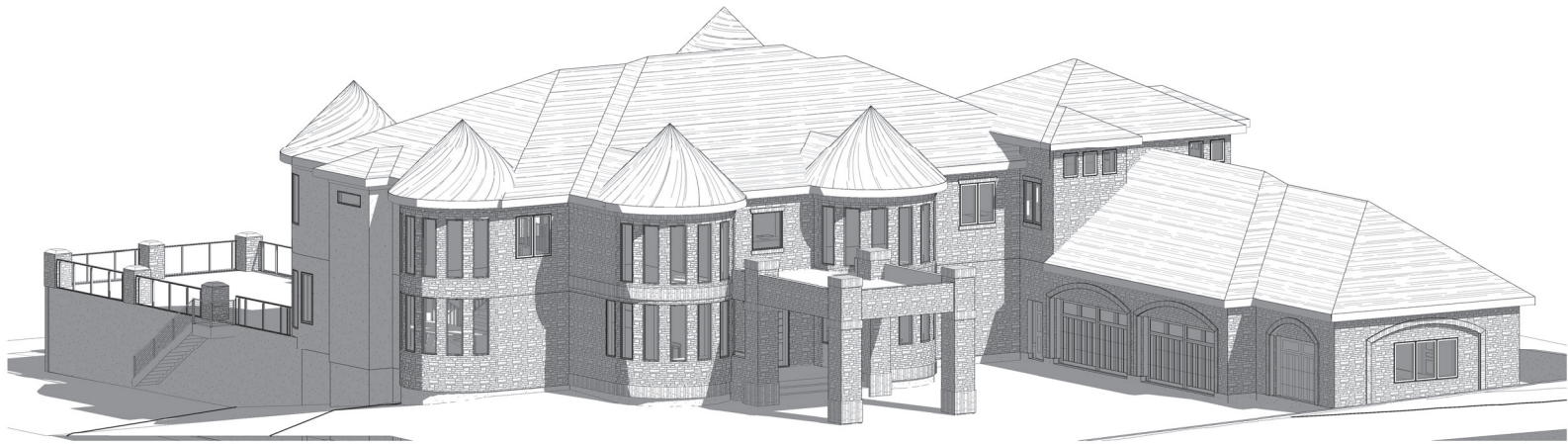
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FRONT
ELEVATION

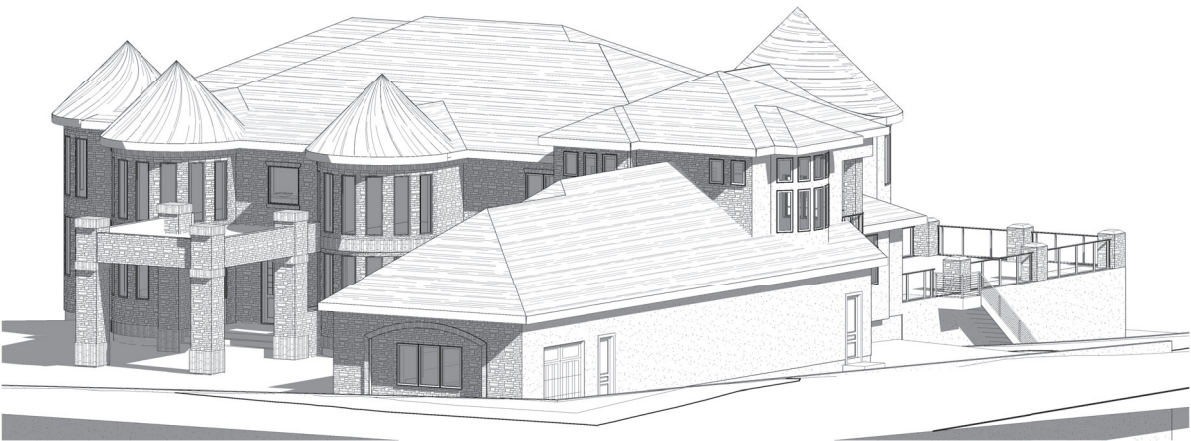
project:
BASIT
RESIDENCE

24050 ASPEN DR ROCKY VIEW COUNTY A.B.
LOT 6, BLOCK 10, PLAN 191-1658

des by	Author	DATE
REV NO	2020-106	0
PROJECT NO	A1.0	As indicated



1 3d front 1
A2.0



2 3d front 2
A2.0



EXTERIOR ELEVATION NOTES:

- ELEVATIONS ARE ILLUSTRATIONS ONLY. ACTUAL GRADING MAY ALTER APPEARANCE.
- MANUFACTURED STONE TO BE INSTALLED AS PER MANUF. SPEC.
- MANUFACTURED STONE OR BRICK TO BE INSTALLED 2" ABOVE FINISHED GRADE OR FINISH.
- PROVIDE EXTERIOR FLASHING AROUND ALL CHIMNEYS, EXTERIOR OPENINGS, AT CHANGES IN EXTERIOR MATERIALS, INTERSECTION BETWEEN WALL & ROOF & IN ROOF VALLEYS. COLOR TO MATCH ADJACENT MATERIALS.
- INSTALL EXTERIOR WINDOW WELLS WITH VERTICAL WRITING TILE & DRAINAGE ROCK AS REQUIRED.
- PAVING TO ALL EXPOSED CONCRETE FOUNDATION.
- PROVIDE MAINTENANCE TO FRONT OF HOME OR AS INDICATED BY DRAWING.
- EXTEND VENTS BEING DRAFT, SLEEPERS 8" AT O.C. ADJACENT TO BUT SITE.
- MAXIMUM PAVING EXPOSURE TO BE 18"

WINDOW-DOOR-SKYLIGHT PERFORMANCE INFORMATION

ALL WINDOWS, DOORS AND SKYLIGHTS TO CONFORM TO THE FOLLOWING MINIMUM STANDARDS

ABC DIVISION B 9.7.4.2	
PRODUCT HEIGHT	10 M
MIN. PERFORMANCE GRADE (PG)	40
MIN. POSITIVE DESIGN PRESSURE	1820 PA
MIN. NEGATIVE DESIGN PRESSURE	1820 PA
MIN. WATER PENETRATION TEST PRESSURE	280 PA
MIN. AIR INFILTRATION/EXFILTRATION	A2
TERRAIN TYPE	ROUGH
ABC DIVISION B 9.7.3.3	
WINDOW-DOOR-AND SKYLIGHT GLAZING ALL WEATHER WINDOWS PRODUCT HAS DUAL PANE WITH SUNSTOP LOW-E AND ARGON GAS	1.408
MAXIMUM U-VALUE	

NOTE:
ALL EVES TO BE 18" UNLESS NOTED
ALL ROUGH FASCIA TO BE 2X8

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SHY. #	Sheet Title

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T2Z4L3
(403) 454-7932 parry@plparchitecture.ca

REVISIONS		
Date	By	Description
MAR 24 21	PP	LP DEVELOPMENT PERMIT

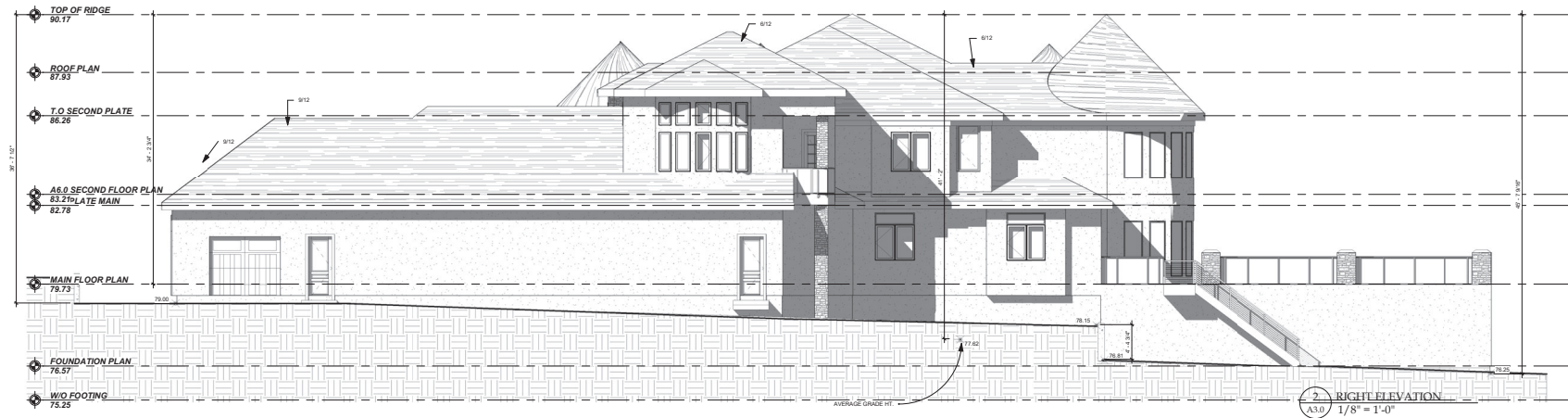
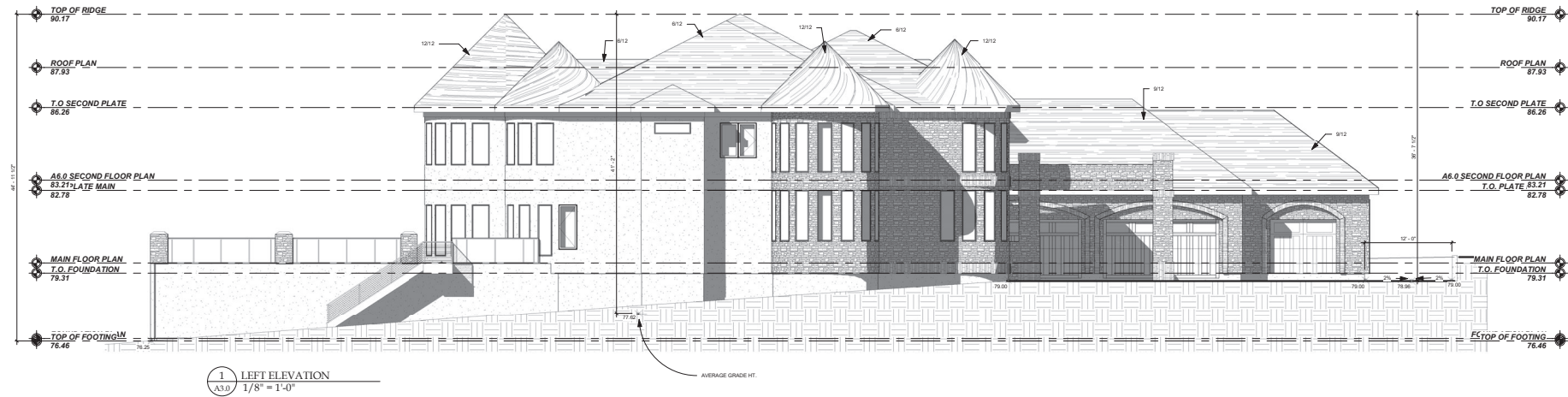
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**REAR
ELEVATION**

project:
**BASIT
RESIDENCE**

24050 ASPEN DR ROCKY VIEW COUNTY A.B.
LOT 6, BLOCK 10, PLAN 191-1658

Rev. No.	Author	Drawn
2020-106	PP	D
A2.0	As Indicated	



NOTE:
ALL EYES TO BE 18" UNLESS NOTED
ALL ROUGH FASCIA TO BE 2X8

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architect stamp:			
PLP Architecture Inc.			
Commercial & Residential Design Services			
107 Copperfield Ct. SE, Calgary A.B., T2Z4L3 (403) 454-7932 parry@plparchitecture.ca			
REVISIONS			
Date	Des. By	Description	
MAR 24 21	PP	LP DEVELOPMENT PERM	
page title:			
LEFT & RIGHT ELEVATIONS			
project:			
BASIT RESIDENCE			
24050 ASPEN DR ROCKY VIEW COUNTY A.B. LOT 6, BLOCK 10, PLAN 191-1658			
des. by	Author	13/07	
rev. no.	2020-106	0	
sheet no.	A3.0	1/8" = 1'-0"	



$$\frac{1}{A4.0} \text{ LOWER FLOOR PLAN}$$

HOUSE AREAS

MAIN FLOOR AREA = 4854 sq.ft.
SECOND FLOOR AREA = 4727 sq.ft.
Total Above GRADE = 9581 sq.ft.

BASEMENT AREA = 4594 sq.ft.
(includes mechanical)

TOTAL AREA = 14,175 sq.ft.

TOTAL AREA = 14,175 sq.ft.

[illegible]

architect stamp:

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Commercial & Residential
Design Services

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(403) 454-7932 parry@piparchitecture.ca

[illegible]

page 110

FOUNDATION
PLAN

project:

BASIT
RESIDENCE

24050 ASPEN DR ROCKY VIEW COUNTY A.B.
LOT 6, BLOCK 10, PLAN 191-1658

doi:10.1111/j.1365-2214.2012.01717.x

File no. **Author**

file no.	2020-106
sheet no.	

A4.0

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2 MAIN FLOOR PLAN
A5.0 3/16" = 1'-0"

HOUSE AREAS

MAIN FLOOR AREA = 4854 sq.ft.
SECOND FLOOR AREA = 4727 sq.ft.
Total Above GRADE = 9581 sq.ft.

BASEMENT AREA = 4594 sq.ft.
(includes mechanical)

TOTAL AREA = 14,175 sq.ft.

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107 Copperfield Ct. SE, Calgary A.B., T2Z4L3 (403) 454-7932 party@plparchitecture.ca					
REVISIONS					
Date	Un.	By	Description		
MAR 24 21	PP		(F. DEVELOPMENT PERMIT)		
page title:					
MAIN FLOOR PLAN					
project:					
BASIS RESIDENCE					
24050 ASPEN DR ROCKY VIEW COUNTY A.B. LOT 6, BLOCK 10, PLAN 191-1658					
des by	Author	Project	Page 18 of 20		
file no.	2020-105	191-1658	D		
sheet size	A5.0	plot scale:	3/16" = 1'-0"		



BASEMENT AREA = 4594 sq.ft.
(includes mechanical)

TOTAL AREA = 14,175 sq.ft.

architect stamp:

architect stamp

Commercial & Residential
Design Services

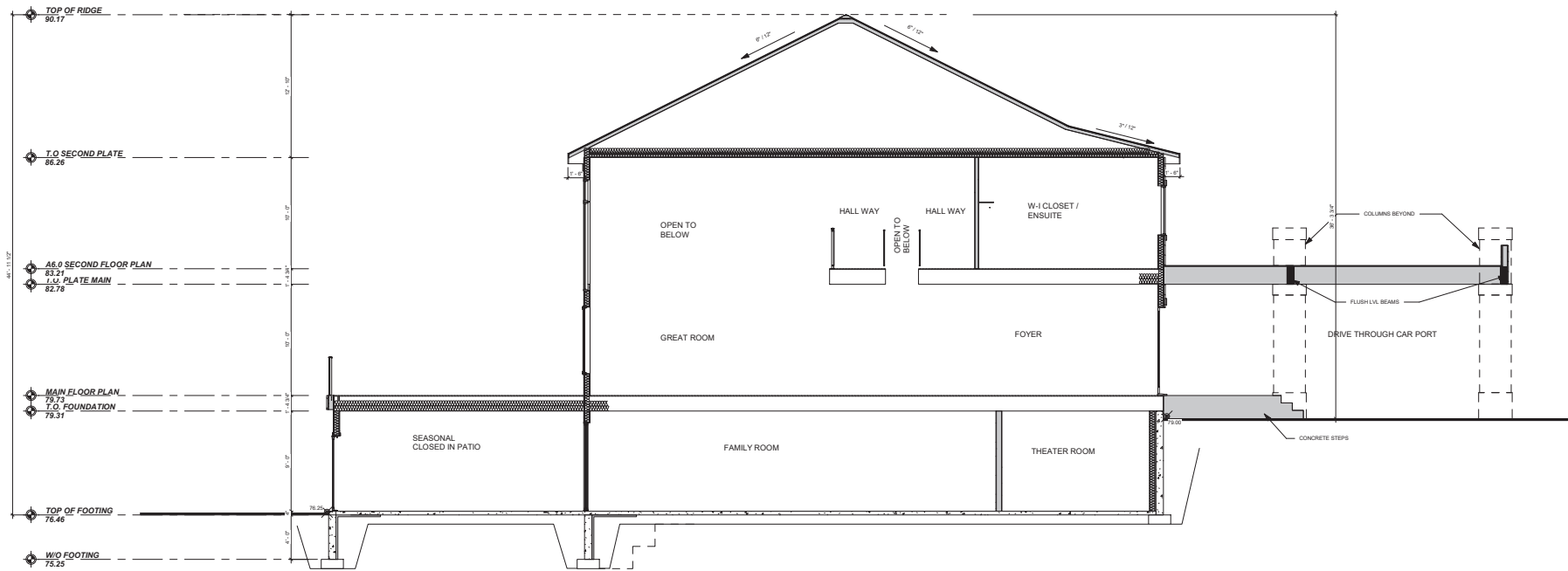
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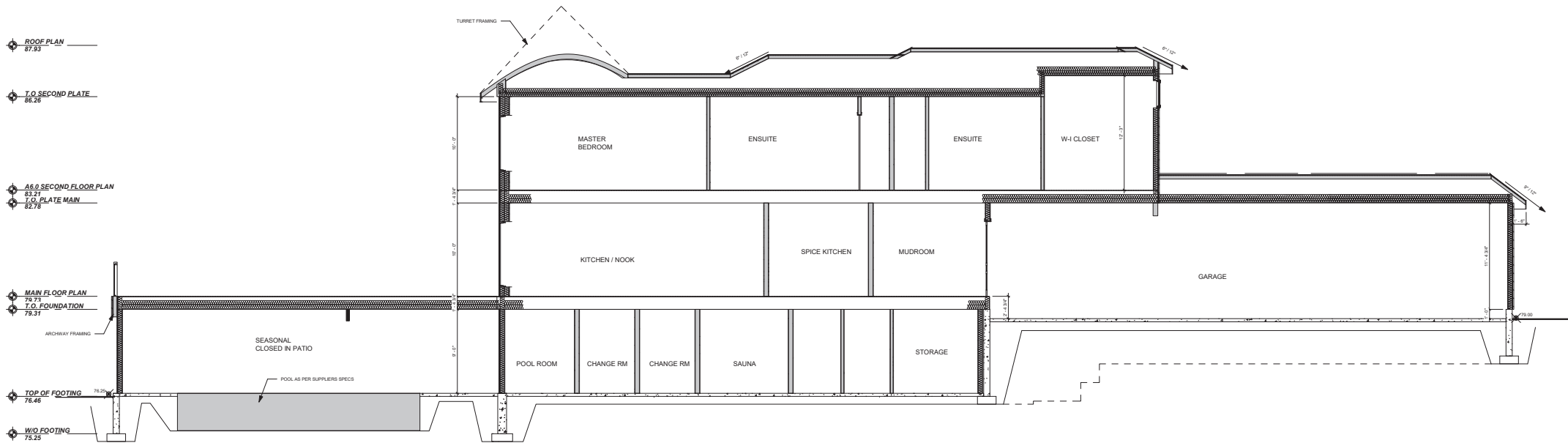
project:

24050 ASPEN DR ROCKY VIEW COUNTY A.
LOT 6, BLOCK 10, PLAN 191-1658

MP Page 19



1 CROSS SECTION A
3/16" = 1'-0"



2 CROSS SECTION B
3/16" = 1'-0"

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PLP Architecture Inc.

Commercial & Residential
Design Services

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REVISIONS		
Date	Idn. By	Description
MAR 24 21	PP	LP DEVELOPMENT PERMIT

page title:

BUILDING
SECTIONS
MAIN

project:
**BASIT
RESIDENCE**

24050 ASPEN DR ROCKY VIEW COUNTY A.B.
LOT 6, BLOCK 10, PLAN 191-1858

des. by	Author	10/19
rev. no.	2020-106	0
sheet no.	A7.0	3/16" = 1'-0"



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Issuance conditions (if listed) *must* be completed.

NOTICE OF DECISION

Muhammad Basit

Page 1 of 2

Tuesday, May 4, 2021

Roll: 05629083

RE: Development Permit #PRDP20211237

Lot 6, Block 10, Plan 1911658, NE-29-25-02-05; (24050 ASPEN DRIVE)

The Development Permit application for construction of dwelling, single detached, relaxation of the maximum height requirement has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That the construction of a dwelling, single detached may commence on the subject parcel in general accordance with the drawings submitted with the application.
 - i. That the maximum building height shall be relaxed from **12.00 m (39.37 sq. ft.)** to **12.56 m (41.20 ft.)**.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall confirm acceptance of or refusal to participate in the voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.
3. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. Written confirmation shall be received from County Road Operations confirming the status of the condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

4. That the Applicant/Owner shall ensure any excavation and fill has been completed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage.
5. That there shall be no more than 2.00 m (6.56 ft.) of excavation or 1.00 m (3.28 ft.) of fill/topsoil placed adjacent to or within 15.00 m (49.21 ft.) of the proposed dwelling unit under construction in order to establish approved final grades unless a Development Permit has been issued for additional fill.



ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, AB, T4A 0X2

403-230-1401
questions@rockyview.ca
www.rockyview.ca

Muhammad Basit #PRDP20211237

Page 2 of 2

6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.

Advisory:

7. That a Building Permit(s) shall be obtained through Building Services, prior to any construction taking place.
8. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
9. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
10. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
11. That if this Development Permit is not issued by **November 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **May 25, 2021**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca

THIS IS NOT A DEVELOPMENT PERMIT



Notice of Appeal

Subdivision and Development Appeal Board
Enforcement Appeal Committee

Appellant Information			
Name of Appellant(s) Wayne Bobye			
Mailing Address 24100 Aspen Dr	Municipality Rocky View County	Province Alberta	Postal Code T3R1A5
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	

Site Information	
Municipal Address 24050 Aspen Drive	Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) Lot 6,Block 10, Plan 1911658, NE-29-25-02-05
Property Roll # 05629083	Development Permit, Subdivision Application, or Enforcement Order # PRDP20211237

I am appealing: (check one box only)		
Development Authority Decision <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Subdivision Authority Decision <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Decision of Enforcement Services <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order

Reasons for Appeal (attach separate page if required)
<p>1) This is a commercial size house at 14,000 sq. ft. The height of this single detached has been relaxed by several feet depending on the slope of the ground. From my property looking north across the large pond , I will look directly at this house from my deck and patio. The relaxation of the maximum height requirement makes this house more visable. At night,this will cause light pollution in a dark sky area which is unwarranted.</p> <p>2) Due to the size of house an internal sprinkler system is required by the code for fire protection. Furthermore, there are no fire water hydrants along Aspen Drive. Therefore, the road to the property must be accessible to according to the Fire code for elevation grade changes in the road.</p> <p>3) Recently, on June 12,2020 there was lighting strike on an electric pole at 24160 Aspen Drive and fortunately the fire was contained from igniting trees along Aspen Drive. This property was close to Aspen Drive and could accessed quickly by Fire Trucks and EMS. The proposed property at 24050 is a long distance from Aspen Drive and there are lots of trees and hundreds of dead trees that could cause a major fire problem. These issues need to addressed in the application.</p>

This information is collected for Rocky View County's Subdivision and Development Appeal Board or Enforcement Appeal Committee under section 33(c) of the Freedom of Information and Protection of Privacy Act (FOIP Act) and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 40(1)(c) of the FOIP Act. Your personal contact information, including your phone number and email address, will be redacted prior to your appeal being made available to the public. If you have questions regarding the collection or release of this information, please contact the Municipal Clerk at 403-230-1401.

W Bobye
Appellant's Signature

May 20,2021
Date

Received by Legislative Services
May 20, 2021



Notice of Appeal

Subdivision and Development Appeal Board Enforcement Appeal Committee

Submitting an Appeal

Appeals must be submitted on time and with the required fee

Sections 547, 645, 678, and 686 of the *Municipal Government Act*, RSA 2000, c M-26, and Rocky View County's *Master Rates Bylaw* require that your Notice of Appeal be submitted to the Subdivision and Development Appeal Board (SDAB) or Enforcement Appeal Committee (EAC) within the legislated timeframe and with the required fee. Fees are as follows:

Subdivision and Development Appeal Board	Fee
Development Authority decision – appeal by the owner of the subject property	\$350.00
Development Authority decision – appeal by an affected party	\$250.00
Development Authority decision – appeal of a Stop Order issued under section 645 of the <i>Municipal Government Act</i>	\$500.00
Subdivision Authority decision (paid at time of application and used as a credit on endorsement fees except where the owner appeals the subdivision)	\$1,000.00
Enforcement Appeal Committee	
Compliance Order - appeal as per section 545 or 546 of the <i>Municipal Government Act</i>	\$500.00

How to submit your appeal and pay your fee

You can submit your Notice of Appeal by mail or deliver it in person. Arrangements can also be made to e-mail your Notice of Appeal and pay over the phone. If you e-mail your appeal to the SDAB clerk, you must call the SDAB clerk for verbal confirmation of receipt. Regardless of how you submit your Notice of Appeal, it must be received on or before the final appeal deadline.

Mail or deliver to:

Clerk, Subdivision and Development Appeal Board
262075 Rocky View Point
Rocky View County, AB, T4A 0X2

Please make cheques payable to "Rocky View County".

What happens after my appeal is submitted?

Once your Notice of Appeal is submitted on time and with the required fee, the appeal will be heard by the SDAB or EAC within 30 days. The Clerk of the SDAB will be in touch with you about the appeal hearing. You and the landowners who are adjacent to the property in question will receive a written Notice of Hearing.

More information

For more information about filing an appeal or SDAB/EAC procedures, please contact the SDAB Clerk at:

Phone: 403-230-1401

Email: sdab@rockyview.ca

Website: www.rockyview.ca



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY

APPLICATION NO.	PRDP20211237
ROLL NO.	05629083
RENEWAL OF	
FEES PAID	315.00
DATE OF RECEIPT	Mar 26, 2021

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Page 24 of 33

APPLICANT/OWNER

Applicant Name: MUHAMMAD BASIT	Email: [REDACTED]
Business/Organization Name (if applicable):	
Mailing Address: [REDACTED]	Postal Code: [REDACTED]
Telephone (Primary): [REDACTED]	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: 10	Plan: 1911658		Parcel Size (ac/ha): 12.63		
Municipal Address:					Land Use District:		

APPLICATION FOR - List use and scope of work

TO DEVELOPE A TWO STOREY HOME

Variance Rationale included: ☐ YES ☐ NO ☐ N/A

DP Checklist Included: ☒ YES ☐ NO

SITE INFORMATION

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| a. Oil or gas wells present on or within 100 metres of the subject property(s) | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) | <input type="checkbox"/> YES <input checked="" 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 checked="" type="checkbox"/> NO |
| d. Subject site has direct access to a developed Municipal Road (accessible public roadway) | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |

AUTHORIZATION

I, MUHAMMAD BASIT (Full name in Block Capitals), hereby certify (initial below):

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

MB 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.

MB That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the *Freedom of Information and Protection of Privacy Act*.

MB **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.

Applicant Signature [Signature]

Date MAR 25, 2021

Landowner Signature [Signature]

Date MARCH 25, 2021



DEVELOPMENT PERMIT APPLICATION CHECKLIST - GENERAL

All plans shall be submitted as one (1) legible hard copy and in DIGITAL form (pdfs)

Select [✓] all that are included within application package. Incomplete applications may not be accepted for processing

- ☒ **APPLICATION FORM(S) AND CHECKLIST:** All parts completed and signed.
- ☐ **APPLICATION FEE:** Refer to Planning and Development Fee Schedule within the [Master Rates Bylaw](#).
- ☒ **CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 days of application, and:**
 - ☐ Digital copy of non-financial instruments/caveats registered on title
- ☐ **LETTER OF AUTHORIZATION:** Signed by the registered landowner(s) authorizing person acting on behalf (if not the Applicant). If registered owner on title is a company, authorization to be provided on a company letterhead or as an affidavit (signed by a Commissioner of Oaths).
- ☐ **COVER LETTER, shall include:**
 - ☐ Proposed land use(s) and scope of work on the subject property
 - ☐ Detailed rationale for any variances requested
 - ☐ For businesses - Complete operational details including days/hours of work, number of employees, parking provisions, types of vehicles, outdoor storage areas, site access/approach, traffic management, etc.
 - ☐ Reference to any *Supporting Documents*, images, studies, plans etc. provided within application package
- ☒ **SITE PLAN, shall include:**
 - ☐ Legal description and municipal address
 - ☐ North arrow
 - ☐ Property dimensions (all sides)
 - ☐ Setbacks/dimensions from all sides of the property line(s) to existing/proposed buildings, structures (cantilevers, decks, and porches), outdoor storage areas etc.
 - ☐ Dimensions of all buildings/structures
 - ☐ Location and labels for existing/proposed approach(s)/access to property
 - ☐ Identify names of adjacent internal/municipal roads and highways
 - ☐ Identify any existing/abandoned/proposed 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 from structures
 - ☐ Location and labels for easements and/or rights-of-way on title
- ☒ **FLOOR PLANS/ELEVATIONS, shall include:**
 - ☐ Overall dimensions on floor plans for all buildings/structures (for new construction, additions, renovations etc.)
 - ☐ 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
- ☒ **COLOUR PHOTOGRAPHS (Min. 3) - one hard and digital copy:** 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
- ☐ **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.). Refer to the Land Use Bylaw for use or district specific requirements.

FOR OFFICE USE ONLY

Proposed Use(s): Variance to maximum building height

Land Use District: R-RUR

Applicable ASP/CS/IDP/MSDP: Bears paw ASP

Included within file: ☒ Information Sheet ☒ Parcel Summary ☒ Site Aerial ☒ Land Use Map Aerial ☒ Site Plan

NOTES:

Staff Signature: Steven Lam



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0038 398 707 1911658;10;6 201 216 991

LEGAL DESCRIPTION
 PLAN 1911658
 BLOCK 10
 LOT 6
 EXCEPTING THEREOUT ALL MINES AND MINERALS
 AREA: 5.11 HECTARES (12.63 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;2;25;29;NE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 191 164 180 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
201 216 991	25/11/2020	TRANSFER OF LAND	\$740,000	CASH & MORT

OWNERS

NIDA BASIT

AND

MUHAMMAD BASIT

BOTH OF:

[REDACTED]
 [REDACTED]
 [REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	NUMBER	DATE (D/M/Y)	PARTICULARS
731 046 033	23/08/1973	CAVEAT	CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.

ENCUMBRANCES, LIENS & INTERESTS

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201 216 991

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
781 035 771	10/03/1978	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.
071 607 050	18/12/2007	CAVEAT RE : EASEMENT AND RESTRICTIVE COVENANT
171 056 643	09/03/2017	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
171 056 644	09/03/2017	CAVEAT RE : DEFERRED SERVICES AGREEMENT CAVEATOR - ROCKY VIEW COUNTY. 911 - 32ND AVENUE NE CALGARY ALBERTA T2E6X6
181 265 511	10/12/2018	RESTRICTIVE COVENANT AS TO PORTION OR PLAN:PORTION
191 164 181	15/08/2019	CAVEAT RE : DEFERRED RESERVE CAVEATOR - ROCKY VIEW COUNTY. 2622075 ROCKY VIEW POINT ROCKY VIEW COUNTY ALBERTA T4A0X2 AGENT - SEAN MACLEAN

TOTAL INSTRUMENTS: 007

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 9 DAY OF MARCH,
2021 AT 08:22 P.M.

ORDER NUMBER: 41187369

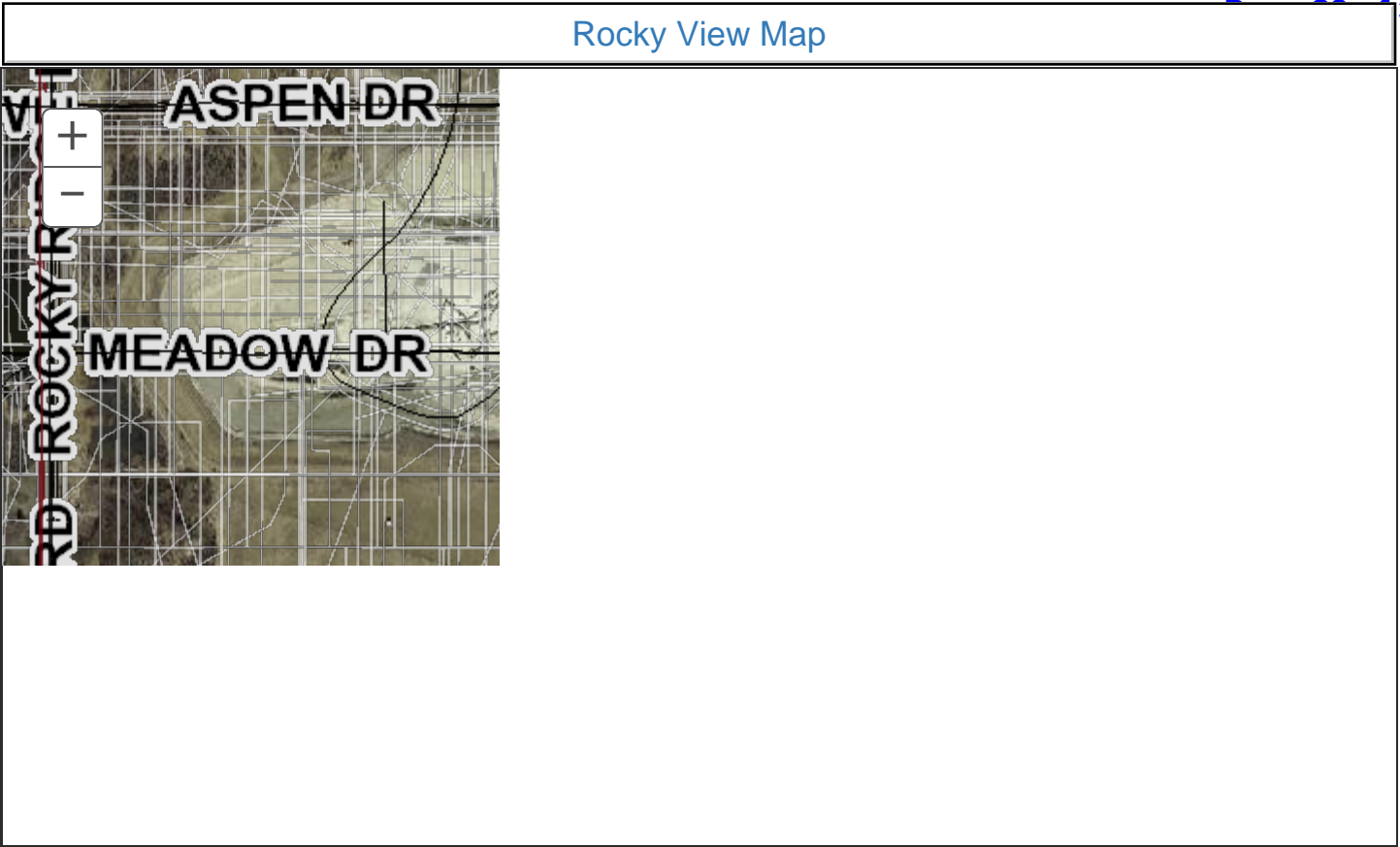
CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

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ii

Summary

Roll Number	05629083	
Legal Desc	NE-29-25-02-W05M	
Divison	08	
Lot Block Plan	Lot:6 Block:10 Plan:1911658	
Linc Number	38398707	
Title Number	201216991	
Parcel Area	12.63000	
Municipal Address	24050 ASPEN DRIVE	
Contact Information	Basit, Nida & Muhammad	00000000000000
		00000000000000
		00000000000000
Land Use Information	R-RUR	

Plan

Planning Applications Information

Application No.	Name	Status	Planner	Application Date
PL20210013	Konschuk Consulting	Circulation	XDeng	Friday, January 22, 2021
PL20210013	Konschuk Consulting	Circulation	XDeng	Friday, January 22, 2021

Area Structure Plan

Plan Name	RV Number
Bearspaw	

Conceptual Scheme

{There is no related Conceptual Scheme}

Permit

Building Permit

{There is no related Building Permit}

Development Permit Information

{There is no related Development Permits}

Alert

{There is no related Development Enforcement Data}

Geospatial Boundary

Boundary	Category
Division	8
Area Structure Plan	Bearspaw
Conceptual Scheme	No Conceptual Scheme
IDP	CALGARY IDP Study Area
Airport Vicinity	No APVA
Engineer	
Water Coop	
Gas Coop Service	
No.of Lots Within 600 M	41

No.of App Subdiv Within 600 M	0
Developed Road Allowance	Yes
Riparian Area	Yes
School	No School Boundary
Recreation	Bearspaw-Glendale
Fire District	BEARSPAW
Primary Fire Station	103
Secondary Fire Station	151
Tertiary Fire Station	102

Geospatial Adjacency

Boundary	Category	Distance
Closest Highway	No HWY within 800 M	
Closest Gravel Pit	Kennel Pit	6801.67 M
Sour Gas	No Sour Gas Pipe passes	From closest sour pipe:15771.6 M
Closest Road Name	ASPEN DR(Surface Type:Paved)	9.74 M
Closest Railway	CPR	5732.9 M
Closest Western Irrigation Districts	Within 10Km	
Closest Waste Water Treatment	Within 10Km	6614.27 M
Closest Waste Transfer Site	Within 3 Km	
Closest Municipality	CITY OF CALGARY	340.67 M
Closest Confined Feeding Operation		7627.11 M



