



CITY OF
Lethbridge

Office of the City Clerk

January 18, 2019

RE: NOTICE OF HEARING - SUBDIVISION AND DEVELOPMENT APPEAL BOARD

An appeal has been filed on the refusal of the Development Officer to allow the construction of a secondary suite in the basement of the existing single detached dwelling at 1022 7 Street North, Development Application DEV10909.

When an appeal is filed with the Subdivision and Development Appeal Board (SDAB), all persons who own property within 200 feet or 60 meters of the development are notified of the hearing by way of this letter. In addition, the owner of the property, the applicant of the development permit, the Community Association and the person(s) who filed the appeal will also receive a copy of this letter.

The Subdivision and Development Appeal Board (SDAB) will hold a Public Hearing as follows:

DATE: Thursday, February 7, 2019
TIME: 5:00 p.m.
LOCATION: Council Chambers, Main Floor, City Hall
910 – 4 Avenue South

Persons affected by this development have the right to present a written, verbal and/or visual submission to the Board. When making a presentation, keep in mind that in accordance with the legislation that governs the SDAB, the Board can only consider relevant planning matters when rendering its decision. It is recommended that you limit your presentation to five minutes.

If you wish to submit written material to the Board, it should be delivered to the Secretary of the SDAB, no later than 12:00 noon on the Wednesday prior to the hearing. If you are unable to meet this submission deadline, please bring 12 copies of the materials to the Hearing and it will be distributed at the start of the Hearing. Any written and/or visual material received will be made available to the public.

We will be pleased to answer any questions you may have regarding the appeal and can also provide information or advice on Board procedures and how to make presentations to the Board. Please feel free to contact me at 403 320 3030 if you have any questions.

Yours truly,

David Sarsfield
Board Secretary,
Subdivision and Development Appeal Board



CITY OF
Lethbridge

NOTICE OF A SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

DATE: Thursday, February 7, 2019

PLACE: Council Chambers, 1st Floor
City Hall - 910 - 4th Avenue South

TIME: 5:00 p.m.

AGENDA:

1. CALL TO ORDER

PRESENTATIONS:

- 2.1 5:00 p.m.
SDAB No. 2019-01
APPEAL OF DEVELOPMENT APPLICATION REFUSAL DEV10909

Appellants: Pat Kuntz

Address: 1022 - 7 Street N

To construct a Secondary Suite in an existing dwelling

Land Use District: R-L (Low Density Residential)

January 4, 2019

To Whom it May Concern:

RE: Application No. DEV10909 – 1022 7 St N request for Basement Suite Permit

Please note the following in respect for the Policy 2.3 of Staffordville Area Redevelopment Plan.

2.3 Secondary suites are allowed in single-detached homes provided that they meet current building, land use bylaw, and fire code standards. Secondary suites are required to be above grade in consideration of surface drainage issues

The refusal based on problems of surface drainage has no bearing on this property. This policy has been made on the existing homes in the area which are more than 50 years old. As this home has been constructed in the last 3 years, it is within or exceeding City of Lethbridge requirements. These are including: sump with exterior discharge, backflow preventer in sewage system, lot grading complete with certificate.

As the lot grading is in compliance and there is a catch basin in the lane directly behind this property, there cannot be any issues with drainage to neighboring lots.

In regards to the above, Policy 2.3 should not be applicable to this application.

Pat Kuntz or Patrick 6979@hotmail.com
403-394-5156
1022-7 Street North
Lethbridge, AB T1H 1Y9

CITY OF LETHBRIDGE
RECEIVED

JAN 10 2019

OFFICE OF THE
CITY CLERK



**Land Use Bylaw 5700
DEVELOPMENT PERMIT APPLICATION - REFUSED**

Address: **1022 7 ST N**
Legal: 6212GP;1;44

District: R-L

Applicant: ASHCROFT MASTER BUILDER LTD
Address: 102 12 ST S LETHBRIDGE AB T1J 4S9

Phone: 403-524-3442

Development Proposed To construct a secondary suite in the basement of the existing single detached dwelling. The three required off-street parking stalls will be provided.

District R-L LOW DENSITY RESIDENTIAL

Land Use SECONDARY SUITE, NEW - DISCRETIONARY

REASONS FOR REFUSAL

In accordance with Policy 2.3 of the Staffordville Area Redevelopment Plan and Section 5.11.1.3 of Land Use Bylaw 5700, the application for a Secondary Suite, New is REFUSED for the following reasons:

1. Policy 2.3 of the Staffordville Area Redevelopment Plan does not allow secondary suites to be constructed below grade in consideration of surface drainage issues.
2. The approval of this application dated December 27, 2018, was therefore issued in error as it was in violation of the Policy 2.3 outlined in condition #1.

Development Approval of DEV10909 is thereby CANCELED.

Decision Date

Jan 02, 2019

**Development
Authority**


PAM COLLING, DEVELOPMENT OFFICER

STATUTORY PLANS

The SSRP and applicable municipal statutory plans were considered in rendering this decision.

APPEALS

The applicant has the right to appeal this decision to the Subdivision and Development Appeal Board. An appeal shall contain a statement of the grounds of appeal and shall be delivered either personally or by Registered Mail so as to reach the Secretary of the Subdivision and Development Appeal Board not later than twenty-one (21) days after the decision date indicated on the 'Development Permit or 'Development Permit Application - Refused' letter.

FOIP

The personal information provided as part of this permit is collected under the Alberta Municipal Government Act and in accordance with section 33(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, Land Use By-law 5700 compliance verification and monitoring, and property assessment purposes. The name of the permit holder and the nature of the permit is available to the public upon request and may be revealed in public appeal processes.

If you have questions about the collection or use of the personal information provided, please contact Information Management at 910 4 Ave S Lethbridge, AB, T1J 0P6 or phone at (403) 329-7329, or email developmentsservices@lethbridge.ca.

City of Lethbridge

**Planning and
Development
Services**

910 - 4th Avenue South
Lethbridge, AB
T1J 0P6

General #: 403-320-3920
Inspection #: 403-320-3830
Fax #: 403-327-6571

Development Permit Application

LAND USE BYLAW 5700 - FORM A

on base. → BP 023/35
DEV 10909

Project Address:

Unit / Bay # _____

Civic Address _____

1022 7 ST N

Date:

Dec 13 2018

Access Code: Ashcroft1

Property Owner

Name: Patrick Kuntz

Applicant

Paid

Address: 1022 7 St N

Lethbridge AB

Phone: 403-393-5892 Fax: _____

Signature: *Patrick Kuntz*

Land Owner Consent

The owner of this property knows the full details of the proposed development and knows I am making this development application.

Yes No

Applicant

Name: Ashcroft Master Builder

Applicant

Paid

Address: 102 12 St S

Lethbridge AB T1J 4S9

Phone: 403-524-3242 Fax: _____

Signature: *Sarah Linn*

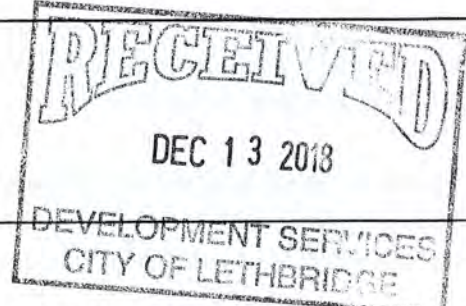
Email: sarah@ashcrofthomes.net

**** Providing an email address means you consent to receive all documents via this address. Please ensure accuracy ****

B/L #: _____

Details of Proposed Development

Develop basement into a suite



Be Advised

Although the Development Officers of the City of Lethbridge are in a position to advise on the principle or details of proposals, such advice must not be taken in any way as an official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that the applicant shall not proceed with the development based on comments made by the Development Officers prior to the issuing of a development permit.

Confirmation

The information I have provided herein and herewith is true, and to the best of my knowledge and abilities, accurate and complete.

Signature: *Sarah Linn*

Date: Dec 13 2018

Version Date: **December 27, 2017**

RECEIVED
 DEC 13 2018
 DEVELOPMENT SERVICES
 CITY OF LETHBRIDGE

CITY OF *Lethbridge*
APPROVED AS PER
LAND USE BYLAW 5700

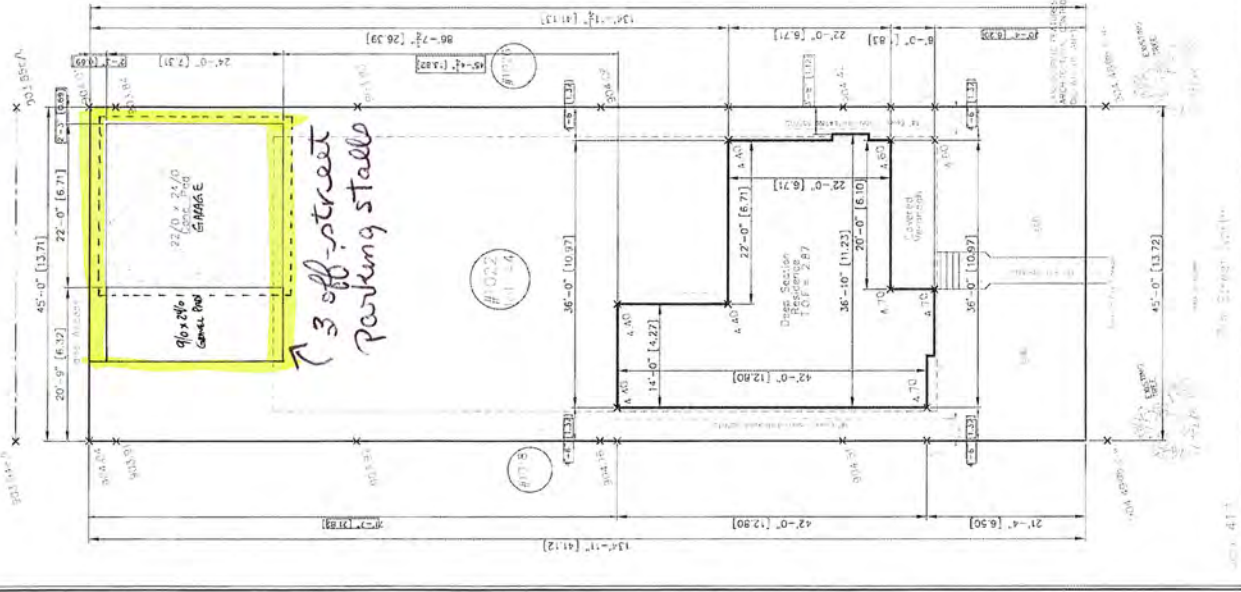
DEC 27 2018

PERMIT #: **DEV10909**

SIGNATURE: *R. Collins*

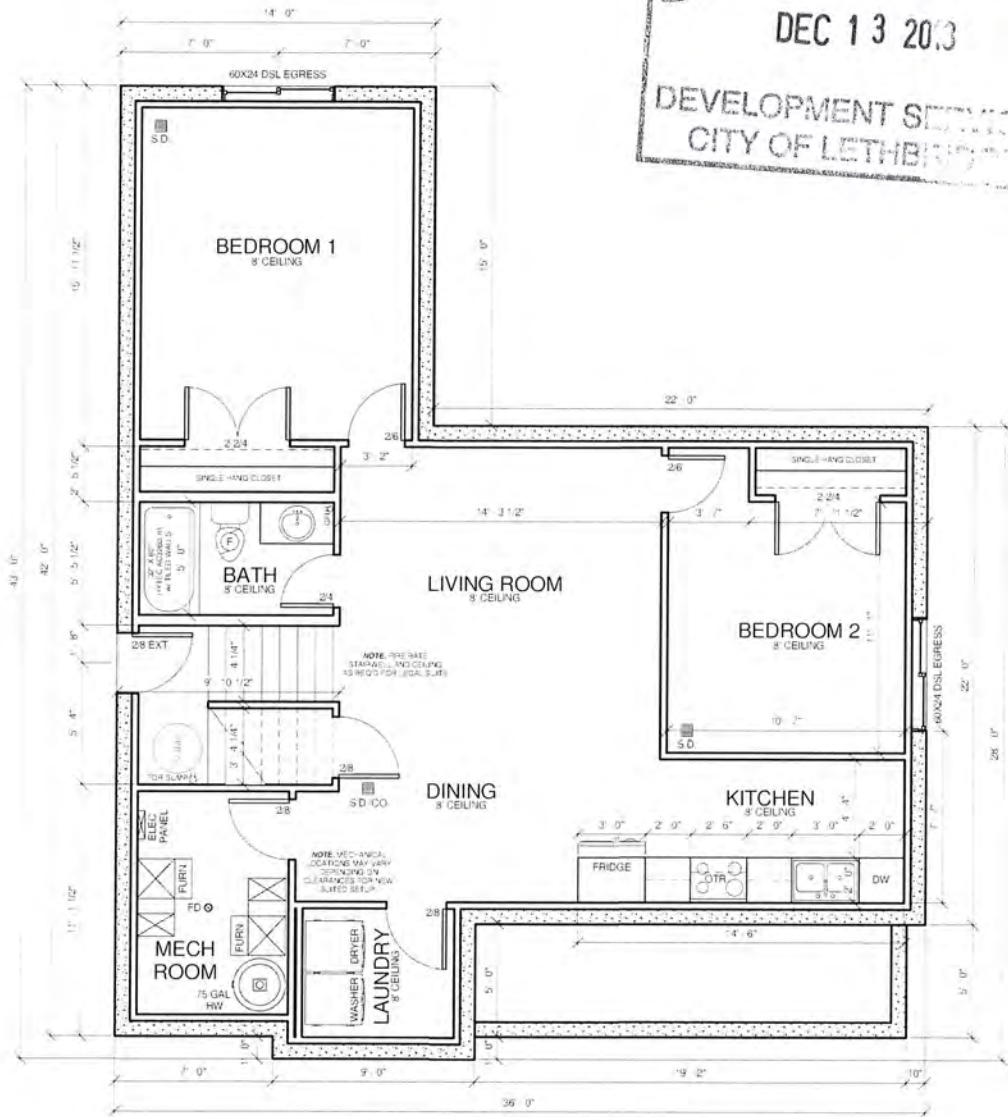
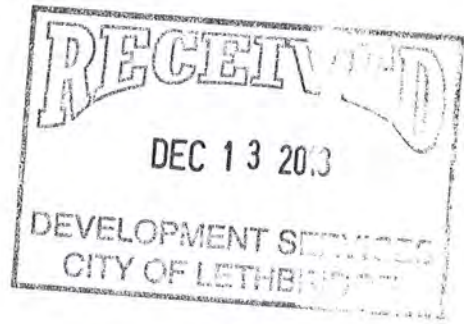
NOTES:

1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE RAILROAD UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CANAL UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DRAINAGE CANAL UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE UTILITY LINE UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE PROPERTY UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS OTHERWISE NOTED.
11. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE BLOCK UNLESS OTHERWISE NOTED.
12. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE DISTRICT UNLESS OTHERWISE NOTED.
13. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE CITY UNLESS OTHERWISE NOTED.
14. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE PROVINCE UNLESS OTHERWISE NOTED.
15. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE COUNTRY UNLESS OTHERWISE NOTED.



Item	Description	Quantity	Unit	Notes
1	Garage	1	sqm	22.0m x 24.0m
2	Parking Stalls	3	sqm	3.0m x 6.0m
3	Driveway	1	sqm	20.0m x 6.0m
4	Alleyway	1	sqm	45.0m x 6.0m
5	Drainage Canal	1	sqm	15.0m x 4.27m
6	Utility Easement	1	sqm	36.0m x 6.0m

75 Planning & Design Inc. Office: 401-942-1974 Fax: 403-960-1444
 101 44, Block 1
 Plan # 82296
 #022 W 2000 5000
 Scale: N/A
 UTM: N/A



BASEMENT FLOOR

FINAL PLAN

CITY OF *Lethbridge*
APPROVED AS PER
LAND USE BYLAW 5700
DEC 27 2018
 PERMIT #: DEV10909
 SIGNATURE: P. Colling

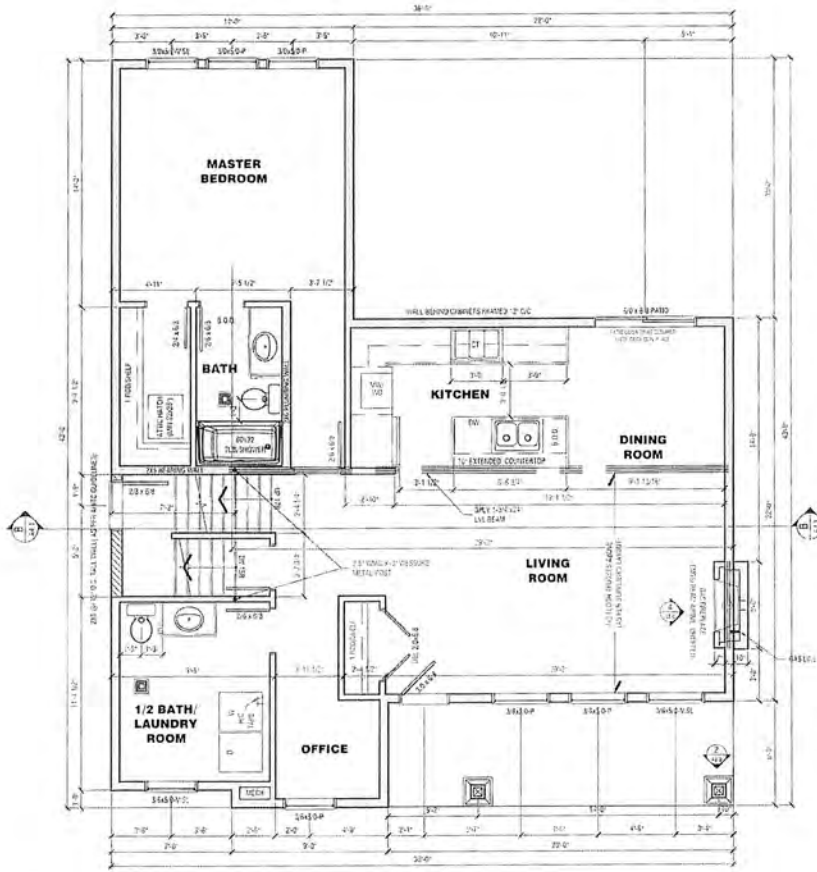
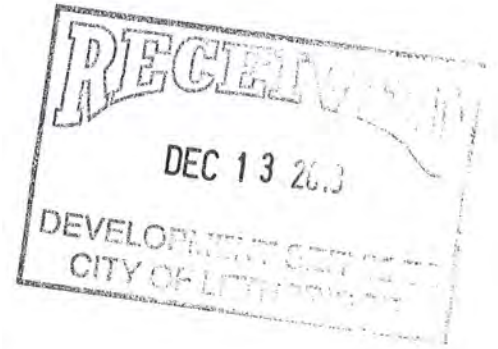
DO NOT SCALE DRAWINGS.
 ALL MEASUREMENTS SHALL BE OBTAINED FROM STATED DIMENSIONS.
 CONTRACTOR SHALL READ DRAWINGS IN CONJUNCTION WITH WRITTEN
 SPECIFICATIONS. ALL DIMENSIONS AND CONDITIONS SHALL BE VERIFIED
 ON SITE. ANY QUESTIONS SHALL BE DIRECTED TO ASHCROFT
 MASTER BUILDER PRIOR TO PROCEEDING WITH CONSTRUCTION.



JOB #	412-B
MODEL	CUSTOM
CUSTOMER	KUNTZ
LEGAL ADDRESS	LOT 44, BLOCK 1, PLAN 62125P
MUNICIPAL ADDRESS	1022 7TH STREET NORTH
DEVELOPMENT AREA	
BASEMENT DEVELOPED	939 sq.ft
BASEMENT UNDEVELOPED	152 sq.ft
MINY FLOOR	1091 sq.ft
SECOND FLOOR	509 sq.ft
TOTAL	1600 sq.ft
GARAGE	N/A sq.ft
PAGE NUMBER	6 OF 11

VERSION:
12/7/2018

KUNTZ



1 MAIN FLOOR PLAN
 DATE: 2023-10-27

DO NOT SCALE DRAWINGS.
 ALL REQUIREMENTS SHALL BE OBTAINED FROM STAFF DEVELOPER.
 CONSULTOR SHALL PROVIDE DRAWINGS IN COMPLIANCE WITH LISTED SPECIFICATIONS. ALL DIMENSIONS AND LOCATIONS SHALL BE VERIFIED ON SITE. ANY DISCREPANCIES SHALL BE DECIDED TO ASHCROFT MASTER HOLDER PRIOR TO PROCEEDING WITH CONSTRUCTION.

ASHCROFT
 MASTER BUILDER

JOB # 412
 MODEL: CUSTOM
 CUSTOMER: KUNTZ
 LEGAL ADDRESS: LOT 44, BLOCK 1, PLAN 62126P
 MUNICIPAL ADDRESS: 1022 7 STREET NORTH, LETHBRIDGE, AB

DEVELOPMENT AREA

PROJECT DEVELOPMENT	0 sq. ft.	TOTAL	1,600 sq. ft.
MAX. FLOOR	1,091 sq. ft.		
SECOND FLOOR	509 sq. ft.	GARAGE	0 sq. ft.

A3.0

City of Lethbridge

**Planning and
Development
Services**

910 - 4th Avenue South
Lethbridge, AB
T1J 0P6

General #: 403-320-3920
Inspection #: 403-320-3830
Fax #: 403-327-6571

Voluntary Waiver of Claims

DEVELOPMENT COMMENCEMENT - FORM A.1

LUB 5700, Section 5.10.1

BP _____
DEV 10909

Project Address:

Unit/Bay # _____

Civic Address

1022 7 ST N

Date:

Dec 13 2018

Access Code: Ashcroft1

"VOLUNTARY WAIVER OF CLAIMS" (Optional)

For Development Approvals of Discretionary Uses and/or Approvals granting a waiver of development standards

This "Voluntary Waiver of Claims" allows you to commence your development in advance of the date of validity on your Development Permit. The permit's valid date is the date at which the appeal period for the public has expired.

By agreeing to this "Voluntary Waiver of Claims" you agree that should an appeal be made you will immediately cease the development pending the outcome of the appeal and will waive all claims to compensation from the City of Lethbridge for costs associated with that cessation and/or costs resulting from the outcome of the appeal.

Agreement to this "Voluntary Waiver of Claims" does not nullify your own right to an appeal. You may appeal any condition of approval on the Development Permit to the Subdivision and Development Appeal Board by the date identified on your permit.

Agreement to this "Voluntary Waiver of Claims" and possession of the released Development Permit does not eliminate the need for a Business License, Building Permit or other permits. Do not commence development without first obtaining all the necessary permits.

I HAVE READ, UNDERSTOOD, AND AGREE TO THIS "VOLUNTARY WAIVER OF CLAIMS"

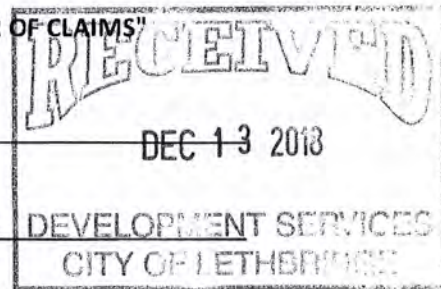
Name (Please Print) Sarah Lindemann

Signature:

Sarah Lindemann

Date:

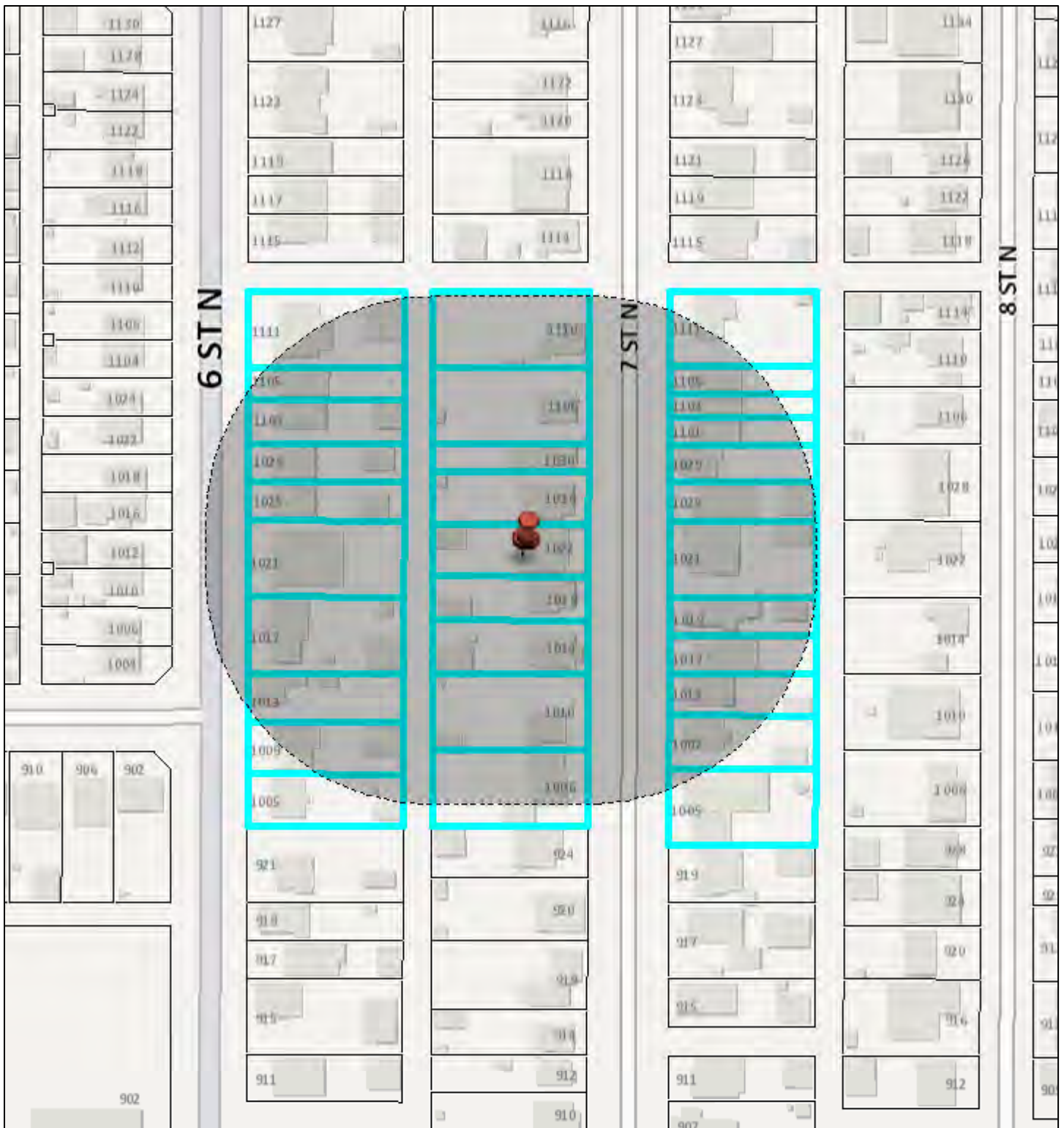
Dec 13 2018



Version Date: December 28, 2017

Any personal information collected on this form is collected in accordance with Sections 683, 685 and 686 of the Alberta Municipal Government Act and Section 33(c) of the Freedom of Information and Protection of Privacy Act. Please note that such information may be made public. If you have any questions about the collection, use or disclosure of the personal information provided, please contact Information Management at 910 4 Ave S, Lethbridge, AB, T1J 0P6 or phone at (403) 320-7329.

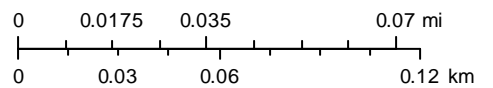
Parcel Locator WebMAP



December 13, 2018

1:2,257

Parcels



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community
City of Lethbridge, Alberta, Canada