



CITY OF
Lethbridge

NOTICE OF A SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

DATE: Thursday, December 1, 2011

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

TIME: 4:00 p.m.

A G E N D A

1. CALL TO ORDER

Adoption of Minutes



CITY OF
Lethbridge

PRESENTATIONS:

2.1 4:00 p.m.

SDAB No. 2011-07
APPEAL OF STOP ORDER

Appellants: Kris Bouchard
 Kaylie Bouchard

To reduce the height of the accessory building located at 431 Sixmile Cove South to a maximum of 4.50m in accordance with previously approved plans by December 15, 2011

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



CITY OF
Lethbridge

Office of the City Clerk

November 17, 2011

RE: NOTICE OF HEARING - SUBDIVISION AND DEVELOPMENT APPEAL BOARD

An appeal has been filed on the issuance of an Order of the Development Officer to reduce the height of the accessory building located at 431 Sixmile Cove South to a maximum of 4.5m in accordance with previously approved plans by December 15, 2011.

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, December 1, 2011
TIME:	4:00 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 Manager 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 403-329-7329 if you have any questions.

Yours truly,

David Sarsfield
Acting Board Secretary, Subdivision and Development Appeal Board

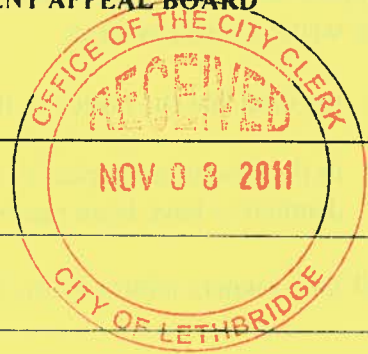
LETTER OF APPEAL

DELIVER TO:

THE SECRETARY
SUBDIVISION & DEVELOPMENT APPEAL BOARD
City Clerk's Office, 2nd Floor, City Hall
910 - 4th Avenue South
Lethbridge, Alberta

MAIL OR FAX TO:

THE SECRETARY
SUBDIVISION & DEVELOPMENT APPEAL BOARD
City Hall
910 - 4th Avenue South
Lethbridge, Alberta T1J 0P6
FAX: 320-7575



APPELLANT:

I/we KRIS/KAYLIE BOUCHARD
(Please Print)

Mailing Address: 431 SIXMILE COVE S.

Postal Code: _____ Telephone: Residence 403-332-3200 Business _____

Email Address: krisboucharde@gmail.com

Do hereby appeal the following decision/order: GARAGE REJECTED

APPLICATION BEING APPEALED: Development Application No. _____ Subdivision Application No. _____

Property Address of the Appeal: 431 SIXMILE COVE S.

The grounds for this appeal are as follows:

- WILL BRING ALL RELEVANT INFORMATION TO MEETING
- Sent Email End September with some of reasons why

(Please use separate sheet if necessary)

Date: NOVEMBER 8th/2011 Signature of Appellant [Signature]



CITY OF
Lethbridge

DEVELOPMENT SERVICES DEPARTMENT

TELEPHONE NO. 403-320-3920

ORDER

Our File: DEV03622
BP010623

November 2, 2011

HAND DELIVERED

RE: OVER-HEIGHT DETACHED GARAGE AT 431 SIXMILE COVE SOUTH

Kris and Kaylie Bouchard:

A site inspection of your property was conducted on November 1, 2011 as a follow-up to the September 27th, 2011 Municipal Planning Commission meeting whereby your application for a waiver of the maximum building height requirement for accessory buildings was refused. The site inspection showed that the detached garage being constructed at the above noted property has not been reduced to the approved maximum building height of 4.50m.

Section 645 of the Alberta Municipal Government Act authorizes a development authority to order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to stop the use of the land or building and to require any other action so that the use of land or building complies with the Land Use By-law.

Therefore, in accordance with Section 645 of the Municipal Government Act, We hereby order Kris and Kaylie Bouchard to:

- 1. Reduce the height of the accessory building located at 431 Sixmile Cove South to a maximum of 4.50m in accordance with previously approved plans which are attached by December 15, 2011.**

Failure to act in accordance with this order may result in legal action.

Page 2 of 2
Kris & Kaylie Bouchard
November 2, 2011

Section 5.11.3 of Land Use Bylaw 5700 gives you the right to appeal this order. Appeals must be conducted in accordance with Section 6.1 of Land Use Bylaw 5700. Contact the Manager of the Subdivision and Development Appeal Board in the City Clerk's office (320-4083) within 14 days of receipt of this letter if you choose to appeal this order.



Pam Colling
Development Officer

Enc.

cc: Jeff Greene, Director – Planning & Development
Doug Hudson, City Solicitor's Office
Aleta Neufeld, City Clerk's Office
Gepke Stevenson, Senior Development Officer



CITY OF LETHBRIDGE
Land Use Bylaw 5700
DEVELOPMENT APPLICATION DECISION

APPLICATION NO.
DEV03622

Address: 431 SIXMILE COVE S
Legal: 1014193;24;71

District: R-L

Applicant: BOUCHARD, KRIS
BOUCHARD, KAYLIE
Address: 159 SIXMILE RIDGE S LETHBRIDGE AB T1K 5S8

Phone: 403 332-3200
Phone: (403) 328-5222

Development Proposed TO REQUEST A HEIGHT WAIVER OF 17'10" FOR A DETACHED GARAGE. THE 2ND STORY IS BEING USED FOR STORAGE. NO WINDOWS OR DOORS ON THIS LEVEL.

District ACCESSORY BUILDINGS - RES

Land Use ACCESSORY BUILDING - PERMITTED

Waiver MAX. BUILDING HEIGHT

REASONS FOR REFUSAL

In accordance with the decision of the Municipal Planning Commission on September 27, 2011, the application to construct a two-story accessory building and a request for a 0.93m (3'1") building height waiver is REFUSED for the following reasons:

1. The accessory building would not fit with the design, character and appearance of the neighboring properties.
2. The accessory building as proposed to be finished does not lend itself to residential use but rather commercial storage which is not allowed in the R-L District.
3. This application does not conform with the height requirements of Land Use Bylaw 5700.

Decision Date

Sep 27, 2011

Valid Date

Sep 27, 2011

Development Commencement

Provided this decision is not appealed, development shall commence:

- on or after the valid date, and
- within one year of the valid date.

Development may commence before the valid date only if the applicant has signed the "Voluntary Waiver of Claims" and is in receipt of this signed permit.

Development Authority

MAUREEN GAEHRING, SECRETARY TO MPC

INFORMATION RELATING TO DEV03622

CITY OF LETHBRIDGE
Land Use Bylaw 5700
DEVELOPMENT APPLICATION DECISION

APPLICATION NO.
DEV03622

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 fourteen (14) days after the Development Permit or Development Decision letter is deemed to have been received.

The deemed received date is seven (7) working days from the date of decision.

FOIPP

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 the Manager of Planning and Development Services at 910 4 Ave S, Lethbridge, AB, T1J 0P6 or phone at (403) 320-3920, or email developmentservices@lethbridge.ca.

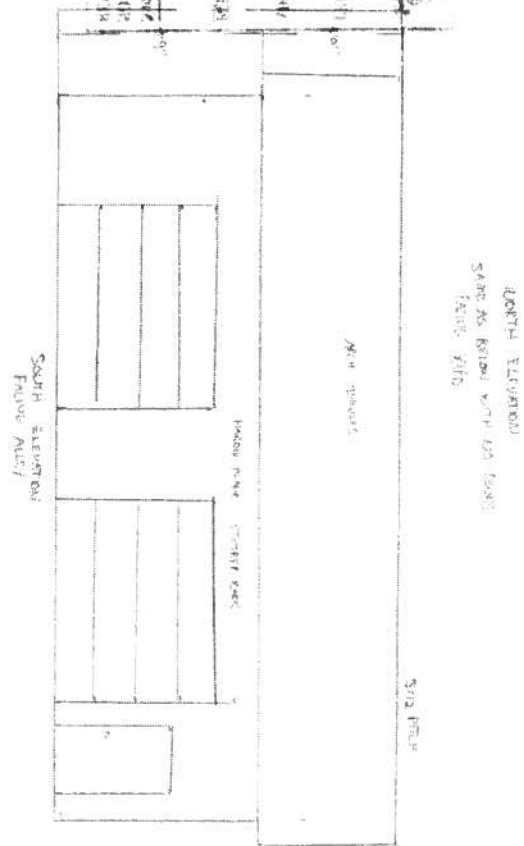
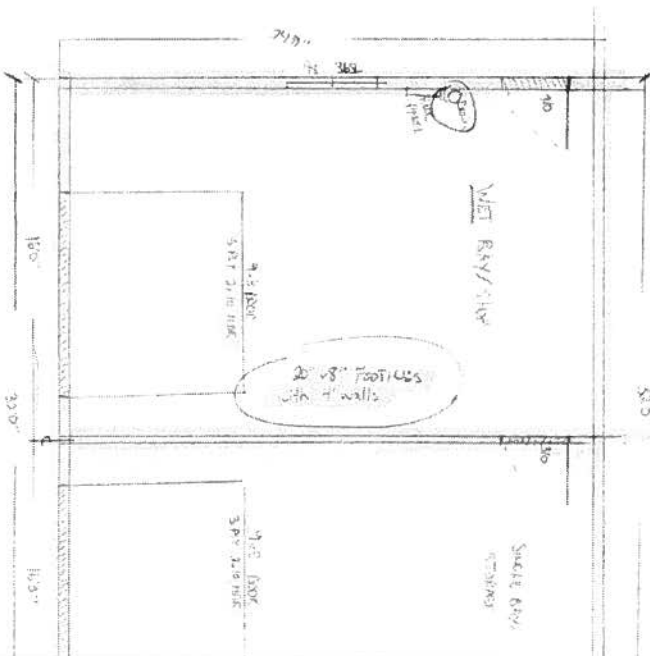
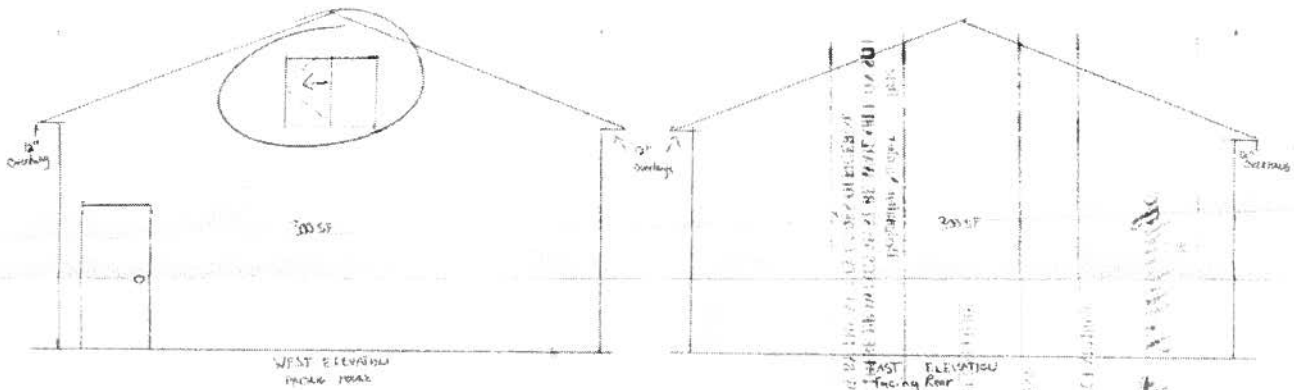
Application No. DEV03622

INFORMATION RELATING TO DEV03622

RECEIVED
MAR 24 2011
DEVELOPMENT SERVICES
CITY OF LETHBRIDGE

City of Lethbridge
DISCIPLINE: BUILDING
SAFETY CODES OFFICER: RAY QUINTAL
CERTIFICATION NUMBER: S118972
SIGNATURE: *[Signature]*
EXAMINED

City of Lethbridge
Complies with
Land Use By-Law
MAR 24 2011
- Height not to exceed 4.5m / 14'-9"
garage height from grade
Signature: *[Signature]*





CITY OF
Lethbridge

DEVELOPMENT SERVICES DEPARTMENT

TELEPHONE NO. 320-3920

September 28, 2011

Kris Bouchard
431 Sixmile Cove South
Lethbridge, AB T1K 5V5

Re: **Municipal Planning Commission Decision – September 27, 2011**

I am writing to follow up on the decision of the Municipal Planning Commission on September 27, 2011 for Refusal of your application (DEV03622) for a two-story accessory building and a request for a waiver of the maximum building height. As we discussed in our phone conversation this afternoon, you do have the right to appeal this decision. The deadline to file an appeal in writing to the Secretary of the Subdivision and Development Appeal Board is **October 21, 2011**.

Enclosed please find the Development Agreement Decision, the Resolution of the Municipal Planning and the drawings submitted for the application.

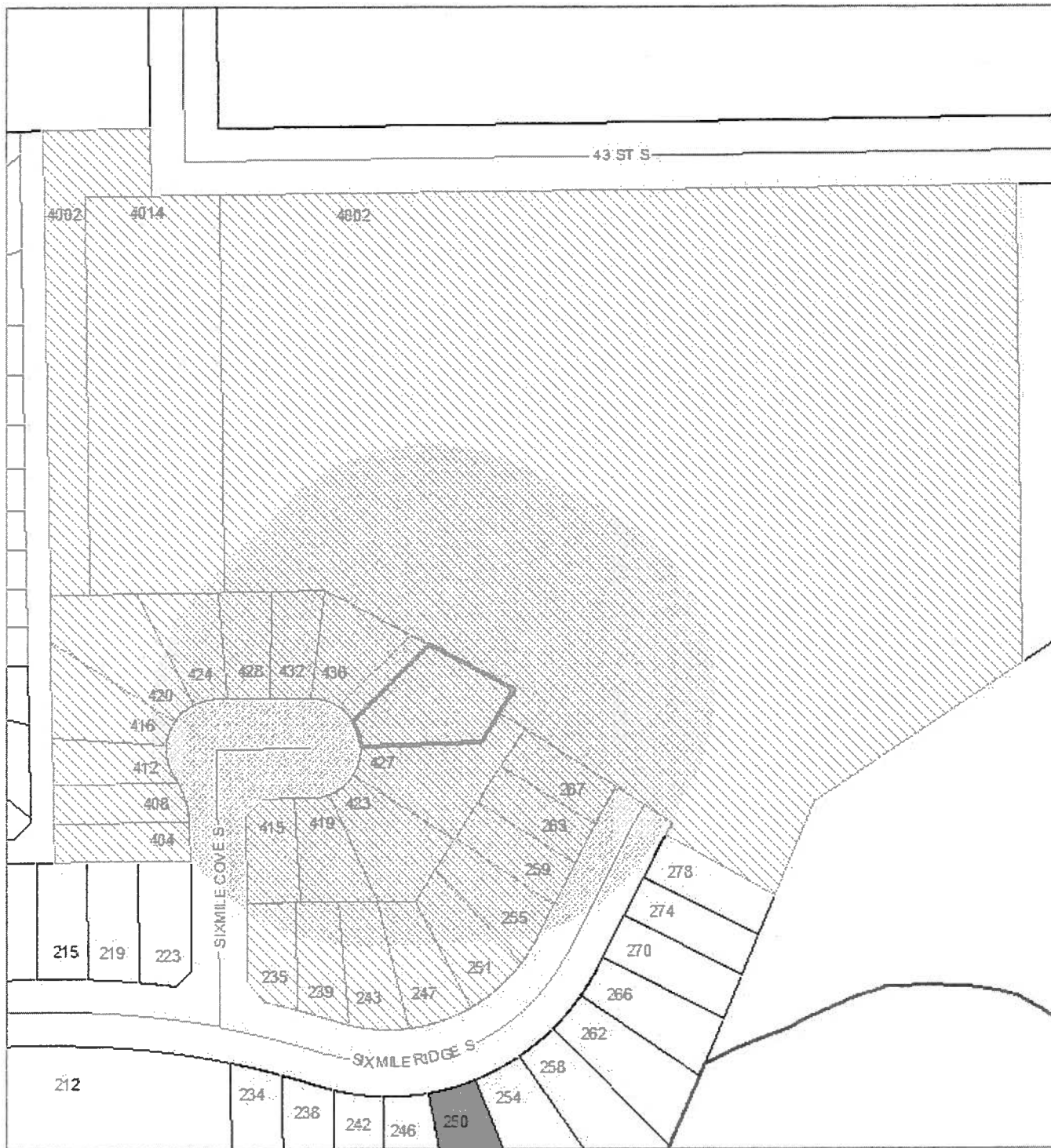
Please feel free to contact me if I can be of help to you should you decide to go through the appeal process.

A handwritten signature in black ink that reads 'P. Colling'.

Pam Colling,
Development Officer

Enc.

INFORMATION RELATING TO DEV03622



CITY OF
Lethbridge

SDAB 431 Sixmile Cove South

DISCLAIMER: This map is illustrative only. The City of Lethbridge offers this information in good faith, but makes no warranty or representation, expressed or implied, with regard to the correctness, accuracy and/or reliability of this data.

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