



CITY OF
Lethbridge

Office of the City Clerk

July 25, 2019

RE: NOTICE OF HEARING - SUBDIVISION AND DEVELOPMENT APPEAL BOARD

An appeal has been filed on the Stop Worker Order issued on July 2, 2019 for an unapproved accessory building located at 3400 12 Avenue North.

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 will also receive a copy of this letter.

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

DATE:	Thursday, August 8, 2019
TIME:	6:00 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 403 329 7329 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, August 8, 2019

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

TIME: 6:00 p.m.

AGENDA:

1. CALL TO ORDER

PRESENTATIONS:

- 2.1 6:00 p.m.
SDAB No. 2019-07
APPEAL OF STOP WORK ORDER

Appellant: CRAM Holdings Ltd.

Address: 3400 12 Avenue North

Accessory Building is not an approved use

Land Use District: I-G, General Industrial

From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Monday, July 22, 2019 4:13 PM
To: City of Lethbridge Development Services <developmentservices@lethbridge.ca>
Cc: Jason Tillsley <Jason.Tillsley@lethbridge.ca>
Subject: FW: Stop Order Den # DEN00575

Good day Jason, this e-mail is to confirm my intentions to proceed with my rights to appeal the stop order of #DEN00575 as attached



CITY OF
Lethbridge

PLANNING AND DEVELOPMENT SERVICES

1st floor City Hall
910 – 4 Avenue South
Lethbridge, AB T1J 0P6

Phone No. 403-320-3920
Fax No. 403-327-6571
developmentservices@lethbridge.ca

STOP ORDER

DEN #: DEN00575

July 2nd, 2019

HAND DELIVERED

CRAM HOLDINGS LTD
3400 12 AVE N
LETHBRIDGE AB T1H 5V1

Re: Contravention of Section 12.3 of Land Use Bylaw 5700 – Accessory Buildings

Subject: Accessory Building Located at 3404 12 Avenue North, Lethbridge, AB

Further Section 645 of the Municipal Government Act and Part 8, Section 8.1.1 of the City of Lethbridge Land Use Bylaw 5700 allows a Development Officer to issue a Stop Order where a development or use of land or buildings does not comply with the Municipal Government Act, the Land Use Bylaw, or a development permit or subdivision approval.

Accordingly, Cram Holdings Ltd is hereby ordered to:

- 1. Permanently remove the unapproved accessory building;**
- 2. Comply with this Order by July 19th, 2019.**

. . . Page 2

FOIPP

Any personal information provided in response to this letter 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. **Please note that such information may be made public.** If you have any 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) 320-7329.

Failure to comply with this order could result in a caveat being registered against the property.

A site inspection will be conducted on or around July 22nd, 2019 to ensure compliance with this order.

You have the right to appeal this order to the Subdivision and Development Appeal Board within 21 days from the date of this order.



Jason Tillsley
Development Compliance Officer

cc: David Sarsfield, Secretary – Subdivision and Development Appeal Board
Doug Hawkins, Director – Infrastructure Services
Maureen Gaehring, Manager – Planning and Development Services
Kerry Crump, Manager – Building & Inspection Services
Angie Olsen, Senior Development Officer
Brian Loewen, City Solicitor

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From: [Gepke Stevenson](#)
To: "[Rick Neudorf](#)"
Subject: RE: Cram proposed Additon 3404-12 ave no re : dry storage
Date: Wednesday, July 26, 2017 12:21:23 PM

Hi Rick,

I'm sorry, neither of those ideas would work. It would still be considered an addition and the 4.6m setback would still be a requirement.

Gepke

Gepke Stevenson
Senior Development Officer
Planning and Development Services Department
City of Lethbridge, 910 4th Avenue South, Lethbridge
403-320-4193, gepke.stevenson@lethbridge.ca

-----Original Message-----

From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Wednesday, July 26, 2017 9:33 AM
To: Gepke Stevenson <Gepke.Stevenson@lethbridge.ca>
Subject: RE: Cram proposed Additon 3404-12 ave no re : dry storage

Thanks for the info, the area right now is our dry storage and the idea of the two large doors is to permit movement around the building, although we have not used the area for that purpose since we re located here. Can we call it a carport? Can we do a covered area only with no doors ?

Thx Rick

-----Original Message-----

From: Gepke Stevenson [<mailto:Gepke.Stevenson@lethbridge.ca>]
Sent: July 26, 2017 9:15 AM
To: 'rick@neudorfplumbing.ca' <rick@neudorfplumbing.ca>
Cc: Kerry Crump <Kerry.Crump@lethbridge.ca>
Subject: FW: Cram proposed Additon 3404-12 ave no re : dry storage

Hi Rick,

Nice to hear from you.

I've looked over your drawings and unfortunately what you propose can't be approved. Buildings in the I-G district require a 4.6m setback. That's to allow for at least one way truck traffic around the building. If the side setback on the east side of the building were greater it might be possible to grant a waiver for the west side but it is not even wide enough to allow for 2 way car traffic much less 2 way tuck traffic.

I hope you are able to find another solution for your storage needs.

Cheers, Gepke

Gepke Stevenson
Senior Development Officer
Planning and Development Services Department City of Lethbridge, 910 4th Avenue South, Lethbridge 403-320-4193, gepke.stevenson@lethbridge.ca

-----Original Message-----

From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Monday, July 24, 2017 11:49 AM
To: Gepke Stevenson <Gepke.Stevenson@lethbridge.ca>
Subject: FW: Cram proposed Additon 3404-12 ave no re : dry storage

Good morning Gepke,

I had the opportunity to chat with Kerry last week and I am hoping to get approval to erect a dry storage area west of my existing building as close as possible to the property line.

Please review the attached and I can be reached on my cell almost any time at 4036340251 Thanks in advance Rick Neudorf

From: [Rick Neudorf](mailto:rick@neudorfplumbing.ca)
To: [Gepke Stevenson](mailto:Gepke.Stevenson@lethbridge.ca)
Subject: RE: 2nd proposed location
Date: Wednesday, July 26, 2017 3:31:26 PM

I am glad that you are sending out that notice, I wish the city would take out an ad in the paper to notify & educate the entire public and keep them informed a few times a year

Thx again Rick

-----Original Message-----

From: Gepke Stevenson [<mailto:Gepke.Stevenson@lethbridge.ca>]
Sent: July 26, 2017 3:26 PM
To: 'Rick Neudorf' <rick@neudorfplumbing.ca>
Subject: RE: 2nd proposed location

No problem. I just need to give you the following standard proviso:

"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."

Take care, Gepke

Gepke Stevenson
Senior Development Officer
Planning and Development Services Department City of Lethbridge, 910 4th Avenue South, Lethbridge 403-320-4193, gepke.stevenson@lethbridge.ca

-----Original Message-----

From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Wednesday, July 26, 2017 3:20 PM
To: Gepke Stevenson <Gepke.Stevenson@lethbridge.ca>
Subject: RE: 2nd proposed location

thx

-----Original Message-----

From: Gepke Stevenson [<mailto:Gepke.Stevenson@lethbridge.ca>]
Sent: July 26, 2017 2:39 PM
To: 'Rick Neudorf' <rick@neudorfplumbing.ca>
Subject: FW: 2nd proposed location

That seems more do-able. You will still need a side setback waiver and will likely have to fire rate the west wall.

Gepke Stevenson
Senior Development Officer
Planning and Development Services Department City of Lethbridge, 910 4th

Avenue South, Lethbridge 403-320-4193, gepke.stevenson@lethbridge.ca

-----Original Message-----

From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]

Sent: Wednesday, July 26, 2017 12:58 PM

To: Gepke Stevenson <Gepke.Stevenson@lethbridge.ca>

Subject: FW: 2nd proposed location

Here is another idea, the opening for vehicular traffic is the 7.38 meter dimension (2 meters larger than the existing)

Thx Rick

From: Angie Olsen

Sent: Friday, June 28, 2019 4:23 PM

To: 'Rick Neudorf' <rick@neudorfplumbing.ca>

Cc: Jason Tillsley <Jason.Tillsley@lethbridge.ca>; Darrin Harsch <Darrin.Harsch@lethbridge.ca>;
Maureen Gaehring <Maureen.Gaehring@lethbridge.ca>; Kerry Crump <Kerry.Crump@lethbridge.ca>;
Doug Hawkins <Doug.Hawkins@lethbridge.ca>; Bramwell Strain <Bramwell.Strain@lethbridge.ca>

Subject: RE: Unapproved structure

Good afternoon Rick,

I'm sorry that you feel that I'm being unreasonable in this matter, however, you were informed three years ago of the requirements and the locational criteria and then you placed the structure where Mrs. Stevenson told you that we wouldn't approve it and did so without any approvals. And, approximately the end of March 2019 you were contacted by one of our Safety Codes Officers to remind you that permits were required for that structure and you were going to get your permits then. You came to the Development Services counter mid-May and were speaking with Darrin, he informed you again of what was required from the building inspection section to obtain approval. Darrin then came and brought me up to the counter so you and I could have a conversation about the development permit and the location that would be acceptable. I informed you that a development permit was required and all of the documentation that you would have to submit and that the fee would be doubled. You stated that you were going to make your application when you got back from your trip the end of May. And to this date, we still have not received any applications for this structure.

Have a nice day,

Angie Olsen

**Senior Development Officer, Planning and Development
Infrastructure Services
City of Lethbridge
City Hall, 910 4 Avenue South
Lethbridge, AB T1J 0P6**

T (403) 320-4950

[E Angie.Olsen@lethbridge.ca](mailto:Angie.Olsen@lethbridge.ca)

 Please consider the environment before printing this email.

Stay Informed. Follow us on



From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Friday, June 28, 2019 3:00 PM
To: Angie Olsen
Cc: Jason Tillsley ; Darrin Harsch ; Maureen Gaehring ; Kerry Crump ; Doug Hawkins ; Bramwell Strain
Subject: RE: Unapproved structure

Good day Angie, Jason and Darrin had just meet earlier this week on Tuesday afternoon. I mentioned that I was out of the office all day Thursday as dealing with health issues. I also mentioned that I was leaving the country either late Friday or Saturday June 29 depending on my CT scan results today Friday June 28. This has only left me several hours to start and gather up the information asked for. I feel your demand for the information by the end of today is totally unreasonable . I will continue to gather the information and bring to you as soon as I can .

Thanking you in advance

Rick Neudorf

From: Angie Olsen <Angie.Olsen@lethbridge.ca>
Sent: June 28, 2019 12:51 PM
To: 'Rick Neudorf' <rick@neudorfplumbing.ca>
Cc: Jason Tillsley <Jason.Tillsley@lethbridge.ca>; Darrin Harsch <Darrin.Harsch@lethbridge.ca>; Maureen Gaehring <Maureen.Gaehring@lethbridge.ca>; Kerry Crump <Kerry.Crump@lethbridge.ca>; Doug Hawkins <Doug.Hawkins@lethbridge.ca>
Subject: RE: Unapproved structure

Good afternoon Rick,

I'm sorry but that is not okay. We have been accommodating your time frames and lack of compliance for numerous months now. The expectations were clearly laid out to you in person when Darrin and Jason met with you and was reiterated in the email that I sent to you the same day.

If a complete application is not made by 4:30 p.m. today, an order will be issued for the removal of the structure on Tuesday. If you decide that you are going to remove it off your property, then please call before 4:30 p.m. today and we will work with you to come up with a reasonable date to have that accomplished.

Have a good day,

Angie Olsen

**Senior Development Officer, Planning and Development
Infrastructure Services
City of Lethbridge
City Hall, 910 4 Avenue South
Lethbridge, AB T1J 0P6**

T (403) 320-4950

[E Angie.Olsen@lethbridge.ca](mailto:Angie.Olsen@lethbridge.ca)

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From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Friday, June 28, 2019 9:46 AM
To: Angie Olsen <Angie.Olsen@lethbridge.ca>
Subject: RE: Unapproved structure

Thanks for the info, I will get you the info and send in the week of July 8 if that OK ,
Thx again
Rick

From: Angie Olsen <Angie.Olsen@lethbridge.ca>
Sent: June 26, 2019 3:46 PM
To: 'Rick Neudorf' <rick@neudorfplumbing.ca>
Cc: Jason Tillsley <Jason.Tillsley@lethbridge.ca>; Darrin Harsch <Darrin.Harsch@lethbridge.ca>;
Maureen Gaehring <Maureen.Gaehring@lethbridge.ca>; Kerry Crump <Kerry.Crump@lethbridge.ca>;
Doug Hawkins <Doug.Hawkins@lethbridge.ca>
Subject: RE: Unapproved structure

Good afternoon Rick,

I'm sorry, but we will not accept an incomplete application. In order for an application to be made, we need the completed application form, drawings, site plan, elevations and the payment.

If you want to email your application and drawings in, you can email all of the relevant documents to developmentservices@lethbridge.ca and submit the attached credit card authorization form that you can sign. However, you will have to call the front office staff and provide them your credit card number so they can enter into the machine to process the payment. Or, you will have to make your application in person and then you can pay by either, debit, credit card or cash.

Have a good day,

Angie Olsen

**Senior Development Officer, Planning and Development
Infrastructure Services
City of Lethbridge
City Hall, 910 4 Avenue South
Lethbridge, AB T1J 0P6**

T (403) 320-4950
E Angie.Olsen@lethbridge.ca

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From: Rick Neudorf [<mailto:rick@neudorfplumbing.ca>]
Sent: Wednesday, June 26, 2019 1:55 PM
To: Angie Olsen <Angie.Olsen@lethbridge.ca>
Subject: RE: Unapproved structure

Good day Angie,

I am in the process of getting the info you require put together, may I send the 2 page Development application with payment this week and get you the remainder as I am out of the office tomorrow and leave on vacation out of the country Friday evening for over a week or so ?

Also does the city do e-transfer for the payment?

Thanks in advance

Rick

From: Angie Olsen <Angie.Olsen@lethbridge.ca>
Sent: June 25, 2019 3:36 PM
To: 'rick@neudorfplumbing.ca' <rick@neudorfplumbing.ca>
Cc: Jason Tillsley <Jason.Tillsley@lethbridge.ca>; Darrin Harsch <Darrin.Harsch@lethbridge.ca>;
Maureen Gaehring <Maureen.Gaehring@lethbridge.ca>; Kerry Crump <Kerry.Crump@lethbridge.ca>
Subject: Unapproved structure

Good afternoon Mr. Neudorf,

I understand that yourself, Darrin Harsch and Jason Tillsley had a meeting today to discuss the unapproved structure at 3400 12 Avenue North. Jason stated that you wanted him to come back tomorrow to further discuss this structure with you. I see no need for Jason to return to discuss this matter.

We have been clear with our expectations for you to bring your property into compliance. You must relocate the unapproved structure to an approvable location within your property as per the emails you had with Mrs. Stevenson in 2017, or, completely remove the unapproved structure off of your property.

In order to relocate the structure, you are required to apply for a development permit and the fee will be doubled. The development application fee will be \$732.00 if you choose to keep the structure and relocate it. If you require any waivers, there will be an additional \$50.00 advertising fee. You are also required to apply for your building permit for the unapproved structure and provide all of the necessary documentation in order to obtain any building approvals. I can't inform you as the cost of a building permit, I can only inform you of the costs for the development application.

As Jason stated in your meeting today, we are expecting to see a development permit application made by 4:30 p.m. on Friday, June 28, 2019. If your decision is to remove the structure, contact Jason Tillsley by 4:30 p.m. on Friday, June 28, 2019 and we will work with you to come up with a date that is achievable to have the structure removed.

If we don't hear from you by 4:30 p.m. on Friday, June 28, 2019, we will have no other option but to issue an order for the removal of the structure. We of course, would much rather work with you to avoid the steps of an order being issued.

I have attached a development permit application form, the checklist and the other two relevant sections from the Land Use Bylaw. One is the district in which your property is located and the other is the information that is required in order to make an application.

Have a nice day,

Angie Olsen

**Senior Development Officer, Planning and Development
Infrastructure Services
City of Lethbridge
City Hall, 910 4 Avenue South
Lethbridge, AB T1J 0P6**

T (403) 320-4950

E Angie.Olsen@lethbridge.ca

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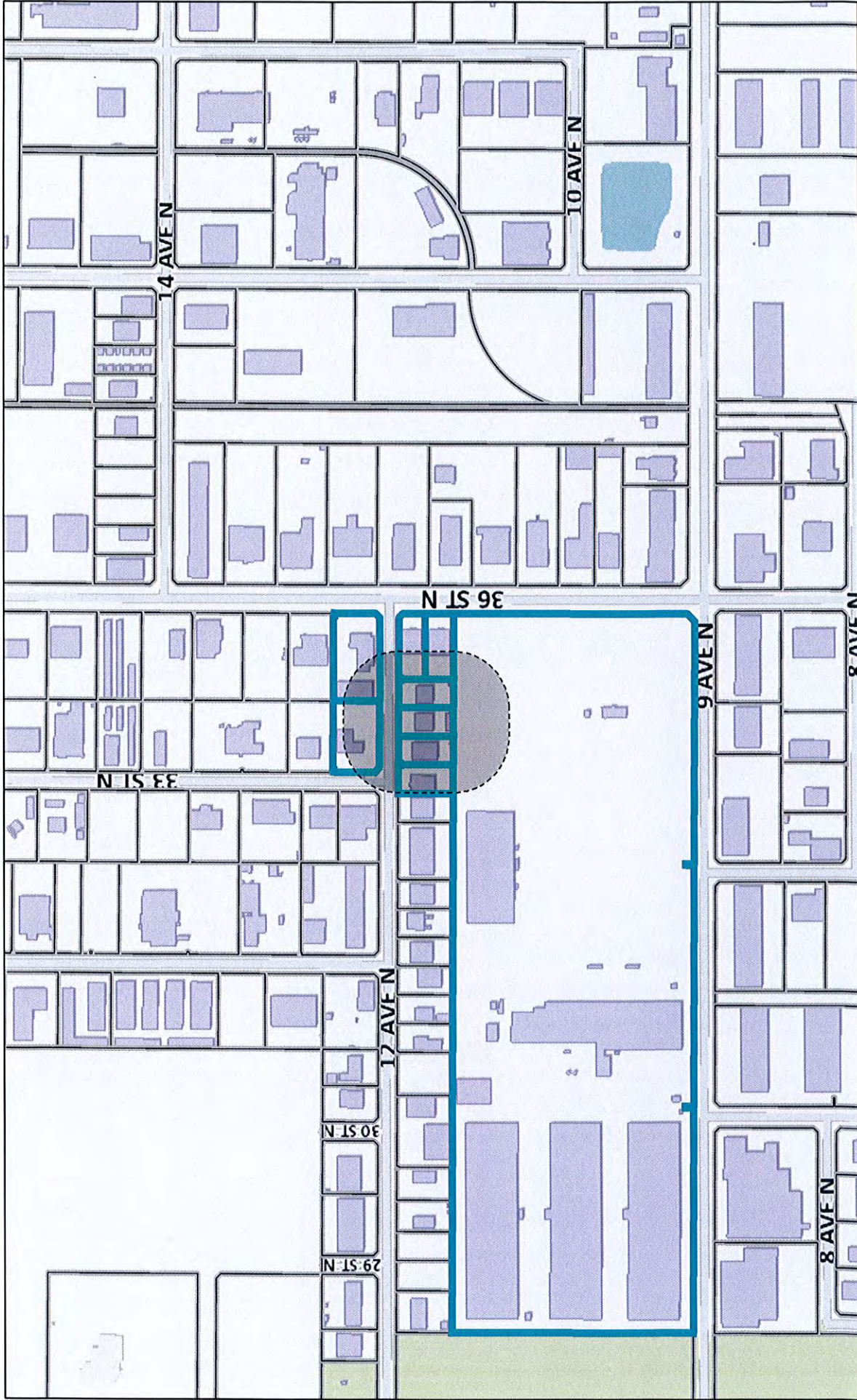
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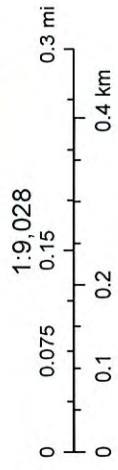


Parcel Locator WebMAP



July 25, 2019

□ Parcels



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri