



CITY OF  
*Lethbridge*

Office of the City Clerk

May 27, 2019

**RE: NOTICE OF HEARING - SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

An appeal has been filed on the Stop Worker Order issued on April 30, 2019 for an unapproved secondary suite located in a detached garage at 311 Caledonia Boulevard West.

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, June 20, 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 403 329 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, June 20, 2019

**PLACE:** Council Chambers, 1<sup>st</sup> Floor  
City Hall - 910 - 4<sup>th</sup> Avenue South

**TIME:** 5:00 p.m.

### **AGENDA:**

1. CALL TO ORDER

### **PRESENTATIONS:**

- 2.1 5:00 p.m.  
SDAB No. 2019-05  
APPEAL OF STOP WORK ORDER

Appellant: Irene Friesen and Daryl Harter

Address: 311 Caledonia Boulevard West

Secondary Suite Located in Detached Garage is not an approved use

**Land Use District: R-L, Low Density Residential**



CITY OF Lethbridge

# NOTICE OF APPEAL

## Subdivision & Development Appeal Board

In accordance with sections 678 and 686 of the *Municipal Government Act* and The City of Lethbridge Bylaw 4749, an appeal to the Subdivision and Development Board must be filed within the legislated time frame.

Site Information		
Municipal Address of Appeal 311 CALEDONIA BLVD. W. LETHBRIDGE, AB.		
Legal Description of Site (must be completed for subdivision appeals) PLAN 1311164 BLOCK 5 LOT 34		
Development Application Number or Subdivision Application Number		
Appellant Information		
Name IRENE FRIESEN / DARYL HARTER.		
Mailing Address 311 CALEDONIA BLVD. W.		
City LETHBRIDGE	Province AB.	Postal Code T1J 5J5
Residence # 403 380 4496	Business # 403 360 6464	Email irene.v.friesen@gmail.com

(Date Received Stamp)  
**CITY OF LETHBRIDGE**  
**RECEIVED**  
**MAY 27 2019**  
**OFFICE OF THE**  
**CITY CLERK**

(Office use Only)

### APPEAL AGAINST (Check One Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit	Subdivision Permit	Notice of Order
<input type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

**REASONS FOR APPEAL** Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons for the appeal.

The grounds for this appeal are as follows:

We do not believe we are contravening any portion of a land use bylaw (specifically - section 14.5.3 of Land Use Bylaw 5700 as indicated in the Stop Order - File No. DEN00574 - dated April 30, 2019). We do not have a "secondary suite". We do have a city inspected + approved studio space that we use as an extension of our dwelling.

(Attach a separate page if required)

This Personal information is collected under the authority of the Freedom of Information and protection of Privacy Act, Section 33(c) and the Municipal Government Act, Sections 6788 and 685 Note: **This information will form part of a file available to the public**, if you have any questions regarding the collection of this information, contact the FOIP Coordinator at (403) 329-7329.

Signature of Appellant 		Date 2019   MM 05   DD 21			
FOR OFFICE USE ONLY					
Final Date of Appeal YYY   MM   DD	Appeal Number	Hearing Date YYY   MM   DD	Date Appellant Notified YYY   MM   DD		



CITY OF  
*Lethbridge*

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PLANNING AND DEVELOPMENT SERVICES

1<sup>st</sup> Floor City Hall  
910 – 4 Avenue South  
Lethbridge, AB T1J 0P6

Phone No. 403-320-3920  
Fax No. 403-327-6571  
[developmentservices@lethbridge.ca](mailto:developmentservices@lethbridge.ca)

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## **STOP ORDER**

File: **DEN00574**

Date: April 30, 2019

**REGISTERED MAIL**

FRIESEN, IRENE VERONICA  
HARTER, DARYL  
311 CALEDONIA BLVD W  
LETHBRIDGE AB T1J 5J5

RE: **Contravention of Section 14.5.3 of Land Use Bylaw 5700 – R-L Low Density Residential District**

**Subject: Secondary Suite Located in the detached garage at 311 CALEDONIA BLVD W, Lethbridge, AB is not an approved use**

As noted in previous correspondence, you were required to bring the building at the above-noted address into compliance with Land Use Bylaw 5700 by January 7<sup>th</sup> 2019, therefore the use of this building is in contravention of:

Section 14.5.3 Discretionary Use which lists a Secondary Suite as an allowable use.

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, Irene Veronica Friesen and Daryl Harter are hereby Ordered to:**

- 1. Stop the illegal use of the secondary suite;**
- 2. Remove all kitchen facilities and hook ups in the illegal secondary suite including but not limited to: gas and/or electric hookups for cooking facilities and washer and dryer facilities including 220v outlets, wires, breakers or gas pipes and connections, kitchen cupboards, kitchen sinks and plumbing, shower facility in bathroom and plumbing, dishwashers, microwaves, hot plates, toaster oven and any and all locking doorways separating the dwelling unit from the garage.**

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### **FOIP**

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.

**3. Comply with this Order by May 30<sup>th</sup> 2019.**

**Interior alterations to bring this building into compliance may require Building Permits.**

A site inspection will be requested on or around May 31<sup>st</sup>, 2019 to assess compliance with this Order.

**Failure to comply with this Order may result in a caveat being registered against the property.**

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  
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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CITY OF  
*Lethbridge*

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PLANNING AND DEVELOPMENT SERVICES

1<sup>st</sup> Floor City Hall  
910 – 4 Avenue South  
Lethbridge, AB T1J 0P6

Phone No. 403-320-3920  
Fax No. 403-327-6571  
[developmentervices@lethbridge.ca](mailto:developmentervices@lethbridge.ca)

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File: **DEN00551**

Date: September 6, 2018

FRIESEN, IRENE VERONICA  
HARTER, DARYL  
311 CALEDONIA BLVD W  
LETHBRIDGE AB T1J 5J5

RE: **Possible Contravention of Section 4.1 of Land Use Bylaw 5700**

Subject: **Secondary Suite Located at 311 CALEDONIA BLVD W, Lethbridge, AB**

We have reason to believe that there may be a secondary suite at the above-noted address. An inspection is required to assess compliance with Land Use Bylaw 5700.

In accordance with Section 542 of the Municipal Government Act, please contact me by 4:30 p.m. on September 20<sup>th</sup>, 2018 to set up a date and time for the inspection.

Jason Tillsley  
Development Compliance Officer  
403-320-4082  
[Jason.tillsley@lethbridge.ca](mailto:Jason.tillsley@lethbridge.ca)

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We face a park with large green spaces: bike trails, a fishing pond and sports fields. The equipment is available and ready for a game of tennis. (don't forget your tennis shoes...!)

Just beyond this property is a variety of restaurants, pubs and shops, as well as a skating and hockey venue. This is 'West Lethbridge' - home to the University of Lethbridge, the ATB Ice Complex, future indoor pool and fieldhouse complex, and myriads of parks and trails, retail spaces... and friendly faces.

Our region offers a variety of cultural activities including concerts and fine arts. Catch some horse racing or rodeo events offered throughout the summer. We love the options to hike the coulees and downhill in the Rockies, only an hour away. Spend a summer afternoon at the Nikka Yuko Japanese Gardens... or an evening at its Winter Lights Festival. There is almost always a large sporting event to attend in Lethbridge: hockey, figure skating, motorcycle stunting, golf or a Lethbridge Bulls baseball game.

We are golf junkies - there are dozens of courses closeby! In June 2018 Lethbridge plays host to the PGA's Mackenzie Tour at Paradise Canyon Golf Resort.

We like to frequent Calgary to see world class equestrian show jumping, the Stampede, and the zoo!

Spring, summer and fall are lovely - but don't rule out a winter stay - we are the place to be for skiing, snowshoeing, hiking, and sledding.

\*\* PLEASE NOTE: It is possible that the prices you see on the VRBO calendar (availability) are in USD funds. Take note that these are sometimes converted to CAD funds in the summary of charges and due to currency exchange rates appear higher.

\*\* ALSO: Our location on Lethbridge's westside (Crossings neighborhood) is relatively new, therefore may not appear on a 'Google Maps' search or GPS. Driving instructions to this property are available at completion of booking.

We look forward to your visit at Caledonia Living!

[View less](#)

#### Owner



**Irene Friesen**  
Member Since 2017

[Ask Owner a Question](#)

Destination  
311 Caledonia Blvd W, Lethbridge, AB T1J 5A8, Canada

Arrive  
Oct. 18

Depart  
Oct. 31

Search



C\$310 avg/night  
★★★★★ 5 Reviews  
Exceptional 5.0

Your dates are not available.

Check in  
Oct-18

Check out  
Oct-31

Guests

Request to Book

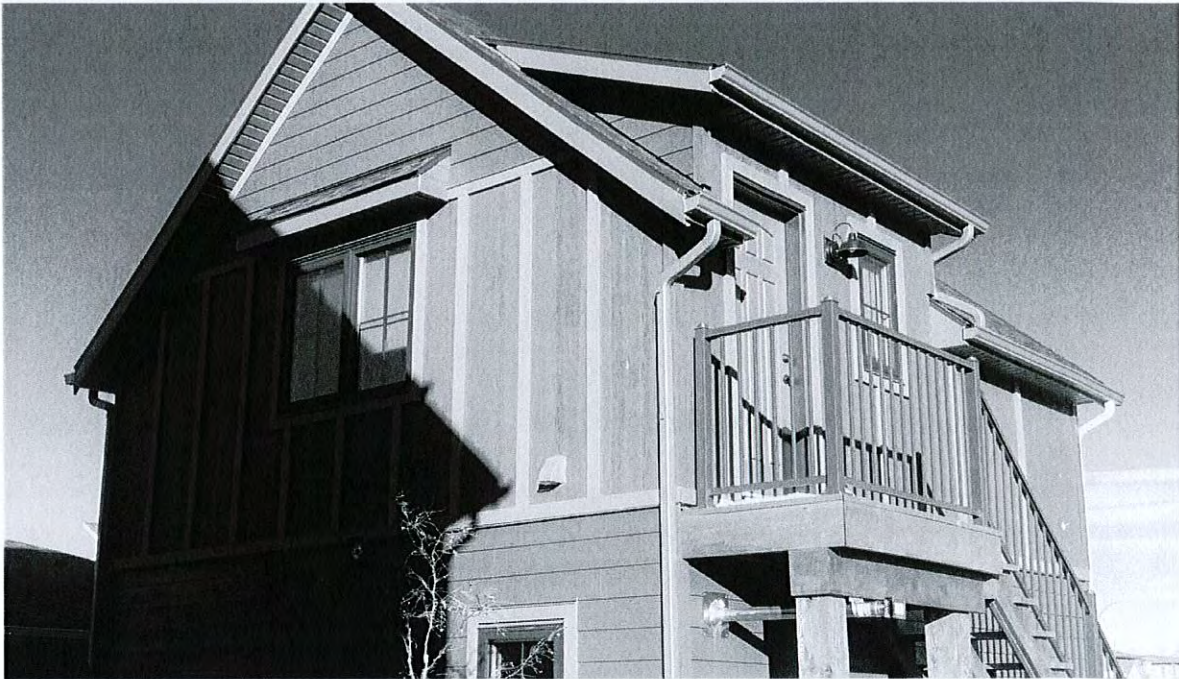
Ask Owner a Question

Property # 1137160vb

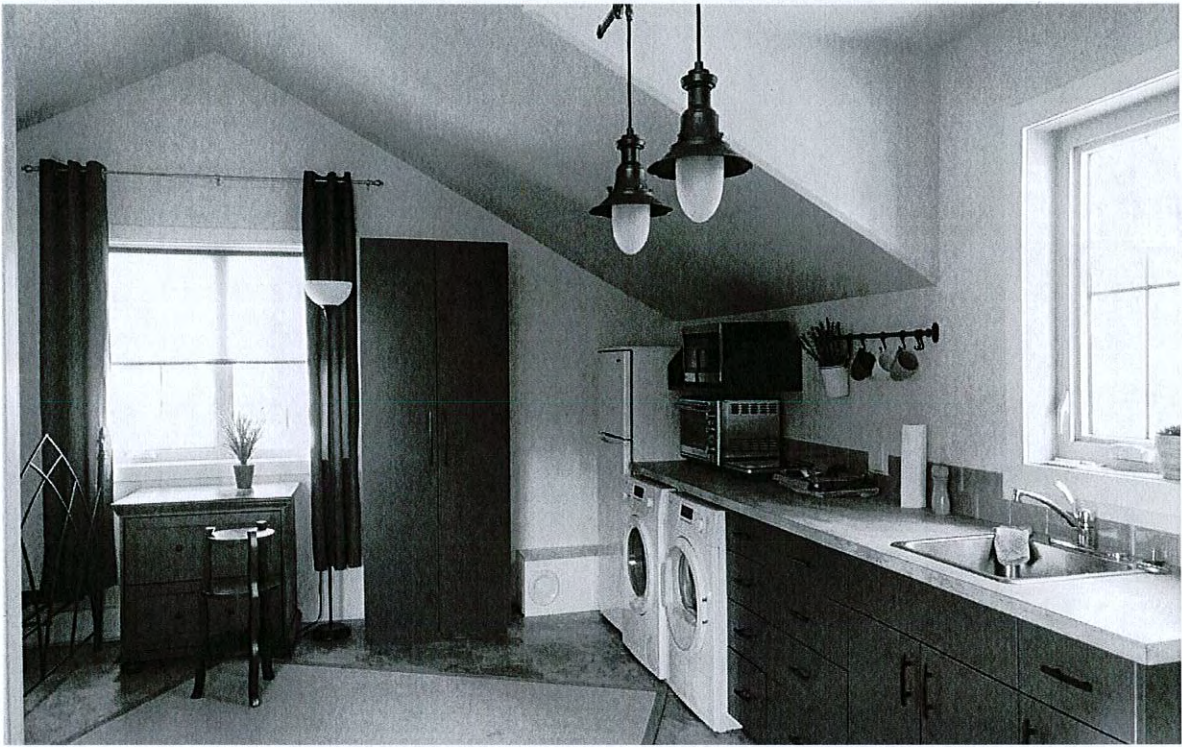
Overview Amenities Reviews Location Availability

Location, location... charm. Caledonia living. Liv e it, Love it!  
(Now sleeps 8)

Lethbridge, AB, Canada











Destination  
311 Caledonia Blvd W, Lethbridge, AB T1J 5A8, Canada

Arrive  
Oct. 18

Depart  
Oct. 31

Search



2 / 19

C\$92 avg/night  
★★★★★ 5 Reviews  
Excellent 4.4/5

Your dates are not available.

Check in  
Oct. 18

Check out  
Oct. 31

Guests

Request to Book

Ask Owner a Question

Property # 121321665

- Overview
- Amenities
- Reviews
- Location
- Availability



Sky-perch... Caledonia Blue.

Lethbridge, AB, Canada



Ron and Alison Freng

315 Caledonia Blvd W.  
Lethbridge, Alberta  
403-593-4180

June 10, 2019

City of Lethbridge

**Subdivision and Development Appeal Board**

Attention: David Sarsfield,

We are writing to express our concerns with a rental suite located over the garage at 311 Caledonia Blvd W. Lethbridge. We have been directly affected by the rental suite due to parking and noise. As noted in the Municipal Planning Commission hearings, March 21, 2017, the second story over the garage did not meet the parking requirements for a secondary rental suite. The Commission also stated that “no shower will be constructed in the bathroom to prevent the space being converted into an illegal suite”.

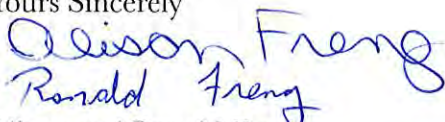
Unfortunately the suite was developed by the owners with a shower and has become an illegal rental with no required parking space developed.

Our concerns are that the order from the commission was ignored and we as neighbours have had to contend with parking issues and noise issues from the people renting the apartment.

We have enclosed the information about the suite which is advertised on social media. As noted the suite is advertised with a shower and described as a self contained unit. We were first alerted to the illegal dwelling by an individual who was renting the apartment in 2017 and was parking in our driveway.

We would like to see the original Municipal Planning Commission’s application enforced.

Yours Sincerely

  
Alison and Ronald Freng

MINUTES of a regular meeting of the Municipal Planning Commission held on June 7, 2016 at 3:00 p.m. with the following in attendance:

<b>CHAIRMAN:</b>	R. Miyashiro	Councillor
<b>MEMBERS:</b>	J. Coffman B. Hyggen K. Hachkowski M. Kawckuk S. Neis	Councillor Councillor Member at Large Member at Large Member at Large
<b>OTHERS:</b>	M. Gaehring P. Colling W. Smith	Community Planning Manager Development Officer Recording Secretary
<b>ABSENT:</b>	L. Armstrong B. Thurber	Member at Large Member at Large

**S. NEIS:**

THAT the agenda of the meeting of the Municipal Planning Commission (MPC) held on June 7, 2016 be approved as presented/amended.

-----CARRIED

**M KAWCKUK:**

THAT the minutes of the meeting of the Municipal Planning Commission (MPC) held on May 24, 2016 be approved.

-----CARRIED

**DEVELOPMENT APPLICATIONS:**

**DEV08090, Irene Friesen, 311 Caledonia Boulevard West**, proposes to construct a two-storey detached garage and a request for a 2.96m (9'9") waiver of the maximum building height. Land Use District is R-L Low Density Residential District.

***Development Officer's Presentation:***

**Pam Colling, Development Officer** outlined the following information:

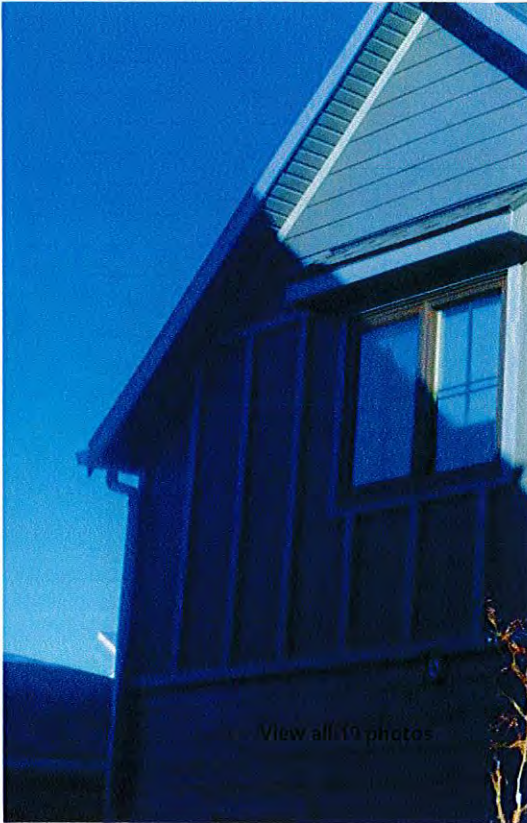
- Application received May 12, 2016 to construct a two-storey detached garage with a request for a 2.96m (9'9") building height waiver. Detached garage would then have a maximum building height of 7.46m (24'6")
- Two-storey detached garages are mandatory requirements of The Crossings Phase 1 – Design & Development Guidelines for 4 pre-identified lots.
- Main floor will be parking
- Originally second storey was planned for a secondary suite but additional off-street parking requirements could not be met.
- Second storey will now be additional living space and include a bathroom
- To prevent space being converted into an illegal dwelling no shower will be constructed in bathroom
- Access to second storey via exterior staircase
- Application is before MPC as applications for accessory buildings taller than 6.10m (20'0") in height are required to be brought forward

Where  
Lethbridge, AB, Canada X

Check In  
Jul 16

Check Out  
Jul 19

Search



\$73 avg/night



[6 Reviews](#)

Excellent 4.5/5

🕒 Your dates are not available.

Check In Jul 16	Check Out Jul 19
Guests	

Request to Book

Irene Friesen

[Ask Owner a Question](#)

For booking assistance, call Vrbo at 888-829-7076

Property # 1213276

[Overview](#) [Amenities](#) [Reviews](#) [Map](#) [Rates & Availability](#)

🏠 This property is already 65% full in July.

## Sky-perch... Caledonia Blue.

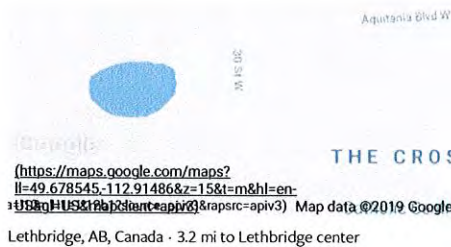
🏠 Studio · 400 sq. ft.

👤 Sleeps: 3

🛏 Bedrooms: Studio

🚿 Bathrooms: 1

🌙 Min Stay: 1 - 2 nights



Hot Tub

Pool

Air Conditioning

### Cozy Casa!

This is a bright and airy extension of our main house with all the comforts you need to adventure, tour and relax in southern Alberta! We built this space to draw lots of natural light with a view of the mountains: it serves as a 'casa' to our main house. We will give you access to enjoy our patio with firepit and hottub. The vaulted ceilings soar above a queen bed; there's a cozy living nook with 43" flat screen.



We are adjacent to a city park where you will find biking trails, a fish pond, recreation complex, tennis and basketball courts, and retail area. Grab a coffee, dinner, a glass of wine, or happy hour beer and appies! Groceries, liquor store, restaurants, pharmacy and kick-boxing gym are all within a 2-block walk. For some fun daytrips head to the Rocky Mountains, Waterton International Park, and Calgary. Be prepared - you will be surrounded by temptations to shop, sightsee, golf, fish, ski, swim, and hike!

Please note: entire property, including main house, sleeps 10+. If you have a larger group, inquire about booking "Caledonia Living" or a combination of both.

[View less](#)

## Bedrooms

 Studio  Sleeps: 3

### Studio sleep



queen · double

Double air mattress will be setup on request.

The sleeping area is a semi-private area in our studio. Linens provided.

## Owner

**Irene Friesen**  
Member Since 2017

[Ask Owner a Question](#)

**Languages:** English

[View more about Irene Friesen](#)

## Amenities

### Featured

-  Heater
-  Parking
-  Fireplace
-  TV
-  Internet
-  Air Conditioning
-  Satellite or Cable
-  Hot Tub

## Bathrooms

*1 Bathroom*

### **Bathroom 1**

toilet, shower

The bathroom is compact and is highlighted with tile and a glass shower enclosure. Towels provided.

## Location Type

Downtown

Mountain View

The Rockies are within sight from our location. Take a day trip to the Crowsnest Pass region-1.5 hrs car ride away. 1.25 hrs south gets you to Waterton International Park-the best hiking & skiing, etc

## General

Air Conditioning

Heating

Linens Provided

Fireplace

Parking

Internet  
Wifi included.

Towels Provided

Wireless Internet

Iron & Board

Hair Dryer

Living Room  
Living space seats 2 comfortably.

## Kitchen

Refrigerator  
Fridge and freezer space provided.

Grill

Coffee Maker

Toaster

Pantry Items  
Convenience items supplied as well as coffee, filters and tea.

## Dining

*Seating for 4 people*

Dining Area

Dining

Keep the dining table compact to seat 1 or 2, expand for a seating of 4.

## Entertainment

Television

43" flatscreen tv with surround sound.

Satellite / Cable

DVD Player

## Outside

Deck / Patio

Tennis

We can provide 4 tennis racquets and balls as well as basketballs for the courts across the street.

## Pool / Spa

Communal Pool

New in 2019, ATB waterpark and fieldhouse, 3 blocks away. Features waterslides, lazy river, lap & leisure pools and surf simulator. Fitness centre includes running track, gym, sports courts & childcare

Hot Tub

Available on request.

Spa Whirlpool

## Notes

Housekeeping not supplied during your stay.

## House Rules

Please consider the following guidelines when booking this property:

- o Children not allowed
- o No pets
- o No parties/events
- o No smoking
- o Max guests: **3** (sleeps up to 3 adults)
- o Minimum age of primary renter: **25**
- o Check-in: **3:00 PM**
- o Check-out: **11:00 AM**

Also note:



David Sarsfield  
Board Secretary,  
Subdivision and Development Appeal Board

June 18, 2019

We are concerned about the secondary suite located at 311 Caledonia Blvd. W.

One of the conditions for building on that lot was to have a third parking space off the street to accommodate the space above the garage for anyone using it. The owners of that property have not complied with the specification.

We moved from a street on the west side that has single dwelling houses because it became a rental "haven" with people renting out rooms in their home with no adequate parking on their property. Subsequently, cars were parked everywhere on the street even in places that would block part of people's driveways.

We moved to the Crossings because there was more space and we felt we were getting away from cars being parked on the street. We feel this situation needs to be stopped before someone else decides to do the same thing.

Thank you,

Ken and Debra Pitcher  
323 Caledonia Blvd. W.  
Lethbridge, AB T1J 5J5



# Subdivision & Development Appeal Board

Submission from Planning and Development Services

ENFORCEMENT NO  
DEN00574

LAND USE DISTRICT  
R-L Low Density  
Residential District

LOCATION  
311 CALEDONIA BLVD W

APPELLANTS  
Irene Friesen  
Daryl Harter

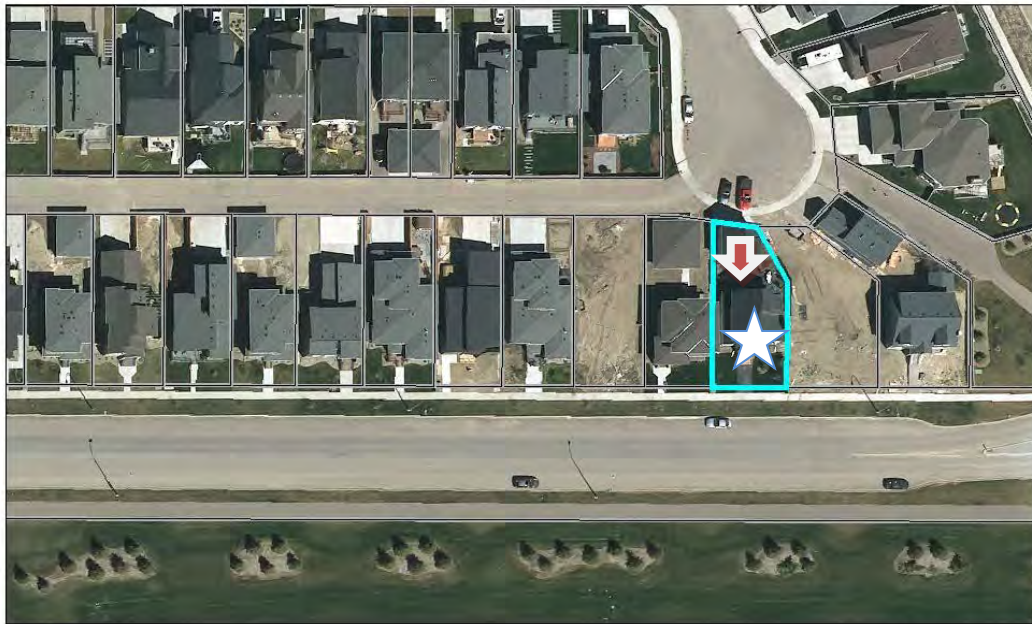


LANDOWNER/APPLICANTS  
Irene Friesen  
Daryl Harter



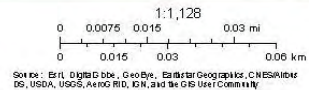
## CONTEXT MAP

Parcel Locator WebMAP



June 3, 2019

Parcels



Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Copyright 2018, City of Lethbridge

## LAND USE BYLAW SUMMARY

Use: Secondary Suite, New

Discretionary

	Standard	Proposed	Waiver
Parking	3	2	



# Subdivision & Development Appeal Board

Submission from Planning and Development Services

## EVALUATION

<p>Background</p>	<p>On May 12, 2016 an application was received to construct a detached garage and a request for a 2.96m (9'9") height waiver.</p> <p>The application for the height waiver went before the Municipal Planning Commission on June 7, 2016. A two storey detached garage is mandatory in the Crossings, Phase 1, Design and Development Guidelines.</p> <p>The accessory building was originally intended for a secondary suite, however, the parcel cannot accommodate for the required three off street parking spaces. The applicant said they intended to use the space for additional living space for the residents of the house and that it would include a bathroom. The bathroom as shown on the original drawings submitted showed a shower, but the development officer had required the shower to be removed to ensure that the space wasn't illegally converted to a secondary suite.</p> <p>The Municipal Planning Commission approved the application with the following conditions:</p> <ol style="list-style-type: none"><li>1. A 2.96m (9'9") building height waiver be granted, allowing the detached garage to have a maximum building height of 7.46m (24'6").</li><li>2. Shall not be used as a second dwelling unit in the future.</li><li>3. The development shall be in accordance with the plans submitted May 12, 2016. Any change to these plans requires the approval of the Development Officer.</li></ol> <p>On September 6, 2018, a complaint was received that the detached garage contained a secondary suite. (DEN00551)</p> <p>September 27 and October 2, 2018, We made contact with Irene regarding her options for a secondary suite. She was informed that she could make an application for a secondary suite and that it would go to the Municipal Planning Commission for a decision or she could remove the washer/dryer and cooking appliances and then it would be sufficient for us to determine that it is not a secondary suite. She was also told that if she decides to remove the washer/dryer and cooking facilities that if we were to receive another complaint then we'll have no other option but to issue an order for the complete removal and have the floor plan align with the floor plan that MPC approved in 2016.</p> <p>October 9, 2018, Irene stated that she will remove the washer/dryer and cooking facilities and we agreed upon January 3, 2019 that an inspection will be conducted to ensure compliance.</p>
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# Subdivision & Development Appeal Board

Submission from Planning and Development Services

	<p>January 4, 2019 a site inspection was conducted and they had removed the washer/dryer and all cooking facilities from the location.</p> <p>April 26, 2019 another complaint was filed that an illegal secondary suite was present. (DEN00574). 8:20 a.m. I called Ms. Friesen to inform her that another complaint had been received and we would be issuing a stop order as previously stated. The advertisement on Home Away</p> <p>Secondary Suite, New means: a second self-contained dwelling unit located on a parcel in which the principal use is a single detached dwelling.</p> <p>Dwelling Unit means: one or more rooms operated or intended to be operated as a residence for a household, containing cooking, sleeping and sanitary facilities only for that unit.</p>
<p>Considerations</p>	<p>The only aspect that is appealable in the order is the date in which the landowner must comply.</p>
<p>Legislation &amp; Policy</p>	<p><b>Land Use Bylaw 5700</b>  <b>1.4</b> Definitions  <b>9.22</b> Parking requirements  <b>14.1</b> General Rules for Residential Districts  <b>14.5</b> R-L Low Density Residential District</p>

## CONCLUSION

This went to an order because of the following reasons:

- The landowner has no intentions of complying with the approved floor plan and MPC approval from 2016.
- The landowner has not made a development application and building permit application to have an approved secondary suite at this location.



# 311 CALEDONIA BLVD W

Unapproved Secondary Suite

- ▶ 14.5.3 Discretionary Uses:
  - ▶ ▪ secondary suite, new

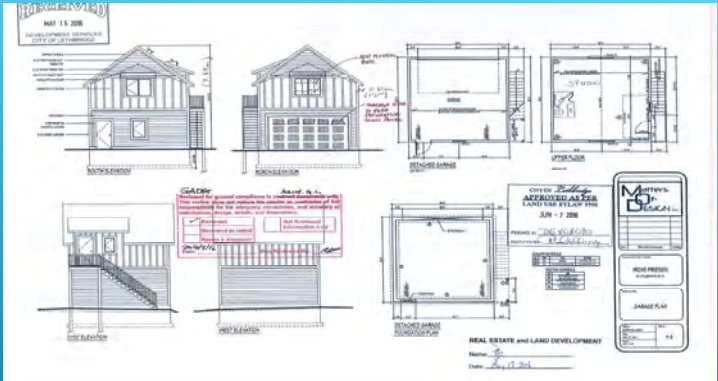
LUB 5700 SECTION 14.5  
R-L LOW DENSITY RESIDENTIAL DISTRICT

- ▶ **Dwelling Unit** means one or more rooms operated or intended to be operated as a residence for a household, **containing cooking, sleeping and sanitary facilities** only for that unit.
- ▶ **Dwelling, Single Detached** means a dwelling which contains not more than one dwelling unit. "Manufactured Home" is a separate use.
- ▶ **Secondary Suite, New** means a second self-contained dwelling unit located on a parcel in which the principal use is a single detached dwelling. Secondary Suite, New may include development within the single detached dwelling or within or above a detached garage.

## LUB 5700 SECTION 1.4 DEFINITIONS

- ▶ **Dwelling, single detached** --- 2 /dwelling
- ▶ **Secondary Suite, New** --- 1
- ▶ **Total of 3 off street parking stalls required**

## LUB 5700 SECTION 9.22 PARKING REQUIREMENTS



## DEV08090 APPROVED DRAWINGS



## HOMEAWAY LISTING PHOTO RECEIVED SEPTEMBER 6, 2018



## COMPLIANCE FOLLOW UP INSPECTION JANUARY 4, 2019

Site inspection photo confirming the removal of cooking appliances and washer/dryer.

<b>Bathrooms</b>		
<i>1 Bathroom</i>		
Bathroom 1	toilet, shower	
The bathroom is compact and is highlighted with tile and a glass shower enclosure. Towels provided.		
<b>Location Type</b>		
Downtown	Mountain View The Rockies are within sight from our location. Take a day trip to the Crownpoint Pass region-1.5	hrs car ride away. 1.25 hrs south gets you to Waterton International Park-the best hiking & skiing, etc.
<b>General</b>		
Air Conditioning	Parking	Iron & Board
Heating	Internet WiFi included.	Hair Dryer
Linens Provided	Towels Provided	Living Room Living space seats 2 comfortably.
Fireplace	Wireless Internet	
<b>Kitchen</b>		
Refrigerator Fridge and freezer space provided.	Coffee Maker	Pantry Items Convenience items supplied as well as coffee, filters and tea.
Grill	Toaster	

## HOMEAWAY LISTING RECEIVED APRIL 24, 2019

Complaint received regarding vacation rental/dwelling unit.

Stop Order issued April 30, 2019 for complete removal

Remove all kitchen facilities and hook ups in the illegal secondary suite including but not limited to: gas and/or electric hookups for cooking facilities and washer and dryer facilities including 220v outlets, wires, breakers or gas pipes and connections, kitchen cupboards, kitchen sinks and plumbing, shower facility in bathroom and plumbing, dishwashers, microwaves, hot plates, toaster oven and any and all locking doorways separating the dwelling unit from the garage.

# crossings

a place where **life** happens



## DESIGN & DEVELOPMENT GUIDELINES

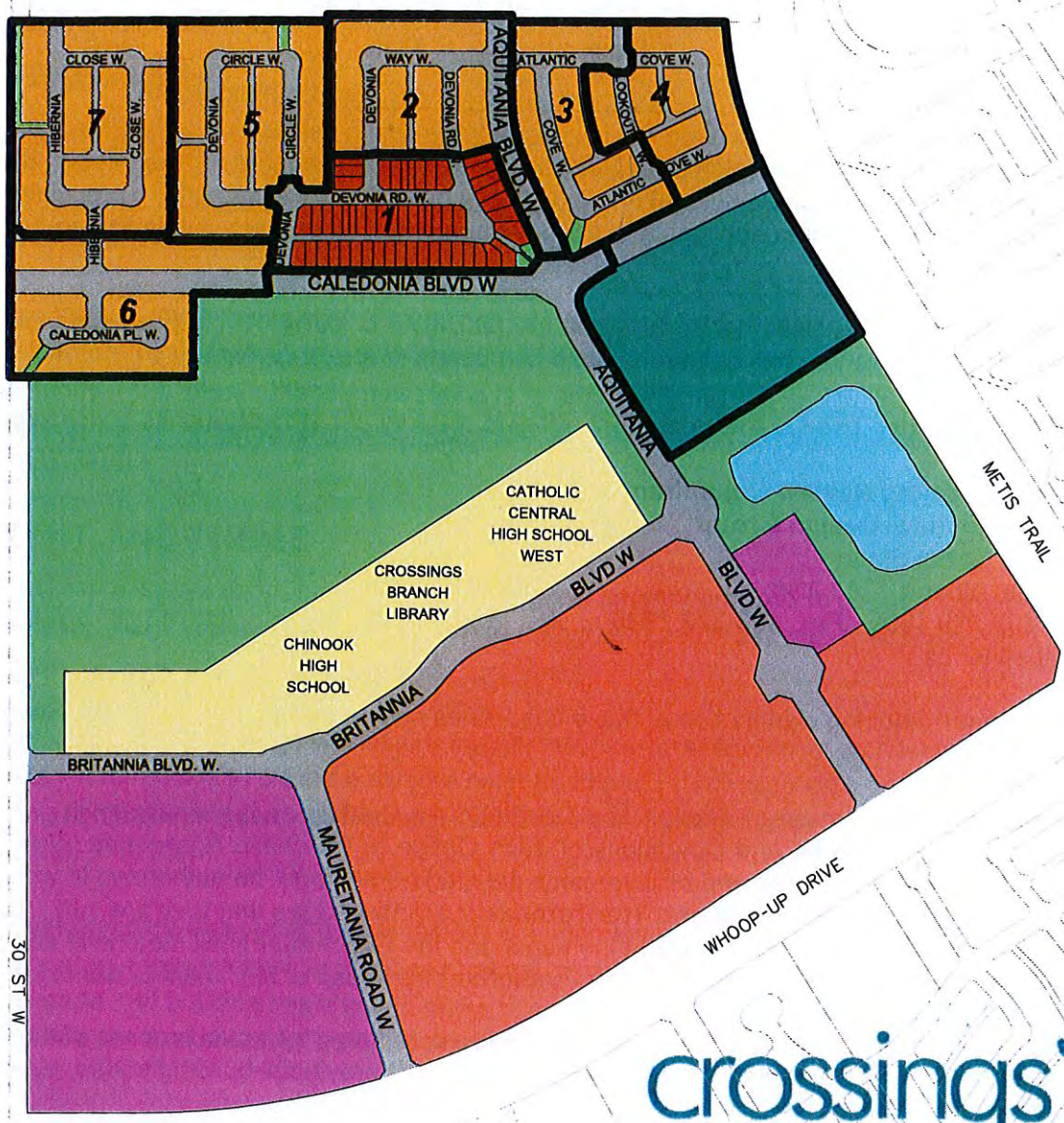


PHASE 1 • 2014



CITY OF  
*Lethbridge*





# LEGEND

-  **LOW DENSITY RESIDENTIAL**
-  **FUTURE URBAN DEVELOPMENT**
-  **MIXED USE**
-  **MULTI-USE**
-  **SCHOOLS/LIBRARY**
-  **PARK/OPEN SPACE**
-  **WETLAND**
-  **PHASE 1**

## Front Entrance Door Materials

Wood, faux wood or painted metal front doors are acceptable.

## Garages

### Single Family Houses

Locations of front garages are as designated on the Lot Information Plan. Garage finishes will be consistent in massing, roof form, scale, and materials with the balance of the house. Garage main building material must wrap 24 in. (610 mm) on sides. A minimum of 18 in. (460 mm) wall space must be left on each side of a garage door.

- Double bay front garages are mandatory on all lots in Phase 1 with the exception of Block 5, Lots 18-36.
- Rear double bay garages (attached or detached) are mandatory on Block 5, Lots 18-36.
- When garages are allowed in both/or either, front and rear yards; the placement of the garage in the rear yard (only) maybe on either side of the yard. In choosing a placement, think about sunlight entering the rear yard.
- In the case of rear detached garages, they must be built concurrently with the home.

### Duplex/Semi-detached Lots

Locations of front garages are as designated on the Lot Information Plan. Garage finishes will be consistent in massing, roof form, scale, and materials with the balance of the house. Garage main building material must wrap 24 in. (610 mm) on sides. A minimum of 18 in. (460 mm) wall space must be left on each side of a garage door.

- Front garages are limited to a single bay.
- Rear garages may be single or double bay.
- In the case of rear detached garages, they must be built concurrently with the home.

### Garage Sizes

Garages wider than 26 feet will not be accepted.

### Retaining Walls

Retaining walls shall be avoided whenever possible, but if required, all costs are the responsibility of the purchaser. In no case shall retaining walls exceed 48 in. (1220 mm) in height and any exposed concrete over 24 in. (610 mm) shall be architecturally treated.

### Driveways

Acceptable driveway finishes include broomed concrete, concrete with exposed aggregate finish, concrete paving stones, and stamped concrete. Desirable driveway slopes are between 3% and 7%. Driveways must be the width of the garage, but may taper as they approach the street. **Asphalt is not accepted.**

### Fencing and Swales

The Developer will provide project fencing at key community entry points along the perimeter and along the rear of lots that back onto a park or walkway and along the rear of lots that have a rear drainage swale.

Project fencing will be protected by a Restrictive Covenant registered on title of lots affected. The exterior colour and design of the fence and the design and location of the drainage swale must be maintained and the Purchaser will be responsible for maintenance of his/her portion of the project fence and swale.

Side yard fencing is required and is the responsibility of Purchaser and must be built in conformance with the general principles of these Design and Development Guidelines.

Acceptable fence building materials include:

- cedar
- decorative concrete block, stone or brick
- spruce
- wrought iron with stone or brick posts
- vinyl, aluminum

Proposed fences designs must be submitted for review to the Guideline Review Consultant along with the house plans.

### **Sidewalks**

Front and side walkways are to be complimentary with the driveway material selected. The approved materials include:

- poured concrete with an exposed aggregate finish
- concrete paving stones
- dyed and/or stamped concrete
- Standard broom finished concrete

**Gravel, red shale, asphalt paved or pre-cast concrete slab walkways are not permitted at the front or side of the home.**

### **Special Conditions for Block 5, Lots 33-36**

*(Lot 32 not incl. #96, 42)*

These lots have been designated as integral lots to the overall subdivision design because of high front and rear visibility. As such, rear elevation must be treated as a high visibility (same amount of detail as front elevation). To give a nicer rear elevation 1-1/2 storey and 2 storey garages are mandatory. Suited units may be acceptable.

### **Home Designs**

The Guideline Review Consultant will assess each design on its adherence to the general rules and approved materials within these guidelines. Individual house designs should also respect the unique features of each lot with respect to view, orientation, access, sun angles, integration of indoor and outdoor space, tree cover and relationship to street, neighbouring homes and grading. Site planning and house design shall minimize overview and overshadowing of neighbours.

Shipping containers that are reusable transport and storage units constructed of various materials such as wood, metal or plastic. These units are specifically designed for moving products and raw materials between domestic locations or countries. **The use of any type of shipping container for a home or accessory building construction is not permitted.** The Guideline Review Consultant reserves the right to refuse a design that he considers incompatible with the design objectives of the subdivision.





CITY OF  
*Lethbridge*

Land Use Bylaw 5700  
**DEVELOPMENT PERMIT**

**PERMIT NO.  
DEV08090**

Address: **311 CALEDONIA BLVD W**  
Legal: 1311164;5;34

District: R-L

Applicant: FRIESEN, IRENE VERONICA  
Address: 31 RIVERPARK BLVD W LETHBRIDGE AB T1K 7S7

Phone: 403-380-4496

**Development Proposed** To construct a two-storey detached garage and a request for a waiver of the maximum building height

**District** ACCESSORY BUILDINGS - RES

**Land Use** ACCESSORY BUILDING - PERMITTED

**Waiver** MAX. BUILDING HEIGHT

**CONDITIONS OF APPROVAL**

In accordance with the decision of the Municipal Planning Commission on June 7, 2016, the application to construct a two-storey detached garage and a request for a waiver of the maximum building height is approved subject to the following conditions:

1. A 2.96m (9'9") building height waiver be granted, allowing the detached garage to have a maximum building height of 7.46m (24'6").
2. Shall not be used as a second dwelling unit in the future.
3. The development shall be in accordance with the plans submitted May 12, 2016. Any change to these plans requires the approval of the Development Officer.

**Decision Date**

Jun 07, 2016

**Valid Date**

Jun 28, 2016

**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.



CITY OF  
*Lethbridge*

Land Use Bylaw 5700  
**DEVELOPMENT PERMIT**

**PERMIT NO.  
DEV08090**

**Development.**  
**Authority**

PAM COLLING, DEVELOPMENT OFFICER

---

**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 [developmentsservices@lethbridge.ca](mailto:developmentsservices@lethbridge.ca).

**Permit No. DEV08090**

**City of Lethbridge**

**Planning and  
Development  
Services**

910 - 4<sup>th</sup> Avenue South  
Lethbridge, AB  
T1J 0P6

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

**Residential  
Building Permit Application**

BP 01879  
DEV 08090

Project Address:

**JUN 08 2016**

Unit / Bay # \_\_\_\_\_

Civic Address 311 CAEDONIA BLD.W.

Date: MAY 3, 2016

Access Code: \_\_\_\_\_

**Property Owner**

Applicant

Name: IRENE FRIESEN Paid   
Address: 31 RIVERPARK BLD. W.  
LETHBRIDGE, AB T1K 7S7  
Phone: 403-3606441 Fax: \_\_\_\_\_  
E-Mail: irone.v.friesen@gmail.com  
Signature: [Signature]

**Scope of Work**

New Construction	<input checked="" type="checkbox"/>
Alteration / Renovation	<input type="checkbox"/>
Addition	<input type="checkbox"/>
Repair	<input type="checkbox"/>

**Contractor**

Applicant

Name: HARTER HOME Reno FINISHING Paid   
Address: 31 RIVERPARK BLD. W.  
LETHBRIDGE, AB T1K 7S7  
Phone: 403 795-2581 Fax: \_\_\_\_\_  
E-Mail: daryl.b.dh@gmail.com  
Signature: [Signature]  
B/L #: 10101

**Type of Dwelling**

Single Detached Dwelling	<input checked="" type="checkbox"/>
Duplex	<input type="checkbox"/>
Secondary Suite	<input type="checkbox"/>

**RECEIVED**  
MAY 12 2016  
DEVELOPMENT SERVICES  
CITY OF LETHBRIDGE

*Det Garage w/1 Studio*

**Development**

Residential Setback Information	Distance in Meters
Front Setback	
Front Setback (Corner Lot)	
Side Setback	<u>0.60</u> ✓
Side Setback (2)	<u>1.52</u> ✓
Rear Setback	<u>0.60</u> ✓
Rear Setback (Uncovered Deck)	
Eave Projection	<u>0.30</u> ✓
Fireplace Cantilever	
Residence Height	
Percentage of Parcel Coverage (for R-CL, R-CM and R-M Districts only)	

Accessory Building Information	Distance in Meters
Accessory Building Separation Distance	<u>5.85</u> ✓
Accessory Building Height	<u>7.46</u> ✓
Accessory Building Eave Projection	<u>0.30</u> ✓
Accessory Building Parcel Coverage (14% or less)	<u>9.79%</u> ✓

*Lot - 379.73m<sup>2</sup>  
Det Garage - 3716m<sup>2</sup>  
Height 7.46m (24'6")  
Max. 4.50m (14'9")  
Waiver 2.96m (9'9")*

**Building**

	Square Feet	Rate	\$ Value
One Storey with Full Basement		x \$75.00	
One Storey without Basement		x \$75.00	
Two Storey	Main Floor	x \$75.00	
	Second Floor	x \$53.00	
Duplex	(Side x Side, Row House, or Main Floor)	x \$75.00	
	Second Floor	x \$53.00	
Wood Burning Fireplace		x \$2500.00	
Wood Decks	Covered	x \$25.00	
	Uncovered	x \$17.00	
Garage (Attached or Unattached)		x \$35.00	
Basement Development		x \$25.00	
Carport		x \$30.00	
Solarium		x \$60.00	
Construction Value / Other (Addition)			
Hot Tub / Above Ground Pool (**Flat Fee**)		\$55.00	
Footing & Foundation Only		\$200.00	

**TOTAL VALUE** \_\_\_\_\_

**Permit Fee** = Total Construction Value x 0.007 (Minimum \$100.00) a) \_\_\_\_\_

**Safety Codes Levy** = Permit Fee x 0.04 (Minimum \$4.50 / Maximum \$560.00) b) \_\_\_\_\_

**Development Fee** c) \_\_\_\_\_

**TOTAL PERMIT FEE** (a + b + c) \_\_\_\_\_

**\*\* PLEASE NOTE: A PERMIT SERVICES REPORT WILL BE ISSUED ONCE THE BUILDING PERMIT HAS PASSED FINAL INSPECTION. AN OCCUPANCY PERMIT IS NOT REQUIRED. \*\***

**Office Use Only**

Confirm Legal Description & Address	Setbacks
Check Land For Comments / Warnings	Height
Vertical Grade Stamp	# of 220 Outlets For Stoves
Architectural Controls	# of Toilets
Confirm Zoning	Eave Projections
Check Registered Plan	Match Elevations with Site Plan
Corner Lot (Yes)	Laneless Lot
Non-Conforming Building	Use Approved

**Building**

	Square Feet	Rate	\$ Value
One Storey with Full Basement		x \$75.00	
One Storey without Basement		x \$75.00	
Two Storey	Main Floor	x \$75.00	
	Second Floor	400 ✓ x \$53.00	21,200
Duplex	(Side x Side, Row House, or Main Floor)	x \$75.00	
	Second Floor	x \$53.00	
Wood Burning Fireplace		x \$2500.00	
Wood Decks	Covered	x \$25.00	
	Uncovered	x \$17.00	
Garage (Attached or Unattached)	400 ✓	x \$35.00	14,000
Basement Development		x \$25.00	
Carport		x \$30.00	
Solarium		x \$60.00	
Construction Value / Other (Addition)			
Hot Tub / Above Ground Pool (**Flat Fee**)		\$55.00	
Footing & Foundation Only		\$200.00	

TOTAL VALUE 35,200

Permit Fee = Total Construction Value x 0.007 (Minimum \$100.00) a) 246.40

Safety Codes Levy = Permit Fee x 0.04 (Minimum \$4.50 / Maximum \$560.00) b) 9.86

Development Fee *height waiver, secondary for studio* c) 495.00

TOTAL PERMIT FEE (a + b + c) 751.26

**\*\* PLEASE NOTE : A PERMIT SERVICES REPORT WILL BE ISSUED ONCE THE BUILDING PERMIT HAS PASSED FINAL INSPECTION. AN OCCUPANCY PERMIT IS NOT REQUIRED.\*\***

**Office Use Only** R-L

Confirm Legal Description & Address	Setbacks
Check Land For Comments / Warnings	Height
Vertical Grade Stamp	# of 220 Outlets For Stoves
Architectural Controls	# of Toilets
Confirm Zoning	Eave Projections
Check Registered Plan	Match Elevations with Site Plan
Corner Lot (Yes)	Laneless Lot
Non-Conforming Building	Use Approved

Personal information collected on this form is collected 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, use or disclosure of the personal information provided, please contact the Director of Planning and Development Services at 910 - 4 Ave S, Lethbridge, AB T1J 0P6 or phone 403-320-3920.



CITY OF  
*Lethbridge*

**BUILDING INSPECTION SERVICES  
PERMIT**

Ph: (403) 320-3830 Fax: (403) 327-6571 Email: permits@lethbridge.ca

Permit #: **BP018779**

Application Date: May 12, 2016

Issued: Jun 16, 2016

Permit Type: **BUILDING - SDD & 2 UNIT - GARAGE-DET**

Description: **DETACHED GARAGE WITH SECOND STOREY FOR STUDIO AND BATHROOM**

Address: **311 CALEDONIA BLVD W**

Legal: **1311164;5;34**

Zone: **R-L**

P.I.D. **0035658079**

Applicant: **FRIESEN, IRENE VERONICA**

Address: **31 RIVERPARK BLVD W LETHBRIDGE AB T1K 7S7**

Phone: **403-380-4496**

Contractor: **FRIESEN, IRENE VERONICA**

Address: **31 RIVERPARK BLVD W LETHBRIDGE AB T1K 7S7**

Phone: **403-380-4496**

Owner: **FRIESEN, IRENE VERONICA**

Address: **31 RIVERPARK BLVD W LETHBRIDGE AB T1K 7S7**

Phone: **403-380-4496**

<u>Description</u>	<u>Quantity</u>	<u>Amount</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>
Bp Fee-r	35,200.00	246.40	Safety Code Fee	0.00	9.86
				<b>Total:</b>	<b>\$256.26</b>

**Special Conditions:**

- \* A Soil Bearing Evaluation is required to be submitted.
- \* - The following inspections are required: FINAL WHEN SIDING, SOFFIT & FASCIA ARE COMPLETED, PRIOR TO INSULATION AND VAPOUR BARRIER.

- All construction must conform to the Alberta Safety Codes Act and regulations thereto.
- Permit subject to notes and changes on approved plans. Plans are required to be onsite at all times.
- This building must not be occupied in any part until approved by a Safety Codes Officer.
- All Flashings to be installed to meet 2014 A.B.C. requirements.
- No glazed openings are permitted in a wall that is within 1.2m (4') of the side property line.
- This permit shall be subject to field inspections.
- A Building Permit shall expire if work has not started within ninety (90) days of permit issuance or if work has ceased for a period of one hundred twenty (120) days during the construction process.



CITY OF  
*Lethbridge*  
**BUILDING INSPECTION SERVICES**  
**PERMIT**

Ph: (403) 320-3830 Fax: (403) 327-6571 Email: [permits@lethbridge.ca](mailto:permits@lethbridge.ca)

Permit #: **BP018779**

Application Date: May 12, 2016

Issued: Jun 16, 2016

**Issued By:**

Chad Gibb

SCO Number: SCO #119541

DOP Number: DOP #8428

The personal information provided as part of this application is collected under section 43 of the Safety Codes Act and sections 303 and 295 of the Municipal Government Act and in accordance with section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing permits, safety codes 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. If you have any questions about the collection or use of the personal information provided, please contact the Manager of Inspection Services at 910 4 Ave S, Lethbridge, AB, T1J 0P6 or phone at (403) 320-3830.



*Lethbridge*

## Permit Service Report

**Permit Number:** BP018765

**Issued By:** City of Lethbridge

**Owner(s):** IRENE VERONICA FRIESEN, DARYL HARTER

**Civic Address of Permitted Work:**

311 CALEDONIA BLVD W

**Legal Description:**

1311164;5;34

**Description of Work:**

NEW SFD/COV ENTRY/WOOD BURNING FIREPLACE/SMALL DECORATIVE DECK/NBD

**Contractor:** HARTERS HOME RENO & FINISHING

The City of Lethbridge has provided compliance monitoring services as required by the Safety Codes Act and Codes, regulations and policies pursuant to the Act. It is the opinion of the City of Lethbridge that:

**The work complies with the intent of the Safety Codes Act regulations.**

CHAD GIBB

Signature of Municipality Representative

**Issued in:**

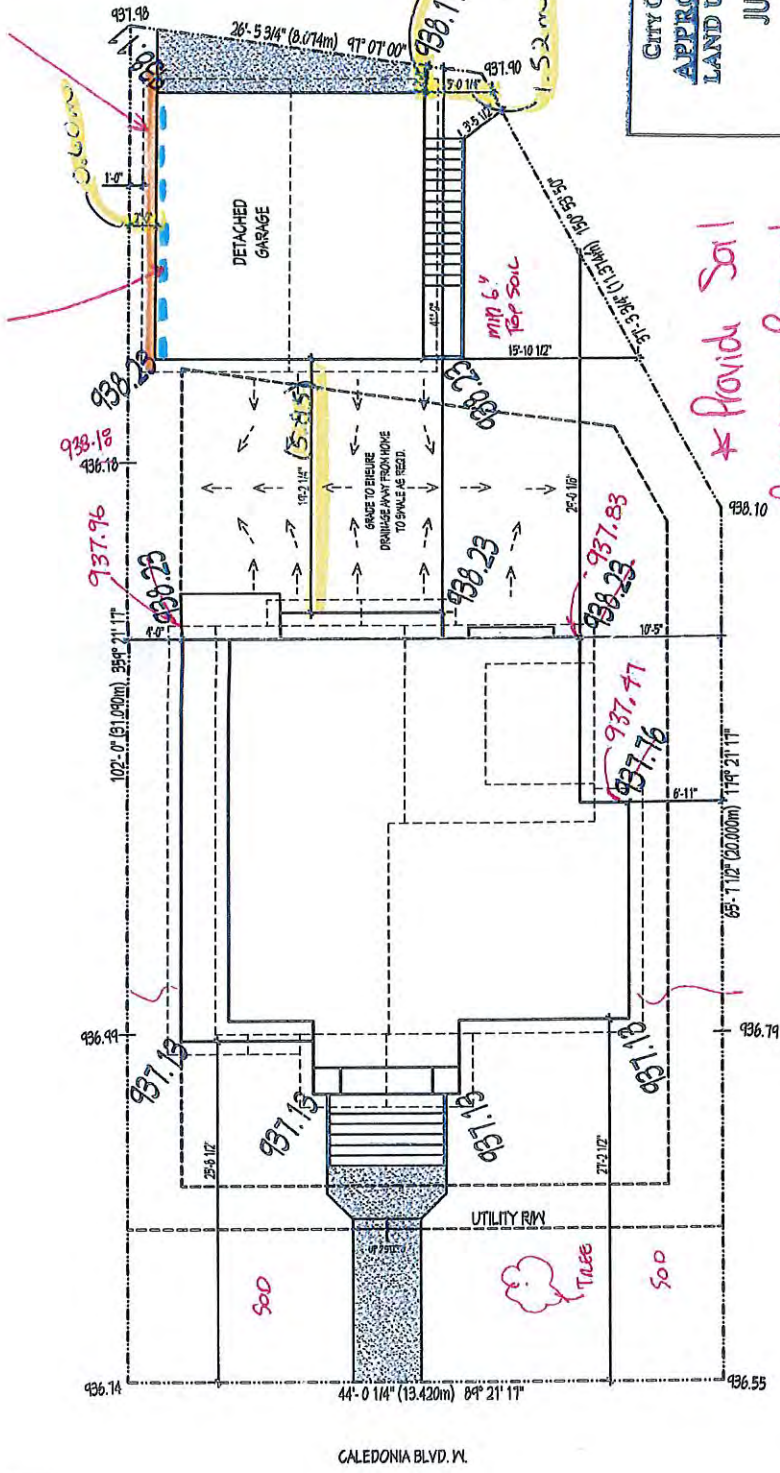
City of Lethbridge  
910 4 Avenue South  
Lethbridge, AB, T1J 0P6  
Ph: (403) 320-3830  
Fax: (403) 327-6571

Note: This report remains on file as record of compliance or non-compliance with provisions of the Safety Codes Act, regulations, codes, and standards. Pursuant to the Safety Codes Act, the Owner is responsible for meeting the requirements of the Act.

Email Reference #30324



- Driveways Phase  
All driveways shall
- Poured cc
  - Dyed and Concrete
  - Stamped
  - Poured cc
  - Asphalt
  - Gravel
- Landscape / Ftg
- Deciduous tree at a height of
  - Coniferous tree



CITY OF Lethbridge  
**APPROVED AS PER**  
LAND USE BYLAW 5700  
JUN - 7 2016  
PERMIT #: DEV03090  
SIGNATURE: P. S. COOPER

\* Provide Soil  
Bearing Report  
for Detached  
Building \*

ALL TRADES TO ENSURE THEY ALLOW  
STONE TO RETURN AS MARKED ON  
ELEVATIONS  
\* CONFIRM LOWEST BOTTOM OF FOOTING HEIGHTS.  
\* FENCES AS PER GUIDELINES.

**Approved Vertical Grades**  
Builder is responsible for following the approved grades as shown on this plan. Verify existing conditions on site prior to excavation or construction

*[Signature]*  
20/11/11  
Goss Architectural Design Group

**GADG**  
Reviewed for general compliance to contract documents only. This review does not relieve the vendor or contractor of full responsibility for the adequacy, correctness, and accuracy of calculations, design, details, and dimensions.

<input checked="" type="checkbox"/> Reviewed	<input type="checkbox"/> Not Reviewed
<input checked="" type="checkbox"/> Reviewed as noted	<input type="checkbox"/> Information only

SITE INFORMATION:	
LOT	34
BLOCK	5
PLAN	1911164
ADDRESS:	311 CALEDONIA BLVD. W.

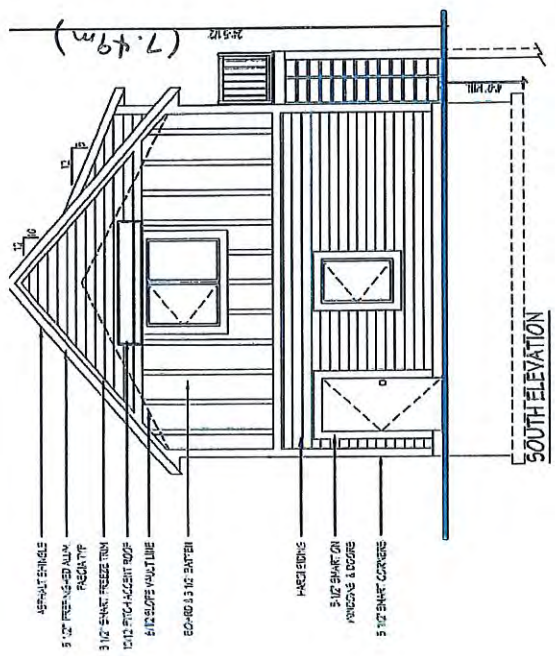
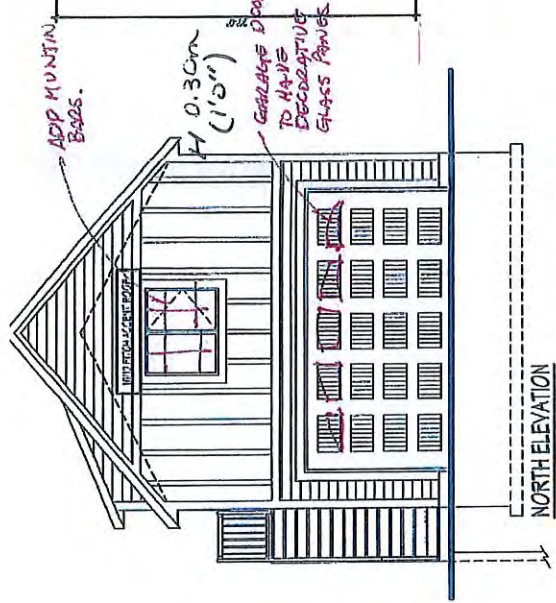
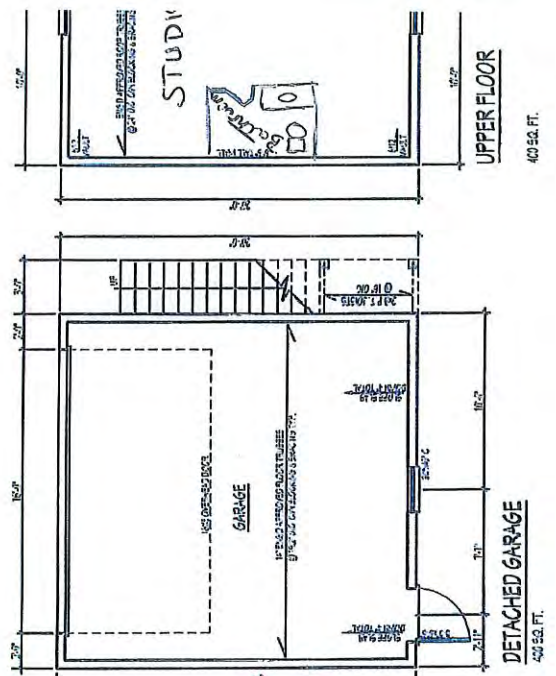
  

ELEVATIONS:	
TOP OF MAIN FLOOR	930.52
TOP OF UPPER FLOOR	941.71
TOP OF BASEMENT SLAB	935.61
SANITARY INVERT	-

NOTES:	
-	THE CONTRACTOR SHALL VERIFY SANITARY INVERT PRIOR TO EXCAVATION OF BASEMENT
-	THE CONTRACTOR SHALL ENSURE FOOTINGS ARE BEARING ON UNDISTURBED SOIL
-	THE CONTRACTOR SHALL BACK-GRADE WITH A SLOPE TO ENSURE DRAINAGE AWAY FROM HOME

CITY OF Lethbridge  
**EXAMINED**



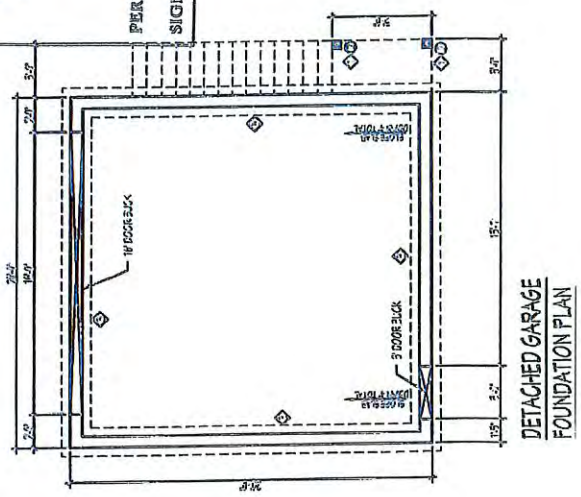
CITY OF *Portland*  
APPROVED AS PER  
LAND USE BYLAW 5701  
JUN - 7 2016  
PERMIT #1: *DEY08090*  
SIGNATURE: *R. Quinn*

COLOR SCHEDULE

1	2	3	4
5	6	7	8
9	10	11	12

FOOTING SCHEDULE

1	2	3
4	5	6



**GADST**  
Reviewed for general compliance to contract documents only. This review does not relieve the vendor or contractor of full responsibility for the adequacy, correctness, and accuracy of calculations, design, details, and dimensions.

*Arch. G.L.*  
Not Reviewed - Information city

*Ding*  
Revised B: *ROO*

Date: *2016/5/16*

