



CITY OF  
*Lethbridge*

Office of the City Clerk

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION**

October 1, 2020

Re: Appeal of Development Application No. 12253  
Appellant: Andrea Seright  
Land Use: Business Industrial (I-B)

Upon hearing representation made by the Development Officer, the Appellant, and other interested parties on Thursday, October 1, 2020, it is the decision of the Subdivision and Development Appeal Board that the Appeal is **ALLOWED** and the decision of the Development Officer regarding Development Application DEV12253 on August 24, 2020 to allow for the expansion of an existing fitness facility into two additional bays, requiring a further parking waiver of 13 spaces located at 4-5 3287 32 Street North is hereby **OVERTURNED** and the parking waiver of 13 spaces is granted **ON A TEMPORARY BASIS** for three years and at that time, a new permit application is required.

The Board considered the following:

- the South Saskatchewan Regional Plan, Municipal Government Act, the Municipal Development Plan, the Land Use By-law, any applicable Statutory Plans
- All submissions, both verbal and written received;
- Definition of a fitness facility; and
- Parking requirements and category of uses outlined in the Land Use Bylaw.

**REASONS FOR DECISION:**

1. The capacity of the stand alone building site and surrounding location to absorb parking;
2. The hours of operations and parking demand are sufficiently different from the other current owners and operators to allow for the proposed waiver;
3. The landlord stated that the owners and operators of the other condominium units appear to have lease agreements for a minimum of three years and at that time, the parking waiver requirement will be reviewed; and
4. The proposed development will not unduly interfere with the neighbourhood amenities and will not materially interfere with or affect the use, enjoyment or value of neighbouring properties.

An appeal against this decision may be made to the Alberta Court of Appeal on a question of law or jurisdiction only. Should you wish to do so, it is recommended that you retain legal counsel.

Please contact this Office if you have any questions regarding the decision. A copy of this decision has been mailed to the owner of the property, and the persons who filed the appeal.

Yours truly,

David Gurr, Board Chair,  
Subdivision & Development Appeal Board



CITY OF  
*Lethbridge*

**PERMIT NO.  
DEV12253**

**Land Use Bylaw 5700  
DEVELOPMENT PERMIT**

**Subdivision and Development Appeal Board Decision**

Address: **4 3287 32 ST N**  
Legal: 1311960;4

District: I-B

Address: **5 3287 32 ST N**  
Legal: 1311960;5

District: I-B

Applicant: SERIGHT, ANDREA  
Address: LETHBRIDGE AB

Phone: 403-849-7420

**Development Proposed** A request to expand an existing fitness facility into two additional bays for an additional 328.5m<sup>2</sup> (3536 sq ft) for the purpose of 'Fitness Facility' and a request for an additional 13 off street parking spaces.

**District** I-B BUSINESS INDUSTRIAL

**Land Use** FITNESS FACILITY - DISCRETIONARY

**CONDITIONS OF APPROVAL**

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION, OCTOBER 1, 2020:

1. Waiver:

An additional 13 off street parking stall waiver be granted.

2. Temporary Approval:

This approval is for a temporary period of time expiring October 2, 2023. A new development application will be required prior to the expiry of this permit on October 2, 2023, if the fitness facility is still wishing to operate in bays 4 and 5, 3287 - 32 Street North.

Reasons for decision:

1. The capacity of the stand alone building site and surrounding location to absorb parking;
2. The hours of operations and parking demand are sufficiently different from the other current owners and operators to allow for the proposed waiver;
3. The landlord stated that the owners and operators of the other condominium units appear to have lease agreements for a minimum of three years and at that time, the parking waive requirement will be reviewed; and
4. The proposed development will not unduly interfere with the neighbourhood amenities and will not materially interfere with or affect the use, enjoyment or value of neighbouring properties.

**Decision Date**

Oct 01, 2020

**Development Commencement shall be within one year of the decision date**



CITY OF  
*Lethbridge*

**PERMIT NO.  
DEV12253**

**Land Use Bylaw 5700  
DEVELOPMENT PERMIT  
Subdivision and Development Appeal Board Decision**

**Development  
Authority**

  
ANGELA OLSEN, DEVELOPMENT OFFICER

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**STATUTORY PLANS**

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

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**APPEALS**

A decision of the Subdivision and Development Appeal Board is final and is subject only to an appeal upon a question of law or jurisdiction pursuant to Section 688 of the Municipal Government Act, RSA, 2000, as amended.

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

**Permit No. DEV12253**