



CITY OF
Lethbridge

NOTICE OF A SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

DATE: Thursday, December 22, 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. 2011-08
APPEAL OF DEVELOPMENT PERMIT NO. DEV03760**

Appellants: Lance LePage
 Amelia Danielson

Applicants: Stacey Davidson
 Branden Davidson

To establish an 1176.8m² (12,667 sq ft) amusement facility and a request for a 28 off-street parking stall waiver at 443 – 10 Street North

Land Use District: I-B (Business Industrial)



CITY OF
Lethbridge

Office of the City Clerk

December 6, 2011

RE: NOTICE OF HEARING - SUBDIVISION AND DEVELOPMENT APPEAL BOARD

An appeal has been filed on the decision of the Municipal Planning Commission to establish an 1176.8m² (12,667 sq ft) amusement facility and a request for a 28 off-street parking stall waiver at 443 – 10 Street North, Development Application Decision DEV03760.

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 22, 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



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.

(Date Received Stamp)		
Municipal Address of Appeal <i>443 10 Street North</i>		
Legal Description of Site (must be completed for subdivision appeals) <i>#1</i>		
Development Application Number or Subdivision Application Number <i>DEV03760</i>		
Name <i>Lance LePage</i>		
Mailing Address <i>502 10 Street North</i>		
		(Office use Only)
City <i>Lethbridge</i>	Province <i>Alberta</i>	Postal Code <i>T1H 2C8</i>
Residence # <i>403-393-5713</i>	Business # <i>403-317-3413</i>	Email <i>lance.lepage@agr.gc.ca</i>

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

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

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:

Use of facility for go-karts will create excessive noise in a residential area, as well as their music!

Use of facility with 28 off street parking stall waiver will create more parking problems for our area than we have now.

The extra traffic that will be generated will create more

(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 23(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) 329-7383.

Signature of Appellant <i>Lance LePage</i>	Date 2011 MM 12 DD 05		
FOR OFFICE USE ONLY			
Final Date of Appeal YYY MM DD	Appeal Number	Hearing Date YYY MM DD	Date Appellant Notified YYY MM DD



- 2 -

Congestion in our residential area, which already has a lot of traffic due to the GasKing service station on the corner of 5th Avenue and 10th Street N., the Hall Dental clinic on 5 Ave. N between Stafford Dr. and 10 St. Tom's Auto service located adjacent to approved site, Northside Auto located just across the street from approved location, plus all the other businesses located along the stretch of road from 3rd Avenue N to 5th Ave. N on 10th Street.

Also of great concern is the extra vehicular traffic causing safety concerns, especially with younger people using the facility and not paying attention to traffic, both with crossing 5th Avenue North, where parking will have to occur due to the lack of parking at the facility, as well as crossing 10th Street N where parking will also have to occur, thus increasing greatly the possibility of vehicle/pedestrian accidents.

Also, we have enough loud vehicular traffic disturbing our enjoyment of our properties, which we are supposed to be granted by purchasing our properties in a residential area, without adding more vehicular noise, thus further reducing our right to the enjoyment of our properties.

As the residential area was developed long before this application was approved, the residential area should take preference. This facility would be better located in a different location, such as a mall, where there is adequate parking and noise would not be a concern.

I will likely think of other reasons, prior to the hearing as well.

Thanks

Lance Sebago



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.

Form with fields for Site Information (Municipal Address of Appeal: 443 - 10 Street North, Development Application Number: DEV03760), Appellant Information (Name: Amelia Danielson, Mailing Address: 521 - 11 Street North), and contact details (Residence #: 403-320-0131, Business #: 403-331-9566, Email: earhart003@hotmail.ca). Includes a red 'RECEIVED' stamp dated DEC 05 2011.

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

Form with three columns: Development Permit (checked: Approval), Subdivision Permit (unchecked: Approval, Conditions of Approval, Refusal), and Notice of Order (unchecked: Notice of Order).

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.

Text box containing the grounds for appeal: 'The grounds for this appeal are as follows: - Waiver for 28 stalls is too much - Surrounding areas overcrowded with street parking, low income housing, local businesses'. Includes a note '(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) 329-7583.

Form with fields for Signature of Appellant (Amelia Danielson), Date (2011 MM 12 DD 05), and a section for Office Use Only (Final Date of Appeal, Appeal Number, Hearing Date, Date Appellant Notified).



CITY OF
Lethbridge
910 - 4 Avenue South
Lethbridge, Alberta T1J 0P6

CITY OF LETHBRIDGE
Land Use Bylaw 5700
DEVELOPMENT PERMIT

PERMIT NO.
DEV03760

Address: **443 10 ST N**
Legal: 0112082;A;6

District: I-B

Applicant: DAVIDSON, STACEY
DAVIDSON, BRANDEN
Address: 222 26 STREET S LETHBRIDGE AB

Phone: (403) 308-6216
Phone: (403) 308-6216

Development Proposed A request to establish 1176.8m² for the purpose of Amusement Facility (Fun Center), which includes Arcade, Go Carts, Climbing, Mini Golf and a request for a 28 stall parking waiver.

District I-B BUSINESS INDUSTRIAL

Land Use AMUSEMENT FACILITY - DISCRETIONARY

Waiver PARKING

CONDITIONS OF APPROVAL

1. Classification: "amusement facility" which is a discretionary use in the I-B (Business Industrial District).
2. The development shall be in accordance with the plans submitted November 15 & 16, 2011. Any change to these plans requires the approval of the Development Officer.
3. A waiver of 28 off-street parking spaces be approved, therefore, requiring 104 off-street parking stalls for the entire building.
4. Off-street Parking: 59 spaces shall be provided and maintained for this use. All 104 parking stalls shall be identified with curb stops.
5. Signs: prior to the installation of any exterior signs, a sign permit must be approved by the Development Officer.

Decision Date
Nov 23, 2011
Valid Date
Dec 12, 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

CITY OF LETHBRIDGE
Land Use Bylaw 5700
DEVELOPMENT PERMIT

PERMIT NO.
DEV03760

APPEALS

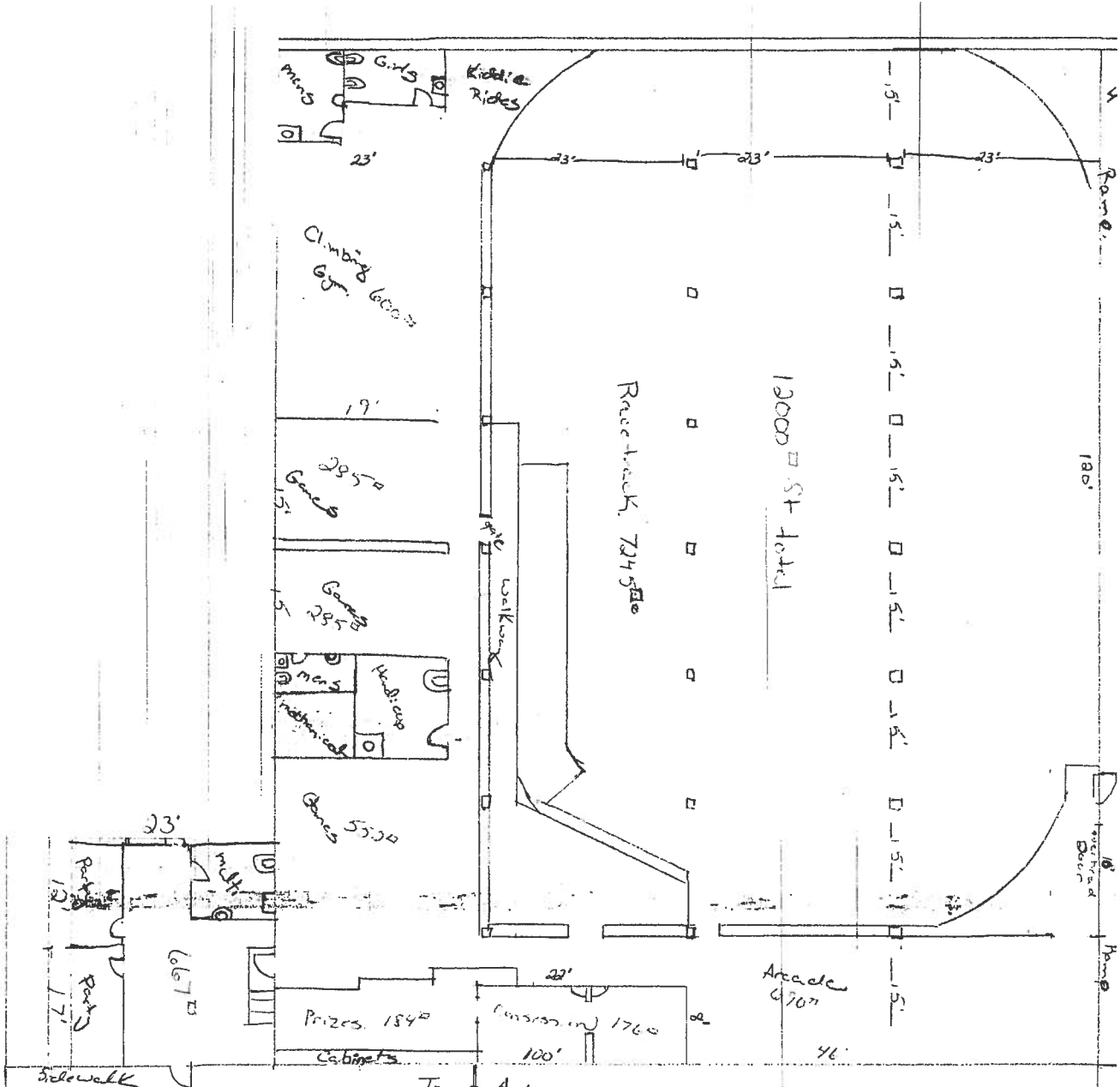
The applicant has the right to appeal this decision to the Subdivision and Development Appeal Board. An appeal shall contain a statement of the grounds of appeal and shall be delivered either personally or by Registered Mail so as to reach the Secretary of the Subdivision and Development Appeal Board 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.

Permit No. DEV03760



Tom's Auto

CITY OF *Lebanon*
 APPROVED AS PER
 LAND USE BYLAW 5700
 NOV 22 2011
 PERMIT #: DEV03760
 SIGNATURE: *[Signature]*

RECEIVED
 NOV 17 2011
 DEVELOPMENT SERVICES
 CITY OF LEBANON

RECEIVED

NOV 16 2011

DEVELOPMENT SERVICES
CITY OF LETHBRIDGE

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

NOV 22 2011

PERMIT #: *DENV03760*
SIGNATURE: *[Signature]*

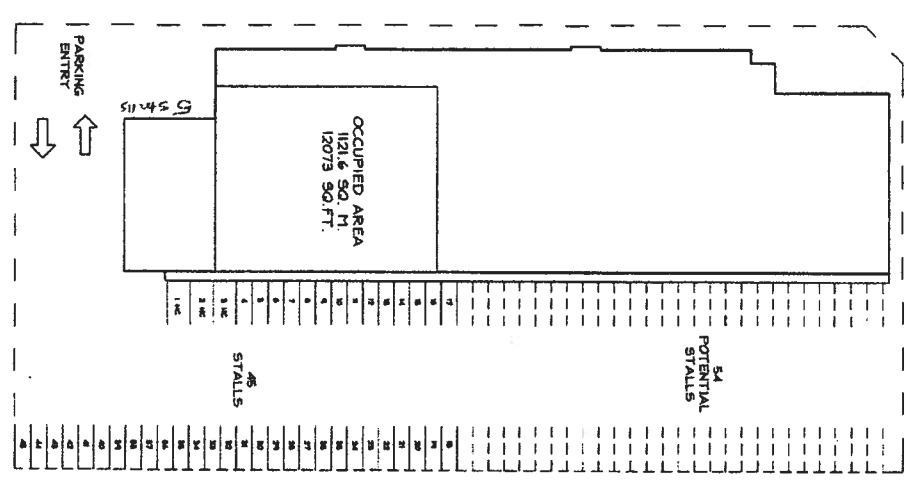
Note: OF THE AREA OCCUPIED
By THE LESSEE 6,900 SQ. FT.
WILL BE TAKEN UP BY GO-KART
TRACK - MAXIMUM OCCUPANCY ON TRACK = 7
AT ONE TIME.

FOR PARKING = TOTAL AREA = 1122 SQ. FT.
So Reg'd. PARKING STALLS Req'd = 51 STALLS.

FOR THE IMMEDIATE OCCUPIED SPACE BY THE
LESSEE, 45 STALLS CAN BE EASILY PROVIDED
BUT THE FORTUNATE DEVELOPMENT OF THE
REST OF THE SITE CAN EASILY ACCOMMODATE
THE REST OF THE STALLS Req'd.

[Signature]

10th Street North



PARKING LAYOUT PLAN
SCALE: 1:750

CLIENT STACEY DAVIDSON		NOTES	
PROJECT ALL INDOOR FUN PART OF BLOCK A, PLAN 7958 H.B.		BOHNIERT ENGINEERING SERVICES LIMITED PERMIT No. 07906 Phone: 301-6699 Fax: 301-9447	
DESCRIPTION PARKING LAYOUT			
DATE 11/16/11	DRAWN MB	DESIGN 11/16/11	CHK. No. 1
AS SHOWN			



CITY OF
Lethbridge

SDAB 443 10 Street North

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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