



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

September 18, 2015

Re: Appeal of Development Permit No. DEV07268
Appellants: London Road Neighbourhood Association
Land Use: Low Density Residential London Road (R-L) (L)

Upon hearing representation made by the Development Officer, the Appellant, and other interested parties on Thursday, September 17, 2015, it is the decision of the Subdivision and Development Appeal Board that the appeal is **DENIED** and the decision of the Development Officer regarding Development Permit DEV07268 on August 12, 2015 to construct a secondary suite in the basement of an existing single detached dwelling at 841 – 11 Street South is hereby **UPHELD**.

REASONS FOR DECISION:

1. Secondary Suites are discretionary uses under the Low Density Residential London Road (R-L) (L) District.
2. The London Road Area Redevelopment Plan does not prohibit front driveways or make it mandatory to have grass on the boulevards.
3. The Board considered the feasibility of waiving the requirement for an additional driveway. Because the London Road Neighbourhood Association stated that they were not in favour of the secondary suite if there was no off-street parking, the Board agreed to uphold the requirement for an additional driveway.
4. The Board was satisfied that City Transportation Department had addressed the safety concern raised by the Appellants.
5. Locating the driveway at alternate sites was also considered.

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 Sarsfield, Board Secretary,
Subdivision & Development Appeal Board

cc City Solicitor
Development Officer
Appellants/Neighbouring Property Owners



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Land Use Bylaw 5700
DEVELOPMENT PERMIT

**PERMIT NO.
DEV07268**

Subdivision and Development Appeal Board Decision

Address: **841 11 ST S**
Legal: 5728S;11;1

District: R-L(L)

Applicant: ASHCROFT MASTER BUILDER LTD
Address: 684 COLUMBIA BLVD W LETHBRIDGE AB T1K 5J9

Phone: (403) 524-3242

Development Proposed To construct a secondary suite in the basement of the existing single detached dwelling. The three (3) required off-street parking stalls will be provided.

District R-L LOW DENSITY RESIDENTIAL

Land Use SECONDARY SUITE, NEW - DISCRETIONARY

CONDITIONS OF APPROVAL

In accordance with the decision of the Subdivision and Development Appeal Board on September 17, 2015, the application to construct a secondary suite in the basement of the existing single detached dwelling is approved for the following reasons:

1. Secondary Suites are discretionary uses under the Low Density Residential London Road (R-L(L)) District.
2. The London Road Area Redevelopment Plan does not prohibit front driveways or make it mandatory to have grass on the boulevards.
3. The Board considered the feasibility of waiving the requirement for an additional driveway. Because the London Road Neighbourhood Association stated that they were not in favour of the secondary suite if there was no off-street parking, the Board agreed to uphold the requirement for an additional driveway.
4. The Board was satisfied that City Transportation Department has addressed the safety concern raised by the Appellants.
5. Locating the driveway at alternate sites was also considered.

Decision Date
Aug 12, 2015

Development Commencement shall be within one year of the decision date

Development Authority


PAM COLLING, DEVELOPMENT OFFICER

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.

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. DEV07268