



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

May 15, 2017

Re: Appeal of Development Permit No. DEV08984
Appellant: Rena Woss
Land Use: Downtown Commercial (C-D)

Upon hearing representation made by the Development Officer, the Applicant, the Appellant, and other interested parties on Thursday, May 11, 2017, 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 DEV08984 on March 28, 2017 to install a new front canopy including business name and to relocate an existing digital fascia sign to a roof sign at 710 - 3 Avenue South is hereby **APPROVED**.

REASONS FOR DECISION:

1. Signs are a discretionary use in the Commercial Downtown District.
2. This sign has been in existence for seven years without any registered complaints.
3. With the relocation of the sign from a fascia to a roof sign, this provided the City to place operational conditions on the permit to align with any digital signs that get approved today.
4. No waivers were required.
5. The proposal meets the requirements of the Land Use Bylaw, the policies of the Downtown Area Redevelopment Plan, and the vision of the Heart of Our City Master Plan.

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



Land Use Bylaw 5700
DEVELOPMENT PERMIT

**PERMIT NO.
DEV08984**

Address: **710 3 AVE S**
Legal: 4353S;34;5

District: C-D

Applicant: KRISTIN AILSBY PROFESSIONAL CORPORATION.
Address: 710 3 AVE S LETHBRIDGE AB T1J 0H6

Phone:

Development Proposed Install a new front canopy including business name, and to relocate an existing digital fascia sign to a roof sign.

District C-D DOWNTOWN COMMERCIAL

Land Use SIGN - DISCRETIONARY

CONDITIONS OF APPROVAL

1. The digital roof sign shall be placed in accordance with the plans submitted March 21, 2017 and March 24, 2017. Any change to these plans requires the approval of the Development Officer.
2. The message(s) on the digital roof sign shall relate to the use on the parcel. No third party advertising permitted.
3. The message on the digital roof sign shall remain in a fixed position for a minimum of 8 seconds.
4. The transition between messages must be accomplished instantaneously.
5. The digital roof sign must contain a default design that will freeze the digital copy message in one position if a malfunction occurs.
6. The digital copy face shall continuously and automatically adjust to Ambient Light conditions by following (measured at 10m from the Copy face);
 - Ambient light level + a maximum of 6.5 lux
 - To a maximum lumincance of:
Dawn to dusk 7500 nits
Dusk to dawn 300 nits
7. With the exception of the east elevation portion of the canopy that is not approved, the canopy sign shall be placed in accordance with the plans submitted March 21, 2017 and March 24, 2017. Any change to these plans requires the approval of the Development Officer.

cc:
Ken Forbes, Senior Electrical Safety Codes Officer

8. Than an encroachment agreement be entered into with the City of Lethbridge and renewed annually.

NOTE:

- a) An electrical permit is required for all illuminated signs and an inspection may be required.
- b) An electrical inspection is required for all field-assembled "through wall" neon installations.
- c) All illuminated signs excepting field-assembled "through wall" neon must be CSA or comparably certified by the manufacturer with the certification sticker clearly visible on the exterior of each sign.

Decision Date

Mar 28, 2017

Valid Date

Apr 19, 2017

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.



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Land Use Bylaw 5700
DEVELOPMENT PERMIT

**PERMIT NO.
DEV08984**

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


ANGELA OLSEN, 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.

Permit No. DEV08984