



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

December 21, 2018

Re: Appeal of Development Permit No. DEV10804
Appellants: C. Schultz
Land Use: Business Industrial (I-B)

Upon hearing representation made by the Development Officer, the Applicant, the Appellants, and other interested parties on Thursday, December 20 2018, 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 DEV10804 on October 31, 2018 to allow for a change in use – “Warehouse, Retail & Commercial School” at Bays A and B, 234 12B Street North is hereby **APPROVED**.

REASONS FOR DECISION:

1. The proposal does not unduly interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
2. The Appellant was satisfied that the parking concerns were addressed by the Applicant.

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,

Wendy Smith, Acting Board Secretary,
Subdivision & Development Appeal Board

cc City Solicitor
Development Officer
Appellants/Neighbouring Property Owners



CITY OF
Lethbridge

**PERMIT NO.
DEV10804**

**Land Use Bylaw 5700
DEVELOPMENT PERMIT**

Subdivision and Development Appeal Board Decision

Address: **234 12B ST N**
Legal: 406R;141;9-14

District: I-B

Applicant: PINETREE SUPPLY LIMITED
Address: PO BOX 1231 LETHBRIDGE AB T1J 4A4

Phone: 403 328-5505

Development Proposed A request for a change of use - 'Warehouse, Retail' & 'Commercial School' (278m2)[Bays A & B] - Finely Quilted
** Includes a request for a 4 space parking waiver.

District I-B BUSINESS INDUSTRIAL

Land Use COMMERCIAL SCHOOL - DISCRETIONARY
WAREHOUSE, RETAIL - PERMITTED

CONDITIONS OF APPROVAL

1. Compliance with the plans: The development shall be in accordance with the plans submitted October 30, 2018. Any change to these plans requires the approval of the Development Officer and may, at the discretion of the Development Officer, require a new development application.
 - (a) The retail sales area shall not exceed 50% of the gross floor area.
2. Waiver: A waiver of 4 off-street parking spaces is hereby granted.
3. Off-street Parking: 3 spaces shall be provided and maintained for this use. The off street parking stall requirement for the entire building is 22 spaces.
4. Signs: prior to the installation of any exterior signs, a sign permit must be approved by the Development Officer.

cc:
TJ Woodloo, Regulatory Services
Darrin Harsch, Building Inspections
Marc Royer, Fire Prevention

ATTACHED:
- SDAB Decision Letter (signed) 2018 08

Decision Date
Dec 20, 2018

Development Commencement shall be within one year of the decision date



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**PERMIT NO.
DEV10804**

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

**Development.
Authority**



KEVIN DEAUST, DEVELOPMENT OFFICER

STATUTORY PLANS

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

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.

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.

Permit No. DEV10804