



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

March 1, 2019

Re: Appeal of Development Permit No. DEV10933
Appellant: Ryan Dyck
Land Use: Low Density Residential (R-L)

Upon hearing representation made by the Development Officer, the Applicant, the Appellant, and other interested parties on Thursday, February 28, 2019, it is the decision of the Subdivision and Development Appeal Board that the appeal is **ALLOWED** and the decision of the Municipal Planning Commission regarding Development Permit DEV10933 on January 29, 2019 to allow the construction of a two unit dwelling at 635 – 14 Street South is hereby **DENIED**.

REASONS FOR DECISION:

1. The rear setback waiver is deemed to be excessive for the nature of this development.

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 APPLICATION DECISION
Subdivision and Development Appeal Board Decision**

Address: **635 14 ST S**
Legal: 4353S;124;40,41

District: R-L

Applicant: AITKENS, RONALD JAMES
AITKENS, LUCILLE ANN
Address: 70 PHEASANT RD N LETHBRIDGE AB T1H 4X4

Phone: 403-999-6480
Phone: 403-795-0314

Development Proposed To construct a new two unit dwelling on a previously developed parcel and a request for a front setback and a rear setback waiver. The four off-street parking stalls will be provided.

District R-L LOW DENSITY RESIDENTIAL

Land Use DWELLING, TWO UNIT - DISCRETIONARY

Waiver FRONT YARD SETBACK (LN ACCSS)
REAR YARD SETBACK

REASONS FOR REFUSAL

In accordance with the decision of the Subdivision & Development Appeal Board decision on February 28, 2019, the application to construct a two unit dwelling and a request for front and rear setback waivers is REFUSED for the following reason:

1. The rear setback waiver is excessive.

Decision Date

Feb 28, 2019

Development Authority


PAM COLLING

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.