



CITY OF  
*Lethbridge*

Office of the City Clerk

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION**

November 15, 2013

Re: Appeal of Development Permit No. DEV05541

Appellant: Rena Woss

Land Use: I-B (Business Industrial); I-G (General Industrial)

Upon hearing representation made by the Development Officer, the Applicant, the Appellant, and other interested parties on Thursday, November 14, 2013, 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 DEV05541 on September 20, 2013 to allow the movement of an existing digital fascia sign onto the pole on the north corner of the parcel to change its use to a billboard at 238 – 22 Street North is hereby allowed with the addition of the following condition:

7. The billboard can only be digital on one side.

**REASONS FOR DECISION:**

1. It is a relocation of an existing sign that has been in place at this location as a permitted use; and
2. The billboard has more restrictions contained in the conditions of the approval than the current sign.

The Subdivision and Development Appeal Board believes that the Land Use Bylaw needs to be reviewed and updated to reflect rules for digital billboards. This Board cannot impose a moratorium on digital billboards and signage under the current Bylaw.

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,

A handwritten signature in black ink that reads "DSarsfield". The signature is written in a cursive, slightly slanted style.

David Sarsfield, Board Secretary,  
Subdivision & Development Appeal Board

cc City Solicitor  
Development Officer  
Appellants/Neighbouring Property Owners



**Land Use Bylaw 5700  
DEVELOPMENT PERMIT**

**Subdivision and Development Appeal Board Decision**

Address: **238 22 ST N**  
Legal: 1010411;1;17

District: I-B,I-G

Applicant: W.R. KIRK HOLDINGS LTD.  
Address: 238 22 ST N LETHBRIDGE AB T1H 3R7

Phone: 403-329-5433

**Development Proposed** Move existing digital fascia sign onto pole on north corner of parcel to change its use to a billboard.

**District** I-G GENERAL INDUSTRIAL

**Land Use** BILLBOARD - DISCRETIONARY

**CONDITIONS OF APPROVAL**

1. The billboard shall be developed and located in accordance with the plans submitted August 27, 2013. Any change to these plans requires the approval of the Development Officer.
2. The message shall remain in a fixed position for a minimum of 8 seconds.
3. Transition between messages must be accomplished in 2 seconds or less.
4. The billboard must contain a default design that will freeze the sign panel message in one position if a malfunction occurs.
5. The billboard shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so not to cause glare or excessive brightness.
6. Applicant/Contractor must ensure that no portion of the billboard projects beyond the property lines.
7. The billboard can only be digital on one side.

**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**  
Nov 14, 2013

**Development Commencement shall be within one year of the decision date**



CITY OF  
*Lethbridge*

**PERMIT NO.  
DEV05541**

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

**Development.  
Authority**

JASON PRICE, DEVELOPMENT OFFICER

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**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.

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**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](mailto:developmentsservices@lethbridge.ca).

**Permit No. DEV05541**