



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

July 9, 2018

Re: Appeal of Development Permit No. DEV10184
Appellants: Jeremy and Brennae Smith
Jill and Andy Smith
Westminster Village Committee
Land Use: Low Density Residential (Westminster) (R-L(W))

Upon hearing representation made by the Development Officer, the Applicant, the Appellants, and other interested parties on Thursday, July 5, 2018, it is the decision of the Subdivision and Development Appeal Board that the appeal is **APPROVED** and the decision of the Municipal Planning Commission regarding Development Permit DEV10184 on June 6, 2018 to construct a Detached Garage with a Secondary Suite at 244 20 Street North is hereby **DENIED**.

REASONS FOR DECISION:

1. The plans submitted was incorrect.
2. The waivers were not required nor considered until corrected plans were submitted at the Hearing.
3. Section 4.7.2 of the Land Use Bylaw allows the Development Officer to receive a new or revised application . . . when, in the opinion of the Development Officer, the aspects of the application which caused it to be refused have been sufficiently modified or corrected.

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, 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: **244 20 ST N**
Legal: 904C;B;15

District: R-L(W)

Applicant: OLIVIER, WES
Address: 4001 SUNDANCE RD COALHURST AB T0L 0V2

Phone: 403-315-3191

Development Proposed To construct a detached garage with secondary suite above. The three required off-street parking stalls will be provided.

District ACCESSORY BUILDINGS - RES

Land Use ACCESSORY BUILDING - PERMITTED
SECONDARY SUITE, NEW - DISCRETIONARY

REASONS FOR REFUSAL

In accordance with the decision of the Subdivision and Development Appeal Board on July 5, 2018, the application to construct a detached garage with secondary suite is REFUSED for the following reasons:

1. The plans submitted was incorrect.
2. The waivers were not required nor considered until corrected plans were submitted at the Hearing.
3. Section 4.7.2 of the Land Use Bylaw allows the Development Officer to receive a new or revised application ... when, in the opinion of the Development Officer, the aspects of the application which caused it to be refused have been sufficiently modified or corrected.

Decision Date

Jul 05, 2018

**Development
Authority**


PAM COLLING, 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.