



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

February 11, 2019

Re: Appeal of Development Application No. DEV10768
Appellant: YWCA Lethbridge & District
Land Use: Public Building (P-B)

Upon hearing representation made by the Development Officer, the Applicant, the Appellant, and other interested parties on Thursday, February 7, 2019, it is the decision of the Subdivision and Development Appeal Board that the appeal is **DENIED** and decision of the Development Officer regarding Development Application DEV10768 on January 11, 2019 to refuse the placement of a LED digital message board on the north face of the building at 604 8 Street South is hereby **CONFIRMED**.

REASONS FOR DECISION:

1. The Municipal Government Act states that the Subdivision and Development Appeal Board must comply with any applicable statutory plan (Section 687(3)(a.1))
2. The London Road Area Redevelopment Plan is a statutory plan that states "all signage shall be of a scale and type that is harmonious with the predominantly residential character. Obtrusive signs such as billboards, roof-top, and digital flashing, or animated signage of any commercial type is prohibited".(Section 5.4.6)

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: **604 8 ST S**
Legal: 4353S;B;7

District: P-B(L)C

Applicant: YWCA LETHBRIDGE & DISTRICT
Address: 604 8 ST S LETHBRIDGE AB T1J 2K1

Phone: 403-329-0088

Development Proposed To erect a 12'8" x 1'8" LED digital message board (text only) on the north face of the building.

District P-B PUBLIC BUILDING

Land Use SIGN - PERMITTED

REASONS FOR REFUSAL

In accordance with the decision of the Subdivision and Development Appeal Board on February 7, 2019, and in accordance with Policy 5.4.6 of the London Road Area Redevelopment Plan and Section 1.5 of Land Use Bylaw 5700, the application for a Fascia Sign is REFUSED for the following reason:

1. Policy 5.4.6(c) of the London Road Area Redevelopment Plan specifically prohibits: "Obtrusive signs such as billboards, roof-top, and digital, flashing, or animated signage of any commercial type".

Informative:

1. Section 1.5.2 of Land Use Bylaw 5700, "A person or activity complying with the Bylaw must also comply with the requirements of any federal, provincial or municipal legislation or regulation".

Decision Date

Feb 07, 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.