



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

June 26, 2020

Re: Appeal of Development Permit No. 12099
Appellants: Brenda Watson
London Road Neighbourhood Association
Land Use: Low Density Residential (R-L)

Upon hearing representation made by the Development Officer, the Applicant, the Appellants, and other interested parties on Thursday, June 25, 2020, 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 DEV12099 on May 28, 2020 to allow for the establishment of a Type B Home Occupation for a Registered Psychologist located at 836 12 Street South is hereby **CONFIRMED**.

The Board considered the following:

- South Saskatchewan Regional Plan, Municipal Government Act, the Municipal Development Plan, the Land Use By-law, London Road Area Redevelopment Plan, and any applicable Statutory Plans;
- All submissions, both verbal and written received; and
- The definition of Type B Home Occupation.

REASONS FOR DECISION:

1. The proposed development does not require any waivers.
2. The existing London Road Area Redevelopment Plan does not prohibit Home Occupations.
3. The Board is of the opinion that the additional traffic, noise, and parking do not present undue interference with the neighbourhood amenities and would not materially interfere with or affect the use, enjoyment or value of neighbouring properties.

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,

Walter Kalkan, Board Chair,
Subdivision & Development Appeal Board

cc City Solicitor
Development Officer
Appellants/Neighbouring Property Owners

Office of the City Clerk, City of Lethbridge, 910 – 4th Avenue South, Lethbridge AB T1J 0P6
403 329 7329



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**PERMIT NO.
DEV12099**

**Land Use Bylaw 5700
DEVELOPMENT PERMIT**

Subdivision and Development Appeal Board Decision

Address: **836 12 ST S**
Legal: 5728S;11;9-12

District: R-L(L)

Applicant: JENSEN, MACKENZIE
Address: 836 12 ST S LETHBRIDGE AB T1J 2S5

Phone: 403-894-4817

Development Proposed To establish a Type B Home Occupation for Registered Psychologist. 5 clients per day, Mon-thurs, 1 client at a time.
1-7pm Mondays, 8-2pm Tues-Thurs **By appointment only, no walk-ins, No employees

District R-L LOW DENSITY RESIDENTIAL

Land Use HOME OCCUPATION, TYPE B - PERMITTED

CONDITIONS OF APPROVAL

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION DATED JUNE 26, 2020:

1. That this home occupation be conducted in accordance with Section 9.12 (Type B) of Land Use Bylaw 5700. (attached).
2. That a maximum of 6 customers be permitted to visit the home each day, one at a time, by appointment only. Hours of operation are Monday 1:00p.m. to 7:00p.m. and Tuesday through Thursday 8:00 a.m. 2:00 p.m.
3. That one off-street parking stall shall be provided and maintained for customer visits to the home. This parking stall shall not displace resident parking at the home. Parking shall be in accordance with the parking layout plan submitted May 22, 2020.

Decision Date
Jun 26, 2020

Development Commencement shall be within one year of the decision date

Development Authority


ANGELA OLSEN, 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. DEV12099