



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

November 29, 2021

Re: Appeal of Development Permit 13243
Appellant: Willy and Wendy Veldhuizen
Land Use: Low Density Residential (R-L)

Upon hearing representation made by the Development Officer, the Applicant and other interested parties on Thursday, November 25, 2021, 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 13243 on September 8, 2021 to approve the establishment of a new secondary suite on a property located at 1610 10 Avenue North is hereby **CONFIRMED**.

The following submissions were received:

1. James Nilsson, applicant (both oral and written)
2. Willy and Wendy Veldhuizen, appellant (written)
3. Joshua Bourelle, Development Officer (both oral and written)

AND UPON CONSIDERING the relevant provisions of the South Saskatchewan Regional Plan, Municipal Government Act, the Municipal Development Plan, the Land Use By-law, any applicable Statutory Plans, and the circumstances and merits of this case, the decision of the Subdivision and Development Appeal Board is as follows:

1. The Board reviewed all evidence and arguments, written and oral, submitted by the parties and will focus on key evidence and arguments in outlining its reasons.
2. The Board found that the proposed development was in compliance with Land Use Bylaw 6300.
3. The Board notes that the development is a discretionary use. Therefore, the development permit application could either be granted or refused.
4. The proposed development does not require any waivers.
5. The applicant provided the rationale for the development.
6. No evidence was presented against the proposed development.
7. 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.
8. Having regard to the merits of the application and sound planning considerations, the Board, based on the evidence and aforementioned factors, finds that the development from a planning perspective is appropriate for the site.
9. In reviewing and weighing all the evidence, the Board therefore finds that the application does merit approval.

CONCLUSION:

For the reasons set out above, the appeal is denied and the decision of the Development Officer is confirmed.

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 blue ink that reads "CMeheden". The signature is cursive and includes a long horizontal flourish at the end.

Cheryl Meheden, Board Chair,
Subdivision & Development Appeal Board

cc Development Officer
Appellants/Neighbouring Property Owners

Subdivision and Development Appeal Board Decision

Address: **1610 10 AVE N**
Legal: 8072HA;7;10

District: R-L

Applicant: NILSSON, JAMES
Address: 60 BEAVERRUN PL N LETHBRIDGE AB T1H 5Y6

Phone: 403-393-1317

Development Proposed A request for new secondary suite

District R-L LOW DENSITY RESIDENTIAL

Land Use SECONDARY SUITE, NEW - DISCRETIONARY

CONDITIONS OF APPROVAL

1. The secondary suite is approved and shall be developed in accordance with the plans submitted August 13, 2021. Any change to these plans requires the approval of the Development Officer.
2. A minimum of three off-street parking stalls (2 for the single detached dwelling and 1 for the secondary suite) shall be provided and maintained at all times.

Decision Date
Nov 29, 2021

Development Commencement shall be within one year of the decision date

Development Authority



JOSHUA BOURELLE, 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 6300 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 planninganddesign@lethbridge.ca.

Permit No. DEV13243