

**SUMMER VILLAGE OF SUNBREAKER COVE
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
HEARING AND DECISION
NOVEMBER 29, 2018**

CALL TO ORDER

The Chair called the hearing to order at 10:00 a.m.

The following people were in attendance:

Chair	Teresa Beets
Member at large	Linda McLevin
Member at large	Gib Clark
Development Officer	Koralyn Lemmon
CAO	Phyllis Forsyth
SDAB Secretary	Teri Musseau
Applicants	Katherine Cormier
Public	Diane Wiebe

PURPOSE OF THE HEARING

The purpose of this hearing is to hear an appeal received from Katherine Cormier against the Municipal Planning Commission's condition #14 to her amended Development Permit #171082 on August 31, 2018 for the property located at 661 Fox Crescent, Lot 17, Block 3, Plan 1823MC in the Summer Village of Sunbreaker Cove.

IN THE MATTER OF AN APPEAL by the appellant, Katherine Cormier appealing the Development Authority's decision on the property located at 661 Fox Crescent, Lot 17, Block 3, Plan 1823MC3 in the Summer Village of Sunbreaker Cove.

BEFORE the Summer Village of Sunbreaker Cove Subdivision and Development Appeal Board:

Chairman Teresa Beets
Member Linda McLevin
Member Gib Clark

THIS IS AN APPEAL ON the Development Authority's decision of August 31, 2018.

UPON NOTICE BEING GIVEN by letter to the appellant and owners of property located within 200' radius of the proposed development on November 9, 2018. The hearing is being convened within 24 days of receipt of the notice of appeal.

BACKGROUND

The Subdivision and Development Appeal Board Secretary advised that Katherine Cormier is appealing the Municipal Planning Commission's condition #14 to her amended Development Permit #171082 on August 31, 2018 for the property located at 661 Fox Crescent, Lot 17, Block 3, Plan 1823MC in the Summer Village of Sunbreaker Cove.

The appeal deadline was October 2, 2018 and the appeal was received at the office on November 5, 2018; 34 days after the 21 day appeal period and 55 days after the date of decision.

OBJECTIONS TO ANY MEMBERS HEARING THE APPEAL

The Secretary asked if any members of the Subdivision and Development Appeal Board felt that they should disqualify themselves from hearing the appeal before them. No one felt the need to disqualify themselves.

The Secretary then asked Ms. Cormier if she had any objection to any of the Subdivision and Development Appeal Board members. She had none.

The Board members were asked if other than the agenda package provided here today, had any member of the SDAB sought, been given or reviewed evidence prior to the hearing.

All answered they had not.

READING OF APPEAL LETTER FROM MS. CORMIER

The CAO read the appeal written from Ms. Cormier which was received at the office on November 5, 2018 appealing the Municipal Planning Commission's condition #14 on her amended development permit #171082 that would allow her to have two driveways but the driveways must remain solely on her property located at 661 Fox Crescent, Lot 17, Block 3, Plan 1823MC.

JURISDICTION AND DUTIES

Phyllis Forsyth, CAO, provided the Board information on the duties of the Subdivision and Development Appeal Board members and how to determine if they had jurisdiction to hear the appeal.

Chair Beets, called for a brief recess to determine jurisdiction.

The meeting was reconvened and the board determined they did not have jurisdiction to hear the appeal based on Section 686(1) of the Municipal Government Act which states:

A development appeal to a subdivision and development appeal board is commenced by filing a notice of appeal, containing reasons, with the board

(a)(i)(A) within 21 days after the date on which the decision is made under section 642.

The hearing was declared closed at 10:46 a.m.

DATED AT THE TOWN OF SYLVAN LAKE THIS 29TH DAY OF NOVEMBER, 2018.

**THE SUMMER VILLAGE OF
SUNBREAKER COVE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD**

**Teresa Beets
Board Chairman**

