
Appeal File Number: 022-STU-016
Application Number: 2022-S-032
Appeal Against: Subdivision Authority of Sturgeon County
Appellant/Applicant: John Cordeiro
Date and Location of Hearing: December 6, 2022
Council Chambers and Through Electronic Communications
Date of Decision: December 12, 2022
SDAB Members: Chair Julius Buski, Lee Danchuk, Amanda Papadopoulos

NOTICE OF DECISION

IN THE MATTER OF an appeal by John Cordeiro against the Subdivision Authority's refusal of a subdivision application to subdivide 1 hectare from 28.10 hectares on SE 23-55-26-W4 within Sturgeon County.

- [1] This is the decision of the Sturgeon County Subdivision and Development Appeal Board (the "SDAB" or "Board") on a subdivision appeal filed with the SDAB pursuant to section 678 of the *Municipal Government Act*, RSA 2000, c. M-26 (the "MGA" or "Act").
- [2] In making this decision, the Board reviewed all the evidence presented and considered provisions of the *Municipal Government Act*, Sturgeon County's Land Use Bylaw 1385/17 and Sturgeon County's Municipal Development Plan (MDP), and any amendments thereto.
- [3] The following documents were received prior to the hearing and for part of the record:
- The Notice of Appeal;
 - A copy of the subdivision application with attachments;
 - The Subdivision Authority's written decision; and
 - Planning & Development Services Report.

PROCEDURAL MATTERS

The Clerk of the SDAB advised that notice of the hearing was not provided in accordance with the requirements of section 679 of the *Municipal Government Act*. The Appellant has been notified and has confirmed his availability to attend on December 20, 2022 at 2:00 p.m.

DECISION

[4] The Board adjourns the matter to December 20, 2022 at 2:00 p.m.

REASONS FOR THE DECISION

[5] Notice of the hearing was not provided in accordance with section 679 of the *Municipal Government Act*. Notice of the hearing must be provided in accordance with the Act in order for the Board to hear arguments on the merit of the appeal.

[6] The Appellant confirmed that he is available on the next scheduled SDAB Hearing date, December 20, 2022.

Dated at the Town of Morinville, in the Province of Alberta, this 12th day of December, 2022.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD
Sturgeon County



Julius Buski, Chair

Pursuant to section 688(1)(a) of the *Municipal Government Act* (MGA), an appeal of a decision of the Subdivision and Development Appeal Board lies with the Alberta Court of Appeal on a matter of law or jurisdiction. In accordance with section 688(2)(a), if a decision is being considered, an application for permission to appeal must be filed and served within 30 days after the issuance of the decision and, notice of the application for permission must be provided to the Subdivision and Development Appeal Board and in accordance with section 688(2)(b), any other persons that the judge directs.

APPENDIX "A"

List of Submissions

- Notice of Appeal
- A copy of the subdivision application
- The Subdivision Authority's written decision
- Planning & Development Services' Report