

Application to be Added Party Intervener

The Applicant, Donna Marie Stringer is the owner of the property located at 164 Paradise Drive in Little Pond which is immediately adjacent to the Appellant's property # 931741 located at 158 Paradise Drive in Little Pond.

The appeal of the denials of Permit Nos. M-2022 – 0160, M-2022 - 0161 and M-2022 - 0162 are of great concern to the Applicant as the relief being requested by the Appellant with regard to the structures A2 and A3 appears to be contrary to the outstanding IRAC Order LA -17-06 and the Minister's letter of October 24, 2017 directing the Appellant to remove the structures now referred to as A2 and A3. The subject matter of this prior appeal including structures A2 and A3 was thoroughly examined and decided upon by the Commission. From the limited material currently available it appears that the current appeal would essentially amount to a rehearing of the earlier appeal which would be entirely unnecessary given the outstanding Order LA –17-06.

The Applicant has had the opportunity to review the Minister of Agriculture and Land letter of denial dated December 13, 2022, together with the Notice of Appeal. Given some of the statements and accusations set out in the Notice of Appeal the Applicant finds herself compelled to seek Added Party Intervener status so that she can have the opportunity to set the record straight and demonstrate to the Commission that her intention throughout the prior proceedings and in this Appeal is to ensure that Appellant's structures A2, A3 and A4 comply and are consistent with the Planning Act and its Regulations. The Applicant believes it is important, as a property owner affected by a development, to see that the subject property is developed in a way that complies with S. 2.1 (i), (h) and (l) of the Planning Act and Planning Act Subdivision and Development Regulations subsection 3 (2) (a), (d) and (e) as well as S. 34. This will ensure that there is consistent development which is for the ultimate protection of public health and safety.

In order to see this matter through it is appropriate to grant the Applicant Added Party Intervener status so she can fully participate in the Appeal as a party and submit evidence, cross examine witnesses and make submissions which the Applicant believes will assist the Commission in its consideration of the merits of the Appeal. Should it be necessary it is expected that much of the evidence submitted by the Applicant would be similar to that presented at the appeal hearing which proceeded the issuance of Order LA -17 – 06.

This Application is being made without the benefit of having reviewed the entire Record giving rise to the Appeal, so the Applicant asks that this be taken into consideration when deciding whether to grant Added Party Intervener status.

The Applicant submits that her participation in the Appeal will not materially add to the cost and complexity of the proceeding. It is expected that only one witness would be called, and the Applicant's submissions would be of assistance to the Commission so it has the balanced perspective of an adjacent property owner.

All of which is respectfully submitted this 13th day of January, 2023.

A handwritten signature in black ink, appearing to read 'J Stringer', is written over a solid horizontal line.

John Stringer KC representing
Donna Marie Stringer

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