

From: [Leigh McIsaac](#)
To: [Richard Collier](#); [Philip Rafuse](#); [Caroline Davison](#); [Jessica Gillis](#); [Janine MacLean](#)
Subject: RE: IRAC Appeal LA23025 - Appellant Response to Minister's Jurisdiction Submission
Date: Wednesday, March 6, 2024 5:01:19 PM

Hello All,

Please see below for my response to the Minister's jurisdiction submission regarding IRAC appeal LA23025.

I am not a lawyer and have not solicited legal advice on this matter. So my interpretation of the cases referenced in the Minister's jurisdiction is that of a lay person. I do not see significant relevance of the IRAC orders referenced regarding times when it was determined the Minister did not have jurisdiction. Those appeals to IRAC did not involve the scenario we appellants are in; where there was a potential change of jurisdiction after the subdivision application was submitted.

There is reference in the Minister's jurisdiction submissions to an interim planning policy. I do not believe there was an interim planning policy in place and that it is not reasonable to assume so based on the Rural Municipality of West River's intention to eventually have a planning policy. In the Municipality's public meetings I attended there was no reference to an interim planning policy. If there was an interim planning policy in place there was no indication that the Municipality had the capability to administer such a plan, I acknowledge this last statement is a subjective assessment on my part. But if there was an interim planning policy in place, wouldn't we applicants have been notified that the Municipality would be the entity to process our application long before we were? We were not notified of change of jurisdiction until after the Rural Municipality of West River official act was signed by the Minister.

I do maintain that the Minister not processing our subdivision application in a timely manner is a valid consideration to establish that IRAC has jurisdiction to hear our appeal. The Minister was not relieved of the responsibility to have processed the subdivision application in a timely manner by the enactment of the Rural Municipality of West River official act / land use legislation.

Regards,
Leigh McIsaac

--

Leigh McIsaac
leighmcisaac@gmail.com