

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
SUMMER VILLAGE OF GHOST LAKE**

Board Order No. SDAB 2025-01

File No. DP2025-07-10

Appeal By: Sutherland, Kevin & Vicki

Appeal Against: Development Authority of Summer Village of Ghost Lake

Hearing Date: September 26<sup>th</sup>, 2025

Decision Date: October 10<sup>th</sup>, 2025

Board Members: Dayna McNeil, Chair  
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**DEVELOPMENT APPEAL DECISION**

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**INTRODUCTION**

- [1] This is an appeal to the Summer Village of Ghost Lake Subdivision and Development Appeal Board (the Board) against a decision of the Summer Village of Ghost Lake Development Authority, which was issued on July 8, 2025. In this decision the Development Authority refused a development permit application, file no. DP2025-07-10, for a “Triple Car Garage and Secondary Suite above the garage - Building (“Dwelling”)”. The notice of appeal was filed by the applicants of the refused development permit application.
- [2] Upon request of the applicant, citing scheduling conflicts, the appeal hearing was postponed past the 21 days deadline, taking place on September 26<sup>th</sup>, 2025. This postponement was agreed upon by all parties, which include the Board, the Summer Village of Ghost Lake’s Development Authority, and the applicant(s).

**DECISION**

- [3] The appeal is allowed in part, the decision of the Development Authority is revoked and varied. A development permit is conditionally approved subject to the following conditions.

**Description:**

1. That construction of an accessory building (two-storey triple-car garage), may commence on the Lands, in general accordance with the approved application, Site Plan, drawings, as amended and includes:
  - i. The maximum building height for the accessory building is relaxed from **4.3 m. (14.11 ft.) to 8.53 m (27.99 ft)**

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall submit a revised site plan and construction drawings to the satisfaction of the Development Authority.

- i. That the revised site plan and construction drawings clearly demonstrate the proposed development is an accessory building, in accordance with the Summer Village
- j. That the revised Site Plan and construction drawings shall demonstrate removal of all dwelling/secondary-suite components. Development shall then proceed in accordance with the revised, approved plans.

Permanent:

3. That the Applicant/Owner shall abide by all other conditions as described in the issued Development Permit
4. That if the Prior to Release conditions are not completed within 60 days of issuance of the board decision, then this approval is null and void and the Development permit shall not be issued.

## BACKGROUND

[4] On June 20, 2025, Kevin & Vicki Sutherland submitted a development permit application for the construction of a Triple Car Garage and Secondary Suite above the garage Building.

[5] On July 10, 2025, the Development Authority refused the development permit application, citing the following contraventions of the Summer Village of Ghost Lake's land use bylaw (Bylaw #195):

1. Sections 4.7.2 (a) and (b)
2. Section 9.6.3 (b)

Additionally, the Development Authority also noted that secondary suites are not a listed use in the Summer Village of Ghost Lake's land use bylaw and are therefore not permitted.

## SUMMARY OF EVIDENCE

[6] The Board heard verbal submissions from:

1. Charlotte Neufeld – representing the Appellants
2. Kevin & Vicki Sutherland – the Appellants

[7] The board received five (5) letters in support of the appeal

[8] The board received no letters in opposition of the appeal

### *Development Authority's Submissions*

[9] Letter from the Development Authority stating the reasons for refusal and citing the relevant contraventions of the Summer Village of Ghost Lake's land use bylaw (Bylaw #195)

### *Appellants' Submissions*

[10] The Appellants submitted the following documents to the Board:

1. Letter of Appeal
2. Construction drawings and diagrams of proposed development, including elevation drawings, floor plan (s), and a Site Plan

3. Site renderings
4. Real Property Report
5. Letters of support from adjacent landowners

#### **FINDINGS & REASONS FOR DECISION**

- [11] The Board finds it has the authority to make a decision on this matter pursuant to section 687(3)(s) of the *Municipal Government Act*.
- [12] Accessory Buildings are listed as a discretionary use in the R-1 (Residential Single-Detached) land use district of the Land Use Bylaw, pursuant to section 9.3.1.
- [13] Secondary Suites/Accessory Dwelling Units are not listed in the Land Use Bylaw, and therefore the Board does not deem this a permitted use within the Summer Village of Ghost Lake. The Board will not grant an exception to this restriction.
- [14] Based on the proposed screening of the building through the existing trees, and the letters of supports from adjacent landowners, the proposed height of the development is unlikely to negatively impact the neighboring properties.
- [15] Given the above findings and pursuant to section 687(3)(d) of the *Municipal Government Act*, the Board finds that the requested variance to the height of the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

#### **CONCLUSION**

- [16] The appeal is allowed in part, the decision of the Development Authority is revoked and varied. A development permit is conditionally approved subject to the above-noted conditions.