

REGIONAL SUBDIVISION & DEVELOPMENT APPEAL BOARD (SDAB)

How to Appeal

To appeal a decision of the development authority or subdivision authority of one of the municipalities participating in the Regional SDAB, a written Notice of Appeal must be submitted to the Regional SDAB.

The Notice of Appeal must:

- Provide all of your contact information so you can be reached by the Clerk of the SDAB
- Identify the decision that you are appealing and, if possible, include a copy of the notice of the decision that you are appealing
- Provide one or more reasons for your appeal
- Be accompanied by the appeal fee established by the municipality
 - *(Summer Village of Parkland Beach fee is \$500.00 per application, and is non-refundable)*

The Notice of Appeal must be submitted in hard copy and may be mailed, couriered or dropped off at the Regional SDAB (PCPS office in Red Deer) or at the municipal office (who will then forward it to the Regional SDAB).

The Notice of Appeal must be received on or before the final date to appeal. For development permit decisions, this means:

- If you are the applicant for the development permit approval, a Notice of Appeal must be filed within 21 calendar days of the date that you received the written decision on your application from the Development Authority
- If you are a member of the public and feel affected by the approval of a development, a Notice of Appeal must be filed within 21 calendar days of the date that the notice was given to you (a letter addressed to you or a posting on the site of the development or a notice in the local newspaper)

For subdivision application decisions, appeals are limited to Government departments and agencies and the applicant. These appeals must be filed within 14 calendar days of the date that the written decision was received.

While an appeal of a development permit decision may be made by a person who feels affected, there is no definition of “affected person” in the Municipal Government Act. This means that the SDAB makes a determination of who is affected on a case by case basis after hearing from the person. An affected person could be someone who feels that the enjoyment, use or value of their property may be

negatively impacted by the proposed development. The individual(s) filing a Notice of Appeal should be prepared to explain to the SDAB how they are affected by the development that is the subject of the appeal.

Your Notice of Appeal or questions about filing an appeal can be directed to:

Regional SDAB

Unit B, 4730 Ross Street, Red Deer, AB T4N 1X2

Phone: [403-343-3394](tel:403-343-3394)

Email: pcps@pcps.ab.ca

What happens next?

Once a Notice of Appeal is received, the Clerk of the SDAB will schedule a hearing to be held within 30 calendar days of the date that the Notice of Appeal was received. Notice of the date, time and place for the hearing will be given at least 5 calendar days prior to the hearing.

What if I cannot attend the hearing?

If you are unable to attend a scheduled hearing, or if you need more time to prepare for the hearing, you may request an adjournment to another date and time. This request must be made as early as possible and must be made in writing. You must provide reasons for your request and an alternative time when you can attend and will be prepared to present to the SDAB. A verbal request for an adjournment can also be made to the SDAB at the start of the hearing. Requests for adjournment are considered on their individual merits and are not automatic. Other parties to the appeal may also request an adjournment. The SDAB will consider requests for adjournment after hearing from all parties regarding the potential impact of re-scheduling the proceedings. If you are not able to attend a hearing to make a verbal request for adjournment, you may have someone attend on your behalf to make the request. This person should also be prepared to present your case to the SDAB in the event that your adjournment request is not granted. Additionally, they will need to supply the SDAB with written confirmation that they have been authorized by you to speak on your behalf.