SUBDIVISION AND DEVELOPMENT APPEAL BOARD

FAQS

What is the Subdivision and Development Appeal Board?
The Subdivision and Development Appeal Board (SDAB) is an independent quasi-judicial body established by the Summer Village Council authorized to render decisions on appeals resulting from decisions of the Subdivision Authority or Development Authority in accordance with the Provincial Land Use Policies, the Subdivision and Development Regulations, the Land Use Bylaw and Statutory Plans.

When are SDAB meetings held?
Meeting for this Board are held in the Council Chambers in the Administration Building, located at 2 Erickson Drive, Sylvan Lake, AB T4S 1Z5. Meetings are held as required.

What can be appealed?
A decision of the Development Officer, Subdivision Authority, or Municipal Planning Commission in relation to a development permit application, a subdivision application, or an enforcement order can be appealed.

The most commonly appealed decisions are:

1) A discretionary development permit decision.
2) And order of the Development Authority to stop construction or the present use of a property.

Who can appeal?
In the case of development decisions, the applicant or anyone who is affected by the decision can appeal.

What is the cost of an appeal?
The Cost of an appeal is $1,000 plus and additional $300 is a geotechnical report is required.

Where do I get an appeal form?
Appeal forms are available on the Summer Village website or by contacting the Subdivision and Development Appeal Board Secretary at (403)887-2822 ext. 106.

How are members appointed?
The members of the Subdivision and Development appeal board are appointed annually at the organizational meeting held in July. The Board consists of 3 members; 1 member of Council and 2 members-at-large.

What happens when an appeal is filed?
An appeal hearing will be scheduled by the Secretary of the Board. This hearing will take place within 30 days of the appeal being filed. Both the appellant and the applicant will be notified of the hearing in writing at least five days prior to the hearing. Letters advising of the appeal will be mailed to property owners affected by the appeal (adjacent landowners).

How do I prepare for the hearing?
If you wish to submit written material to the Board, it should be delivered to the Secretary of the Subdivision and Development Appeal Board no later than 4 p.m. one week prior to the hearing. If you are unable to meet the submission deadline, please bring 10 copies of the materials to the hearing and give to the Secretary for distribution at the start of the hearing. All documents including the appeal letters are public record and available to anyone who would like to review them.

Individuals may appoint a representative to speak on their behalf.

What is the procedure for the meeting?
The Chair will open the hearing and the Secretary will provide information on the appeal before the board. The Development Officer with provide the application details. The chair will hear from anyone wishing to speak including the appellant (person appealing) or their representative and anyone wishing to speak for or against the appeal. You should be prepared to summarize your presentation.

What if I don't attend the hearing?
If you are not at the hearing when it begins, the Board may proceed without you. If you cannot attend the hearing and do not have anyone to attend on your behalf, you should clearly describe your position on the appeal form or file a written submission prior to the hearing.

When will I know the decision?
The Board may approve or deny the appeal or add conditions to an approval or refusal. The decision of the Board will be issued in writing within 15 days following the hearing.

What if the decision is unfavorable?
The decision of the Subdivision and Development Appeal Board on development matters is final. If any affected person feels the Board erred in law or jurisdiction in making its decision, they may make application to appeal the matter to the Court of Appeal of the Province of Alberta. This must be done within 30 days of the date of decision.

Can I withdraw my appeal?
Any withdrawals of an appeal must be in written form. Application fees are not refundable.