



FILING AN APPEAL

What kind of appeal would I file?

You would file a Development Appeal or a Subdivision Appeal.

A Development Appeal deals with Residential, Commercial, Industrial, Urban Service, and Agricultural development, as well as Stop Orders and Signs.

A Subdivision Appeal deals with subdividing of land.

Where is the Subdivision and Development Appeal Board?

The Subdivision and Development Appeal Board is on the main floor of the Churchill Building at 10019-103 Avenue NW. Parking can be found nearby. Our regular office hours are 8:00 a.m. - 4:30 p.m.

Who can file an appeal?

The Applicant or his/her representative can file an appeal on a refused Development Permit or appeal the conditions of an approved Development Permit.

An affected property owner, a neighboring business owner, a Business Association, the Community League, or a representative acting on behalf of the affected person can file an appeal on an approved Development Permit.

Only the property owner or his/her representative can file an appeal on a Subdivision Refusal or conditions placed on a Subdivision Approval.

Who is considered an affected person?

The term “affected person” is not defined in the *Municipal Government Act*. The Board determines affected persons on a case-by-case basis. For example, an affected person could be someone who feels the enjoyment, use or value of their property may be affected by the proposed development. The person is responsible to show they are affected by the development.

What is a versus appeal?

A versus appeal is when an affected person files an appeal on an approved Development Permit that has been issued to a neighbouring property owner.

How much does it cost to file an appeal?

The cost of an appeal is based on the zoning of the property or the type of development. An appeal will be either \$37 or \$72. For more information, refer to the [Appeal Fees](#) section on our website.

How would I file an appeal online?

An appeal can only be filed online once the City of Edmonton's Development Authority or Subdivision Authority has issued a decision. SDAB appeals can be filed online through this website: sdab.edmonton.ca.

Reasons for the appeal must be provided and the appeal fee must be paid for an appeal to be valid. The appeal fee can be paid online with a credit card. An appeal can also be filed in person at the SDAB office.

What happens if an appeal is filed outside of the appeal period?

The SDAB staff will let the Applicant know that the appeal appears to have been filed outside of the mandated filing period. Only the Board can determine whether an appeal is valid, so a hearing will be held before the SDAB to determine if the appeal was filed in accordance with the requirements of the *Municipal Government Act*.

You are encouraged to attend the hearing and present evidence to the Board to show why you believe your appeal was not late. If the Board determines that the appeal was not late, a hearing may then proceed on the merits of the appeal. If the Board determines that the appeal was late (and so was not filed in accordance with the requirements of the *Municipal Government Act*), a hearing on the appeal's merits will not proceed.

Can an appeal be filed on a Permitted Use?

Yes, if you can show that the provisions of the land use bylaw were relaxed, varied or misinterpreted by the Development Authority in accordance with Section 685(3) of the *Municipal Government Act*.

What happens after an appeal is filed?

Reasons for the appeal will be provided to the affected parties and an appeal hearing will be scheduled within 30 days, in accordance with Section 686 of the *Municipal Government Act*.

Will other parties be able to see my personal information?

Personal information is collected for the purpose of Subdivision and Development appeals and will be used for administrative purposes, processing your appeal and as evidence in your appeal. This information will form part of a file that is publicly available. Collection is authorized under section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act and is managed and protected in accordance with the Act. For questions about the collection, please contact SDAB Supervisor, Churchill Building, 10019 - 103 Avenue NW, 780-496-6079, and sdab@edmonton.ca.