



## EDMONTON TRIBUNALS

*Subdivision &  
Development  
Appeal Board*

10019 – 103 Avenue NW  
Edmonton, AB T5J 0G9  
P: 780-496-6079 F: 780-577-3537  
[sdab@edmonton.ca](mailto:sdab@edmonton.ca)  
[edmontonsdab.ca](http://edmontonsdab.ca)

### **FILING AN APPEAL INFORMATION SHEET**

You can file an appeal online, in person, or by mail.

The Board cannot hear an appeal if it was filed late. The Appellant (person filing the appeal) may be asked to prove that the appeal was filed on time.

#### **How do I file an appeal online?**

1. Go to the [www.edmontonsdab.ca](http://www.edmontonsdab.ca) website and click on the link found at the top of the page: <https://sdab.edmonton.ca>
2. Click on the “File New Appeal” button and provide the information that is asked for on each screen.
3. Be sure to provide reasons for filing your appeal.
4. As the final step you will be asked to provide payment using a credit card.

#### **How do I file in person or by mail?**

1. Fill out a paper copy of the appeal form. You can visit our website ([www.edmontonsdab.ca](http://www.edmontonsdab.ca)) and print a copy or we can send one to you via e-mail or fax. You can also come into our office and complete the form at the time you file your appeal.
2. An appeal is not valid unless the applicable fee has been paid. We accept cash, debit, credit and cheques (payable to the “City of Edmonton”). If you send your appeal in by mail, we must receive the completed form and filing fee by the deadline date.

#### **What Happens After an Appeal has Been Filed?**

1. You will receive a confirmation e-mail or a mailed letter providing tentative hearing dates and a PIN number to sign into your file. If you are not available on these tentative hearing dates you can e-mail a request for a later date to [sdab@edmonton.ca](mailto:sdab@edmonton.ca). The Board may or may not grant your request.
2. You will receive a hearing notice by e-mail or mail within 3 weeks of filing your appeal. This notice will include the date and time of your hearing. If you do not receive a hearing notice within 3 weeks, please contact us. The Board normally hears appeals on **Wednesdays and Thursdays.**

3. The Board must give written notice of the hearing to all property owners affected by the appeal. Usually, this includes all property owners within 60 metres of the property on which the appeal was filed. The Board may determine that other property owners are also affected by the appeal. In such cases, the Board will also notify these persons of the appeal hearing

### **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 how they are affected by the development.

### **I’m attempting to file an appeal online, but the website indicates that an appeal has already been filed. What should I do?**

If you receive an error message that an appeal has already been filed. Please contact our office at [sdab@edmonton.ca](mailto:sdab@edmonton.ca) or (780) 496-6079 and we will provide instructions on how to file your own appeal.

### **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 and the appeal fee will not be refunded.

## **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*.