

Before you file an appeal you are encouraged to speak with a Yellowhead County Development or Subdivision Officer.

This fact sheet has no legal status and cannot be used as an official interpretation of the various regulations currently in effect. Users are advised to contact the Planning and Development department for more information. Yellowhead County accepts no responsibility for persons relying solely on this information.



# Appealing Decisions

**DEVELOPMENT GUIDE**

(780)-723-4800

Toll Free: 1-800-665-6030

[www.yhcounty.ca](http://www.yhcounty.ca)



## How do appeals work?

The Land and Property Rights Tribunal (LPRT) hears subdivision and development appeals where there is a provincial interest. Otherwise, the appeals are heard by the local Subdivision and Development Appeal Board (SDAB).

The Subdivision and Development Appeal Board (SDAB) is a quasi-judicial board made up of volunteer residents, County councillors, and planning experts.

At an appeal hearing, this Board will hear evidence from the Appellant(s) and the Development Authority, and within 15 days issue a decision in writing.

The SDAB hears appeals from people who have been affected by a decision of the Development Authority and/or the Subdivision Authority under the Land Use Bylaw 02.24.

## Who can file an appeal?

Any person affected by an order, decision, or permit issued by the Development or Subdivision Authority.

## Where to file your appeal?

A decision made by the Development Authority must state whether an appeal lies to a Subdivision and Development Appeal Board (SDAB) or to the Land and Property Rights Tribunal (LPRT). For more information regarding filing an appeal with the SDAB, please visit [www.yhcounty.ca](http://www.yhcounty.ca). For more information regarding filing an appeal with the LPRT please visit [www.alberta.ca/subdivision-appeals.aspx](http://www.alberta.ca/subdivision-appeals.aspx)

## What can be appealed?

You can appeal a Development Authority's decision if:

- Your Development Permit Application has been refused
- Your Development Permit Application was approved with conditions that are unacceptable to you
- You have been issued a Stop Order directing you to stop construction or stop the present use of your property
- You will be affected by a new development or new use of someone else's property
- If a Development Authority refuses/ fails to issue a Development Permit within 40 days of receipt of the application

You can appeal the Subdivision Authority's decision if:

- Your Subdivision Application has been refused
- Your Subdivision Application was approved with conditions that are unacceptable to you
- If a Subdivision Authority refuses/fails to make a decision on an application for subdivision approval within 60 days of receipt of the application

### A complete appeal includes:



A completed application form including legal address



Photographs, plans, and letters supporting the reason of the appeal



\$500.00 appeal fee sent to the SDAB Secretary



Reception by the Board within 21 days of the decision

## Appeal Timeline

Appeals must be submitted within 21 days of the decision. The SDAB must hear the appeal within 30 days of receiving a completed appeal notice, and the appeal must be publicly advertised for 14 days prior to the hearing.

Letters advising of the appeal will be mailed to property owners affected by the appeal within a certain radius 14 days prior to the hearing.

At the hearing the SDAB will outline the procedure, the Development Authority will present their report, and the Appellant(s) or their professional representation will give their reasons for the appeal. Others wishing to speak in support of or against the appeal will be heard.

The SDAB will close the hearing and reach a decision privately, which will be given in writing within 15 days of the hearing.

## Appeal Notices

Appeal Notices can be found on the Yellowhead County website at [www.yhcounty.ca/planning-guides](http://www.yhcounty.ca/planning-guides)

Forms can also be picked up at:

Yellowhead County Administration Building  
2716 - 1 Avenue  
Edson, Alberta  
T7E 1N9

