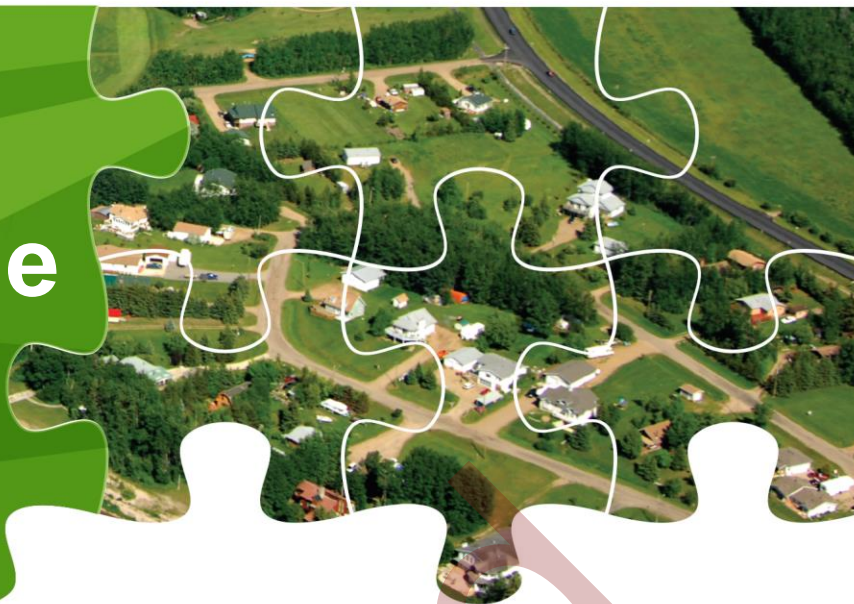


Timelines for Appeals to the SDAB



Timelines for Appeals

SUBDIVISION APPEALS

An appeal of the decision of a subdivision authority on an application for subdivision approval must be filed within 14 days of:

- receipt of the written decision of the subdivision authority, or;
- deemed refusal by the subdivision authority.

The *MGA* deems the date of receipt of the decision of the subdivision authority to be 7 days from the date the decision is mailed.

DEVELOPMENT PERMIT APPEALS

Appeals made by the applicant for a development permit must be filed within 21 days of:

- the date on which the decision is made, or;
- the date on which the application for the development permit is deemed refused.

Appeals made by the recipient of a Stop Order under s. 645 of the *MGA* must be filed within 21 days of the date on which the Stop Order was made.

A person affected by:

- a development permit issued by the development authority;

- a Stop Order issued under s. 645 of the *MGA*, or;
- a decision of the development authority

must file an appeal within 21 days of the date on which notice of issuance of the permit was given in accordance with the LUB. If the LUB does not set out a notification procedure for the permit, order, or decision being appealed, the 21 day appeal period begins on the date on which the person knows or should have known about the permit, order, or decision.

Notice of Hearing

ADEQUATE NOTICE OF HEARING

Advance notice must be provided to a hearing to allow affected persons reasonable time to prepare. The *MGA* stipulates who must be notified of subdivision and development appeals and requires notice be given at least 5 days before the scheduled date of the hearing.

TIME LIMIT TO HOLD A HEARING

The SDAB must hold a hearing within 30 days of the notice of appeal being filed. A SDAB is required to give a written decision and reasons within 15 days after concluding the hearing.