

Red Deer Subdivision & Development Appeal Board

Section 1: Appellant Information			
Name of Appellant		Agent Name (if applicable)	
Mailing Address		City/Town/Village	Province
Daytime Phone #	Alternate Phone #	Email Address	

Section 2: Site Information	
Municipal Address of Site (Street Address, City, Province, Postal Code)	Legal Description of Site (must be completed)
Development Permit Number or Subdivision Application Number (if applicable)	Date of Decision of Appropriate Authority (if applicable)

Section 3: Appeal (check <u>one box only</u> and attach a copy of the Decision, Notice or Order that is the subject of the appeal)		
Subdivision Application <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Development Permit <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	Stop Order <input type="checkbox"/> Stop Order

Section 3: Reasons for Appeal
You <u>must</u> include reason(s) you are appealing the decision of the Subdivision/Development Authority or a Stop Order.
(attach a separate page if required)

Section 4: Hearings (Hearings are scheduled within 30 days - please indicate any days that you are NOT available)
I am not available on the following dates:

Personal information that is collected on this form will be used in processing your appeal and contacting you. Appeals are open to the public. This information is collected under the authority of the *Municipal Government Act* and is protected under the provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection, use and protection of this information, please contact the Board Clerk, Legal & Legislative Services, The City of Red Deer, Box 5008, Red Deer, AB T4N 3T4 by email appeals@reddeer.ca or phone 403-342-8132.

Signature of Appellant/Agent

Date

- OFFICE USE ONLY -

Appeal Fee	Appeal Information	DATE RECEIVED STAMP
<input type="checkbox"/> \$75.00 (Appeal)	Appeal File #: _____	
<input type="checkbox"/> \$75.00 (Advertising - additional fee for subdivisions only - commercial/industrial)	Appeal Deadline: <u>MM DD YYYY</u>	
Amount Payable: _____	Hearing Date: <u>MM DD YYYY</u>	
Fee Processed: <u>MM DD YYYY</u>		

Red Deer Subdivision & Development Appeal Board

What can I appeal?

You can appeal a decision of the Municipal Planning Commission, the Development Authority, the Subdivision Authority, or a Stop Order if:

- Your application has been denied;
- Your application was approved with conditions unacceptable to you;
- You object to a Stop Order;
- You are a neighbor affected by an application that was approved; and/or
- Other reasons as may be permitted by law.

What should the Notice to Appeal Form include?

As much information as possible so that the Subdivision and Development Appeal Board can understand what you are appealing and why you are appealing it, this includes: the date of issuance of the decision or the date of the Order; an explanation of your proposed development or the use you intend on the property; and/or a list of specific reasons why you feel your appeal should be granted. You will have opportunities to provide additional documents (e.g., site plans and elevations or a drawing of the site and buildings, including photographs) prior to the hearing.

When is the filing deadline?

The Notice of Appeal must be received by the Subdivision and Development Appeal Board within twenty-one (21) days of the decision that you are appealing, as per the Municipal Government Act. Your Notice to Appeal Form must be accompanied by a non-refundable \$75.00 filing fee and may be subject to a further \$75.00 advertising fee for industrial and commercial applications. There is no charge for a person who is affected by the subdivision or development but does not have a legal or equitable claim in the site.

How can I file an appeal?

You can file an appeal by submitting the completed Notice to Appeal Form and any additional information in one of the following ways:

Email: appeals@reddeer.ca

Mail: Clerk of Appeal Boards c/o Legal & Legislative Services
Box 5008, Red Deer, AB T4N 3T4

In-Person: Clerk of Appeal Boards c/o Legal & Legislative Services
City Hall, 4914 – 48 Avenue, Red Deer, AB T4N 3T3

How can I pay the filing fee?

You can pay the filing fee over the phone, by mail or in-person.

Phone: Credit card with a Customer Service Representative from Payments at City of Red Deer

Mail: Cheque or money order (payable to the City of Red Deer) to:
Clerk of Appeal Boards c/o Legal & Legislative Services
Box 5008
Red Deer, AB T4N 3T4

In-Person: At City Hall (4914 – 48 Avenue, Red Deer) by cash, cheque (payable to City of Red Deer), debit or credit card

When will my appeal be heard by the Board?

The Board Clerk will schedule a Hearing date within 30 days from the date that you file your appeal and will notify you in writing of the date, time, and place of the Appeal Board Hearing. For development appeals, the Board Clerk will notify adjacent property owners within 100 meters of the subject property. For subdivision appeals, the Board Clerk will notify owners of adjacent property owners (as specified in *Municipal Government Act*).

How do I submit hearing materials?

Both parties to the hearing will be asked to exchange their arguments (disclosure) within a reasonable timeframe. The purpose of disclosure is to assist the parties in preparing for the hearing and being aware of materials that will be presented. The timelines for disclosure will be outlined on the Notice of Hearing. You will be required to provide your pre-hearing disclosure to the opposing party and to the Subdivision and Development Appeal Board. Any additional information that is to be presented at the hearing must be provided with ten (10) copies which will be distributed to the Board Clerk, Panel members, and other parties present. All submissions at the hearing will be marked as exhibits and will become part of the public record.

For more information visit www.reddeer.ca/tribunals. If you require further information regarding filing deadlines and/or board procedures, please contact the Board Clerk at appeals@reddeer.ca or by phone at 403-342-8132.