

18. **METHOD OF APPEAL**

The procedures for appealing a decision on a development permit are governed by the Municipal Government Act, which should be consulted by anyone proposing to launch an appeal. The following is provided for information only:

- (1) Immediately after approving a development permit application the Development Officer, or such other authorized person, shall give notice of the approval in manner as set forth in Section 16(2) of this Bylaw.
- (2) A decision of the Approving Authority on a development permit application may be appealed by serving a written notice to the Secretary of the Subdivision and Development Appeal Board in the case of:
  - (a) an approval, within 14 days from the date that the decision on the permit has been advertised or notice given in accordance with the provisions of Section 16(2) of this Bylaw;
  - (b) a refusal, within 14 days of the date that the applicant is notified of the decision;
- (3) In the event that a development permit application refused by the Approving Authority is on appeal approved by the Subdivision and Development Appeal Board, the subsequent approval of the development permit shall not require further advertising.

19. **THE APPEAL PROCESS**

- (1) Upon receiving a written notice of appeal the Secretary to the Subdivision and Development Appeal Board shall:
  - (a) have notice of the hearing published in a local newspaper at least 5 days prior to the date of the hearing, and
  - (b) have the applicant, appellant, and all persons who, in the opinion of the Subdivision and Development Appeal Board, are affected, be given 5 days written notice of the date of the hearing.
- (2) When the Secretary to the Subdivision and Development appeal board has been served with a notice of appeal with respect to a decision of the Approving Authority to approve a development permit application, the development permit shall not be released until:
  - (a) the decision of the Approving Authority has been upheld by the Subdivision and Development Appeal Board, or
  - (b) the Secretary to the Subdivision and Development Appeal Board has received written notification from the appellant that the appeal has been abandoned.

- (3) If the decision of the Approving Authority to approve a development permit application is reversed by the Subdivision and Development Appeal Board, the decision of the Approving Authority shall be null and void.
- (4) If the decision of the Approving Authority to refuse a development permit application is reversed by the Subdivision and Development Appeal Board, a Development Officer shall forthwith approve the development permit application in accordance with the decision of the Subdivision and Development Appeal Board.
- (5) If the decision of the Approving Authority to approve a development permit application is varied by the Subdivision and Development Appeal Board, a Development Officer shall forthwith approve the development permit application in accordance with the terms of the decision of the Subdivision and Development Appeal Board.