



# APPLICATION FOR A DEVELOPMENT APPEAL

Application No.	File No.
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Applicant: OR  Owner: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Mail To: \_\_\_\_\_  
 City/Prov: \_\_\_\_\_  
 Postal Code: \_\_\_\_\_  
 Phone: \_\_\_\_\_

**Property Involved:**  
 Civic Address: \_\_\_\_\_  
 Lot: \_\_\_\_\_  
 Block: \_\_\_\_\_  
 Plan: \_\_\_\_\_  
 Zone / Subdivision: \_\_\_\_\_

**Issue of Appeal**

- Zoning Bylaw       Subdivision       Development Levy (see notes below)  
 Enforcement Order       Servicing Agreement (see notes below)       Development Standards or Conditions

**Description:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The Applicant shall, **not later than 5 days before** the date fixed for the hearing the appeal, file with the secretary of the board all supporting documentation which may include items such as maps, plans, drawings, written material, photos and videos that are intended to be submitted in support of the appeal. Information *shall* also include the following:

1. Reason for the appeal;
2. Summary of the supporting facts for your reasons; and
3. Indicate the relief sought

*Pursuant to Section 58 of the Act*, an appeal of prescribed **development standards or conditions** is applicable if the appellant is in the opinion that the development standards or conditions prescribed exceed those necessary to secure the objectives of the Zoning Bylaw.

*Pursuant to Subsection 176(2) of the Act*, an appeal of a **Development Levy** imposed must be based on the following criteria only:

- a. That the capital work or project for which the levy or fee is to be collected does not directly serve the proposed development;
- b. That the levy is NOT for capital costs; or
- c. Calculation of the levy is incorrect; or
- d. The levy or equivalent has already been paid with respect to the proposed development

*Pursuant to Subsection 176(4) of the Act*, an appeal of a **Development Levy Agreement or Servicing Agreement** - if the municipality and the owner are unable to enter into an agreement within 90 days of the date of the development permit application, the owner apply to the appeal board for all or any of the following:

- a. Whether or not a development levy agreement or servicing agreement is necessary;
- b. The proposed terms and conditions of the development levy agreement or servicing agreement; or
- c. Whether or not the application for the development permit or proposed subdivision is incomplete

*Pursuant to Section 221 of the Act*, The Development Appeals Board is bound by any official community plan in effect; must ensure that its decisions conform with the uses of land, intensity of the use and density of the development in the Zoning Bylaw; must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interests; and may subject to the above; confirm, revoke or vary the approval, decision or condition that it considers advisable if the action would **NOT**:

- a. Grant a special privilege inconsistent with the restrictions on the neighbouring properties in the same zone;
- b. Amount to a relaxation so as to defeat the intent of the zoning bylaw; or
- c. Injuriouly affect the neighboring properties

Application Date: \_\_\_\_\_ Appeal Date: \_\_\_\_\_ Fee Paid(\$50): \_\_\_\_\_

*I/We hereby acknowledge that I have read this application and state that the information contained herein is correct. I/we take notice that subject to Subsection 225(6) of the Planning and Development Act, 2007, the foregoing decision of the Development Appeals Board for the City of Weyburn shall not take effect until 30 days from the decision date, and under Section 226(1), the Minister, the Council, the appellant or any other person may, within twenty (20) days after the date of receipt of a copy of the decision, appeal the decision to the Provincial Planning appeals Committee. The Appeal shall be made by written notice to the Provincial Planning Appeals Board at 2151 Scarth Street, Regina, Saskatchewan, S4P 3V7, and the local Appeals Board at P.O. Box 370, Weyburn, Saskatchewan, S4H 2K6*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner or Agent

**Decision By Board:**

Date of Decision: \_\_\_\_\_

Appeal is:  Approved     Approved with conditions     Denied

\_\_\_\_\_  
Appeal Board Secretary