

Appeal File Number: 022-STU-018
Application Number: 2022-S-026
Appeal Against: Subdivision Authority of Sturgeon County
Appellant/Applicant: Harald Pfeiffer
Date and Location of Hearing: December 20, 2022
Council Chambers and Through Electronic Communications
Date of Decision: January 3, 2023
SDAB Members: Lee Danchuk (Presiding Officer), Mark Garrett, Alanna Hnatiw, Al
Montpellier, Amanda Papadopoulos

NOTICE OF ADJOURNMENT

IN THE MATTER OF an appeal by Harald Pfeiffer against the Subdivision Authority's refusal of a subdivision application to subdivide 5.02 hectares (12.40 acres) from 20.82 hectares (51.45 acres) on SW 31-54-27-W4 within Sturgeon County.

PROCEDURAL MATTERS

[1] The appeal was filed on time and in accordance with Section 678 of the MGA.

PRELIMINARY MATTER

[2] The Appellant, Harald Pfeiffer, was not in attendance at the hearing but provided a written request to adjourn the hearing to February 21, 2023 at 2:00 p.m. as he is out of the country dealing with a personal matter.

[3] Martyn Bell, Program Lead, Current Planning, Planning & Development Services, provided a written submission consenting to the adjournment.

DECISION OF THE BOARD

[4] **The Board adjourns the matter to February 21, 2023 at 2:00 p.m.**

REASONS FOR THE DECISION

- [5] Pursuant to section 686(2) of the MGA, the SDAB must hear an appeal within 30 days of the appeal being received. The Appellant filed notice to appeal on November 30, 2022, meaning that the Board must hear the appeal no later than December 30, 2022.
- [6] The Board received a written request from the Appellant to adjourn the merit hearing to February 21, 2023 at 2:00 p.m. as he is out of the country dealing with a personal matter. The County's Planning and Development Department provided written consent to adjourn the merit hearing to February 21, 2023.
- [7] The Board notes that adjacent landowners were notified of the hearing and there were no submissions received or persons in attendance at the hearing, demonstrating that there are no other parties who have identified themselves as being affected by this appeal and therefore no other parties affected by the decision to adjourn the merit hearing. Further, the Board notes that the Appellant is also the Applicant in this matter.
- [8] No additional notice of the merit hearing is required.

Dated at the Town of Morinville, in the Province of Alberta, this 3rd day of January, 2023.



Lee Danchuk, Presiding Officer

Pursuant to section 688(1)(a) of the *Municipal Government Act* (MGA), an appeal of a decision of the Subdivision and Development Appeal Board lies with the Alberta Court of Appeal on a matter of law or jurisdiction. In accordance with section 688(2)(a), if a decision is being considered, an application for permission to appeal must be filed and served within 30 days after the issuance of the decision and, notice of the application for permission must be provided to the Subdivision and Development Appeal Board and in accordance with section 688(2)(b), any other persons that the judge directs.