



NOTICE OF DECISION FOR ERPR-23-003

NAME: Snell & Oslund (Denver Silbernagel)
ADDRESS: #1 5128 – 52 Street, Red Deer, Alberta, T4N 6Y4
MUNICIPAL ADDRESS
(BLUE SIGN): 429 Third Ave. Village of Elnora
PHONE NUMBER: 403-342-1255
EMAIL ADDRESS: info@snelland oslund.com
OWNER NAME: Silbernagel, Denver
USE: Real Property Report Compliance
Front yard setback relaxation for the existing
manufacture home from 6 meters to 4.46 and a side
yard relaxation from 1.5 meters to 1.13 meters.
Side yard setback relaxation from 1 meter to 0.62
meters for an existing accessory building (garage).
LOT/BLK/PLAN: Lot 17 & 18, Plan 1862AR
LEGAL: NE 10-035-23-4, Village of Elnora
ZONING: Manufactured Home Residential District (R3)
ROLL NUMBER: 5300

This Notice of Decision refers only to the application and Real Property Report submitted by the applicant(s) for Real Property Report compliance, **File ERPR-23-003** for the Village of Elnora Municipal Planning Commission Meeting on **December 11, 2023**. This application has been conditionally approved, subject to the following conditions being met to the satisfaction of the Development Officer:”

- 1) The decision being advertised on the Village of Elnora website and no appeal against said decision being successful.

The Real Property Report as submitted will not be stamped compliant until all conditions of the notice of decision have been complied with to the satisfaction of the Development Authority.

Providing all conditions of the notice of decision have been met to the satisfaction of the Development Officer, the Real Property Report may be stamped compliant, in accordance with this notice of decision twenty one (21) days after the date that this decision has been posted on the Village on Elnore municipal office notice board and the Village of Elnora website, unless an appeal is lodged with the Development Appeal Board pursuant to Section 29 of the Land Use Bylaw. If an appeal is lodged a compliance stamp shall not be issued until the Development Appeal Board has determined the appeal and this notice of decision may be approved, modified or nullified thereby. No stamp of compliance shall be issued if the application has been refused.

All conditions as listed on this Notice of Decision must be met within one year of the date of this decision in order for your Real Property Report to be stamped compliant.

December 12, 2023

Francoise Joynt, Development Officer

Note: A person claiming to be affected by the decision of a Development Officer or a Municipal Planning Commission, made under the Land Use Bylaw, other than where the development permit is issued for the reason that the proposed use complies with the provisions of the Bylaw relating to permitted uses, may appeal to the Development Appeal Board within twenty one (21) days after the notice of decision is mailed or posted on the site or published in a newspaper.



**DEVELOPMENT APPLICATION DECISIONS - APPEAL PROVISIONS
STOP ORDERS ISSUED - APPEAL PROVISIONS**

How to Appeal

Subject to Part 17, Division 10, of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 (MGA), an appeal must be made **in writing** to Parkland Community Planning Services Subdivision and Development Appeal Board.

Who to Appeal With

Subject to Section 686(1) of the MGA:

Land and Property Rights Tribunal
<https://www.alberta.ca/land-and-property-rights-tribunal.aspx>

OR

Parkland Community Planning Service's Subdivision and Development Appeal Board

Address of Appeal Authority

Land and Property Rights Tribunal
2nd Floor, Summerside Business Centre,
1229- 91 Street SW.
Edmonton, AB T6X 1E9
mgbmail@gov.ab.ca

Address of Appeal Authority

Parkland Community Planning Services
Unit B, 4730 Ross Street
Red Deer, AB, T4N 1X2

What May be Appealed

Regarding a development application decision of the Development Authority, being either the Municipal Planning Commission (MPC) or a Development Officer for the Village of Elnora, it is possible to appeal:

- (a) the decision of the Development Authority; or
- (b) a condition placed on decision of approval.

Regarding a stop order issued by the Development Authority pursuant to Section 645 of the Municipal Government Act, it is possible to appeal said stop order.

Who May File An Appeal

- (a) the person applying for the permit;
- (b) the person affected by the order issued pursuant to Section 645;
- (c) any person affected by an order, decision or development permit made or issued by the development authority.

No appeal is available in respect of a development permit issued for a Permitted Use unless the provisions of the Land Use Bylaw were relaxed, varied or misinterpreted.

Fees -- Subdivision and Development Appeal Board

Contact Parkland Community Planning Services in regard to application fee.

Time Limit For Appeal

An appeal may be commenced by filing a Notice of Appeal

- (a) for a development permit application decision, within 21 days of the date on which the person is notified (either by direct correspondence or by advertisement in the local paper) of the decision or the issuance of the development permit;
- (b) for a stop order issued, within 21 days of the date on which the person is notified of the order.

A Letter of Appeal Must Contain:

- (a) the legal description and municipal location, where applicable, of the lands subject of the development permit application or stop order;
- (b) the name and address of the appellant; and
- (c) the reasons for the appeal.

Cautionary Notes

As an appeal can be filed by persons other than the applicant, Red Deer County reserves the right to not issue Real Property Report Compliance until the above-noted appeal period has expired.