



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, December 17, 2025, | 10:00 a.m.
Council Chambers
962 St. John Avenue and Virtual via Teams

Attendance: W. Oliver, B. McGillivray, M. Metheral, S. Nodge, P. Taylor

Staff: K. Kozak, Planning and Development Officer, L. Goss, Legislative Services Manager, A. McGladdery, Administrative Assistant, Director of Operations and Infrastructure, K. Ross

Oldman River Regional Services Commission: S. Harty, Senior Planner, S. Nikkel, Assistant Planner

1. Call to Order

W. Oliver called the meeting to order at 10:02 a.m.

2. Agenda Approval

B. McGillivray:

Moved to approve the December 17, 2025, agenda as presented.

CARRIED MDSA 25-138

S. Harty & S. Nikkel arrived at 10:04 a.m.

3. 3.1 Minutes of November 19, 2025 Organizational Meeting

P. Taylor:

Moved to approve the Minutes for November 19, 2025, Organizational Meeting as presented.

CARRIED MDSA 25-139

3.2 Minutes of November 19, 2025 Regular MDSA Meeting

M. Metheral

Moved to approve the Minutes for November 19, 2025 Regular MDSA Meeting as amended 3.2 with correction to a spelling error.

K. Ross arrived at 10:00 a.m.

4. Applications

P. Taylor:

That the Municipal Development and Subdivision Authority agree to move into a closed session at 10:16 a.m. with the Planning and Development Officer, Administrative Assistant, Legislative Services Manager, Director of Operations and Infrastructure & Senior Planner and Assistant Planner.

CARRIED MDSA 25-140

K. Ross left meeting at 10:54 a.m.

M. Metheral:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 11:06 a.m.

CARRIED MDSA 25-141

4.1 25-D0109 -845/867/895 Main Street, Parks and Open Space – POS; Accessory Use (Placement of 12.19 m (40ft) x 3.66 m (12ft) – 44.59 sq m (480 sq ft) Atco Trailer for the use of changing rooms)

B. McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0109 – Town of Pincher Creek (Recreation Department); Plan 9111546 Block 5 Lot 1; 845/867/895 Main Street; Designated Parks and Open Space - POS; Discretionary Use: Accessory Use to the Principal Use (Public Park or Recreations), placement of a 44.59 sq m (480 sq ft) Atco Trailer for the use of changing rooms subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1639-25 and amendments thereto excepting the following waiver:
 - a) The onsite holding/pump-out wastewater and sewage tank shall be approved by the CAO in accordance with Wastewater Utility Bylaw 1632-22 section 2.1(a);
2. The development is to conform to the Development Permit Application dated November 18, 2025, and attached approved plans;
3. The contractor commissioned for the placement of the Atco Trailer and Hook-up must have a valid Business License for the Town of Pincher Creek;
4. The development shall comply with all Town Bylaws;
5. The Applicant is responsible to ensure the Atco trailer is placed in a manner that does not impede stormwater drainage, or negatively affect adjacent properties and roadways in regard to stormwater drainage;

6. The holding tank serving the Atco trailer shall be pumped out by a licensed sewage hauler as required to prevent overflow;
7. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
8. Applicant is responsible to ensure the connection between the proposed development and adjacent lands (both public and private) is acceptable regarding infrastructure, grading, landscaping etc. In the event of damage to adjacent lands, the applicant is required to repair all damages at their sole expense to the satisfaction of the Director of Operations. If the damages are not corrected to the satisfaction of the Director of Operations, the Town may complete the repairs and recover the costs by any means necessary;
9. The Atco Trailer shall comply with any applicable provincial and municipal health and fire requirements;
10. The Applicant shall obtain any and all necessary permits and approvals, from any and all other regulatory bodies which may have jurisdiction over the Use;
11. The site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by the development activity. This includes parking of construction vehicles and storage of construction materials, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this development shall be repaired at the applicant's expense;
12. Any intensification of use shall require a new development permit; and
13. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-142

4.2 25-D0113 – 1014 Livingston Way, Residential – R1; 19.32 sq m (208 sq ft) Accessory Dwelling Unit – Detached (within detached garage)

M. Metheral:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0113 – Diana Tuccillo & Mark Burden; Plan 0811978; B 6; L 9; 1014 Livingston Way; Designated Residential - R1; Discretionary Use:

Accessory Dwelling Unit - Detached (19.32 m² (208 ft²) living space within detached garage), subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1639-25 and amendments thereto excepting the following waiver:
 - a) The minimum floor area for an ADU Suite is 30.2 m² (325 ft²). The approved floor area is 19.32 m² (208 ft²);
2. The development is to conform to the development permit application stamp dated November 21, 2025, and approved attached plans;
3. The contractor commissioned for the development must have a valid Business License for the Town of Pincher Creek;
4. The Accessory Dwelling Unit – Detached shall be addressed as Unit B – 1014 Livingston Way and registered with Emergency Services;
5. The ADU suite shall have full utility services through service connections from the principal dwelling unit and all metering and utility billing shall be to the principal owner;
6. The Applicant is responsible for the full costs of providing and connecting to the municipal services and utility meters required to service the secondary suite;
7. The development of the Accessory Dwelling Unit - Detached shall meet all Fire and Safety Codes requirements and adhere to the National Building Code, Alberta Edition as a condition of approval;
8. The Accessory Dwelling Unit - Detached shall not be permitted to legally separate from the principal residential dwelling through a condominium conversion or subdivision process to create separate titles;
9. The development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, Noise Bylaw, Nuisance and Untidy Premises Bylaw;
10. The Applicant shall obtain any and all necessary permits and approvals, from any and all other regulatory bodies which may have jurisdiction over the Use;
11. The Applicant shall provide, identify, and maintain three parking spaces on site;

12. The Applicant shall have all work performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
13. The Applicant is responsible to obtain all required Alberta Building, Safety and Fire Code permits, inspection, final, and permit service reports related to Accessory Dwelling Unit – Detached;
14. The Applicant shall obtain a Building, Plumbing, Electrical, and Gas Permits from Park Enterprises Ltd;
15. The Applicant is responsible for the finished lot grade having a positive drainage away from the foundation and not drain onto or impact adjacent properties;
16. Installation, repair, and/or replacement of the water and sewer utility lines, including surface remediation, from the property of the Town of Pincher Creek main line be at the permit holder's expense;
17. Work completed on municipal infrastructure (water service, sewer service, roadway, gutter, curb, sidewalk, etc) requires the Applicant to enter into and comply with a Development Agreement with the Town. Work must be done to the satisfaction of the CAO. The Development Agreement shall include warranty and securities as outlined by the Engineering Standards;
18. In the event of damage to Public lands, the Applicant is required to repair all damages at their sole expense to the satisfaction of the Director of Operations. If damages to Public lands are not corrected to the satisfaction of the Director of Operations, the Town may complete the repairs and recover the costs by any means necessary;
19. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired at the expense of the Applicant;
20. Any changes to this permit or additions of a Short-term Rental will require new development permit application;
21. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-143

4.3 25-D0114 – 1243 Tumbleweed Avenue, Residential – R1; Short-term Rental – Type 2 (12 Guests)
B. McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0114 – Bart & Lisa Denie; Plan 9812274 Block 5 Lot 2; 1243 Tumbleweed Avenue; Designated Residential – R1; Discretionary Use: Short-term Rental – Type 2 (Year-round with maximum of ten (10) guests) subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1639-25 and amendments thereto;
2. The permit shall be on a temporary basis of one year, after the one year the permit is no longer valid. To continue the business a new development permit application shall be applied for prior to the one year permit expiry. The Municipal Development and Subdivision Authority has determined that the whole application fee be waived;
3. The Applicant shall contact Park Enterprise (1-800-621-5440) to ensure the dwelling unit complies with the applicable requirements of the National Building Code – Alberta Edition, particularly regarding fire safety;
4. The Applicant shall provide the name and phone number of the person who will be managing the Short-term Rental while in use to the Designated Officer prior to the business operating. The contact information will be kept on file and used for compliance reasons; the Town is to be made aware of any changes related to the contact person;
5. The Applicant shall provide the name and phone number of the person who will be managing the Short-term Rental while in use to the Adjacent Landowners;
6. The Applicant must apply for and maintain a current yearly municipal Business License from the municipality related to the Short-term Rental;
7. The development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, Noise Bylaw, Nuisance and Untidy Premises Bylaw;
8. The Applicant shall obtain any and all necessary permits and approvals, from any and all other regulatory bodies which may have jurisdiction over the Use;
9. The yard of the property shall be enclosed and fenced to keep pets

contained on-site;

10. The maximum nightly occupancy related to the Short-term Rental must be no more than ten (10) guests;
11. The sleeping areas shall be limited to the five (5) bedrooms;
12. The Applicant shall provide, identify, and maintain five (5), 2.7 m x 6.1 m (8.8 x 20 ft) parking spaces on site available for guests use;
13. The Applicant shall disclose their Business License Number in all online postings and advertisements. The Business License must also be posted and visible inside the dwelling to rental guests;
14. The Applicant must post in an area that visible to the eye, inside the dwelling, the name and phone number of the person managing the Short-term Rental while in use;
15. The Applicant shall keep and maintain, or have kept and maintained by a company or individual identified in the development permit application, a guest record/register that shall be reasonably available for inspection by the designated officer;
16. The advertising related to the Short-term Rental shall not displayed until after a development permit is issued;
17. The Signage of the name of the Short-term Rental shall only be displayed as allowed for in this bylaw and includes:
 18. one window signage, no larger than 0.4 m² (4 sq. ft.), or
 19. up to one freestanding sign no more than 1.5 m (5 ft.) above ground or sidewalk grade and shall not be more than 0.4 m² (4 ft.2) in area,
 20. any signage associated with a Short-term Rental, must be made of a material that is complementary to the principal dwelling, and
 21. not be directly illuminated in any way;
22. The Applicant shall be responsible for complying with Alberta Government requirements relating to the provincial tourism levy on accommodation. The Applicant will be required to show verification of compliance to the Designated Officer when requested;

23. The Applicant shall be required to have valid insurance coverage for the dwelling or dwelling unit being used as a commercial rental accommodation property. The Applicant will be required to show verification of such when requested by the Designated Officer;
24. The Applicant shall comply with any requirements and obligations relating to the Public Health Act, Housing Regulation as applicable;
25. The exterior appearance of a dwelling approved as a Short-term Rental shall not be altered, renovated, or changed to make the residential dwelling significantly stand-out or be readily recognized or identified as a commercial accommodation rental unit except where limited signage may be approved as provided for in this bylaw;
26. The Short-term Rental shall not interfere with the rights of other neighbours and residents and owners and renters must adhere to the requirements of the Town of Pincher Creek Nuisance Bylaw;
27. Any changes to this permit may require new development permit application;
28. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-144

4.4 25-D0116 -883 Kettles Street, Residential – R1; Short-term Rental – Type 2 (2 Guests)

P. Taylor:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0116 – Arnei DeGuzman; Plan 0810929 Block 1 Lot 13; 883 Kettles Street; Designated Residential – R1; Discretionary Use: Short-term Rental – Type 2 (Year-round with maximum of two (2) guests) subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1639-25 and amendments thereto;
2. The development is to conform to the Development Permit Application stamp dated November 27, 2025, and attached approved plans;
3. This permit shall be on a temporary basis of one year, after the one year the permit is no longer valid. To continue the business a new development permit application shall be applied for prior to the one

year permit expiry. The Municipal Development and Subdivision Authority has determined that the whole application fee be waived;

4. The Applicant shall contact Park Enterprise (1-800-621-5440) to ensure the dwelling unit complies with the applicable requirements of the National Building Code – Alberta Edition, particularly regarding fire safety;
5. The Applicant shall provide the name and phone number of the person who will be managing the Short-term Rental while in use to the Designated Officer prior to the business operating. The contact information will be kept on file and used for compliance reasons; the Town is to be made aware of any changes related to the contact person;
6. The Applicant shall provide the name and phone number of the person who will be managing the Short-term Rental while in use to the Adjacent Landowners;
7. The Applicant must apply for and maintain a current yearly municipal Business License from the municipality related to the Short-term Rental;
8. The development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, Noise Bylaw, Nuisance and Untidy Premises Bylaw;
9. The Applicant shall obtain any and all necessary permits and approvals, from any and all other regulatory bodies which may have jurisdiction over the Use;
10. The yard of the property shall be enclosed and fenced to keep pets contained on-site;
11. The maximum nightly occupancy related to the Short-term Rental must be no more than two (2) guests;
12. The sleeping areas shall be limited to the one (1) bedroom;
13. The Applicant shall provide, identify, and maintain three (3), 2.7 m x 6.1 m (8.8 x 20 ft) parking spaces on site;
14. The Applicant shall disclose their Business License Number in all online postings and advertisements. The Business License must also be

posted and visible inside the dwelling to rental guests;

15. The Applicant must post in an area that visible to the eye, inside the dwelling, the name and phone number of the person managing the Short-term Rental while in use;
16. The Applicant shall keep and maintain, or have kept and maintained by a company or individual identified in the development permit application, a guest record/register that shall be reasonably available for inspection by the designated officer;
17. The advertising related to the Short-term Rental shall not displayed until after a development permit is issued;
18. The Signage of the name of the Short-term Rental shall only be displayed as allowed for in this bylaw and includes:
 19. one window signage, no larger than 0.4 m² (4 sq. ft.), or
 20. up to one freestanding sign no more than 1.5 m (5 ft.) above ground or sidewalk grade and shall not be more than 0.4 m² (4 ft.2) in area,
 21. any signage associated with a Short-term Rental, must be made of a material that is complementary to the principal dwelling, and
 22. not be directly illuminated in any way;
23. The Applicant shall be responsible for complying with Alberta Government requirements relating to the provincial tourism levy on accommodation. The Applicant will be required to show verification of compliance to the Designated Officer when requested;
24. The Applicant shall be required to have valid insurance coverage for the dwelling or dwelling unit being used as a commercial rental accommodation property. The Applicant will be required to show verification of such when requested by the Designated Officer;
25. The Applicant shall comply with any requirements and obligations relating to the Public Health Act, Housing Regulation as applicable;
26. The exterior appearance of a dwelling approved as a Short-term Rental shall not be altered, renovated, or changed to make the residential dwelling significantly stand-out or be readily recognized or identified as a commercial accommodation rental unit except where limited signage

may be approved as provided for in this bylaw;

27. The Short-term Rental shall not interfere with the rights of other neighbours and residents and owners and renters must adhere to the requirements of the Town of Pincher Creek Nuisance Bylaw;
28. Any changes to this permit may require new development permit application;
29. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-145
One Opposed – M. Metheral

5. Permitted Issued Applications

25-D0103 -823 Hyde Street – Residential – R1 – Permitted Use: Accessory Dwelling Unit – Attached (Basement Suite)

25-D0104 – 756 Kettles Street – Downtown/Retail Commercial – C1 – Permitted Use: Addition to a Permitted Use (Retail Store)

25-D0105 -883 Kettles Street – Residential – R1 – Permitted Use: Accessory Dwelling Unit – Attached (Basement Suite)

25-D0111 – 1069 Main Street – General Industrial and Warehousing – I1 – Permitted Use: Demolition of a 93 sq m (1001 sq ft) Storage Building linked to inactive former bulk petroleum plant

S. Nodge:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 25-146

6. Adjournment

B. McGillivray:

That this meeting of the Municipal Development and Subdivision Authority be adjourned at 11:13 a.m.

CARRIED MDSA 25-147

Next Meeting Date: Wednesday, January 21, 2026

W. Oliver

W. Oliver, Chairperson

Attest for:

Konrad Dunbar, CAO
Town of Pincher Creek