



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, January 15, 2025, | 10:00 a.m.
Council Chambers
962 St. John Avenue and Virtual via Teams

Attendance: B. Wright, B. McGillivray, W. Oliver, D. Burnham, S. Nodge

With Regrets: N/A

Staff: L. Goss, Legislative Services Manager, K. Kozak, Planning and Development Officer, A. McGladdery, Administrative Assistant

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

1. Call to Order

Chairman D. Burnham called the meeting to order at 10:02 a.m.

2. Agenda Approval

Chairman D. Burnham advised Authority that item 4.4 be removed from agenda.

B. Wright:

Moved to approve the January 15, 2025, agenda as amended.

CARRIED MDSA 25-01

3. Adoption of Minutes

3.1 Minutes of the December 18, 2024 MDSA Meeting

B. McGillivray:

Moved to approve the Minutes of the December 18, 2024, MDSA Meeting as presented.

CARRIED MDSA 25-02

B. McGillivray declared a potential conflict of interest regarding application 24-D0124 indicating that he sits on the Co-op Board and requested advisement from the Authority.

The Authority agreed that there was no pecuniary interest related to B. McGillivray and application 24-D0124 therefor B. McGillivray did not recuse himself and remained in the meeting.

4. Applications

Pat Neumann spoke on application 24-D0120

B. McGillivray:

That the Municipal Development and Subdivision Authority agree to move into a closed session at 10:18 a.m. Legislative Services Manager, Administrative Assistant, Planning and Development Officer, and ORRSC Senior Planner in attendance.

CARRIED MDSA 25-03

B. Wright:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:45 a.m.

CARRIED MDSA 25-04

4.1 2024-D0118 – 840 Main Street, Downtown / Retail Commercial – C1 – R1; Sign with wavier (Three Fascia / Wall – Non-Illuminated).

W. Oliver:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0118 – Nejmark Architect; Plan 9611370, Block 6; 840 Main Street; Designated Downtown / Retail Commercial – C1; Discretionary Use with Wavier: Three Fascia / Wall – Non-Illuminated Sign subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto excepting the following wavier granted by the Municipal Development and Subdivision Authority on January 15, 2025:
 - a. A Sign Fascia / Wall – wavier for one sign. The Signs Fascia / Wall have been waived to three from two;
 - b. 'Sign A' – waiver for the 11.57 m² (125 ft²) sign from 9.3 m² (100 ft²),
 - c. Signs – waiver for the 23.86 m² (257 ft²) sign area from 18.6 m² (200 ft²);

2. The development is to conform to the development permit application dated December 9, 2024, and approved sign plans attached;
3. The Signs shall be installed in accordance with any specifications and standards provided by the signs manufacturer. The applicant is responsible to ensure the Signs are securely anchored and fastened to the building façade to account for the Signs weight and wind shear and in respect of standard engineering practices;
4. The Signs shall be maintained in a state of good repair;
5. The Signs attached to the building wall must meet all Safety Code requirements. The applicant must contact the accredited Safety Codes Officer regarding the applicability of Safety Codes and building permits required pursuant to the Safety Codes Act;
6. 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;
7. Any intensification of use shall require a new development permit;
8. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-05

4.2 24-D0119 – 615 Main Street, Downtown / Retail Commercial – C1; Child Care Services.

B. McGillivray:

That the Municipal Development and Subdivision Authority direct the Designated Officer to enter into an Agreement for Time Extension with the Applicant for Development Permit Application No. 24-D0119 – Ravinder Badesha; Plan 552LK Lot 1; 615 Main Street; Designated Downtown/Retail Commercial – C1; Discretionary Use: Child Care Services in order to garner additional information to bring back the application to the next regular MDSA meeting.

CARRIED MDSA 25-06

4.3 24-D0120 – 1377 & 1379 Hunter Street, Highway / Drive-in Commercial – C2, Public and Institutional (Fire Hall).

B. Wright:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0120 – Southwest Design & Construction; Plan 0113201 Block 4 Lots 5 & 6; 1377 & 1379 Hunter Street; Designated Highway / Drive-in Commercial – C2; Discretionary Use: Public and Institutional (Fire Hall) subject to the Following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto;
2. The development is to conform to the development permit application dated December 3, 2024, and the approved plan attached;
3. The development shall comply with all Town Bylaws which include but not limited to the Garbage Utility Bylaw, and the Untidy and Unsightly Premises Bylaw;
4. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
5. 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;
6. The Development Permit 24-D0120 is null and void if any permit required by Alberta Transportation is not obtained or is refused for approval by the provincial department;
7. The Applicant should contact the Utility Safety Partners (formerly Alberta One Call) 1-800-242-3447 to locate and mark any buried utilities prior to breaking ground for the addition;
8. The Applicant shall be responsible for design and construction of a ditch on the east side of Dobbie Avenue and a culvert across the lane to connect with the existing ditch on the north side of the lane. Ditch design shall provide 3:1 side slopes and 1.0m ditch bottom. Culvert size to be minimum 450mm. The Applicant shall enter into a Development Agreement with the Town to complete ditch, culvert and any other site related work or improvements within the right of way;
9. All work and repairs on municipal infrastructure shall be completed to the satisfaction of the CAO or designate;
10. The Applicant is responsible for all costs related to cleaning of debris and/or mud tracking on municipal roads during construction activities;

11. The Applicant is responsible for all engineering costs when development related municipal improvements/upgrades require engineering design and/or review;
12. The Applicant is responsible for all costs to repair municipal infrastructure damaged during construction of building, driveway and landscaping;
13. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection and final reports, and provide a copy of all building internal drawings and plans required by the Safety Codes Officers, with a copy of all approved permits and inspections to be submitted to the Town of Pincher Creek in a timely manner consistent with their undertaking;
14. There shall be a minimum of eleven (11) parking spaces on site; the stalls shall comply with the Parking regulations of the Land Use Bylaw 1547;
15. A separate sign permit will be required prior to placement of a sign in accordance with Sign Bylaw No. 1536 and Land Use Bylaw 1547;
16. Any intensification of use shall require a new development permit;
17. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-07

4.5 24-D0124 – 1300 Hewetson Avenue, Comprehensive / Shopping Mall Commercial – C3; Accessory Use – Two EV Charger to existing Co-op Gas Bar.

B. Wright:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0124 – Lauren Gardiner; Plan 7711728 Block A; 1300 Hewetson Avenue; Designated Comprehensive / Shopping Mall Commercial – C3; Discretionary Use: Accessory Use (Two EV Charging Stations) subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto;
2. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;

3. A pedestal mounted EV Charging Station shall not encroach over a property line and must be setback the minimum distance to the property lines as specified on the applicable land use district for an accessory use. An EV Charging Station may project into the required distance of a front yard setback up to 50 percent;
4. Where spaces for commercial EV Charging stations are provided, they shall meet the following requirements:
 - a. the equipment for the charging of one electric vehicle is permitted within a parking space provided the required space (dimensions) to accommodate a parked vehicle is available,
 - b. the equipment and energized outlets shall be labeled for their intended use and located within 3 m of the associated parking spaces,
 - c. the parking space shall be clearly labelled and signed as a Reserved parking space for electric vehicles only, being located at least 6.1 m (20 ft) from a drive aisle from which vehicle access is provided, measured at right angles, and
 - d. an energized outlet capable of providing Level 2 charging or higher shall be provided to the space;
5. The Applicant shall obtain a building permit for any EV Charger not installed on a concrete slab;
6. The applicant shall obtain an electrical permit as required by Safety Codes, and the EV Charger must be installed by a licensed, experienced electrician;
7. The operator is responsible for keeping the EV Charging Stations in good working conditions;
8. The applicant is required to register the EV Charging Stations with the federal government (Measurement Canada) and must comply with the Electricity and Gas Inspection Act (EGIA) and shall submit a copy of the filed registration to the Development Officer;
9. The site shall be maintained in a neat and orderly manner;
10. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to the installation of the EV Charging Stations shall be repaired or replaced at the Applicants expense;

11. 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;
12. Any intensification of use shall be reported to the Town of Pincher Creek and may require a new development permit;
13. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-08

5. Permitted/Approved Applications

24-D0116 – 756 Kettles Street; Downtown / Retail Commercial – C1; Retail Store – Natural Health Products

24-D0117 – 304 Pineridge Way; residential – R1; Home Occupation Class One – (Reike treatment and Learning workshops)

24-D0121 – 1029 (1031) Geddes Avenue; Residential – R1; Home Occupation – Class One (Cleaning Business)

24-D0122 – 556 Charlotte Street; Residential – R1; Demolition (Demolish dwelling, garden shed, and tree house)

B. McGillivray:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 25-09


7. Adjournment

W. Oliver:

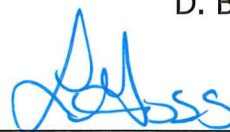
That this meeting of the Municipal Development and Subdivision Authority be adjourned at 10:51 a.m.

CARRIED MDSA 25-10

Next Meeting Date: Wednesday, February 19, 2025



D. Burnham, Chairperson



for Konrad Dunbar, CAO
Town of Pincher Creek

