



## **Town of Pincher Creek**

### **Municipal Development and Subdivision Authority**

Wednesday, April 16, 2025, | 10:00 a.m.  
Council Chambers  
962 St. John Avenue and Virtual via Teams

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**Attendance:** W. Oliver, S. Nodge, B. Wright, M. Metheral

**With Regrets:** B. McGillivray

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

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

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#### **1. Call to Order**

S. Nodge called the meeting to order at 10:02 a.m.

#### **2. Election of Chair and Vice Chair**

Elected Chair is W. Oliver

Elected Vice Chair is M. Metheral

#### **3. Agenda Approval**

**B. Wright:**

Moved to approve the April 16, 2025, agenda as presented.

**CARRIED MDSA 25-29**

#### **4. Adoption of Minutes**

##### **4.1 Minutes of the March 19, 2025 MDSA Meeting**

**S. Nodge:**

Moved to approve the Minutes of the March 19, 2025, MDSA Meeting as presented.

**CARRIED MDSA 25-30**

#### **5. Applications**

**M. Metheral:**

That the Municipal Development and Subdivision Authority agree to move into

a closed session at 10:16 a.m. Legislative Services Manager, Administrative Assistant, Planning and Development Officer in attendance.

**CARRIED MDSA 25-31**

**B. Wright:**

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:53 a.m.

**CARRIED MDSA 25-32**

**5.1 25-D0013 – 1315 Freebairn Avenue, Highway/Drive-in Commercial – C2; Accessory Use and Waivers to the Sign and Parking**

**S. Nodge:**

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0013 – Saqib Jamil; Plan 9010899, Block 2; Lots 1; 1315 Freebairn Avenue; Designated Highway/Drive-in Commercial – C2; Discretionary Use: Accessory Use (Bar/Lounge/Gaming or gambling establishment) to the Principal Use (A1 Pizza and Steakhouse Restaurant) and the Projecting and Overhanging Sign subject to the following conditions:

Bar/Parking:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto excepting the following waiver granted by the Municipal Development and Subdivision Authority on April 16, 2025:
  - a. A parking waiver of 41.8%. The number of required parking stalls has been waived from 110 to 64 stalls;
2. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto;
3. The development is to conform to the Development permit applications dated February 14, 2025;
4. A valid Town of Pincher Creek business License shall be secured and held in good standing;

5. Should any renovations be required, the Owner/Applicant shall secure and comply with all required Alberta Building, Safety and Fire Code permits;
6. The contractor commissioned for the renovations must have a valid Business License for the Town of Pincher Cree;
7. The Applicant is responsible for obtaining all required approvals or licenses from the Alberta Gaming Liquor and Cannabis (AGLC) pertaining to the serving of liquor and the operations of VLTs on the premises prior to the commencement of business;
8. Any intensification of use may require a new development permit;

Sign:

9. The development complies with the Town of Pincher Creek Bylaw No. 1536 (Signage) and the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto excepting the Following waiver granted by the Municipal Development and Subdivision Authority on April 16, 2025:
  - a. A sign waiver of 111.9%. The Projecting and Overhanging Sign has been waived from the maximum size 0.92 sq m (10 sq ft) to 1.95 sq m (21 sq ft);
10. The development is to conform to the Sign Permit Application dated February 14, 2025, and the approved sign plan attached;
11. The contractor commissioned for installation of the sign must have a valid Business License for the Town of Pincher Creek;
12. The Sign shall be maintained in a state of good repair;
13. The sign shall not project horizontally more than 1.5 m (5ft) over any public place or extend within 1.5 m (5ft) of the edge of a curb or roadway;
14. The sign may not be located within 0.5 m (1.6 ft) of the top of the parapet or a roofline;
15. 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 in respect of standard engineering practices;

16. The Sign shall be maintained in a state of good repair.
17. Any additional or changes of signage may require a new development permit;

General:

18. 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;
19. During renovation and/or installation of the Sign, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by construction activity. This includes parking of construction vehicles and storage of construction materials. Any damage to neighbours' property, including fences, driveway, or landscaping that occurs due to this construction shall be repaired or replaced at the Applicants costs;
20. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits;
21. The Applicant shall provide the location of the garbage collection related to the business to the Operations at [opsadmin@pinchercreek.ca](mailto:opsadmin@pinchercreek.ca); and
22. Failure to comply with this permit may result in the permit may result in the permit being cancelled, suspended, or modified

**CARRIED MDSA 25-33**

**5.2 25-D0018 – 1157 Buffalo Street, General Industrial and Warehousing – I1; Similar to Farm Supplies and Services (Weed Control)**

**B. Wright:**

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0018 – All Terrain Vegetation Services Inc.; Plan 7910843 Block 4 Lot 4; 1157 Buffalo Street; Designated General Industrial and Warehousing – I1; Discretionary Use: Similar to Farm Supplies and Services (Weed Control) 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 waiver granted by the Municipal Development and Subdivision Authority on April 16, 2025:
  - a. The application fee of \$150.00 is waived;
2. The development is to conform to the development permit application dated March 6, 2025;
3. A valid Town of Pincher Creek Business License shall be secured and held in good standing;
4. The outdoor storage of vehicles, trailer, and equipment associated with the business is permitted in the rear and side yard (fronting Bighorn Ave.) in a neat tidy manner;
5. There shall be no outdoor storage in the front yard of the building fronting onto Buffalo Street;
6. There shall be no storage of hazardous chemicals on the property or in the building;
7. All business-related waste shall be disposed of in accordance with local and Provincial Legislation and the Applicant shall be responsible for disposing any hazardous waste in accordance with Provincial Legislation;
8. The development shall comply with all Town Bylaws which include but are not limited to the Business License Bylaw, Garbage Utility, and the Untidy and Unsightly 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. A separate sign permit will be required prior to the placement of a sign on the property or the building;
11. Any intensification of use shall require a new development permit;
12. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

**CARRIED MDSA 25-34**

**5.3    25-D0020 – 1055 Deer Avenue, General Industrial and Warehousing – I1; Sign and waiver for the 3.05 m (10 ft) x 1.83 m (6ft) Banner Sign to be permanent**

**M. Metheral:**

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0020 – Diesel Fuel Only; Plan 7811231 Block 3 Lot 6; 1055 Deer Avenue; Designated General Industrial Warehousing – I1; Permitted Use with Waiver: Permanent 3.05 m (10 ft) x 1.83 m (6 ft) Banner Sign subject to the following conditions:

1.     The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments, and the Sign Bylaw No. 1536 and amendments thereto excepting the following waiver granted by the Municipal Development and Subdivision Authority on April 16, 2025:
  - a.     A sign waiver. The banner sign has been waived from a temporary use to a permanent use;
2.     The development is to conform to the Sign Permit Application stamp dated March 11, 2025, and the approved Sign Plan attached;
3.     The contractor to install the sign must have a valid Business License for the Town of Pincher Creek;
4.     The Sign shall be installed in accordance with any specifications and standards provided by the sign manufacturer;
5.     The applicant is responsible to ensure the Sign is securely anchored and fastened to the building façade to account for sign weight and wind shear;
6.     The Sign shall be maintained in a state of good repair;
7.     The Sign must meet all Safety and Fire Code requirements. The applicant must contact the accredited Safety Codes Officers of Park Enterprises Ltd. Regarding the applicability of Safety Codes and building permits require pursuant to the Safety Codes Act;
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.     Any additional or change of signage may require a new development permit;



10. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

**CARRIED MDSA 25-35**

**5.4 25-D0021 – 771 Dundas Street, Residential – R1; Home Occupation – Class 1 (Taxi Services)**

**S. Nodge:**

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0021 – Samiur-Rehman; Plan 8155JK Block 1 Lot 6; 771 Dundas Street; Designated Residential – R1; Permitted Use: Home Occupation – Class 1 (Taxi Services) 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 approval is for the one Taxi intended to be used for carrying passengers;
3. There shall be no more than one Taxi business operating on the property;
4. Any other type of service to be provided shall require a new development permit approval;
5. The name of the company must be prominently displayed on the taxi;
6. A valid Town of Pincher Creek Taxi Business License shall be secured and held in good standing, in accordance with Tax Bylaw No. 1484 and Business license Bylaw No. 1550-11;
7. No outdoor storage is permitted in conjunction with the Home Occupation;
8. Should any renovations be required to operate the business within the dwelling unit, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection and final reports;
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. No signage has been proposed by the Applicant. A separate sign permit will be required prior to placement of a sign in accordance with

Home Occupation Identification Sign standards in Land Use Bylaw No. 1547;

11. Any intensification such as additional vehicles/employees, of use shall require a new development permit;
12. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

**CARRIED MDSA 25-36**

**5.5 25-D0022 – 847 Mountain Street, Residential – R1; Home Occupation - Class One (Handyman Services), operating on same property where a current Home Occupation – Class Two (Lashes) operates**

**B. Wright:**

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0022 – Michael Kenny; Plan 7756AL Lot 72; 847 Mountain Street; Designated Residential – R1; Permitted Use with Waiver: Home Occupation – Class One (Handyman Services), operating on same property where a current Home Occupation – Class Two (Lashes) operates 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 waiver granted by the Municipal Development and Subdivision Authority on April 16, 2025:
  - a. Not more than one Home Occupation shall be approved for each dwelling unit, or at any given location. The number of Home Occupation has been waived from one to two;
2. The development is to conform to the development permit application dated March 17, 2025;
3. A valid Town of Pincher Creek business license shall be secured and held in good standing;
4. No person other than members of the occupant family shall be employed on the premises;
5. No more than one business related vehicle may be parked, stored, or maintained on the subject property;



6. No business related visits to the home shall be permitted, including business-related deliveries;
7. No outdoor storage is permitted in conjunction with the Home Occupation;
8. Should any renovations be required, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits;
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. A separate sign permit will be required prior to placement of a sign in accordance with Home Occupation Identification Sign standards in Land Use Bylaw No. 1547;
11. Any intensification of the business may require a new development permit;
12. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

**CARRIED MDSA 25-37**

## **6. Permitted Applications Issued**

25-D0016 – 67 Hillside Crescent – Residential – R1 – Permitted Use: Home Occupation – Class 1 (Realtor)

25-D0017 – 873 Rigaux Drive – Residential – R1 – Permitted Use: Home Occupation – Class 1 (Realtor)

### **S. Nodge:**

Moved acceptance of the approved applications as information.

**CARRIED MDSA 25-38**

## **7. Adjournment**

### **B. Wright:**

That this meeting of the Municipal Development and Subdivision Authority be adjourned at 11:02 a.m.

**CARRIED MDSA 25-39**

**Next Meeting Date: Special Meeting Wednesday, April 30, 2025**

  
W. Oliver, Chairperson

  
for Konrad Dunbar, CAO  
Town of Pincher Creek