



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, July 16, 2025, | 10:00 a.m.

Council Chambers

962 St. John Avenue and Virtual via Teams

Attendance: W. Oliver, B. McGillivray, B. Wright, M. Metheral

With Regrets: S. Nodge

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

Oldman River Regional Services Commission:

1. Call to Order

W. Oliver called the meeting to order at 10:00 a.m.

2. Agenda Approval

B. McGillivray:

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

CARRIED MDSA 25-74

3. Minutes of June 18, 2025 MDSA Meeting

M. Metheral:

Corrections to 4.6 spelling mistake & item 1. a. should be 6 per day and 42 per week

Moved to approve the Minutes for June 18, 2025, as amended.

CARRIED MDSA 25-75

B. Wright arrived at 10:04 a.m.

4. Applications

Kenneth Lewis spoke on Application 25-D0051

B. McGillivray:

That the Municipal Development and Subdivision Authority agree to move into

a closed session at 10:21 a.m. with the Manager of Legislative Services, Administrative Assistant, Planning and Development Officer and Director of Operations.

CARRIED MDSA 25-76

B. Wright left meeting at 10:30 a.m.

B.McGillivray:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:56 a.m.

CARRIED MDSA 25-77

4.1 25-D0051 – 1215 Tumbleweed Avenue, Residential – R1; Six foot (6') fence within the front yard

B.McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0051 – Lewis; Plan 1412676 Block 5 Lot 48; 1215 Tumbleweed Avenue; Designated Residential – R1; Discretionary Use: 1.82 m (6ft) high Fence to property line in the Front Yard subject to the following conditions:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto;
 - a. The minimum height of a fence within the front yard is 0.9 m (3ft). The approved fence within the front yard to the edge of the property line is 1.82 m (6ft) fence;
2. The development is to conform to the development permit application stamp dated June 10, 2025, and the approved Fence Location attached;
3. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
4. The Town may request that the portion of fence located on the Right-of-way be removed due to repairs, replacements, or any other type of work that may take place in the Right-of-way at the landowner's costs. Should the Town of Pincher Creek require access to the Utility Right-of-way for any reason, the removal, repair, and/ or replacement of any portion of the fence will be at the landowner's expense. Every effort will be given to provide written notification; however, in the event of an emergency, no notification will be provided;

5. Applicant to have service locates completed prior to construction to ensure utility locations are acceptable;
6. All development shall be landscaped in a manner to prevent any surface run-off onto adjacent properties;
7. 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;
8. The Applicant shall remove all garbage and waste at their own expense;
9. During installation, the site shall be maintained in a neat and orderly manner so as to ensure that neighbours are not directly impacted by activity. This includes parking of vehicles and storage of materials, and debris. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this development shall be repaired or replaced at the Applicants costs;
10. Any changes or additions to this permit shall require a new development permit application;
11. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-78

4.2 25-D0053 – 945 Davidson Avenue, Public & Institutional – PI; Accessory Building/Use (Announcers Booth/Change Room) with Waiver to decrease minimum floor area from 69.68 m2 (750 ft2) to 59.46 m2 (640 ft2)

M.Metheral:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0053 – PC & D Mustang Football Society; Plan 7069HJ Block B; 945 Davidson Avenue; Designated Public Institutional – PI District; Discretionary Use: Accessory Building/Use (Announcers Booth/Change Room) 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 July 16, 2025:

- a. The minimum floor area allowed is 69.68 m² (750 ft²). The approved floor is 59.46 m² (640 ft²)
2. The development is to conform to the Development Permit Application stamped dated June 13, 2025, and Approved attached Plans;
3. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
4. 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;
5. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
6. During construction, 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, debris, and topsoil;
7. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this development shall be repaired at the Applicant's expense;
8. The Applicant is responsible to ensure landscaping is completed in a manner to prevent any surface run-off onto adjacent properties;
9. Erosion shall be controlled so that soil and dust is not conveyed off site;
10. Standing water on the site shall be controlled by the Applicant;
11. Any intensification of use shall be reported to the Town of Pincher Creek and may require a new development permit;
12. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

4.3 25-D0057 – 1061 Beverley McLachlin Drive, Residential – R1; Similar Use (Duplex Dwelling within the basement of the existing Single-family Dwelling)

M. Metheral:

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. 25-D0057 – Ebenal; Plan 1728F Lot 19; 1061 Beverley McLachlin Drive; Designated Residential – R1; Discretionary Use: Similar Use to a Duplex Dwelling in order to garner additional information to bring back the application to the next regular MDSA meeting.

CARRIED MDSA 25-80

4.4 25-D0059 – 1166 John Avenue, Residential – R1; Moved-on dwelling with Waiver for the minimum age of the dwelling from 20 years to 45 years

B. McGillivray :

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 25-D0059 – 1438954 Alberta Ltd.; Plan 2261H Lot 195; 1166 John Avenue; Designated Residential – R1; Discretionary Use: moved-on dwelling 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 July 16, 2025;
 - a. The maximum allowable age of the dwelling unit is 20 years. The approved age of the dwelling unit is 45 years;
2. The development is to conform to the development permit application dated June 20, 2025, and to the Approved Plans dated July 16, 2025;
3. Prior to issuance of the Development Permit, the Applicant shall submit the Occupancy Application Deposits and the Landscaping Deposit;
4. The contractor commissioned to complete the development shall have a valid Business License for the Town of Pincher Creek;
5. The applicant shall obtain a report from a Building Inspector indicating the home is suitable for habitation, can withstand being relocated, and can be brought up to code if necessary;

6. The Applicant shall ensure that a building approval to be relocated into the community complies with relevant federal, provincial, and municipal codes, standards, regulations, bylaws and legislations (e.g. the Safety Codes Act, restrictions on urea-formaldehyde insulation, asbestos content, etc.);
7. The Applicant shall be responsible to obtain Oversize Vehicle Permit for transport of Moved-in Building on Town roadways as per the Town's Traffic Bylaw;
8. The driveway shall accommodate two vehicles and comply with the Driveway Regulations of the Land Use Bylaw No. 1547;
9. The Applicant shall ensure that a building approved to be relocated into the community complies with relevant federal, provincial and municipal codes, standards, regulations, bylaws and legislation (e.g. the Safety Codes Act, restrictions on ureaformaldehyde insulation, asbestos content, etc.);
10. A separate development permit may be required prior to the development of an unenclosed or enclosed improvement (deck/carport/etc.);
11. The lot and approved dwelling location must be staked-out by an Alberta Land Surveyor prior to commencement. The applicant is required to site the dwelling as per the Development Permit approval and the corresponding staked location;
12. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, final, and permit service reports related to the placement and hookups of the dwelling unit;
13. The Applicant is responsible for grading and landscaping within municipal right-of-way adjacent to the parcel being developed. This typically means the area from back of curb to property line on any side of property facing municipal right-of-way;
14. The Applicant is responsible for insulation and other safeguarding of water/sewer services if they are installed shallower than identified by municipal engineering standards;

15. The Applicant is responsible for all costs to repair municipal infrastructure damaged during move of the dwelling, and construction of driveway and landscaping;
16. The Applicant is responsible for all costs related to installation and/or upsizing of water/sewer service connections;
17. If the water service curbstop location is within the driveway apron the Applicant shall install a suitable sleeve around the curbstop, before pouring concrete or placing an asphalt driveway, to allow continuous access to the curbstop. If the Applicant/Contractor pours concrete over the water service curbstop the Applicant/Landowner shall be responsible for all future costs related to removal and replacement of any affected portion of the driveway;
18. The Applicant is responsible for all costs related to curb, gutter and sidewalk modifications for driveway installation or removal. Contact the Operations Manager to obtain a quote and enter into a Service Agreement. Removal and replacement shall be completed within the Town's annual concrete and asphalt program;
19. Costs for infrastructure upgrades/improvements to be completed by the municipality shall be paid by the Applicant/Landowner. Contact the Operations Manager for an estimate and schedule for the upgrades/improvements;
20. The Applicant is responsible for all costs related to cleaning of debris and/or mud tracking on municipal roads during construction activities;
21. The Applicant shall ensure the drainage is properly directed onto the subject property and shall be landscaped in a manner to prevent any surface run-off onto adjacent properties;
22. Landscaping to be compliant with Land Use Bylaw 1547 Schedule 4 & 10;
23. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
24. All work and repairs on municipal infrastructure shall be completed to the satisfaction of the CAO or Designate;
25. During the development, 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, debris, and topsoil. Any damage to neighbours' property, including fences, driveways, or landscaping that

occurs due to this construction shall be repaired and/or replaced at the Applicant's expense;

26. Erosion shall be controlled so that soil and dust is not conveyed off site;
27. Standing water on the site shall be controlled by the Applicant;
28. Any changes or additions to this permit shall require new development permit applications;
29. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 25-81

M. Metheral opposed

K. Ross & L. Goss left meeting at 11:02 a.m.

5. Permitted Issued Applications

6. Adjournment

B. McGillivray:

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

CARRIED MDSA 25-82

Next Meeting Date: Wednesday, August 20, 2025



W. Oliver, Chairperson



For:

Konrad Dunbar, CAO
Town of Pincher Creek