



Town of Pincher Creek
Municipal Development and Subdivision Authority

Wednesday, May 20, 2026, | 10:00 a.m.
Council Chambers
962 St. John Avenue and Virtual via Teams

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

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

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

1. Call to Order

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

2. Agenda Approval

W. Oliver added item 4.7 Development Permit 26-D0012 as a discussion

S. Nodge:

Moved to approve the May 20, 2026, agenda as amended.

CARRIED MDSA 26-036

3. 3.1 Minutes of April 15, 2026 Regular MDSA Meeting

W. Oliver correction to minutes to add the word **item** before # 6 to read correctly

P. Taylor:

Moved to approve the amended Minutes for April 15, 2026, Regular MDSA Meeting as amended.

CARRIED MDSA 26-037

Frank Wood & Sun Kyung Kim spoke on application 26-D0023

Matthew Daw spoke on application 26-D0028

4. Applications

B. McGillivray:

That the Municipal Development and Subdivision Authority agree to move into

a closed session at 10:23 a.m. with the Planning and Development Officer, Legislative Services Manager, Senior Planner, Assistant Planner and Administrative Assistant.

CARRIED MDSA 26-038

P. Taylor:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:58 a.m.

CARRIED MDSA 26-039

4.1 26-D0023 – 806 Main Street, Comprehensive Mixed-Use – C3; Retail Store and Restaurant with waiver to Parking

B. McGillivray:

That the Municipal Development and Subdivision Authority approve the Development Permit Application No. 26-D0023 – Sun Kyung Kim; Plan 7756AL Lot 18; 806 Main Street; Designated Comprehensive Mixed Use – C3; Discretionary Use: Retail Store and Restaurant with waiver to Parking 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 granted by the Municipal Development and Subdivision Authority on May 20, 2025:
 - a. The minimum number of parking stalls required is five (5). The approved number of parking stalls to be provided is zero (0);
2. The development shall conform to the approved Floor Plan;
3. A separate sign permit will be required prior to placement of a sign in accordance with Sign Bylaw No. 1536 and Land Use Bylaw 1639-25;
4. 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, which shall include but not be limited to Alberta Health Services;
5. The Applicant shall obtain a Building Permit to ensure the development complies with the current National Fire Code (AE) and the National Building Code (AE). It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
6. The Applicant shall install a Fat/Oil/Grease (FOG) Interceptor at a directly accessible location on the upstream side of a Monitoring Access Point in or on the Premises that is designed and sized in accordance with CAN/CSA B481 and meets the requirements of the National Plumbing Code of

Canada to prevent FOG from passing into the Wastewater System. Applicant to submit, to the satisfaction of the Director of Operations, drawings/details of the proposed interceptor to approvals@pinchercreek.ca for review and approval;

7. The use of the site shall not commence until all obligations under the executed development agreement, including provision and acceptance of municipal service, have been satisfied;
8. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
9. The Applicant is responsible for all costs to repair municipal infrastructure damaged during construction activities;
10. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
11. Utility Safety Partners (formerly Alberta One Call) must be contacted 1-800-242-3447 to locate and mark any buried utilities prior to breaking ground;
12. 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. Any damage to neighbours' property, including fences, driveways, or landscaping that occurs due to this construction shall be repaired or replaced at the Applicants costs;
13. Erosion shall be controlled so that soil and dust is not conveyed off site;
14. Standing water on the site shall be controlled by the applicant;
15. Any intensification of use shall require a new development permit; and
16. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-040

4.2 26-D0025 – 850 Main Street, Comprehensive Mixed-Use – C3; Short-term Rental – Type 2

P. Taylor:

That the Municipal Development and Subdivision Authority approve Development Permit Application No.26-D0025 – Eduardo Vieira Da Silva; Plan 7756AL Lot 22; 850 Main Street; Designated Comprehensive Mixed – Use – C3; Discretionary Use: Short-term Rental Type 2 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 April 10, 2026, and approved attached plans;
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, which shall include but not be limited to Alberta Health Services;
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 four(4) adults and two (2) children;
11. The sleeping areas shall be limited to the two (2) bedrooms;

12. The Applicant shall provide, identify, and maintain two (2), 2.7 m x 6.1 m (8.8 ft x 20 ft) parking spaces on site;
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 be 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:
 - i. one window signage, no larger than 0.4 m² (4 ft²), or
 - ii. 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 ft²) in area,
 - iii. any signage associated with a Short-term Rental, must be made of a material that is complementary to the principal dwelling, and
 - iv. not be directly illuminated in any way;
18. 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;
19. 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;
20. The Applicant shall comply with any requirements and obligations relating to the Public Health Act, Housing Regulation as applicable;

21. 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;
22. 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;
23. Any intensification of use shall require a new development permit; and
24. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-041

4.3 26-D0028 – 707 Schofield Street, Residential – R1; Short-term Rental – Type 2

S. Boese:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0028 – Matthew Daw; Plan 8010360 Block 1 Lot 1; 707 Schofield Street; Designated Residential – R1; Discretionary Use: Short-term Rental Type 2 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 April 13, 2026, and attached approved plan;
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, which shall include but not be limited to Alberta Health Services;
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 four (4) adults and one (1) child;
11. The sleeping areas shall be limited to the two (2) bedrooms;
12. The Applicant shall provide, identify, and maintain two (2) parking spaces on site;
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 Signage of the name of the Short-term Rental shall only be displayed as allowed for in this bylaw and includes:
 - i. one window signage, no larger than 0.4 m² (4 ft²), or
 - ii. 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 ft²) in area,

- iii. any signage associated with a Short-term Rental, must be made of a material that is complementary to the principal dwelling, and
 - iv. not be directly illuminated in any way;
- 17. 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;
 - 18. 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;
 - 19. The Applicant shall comply with any requirements and obligations relating to the Public Health Act, Housing Regulation as applicable;
 - 20. 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;
 - 21. 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;
 - 22. Any intensification of use shall require a new development permit; and
 - 23. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-042

4.4 26-D0029 – 1029 Livingston Way, Residential – R1; Home Occupation – Class 2 (Coffee Roastery)

S. Nodge:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0029 – Allan Pinlac; Plan 2410256 Block 5 Lot 43; 1029 Livingston Way; Designated Residential – R1; Discretionary Use; Home Occupation Class 2 (Coffee Roastery within attached 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;
2. The development is to conform to the Development Permit Application dated April 14, 2026;
3. A valid Town of Pincher Creek business license shall be secured and held in good standing;
4. 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;
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 hours of the Home Occupation Class 2 business shall not exceed the hours of 9:00 AM to 5:00 PM (no Sundays or Holidays);
7. The Applicant shall provide and maintain two (2) parking spaces on site;
8. No outdoor storage is permitted in conjunction with the Home Occupation;
9. All business-related waste shall be disposed of in accordance with local and Provincial Legislation;
10. Should any renovations be required, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
11. The Applicant should be responsible to ensure that the roaster and the venting/exhaust system meet any applicable Alberta Building, Safety and Fire Code requirements;
12. A separate sign permit may be required prior to placement of a sign in accordance with the Home Occupation Identification Sign standards in Land Use Bylaw No. 1639-25;
13. Any intensification of use shall require a new development permit; and
14. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-043

4.5 26-D0030 – 19 Hillside Crescent, Residential – R1; Home Occupation – Class 2 (Mobile Cold Brew Coffee & Ice Cream Truck)

P. Taylor:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0030 – Brian Schnell; Plan 7811553 Block 5 Lot 19;

19 Hillside Crescent; Designated Residential – R1; Discretionary Use: Home Occupation Class 2 (Mobile Cold Brew Coffee & Ice Cream Truck) 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 granted by the Municipal Development and Subdivision Authority on May 20, 2026:
 - a. The use or parking of one commercial vehicle off-street not to exceed one tonne. The approved parking of one commercial vehicle off-street with a gross vehicle weight of 1225 kg (27000 lbs);
2. The development is to conform to the Development Permit Application dated April 20, 2026;
3. A valid Town of Pincher Creek business license shall be secured and held in good standing;
4. 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;
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 Applicant shall provide and maintain three (3) parking spaces on site;
7. The commercial truck shall be parked on-site in the driveway;
8. No outdoor storage is permitted in conjunction with the Home Occupation;
9. All business-related waste shall be disposed of in accordance with local and Provincial Legislation;
10. Should any renovations be required, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
11. A separate sign permit may be required prior to placement of a sign in accordance with the Home Occupation Identification Sign standards in Land Use Bylaw No. 1639-25;
12. Any intensification of the business may require a new development permit; and
13. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

4.6 26-D0031 – 491 Pineridge Way, Residential – R1; Home Occupation – Accessory Building – Class 2 (Landscaping) with waiver to number of businesses

S. Nodge:

That the Municipal Development and Subdivision Authority approve Development Application No. 26-D0031 – Charles Misa; Plan 7811553 Block 15 Lot 1; 491 Pineridge Way; Designated Residential – R1; Discretionary Use: Home Occupation Class 2 (Landscaping) one year temporary permit 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 waivers granted by the Municipal Development and Subdivision Authority on May 20, 2026:
 - a. Only one (1) Home Occupation Class 2 shall be permitted per dwelling. The approved two (2) Home Occupation Class 2,
 - b. No outside storage of material goods or equipment on the site. The approved outdoor storage of one (1) riding lawnmower (equipment) on the front driveway;
2. The development is to conform to the Development Permit Application dated April 22, 2026, and 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 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. A valid Town of Pincher Creek business license shall be secured and held in good standing;
5. The development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, Nuisance and Untidy Premises Bylaw;
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. There shall be no additional commercial vehicle/s or trailer/s associated with the Home Occupation Class 2 business, shall be kept on site without prior approval through a new development permit;
8. The Applicant shall provide and maintain one (1) parking spaces on site for one ride-on lawn mowers;
9. Only one (1) existing utility trailer not to exceed 6.1 m (20 ft) in length is permitted in the front yard of the property to be used for Development Permit 26-D0031 and previous Development Permit 23-D0063, and no additional trailers are permitted onsite or to be parked on the street in conjunction with Development Permit 26-D0031 (lawn maintenance business);
10. All business-related waste shall be disposed of in accordance with local and Provincial Legislation;
11. Should any renovations be renovations be required, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
12. A separate sign permit may be required prior to placement of a sign in accordance with the Home Occupation Identification Sign standards in Land Use Bylaw No. 1639-25;
13. Any intensification of the business may require a new development permit; and
14. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-045

4.7 26-D0012 – 1178 Bighorn Avenue – Discussion

S. Nodge:

That the Municipal Development and Subdivision Authority table definitely the discussion to gather more information and bring back to the June 17, 2026 MDSA Meeting for further consideration

CARRIED MDSA 26-046

5. Permitted Issued Applications

26-D0024 – 1166 John Avenue – Residential – R1 – Permitted Use: Accessory Building (14.76 m² (160 ft²) Shed)

26-D0027 – 405 Foxborough Lane – Country Residential – R3 – Permitted Use: Addition to Permitted Use (Single-detached Dwelling) (Enclose (14.49 m² (156 ft²) portion of the rear deck)

25-D0108 – 1315 Freebairn Avenue – Highway/Comprehensive Commercial – C2 – Permitted Use: Freestanding Sign (Replace copy area on existing illuminated sign)

B. McGillivray:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 26-047

6. Adjournment

B. McGillivray:

That this meeting of the Municipal Development and Subdivision Authority be adjourned at 11:06 a.m.

CARRIED MDSA 26-048

Next Meeting Date: Wednesday, June 17, 2026



W. Oliver, Chairperson



for: Konrad Dunbar, CAO
Town of Pincher Creek

