



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, August 19, 2026, | 10:00 a.m.

Council Chambers

962 St. John Avenue and Virtual via Teams

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

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

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 10:03 a.m.

2. Agenda Approval

S. Nodge:

Moved to approve the August 19, 2026, agenda as presented.

CARRIED MDSA 26-068

3. Adoption of Minutes

3.1 Minutes of July 15, 2026 Regular MDSA Meeting

B. McGillivray:

Moved to approve the Minutes for July 15, 2026, Regular MDSA Meeting as presented.

CARRIED MDSA 26-069

4. Applications

P. Taylor:

That the Municipal Development and Subdivision Authority agree to move into a closed session at 10:11 a.m. with the Planning and Development Officer, Legislative Services Manager, Senior Planner, Assistant Planner, Project Engineer and Administrative Assistant.

CARRIED MDSA 26-070

P. Taylor:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:44 a.m.

CARRIED MDSA 26-071

4.1 26-D0050 – 1152 Morden Avenue Residential – R1; Home Occupation – Class 2 (General Contractor – Carpentry/Plumbing/Heating)

B. McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0050 – Chas Hale; Plan 2617S Lot 229; 1152 Morden Avenue; Designated Residential – R1; Discretionary Use: Home Occupation – Class 2 (General Contractor – Carpentry/Plumbing/Heating) 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 August 19, 2026:
 - a. Waiver Granted: The waiver is for the approval of One (1) commercial or utility trailer not exceeding 6.1 m (20 ft) in length may be parked on the front driveway. The maximum of One (1) commercial or utility trailer linked to the business may be parked on the property; Bylaw Regulations: Schedule 6, Section 15, 2 (f): One (1) commercial or utility trailer not to exceed 6.1 m (20 ft) in length shall only be parked or stored in a rear yard or within a garage. Such trailers are prohibited in the front yard or to be parked on the street.
2. The development is to conform to the Development Permit Application dated June 25, 2026, and approved plans;
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. No outdoor storage of equipment in conjunction with the Home Occupation;
8. All business-related waste shall be disposed of in accordance with local and Provincial Legislation;
9. Should any renovations be required, the Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
10. 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;
11. Any intensification of the home occupation may require a new Development Permit; and
12. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-072

4.2 26-D0053 – Unit 15, 1025 Waterton Avenue, Manufactured/Mobile Home – R2; Change of Use of an Accessory Building to Second Dwelling Unit which is Similar Use to a Surveillance-Security Suite

S. Boese:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0053 – Okhee Holding Ltd; Plan 850IB Block 1 Lot 3; Unit 15, 1025 Waterton Avenue; Designated Manufactured/Mobile Home – R2; Discretionary Use: 39.02 m² (420 ft²) Dwelling Unit Similar to a Surveillance-Security Suite located on Unit 15 as a 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 July 3, 2026, and approved attached plans;
3. The existing 39.02 m² (420 ft²) dwelling unit is approved to remain on Unit 15;
4. **Prior to issuance of the Development Permit**, the Town shall confirm that the existing dwelling is satisfactorily serviced with municipal water and sanitary sewer and that all connections comply with applicable municipal standards;

5. The Applicant shall obtain any required permit from the Ministry of Transportation and Economic Corridors. The application can be submitted through the RPATH portal at <https://roadsideplanning.alberta.ca>;
6. Weeping tile systems and sump pumps shall not be connected to the sanitary sewer service line. Sump pump flows shall be discharged to the surface onto a splash pad; surface discharge must not cause pooling, erosion, or hazardous icing on adjacent properties or public rights-of-way;
7. The Applicant is responsible to ensure the connection between the proposed development and adjacent lands (both public and private) is acceptable regarding utilities, 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 Town of Pincher Creek. If the damages are not corrected, the Town of Pincher Creek may complete the repairs and recover the costs by any means necessary. **Pre and post development inspection with the Operations staff are required.** The Applicant shall contact the Town at engineering@pinchercreek.ca to book an inspection;
8. Work completed by the Developer on municipal infrastructure (water service, sewer service, roadway, gutter, curb, sidewalk, etc) requires the Developer/Applicant to enter into a Development/Service Agreement with the municipality and use a contractor suitable to the CAO. The Development/Service Agreement shall include warranty and securities as outlined by the Engineering Standards;
9. The Applicant shall obtain a Building, Plumbing, Electrical, and Gas Permits 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 permits;
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 development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, and the Untidy and Unsightly Premises Bylaw;
12. 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;

13. The Landscaping is to be compliant with Land Use Bylaw 1639-25;
14. 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;
15. There shall be a minimum of two off street maintained residential parking spaces located on the premises;
16. The Erosion shall be controlled so that soil and dust is not conveyed off site;
17. The Standing water on the site shall be controlled by the Applicant;
18. Any intensification of the uses may require a new development permit;
19. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-073

4.3 26-D0054 – 823 Kettles Street, Comprehensive Mixed-Use – C3; Leave the Dwelling; Triplex as sited with no parking spaces on site, lot size for a laneless lot at 406.77575 m2 (4,578.497732 ft2), and maximum unit size of 65.03 m2 (700 ft2)

S. Nodge:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0054 – Justin Toews; Plan 7756AL Lot 30; 823 Kettles Street; Designated Comprehensive Mixed- Use – C3; Discretionary Use: Triplex 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 August 19, 2026:
 - a. Bylaw Regulation: Schedule 3 (C2), section 2: MINIMUM LOT SIZE - laneless lot: 521.2 m2 (5610 ft2).
Waiver Granted: The waiver is for the approval of the lot size to 406.77 m2 (4,378.50 ft2),

- b. Bylaw Regulation: Schedule 3 (C2), Section 6, MINIMUM FLOOR AREA: (b) – Mixed Use – Residential units/Commercial use – 46.5 m² (500 sq. ft.) per unit.
Waiver Granted: The waiver is for the approval of the floor areas to:
Unit A – 65.03 m² (700 ft²),
Unit B – 46.48 m² (500 ft²),
Unit C – 65.03 m² (700 ft²), and
 - c. Bylaw Regulation: Schedule 5, Section 24, OFF-STREET PARKING AND LOADING REQUIREMENTS: (8) – Multi-unit dwellings (3 or more units) – dwelling units with 1 bedroom – 1.25 spaces per each dwelling unit – Minimum Required Off-Street Parking: 4 (four).
- 2. The development is to conform to the development permit application dated July 9, 2026, and the attached approved plans;
 - 3. 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;
 - 4. The Applicant shall obtain a Building Permit to ensure the development complies with the National Fire Code and the National Building Code. It shall be the responsibility of the applicant to obtain the necessary Building, Plumbing, Electrical, and Gas permits;
 - 5. The development shall comply with all Town Bylaws which include but not limited to the Business License Bylaw, Garbage Utility Bylaw, and the Untidy and Unsightly Premises Bylaw;
 - 6. Weeping tile systems and sump pump shall not be connected to the sanitary sewer service line. Sump pump flows shall be discharged to the surface in accordance with the Town of Pincher Creek Engineering Standards. Surface discharge shall not result in pooling, erosion, or hazardous icing on adjacent properties or public right-of-way;
 - 7. The Applicant is responsible to ensure the connection between the proposed development and adjacent lands (both public and private) is acceptable regarding utilities, 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 Town of Pincher Creek. If the damages are not corrected, the Town of Pincher Creek may complete the repairs and recover the costs by any means

necessary. Pre and post development inspection with the Operations staff are required. The Applicant shall contact the Town at engineering@pinchercreek.ca to book an inspection;

8. 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;
9. If municipal infrastructure improvements are required, work completed by the Developer on municipal infrastructure (water service, sewer service, roadway, gutter, curb, sidewalk, etc.) requires the Developer to enter into Development Agreement with the Town and must be done to the satisfaction of the CAO. The Development Agreement shall include warranty and securities as outlined by the Engineering Standards;
10. 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;
11. The Erosion shall be controlled so that soil and dust is not conveyed off site;
12. The Applicant shall control the Standing water on site;
13. Any intensification of the uses may require a new development permit;
14. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-074

4.4 26-D0058 – 509 Schofield Street, Residential – R1; Small Addition to the dwelling projecting into the front yard

P. Taylor:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 26-D0058 – Karen Lyons; Plan 7711493 Block 6 Lot 5; 509 Schofield Street; Designated Residential – R1; Permitted Use: Addition (Cover Front Entry) 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 August 19, 2026:

- a. Bylaw Regulation: Schedule 5, Section 13 (3(d)): covered (i.e., roofs) steps, stairs, or upper landings which project 1.82 m (6 ft) or less in width provided the covered portion does not project into a required front or rear yard setback more than 0.9 m (3 ft), and the steps 1.8 m (6 ft).
2. The development is to conform to the development permit application stamped July 27, 2026, and approved attached plans;
3. The contractor commissioned for the construction of the Addition must have a valid Business License for the Town of Pincher Creek;
4. The exterior materials are to be compatible with the existing dwelling and development in the surrounding area;
5. The Applicant must contact Utility Safety Partners (formerly Alberta One Call) 1-800-242- 3447 to locate and mark any buried utilities prior to breaking ground;
6. The finished lot grade should allow for positive drainage away from the foundation and not drain onto or impact adjacent properties;
7. 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;
8. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
9. 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;
10. The 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 Town of Pincher

Creek. If the damages are not corrected, the Town of Pincher Creek may complete the repairs and recover the costs by any means necessary.

11. The Applicant is responsible for all costs related to cleaning of debris and/or mud tracking on municipal roads during construction activities;
12. The Erosion shall be controlled so that soil and dust is not conveyed off site;
13. Standing water on the site shall be controlled by the Applicant;
14. Any intensification of the use may require a new development permit;
15. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 26-075

5. Permitted Issued Applications

26-D0048 – 942 Willow Street, Residential – R1; Permitted Use w/Waiver: Accessory Building – 67.53 sq m (728 sq ft) Detached Garage with height waiver at 5.61 m (18.4 ft) and 18.58 sq m (200sq ft) shed

26-D0052 – Unit C – 815 Main Street, Downtown/Retail Commercial – C1; Permitted Use: Restaurant – (6.387 m² (68.75 ft²) countertop seating area)

26-D0055 – 789 Main Street, Downtown/Retail Commercial – C1; Permitted Use: Sign (Portable) – (Temporary permit of one (1) year with waiver for the maximum Portable Sign area allowed is 3.7 sq m (40 sq ft). Application is for an area of 4.18 sq m (45 sq ft)

26-D0056 – 537 Indian Street, Residential – R1; Permitted Use: Home Occupation Class 1 (Electrical Contractor)

26-D0057 – 1119 Briar Road, Residential – R1; Permitted Use: Home Occupation Class 1 (Home/Office Cleaning)

B. McGillivray:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 26-076

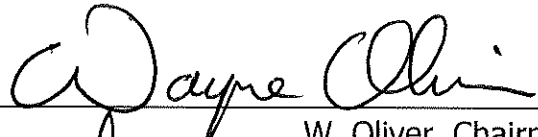
6. Adjournment

B. McGillivray:

That this meeting of the Municipal Development and Subdivision Authority be adjourned at 10:48 a.m.

CARRIED MDSA 26-077

Next Meeting Date: Wednesday, September 16, 2026



W. Oliver, Chairperson

 for: _____

Konrad Dunbar, CAO
Town of Pincher Creek