



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, October 16, 2024, | 10:00 a.m.
Council Chambers
962 St. John Avenue and Virtual via Teams

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

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 10:04 a.m.

2. Agenda Approval

B. McGillivray:

Moved to approve the October 16, 2024, agenda as presented.

CARRIED MDSA 24-109

3. Adoption of Minutes

3.1 Minutes of the September 18, 2024 MDSA Meeting

B. Wright:

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

CARRIED MDSA 24-110

B. McGillivray declared a potential conflict of interest regarding application 24-D0097 indicating that his sister in-law had submitted a written opposition to the application and requested advisement from the Authority.

The Authority agreed that there was no pecuniary interest related to B. McGillivray and application 24-D0097 therefor B. McGillivray did not recuse himself and remained in the meeting.

4. Applications

Donna Owen spoke on application 24-D0097

B. McGillivray:

That the Municipal Development and Subdivision Authority agree to move into a closed session at 10:20 a.m. Legislative Services Manager, Administrative Assistant, Planning and Development Officer, and ORRSC Senior Planner in attendance.

CARRIED MDSA 24-111

B. Wright:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:32 a.m.

CARRIED MDSA 24-112

4.1 2024-D0089 – 405 Foxborough Lane – Country Residential – R3 – Discretionary Use: Residential Addition (Enclose front deck)

B. McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0089 – Nathan Lewis; Plan 9812173 Block 1 Lot 6; 405 Foxborough Lane; Designated Country Residential – R3; Discretionary Use: Residential Additions (Enclose front deck) 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 approved attached plans;
3. The approval floor area of the addition is 11.56 m² (124 ft²);
4. The finished lot grade should allow for positive drainage away from the foundation and not drain onto or impact adjacent properties;
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 exterior materials are to be compatible with the existing dwelling and development in the surrounding area;
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. Landscaping to be compliant with Land Use Bylaw 1547 Schedule 4 & 10;
11. Standing water on the site shall be controlled by the Applicant;
12. Any changes or additions to this permit shall require new development permit application;
13. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified;

CARRIED MDSA 24-113

4.2 24-D0097 – 1014 Hewetson Avenue – Downtown/Retail Commercial – C1, Non – Illuminated Fascia/Wall Sign “Liquor Store”

B. Wright:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0097 – 1659968 Alberta Ltd.; Plan 460B, Lot 97-98 & 101; 1014 Hewetson Avenue; Designated Downtown/Retail Commercial – C1; Discretionary and Permitted Use: Non-Illuminated Fascia / Wall Sign (Liquor Store) subject to the following conditions:

1. The development is for a Non-illuminated Fascia sign fronting north (Charlotte Street) comprised of aluminum letters 2' x 12' and 2' x 8' (text comprised of 'Liquor Store') and the approved sign plan

attached; excepting the following waivers granted by the Municipal Development and Subdivision Authority:

- (a) The requirement that no Fascia sign shall be within 0.5 m or 1.6 feet (18") of the roof line has been waived. The sign is allowed to be located at 15.3" from the top of roof.
2. The sign shall not exceed 3.72 m² (40 ft²) in area, and shall be no lower than 2.13 m (7') to the ground;
3. The signs shall not project more than 0.3 m (12") from beyond the exterior wall of the building upon which it is located;
4. The sign shall be maintained in a state of good repair;
5. The sign shall be installed in accordance with any specifications and standards provided by the sign manufacturer. The applicant is responsible to ensure the sign is securely anchored and fastened to the building facade to account for sign weight and wind shear and in respect of standard engineering practices;
6. The contractor to install the sign must have a valid Business License for the Town of Pincher Creek;
7. The Applicant shall secure all required Alberta Building, Safety and Fire Code Permits, inspections, and final reports;
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 intensification of use shall require a new development permit;
10. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 24-114

5. Permitted/Approved Applications

24-D0078 – 1012 Livingston Way – Residential – R1 – Permitted Use: Single-family Dwelling with waiver of height from 8.5 m to 9.51 m (partial walkout / Attached garage & deck)

24-D0081 – Plan 8211483, Block 5, Lot 1 – Multi-family Residential – R4 – Permitted Use: Rowhouse Dwelling (Four dwelling units with attached garages)

24-D0085 – 1227 McEachern Street – Highway / Drive-in Commercial – C2 – Permitted Use: Retail Store with Waiver to front yard setback from 9.1 m to 7.8 m

24-D0095 – 979 Waterton Avenue – Highway / Drive-in Commercial – C2 – Permitted Use: Sign – Illuminated Fascia / Wall

24-D0098 – 798 Isabel Crescent – Residential – R1 – Permitted Use: Accessory Use (Roof over entrance)

24-D0099 – 1092 Albert Avenue – Residential – R1 – Permitted Use: Accessory Use (Roof closure for deck) with Waiver to the rear yard setback from 7.6 m to 6.4 m

24-D0101 – 523 Main Street – Residential – R1 – Permitted Use: Home Occupation – Class 1 (Portable Welding Services)

W. Oliver:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 24-115

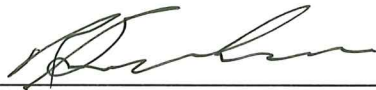
7. Adjournment

S. Nodge:

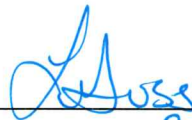
That this meeting of the Municipal Development and Subdivision Authority be adjourned at 10:35 a.m.

CARRIED MDSA 24-116

Next Meeting Date: Wednesday, November 20, 2024



D. Burnham, Chairperson



for Konrad Dunbar, CAO
Town of Pincher Creek

