



Town of Pincher Creek

Municipal Development and Subdivision Authority

Wednesday, December 18, 2024, | 10:00 a.m.

Council Chambers

962 St. John Avenue and Virtual via Teams

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

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 10:01 a.m.

2. Agenda Approval

B. McGillivray:

Moved to approve the December 18, 2024, agenda as presented.

CARRIED MDSA 24-126

3. Adoption of Minutes

3.1 Minutes of the November 20, 2024 MDSA Meeting

W. Oliver:

Moved to approve the Minutes of the November 20, 2024, MDSA Meeting as presented.

CARRIED MDSA 24-127

4. Applications

B. Wright:

That the Municipal Development and Subdivision Authority agree to move into a closed session at 10:07 a.m. Legislative Services Manager, Administrative Assistant, Planning and Development Officer, and ORRSC Senior Planner in attendance.

L. Goss arrived to meeting at 10:15 a.m.

W. Oliver:

That the Municipal Development and Subdivision Authority agree to revert to an open session at 10:26 a.m.

4.1 2024-D0048 – 1360 Scott Avenue – Business Park – I3 – Discretionary Use: Recreational Vehicle Storage (maximum 150 units).

B. Wright:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0048 – Pincher Creek Mini Storage Inc.; Plan 2412095 Block 4 Lot 26; 1360 Scott Avenue; Designated Business Park – I3; Discretionary Use: Recreational Vehicle Storage subject to the following 35 Conditions removing condition 9:

1. The development complies with the Town of Pincher Creek Land Use Bylaw No. 1547 and amendments thereto;
2. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
3. A valid Town of Pincher Creek business license shall be secured and held in good standing;
4. This permit approval is for a maximum of 150 Recreational vehicles (motor homes, travel trailers, tent trailers boats etc.) stored on the property;
5. There shall be no discharge or dumping of grey or black water tanks on the property;
6. There shall be no on-site sales, maintenance or repair of Recreational Vehicles;
7. The applicant shall provide a parking plan to the Town for consideration and approval prior to development commencing;
8. The property shall be fenced with a 1.8 m (6ft) chain link;

9. The applicant shall keep the area, subject to the development permit, in a clean and tidy condition free from rubbish and non-aggregate debris, including any required screening or buffering to the satisfaction of the Development Authority, at all times;
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 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;
12. The Applicant is responsible for all costs related to installation and/or upsizing of water/sewer service connections;
13. If the water service curbstop location is within a 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;
14. The Applicant is responsible for all costs related to driveway installation, modification or removal, including sizing and maintaining the culvert;
15. The Applicant is responsible for all costs related to stormwater outlet within Town right of way, including construction, ongoing maintenance, and replacement;
16. The Applicant is responsible for all costs to repair municipal infrastructure damage during construction;
17. 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 facing municipal right of way;
18. The Applicant is responsible for insulation and other safeguarding of water / sewer services if they are installed shallower than identified by municipal engineering standards;

19. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercree.ca/town/development.php>;
20. The work completed by the Developer on municipal infrastructure (water service, sewer service, roadway, gutter, curd, sidewalk, storm outlet, ditch grading, etc.) requires the Developer to enter into a Development Agreement with the municipality. The Development Agreement shall include warranty and securities;
21. All work and repairs on municipal infrastructure shall be completed to the satisfaction of the CAO or designate;
22. The costs for infrastructure upgrades/improvements to be completed by the municipality shall be paid by the Developer. Contact the Operations Manager to determine an estimate and schedule for the upgrades/improvements;
23. The Applicant is responsible for all costs related to cleaning of debris and/or mud tracking on municipal roads during construction activities;
24. The rates for municipal equipment shall be based on the latest version of the Alberta Roadbuilders Equipment Rental Rates Guide;
25. The rates for municipally contracted work shall be based on tendered rates;
26. The Applicant is responsible for all engineering costs when development related municipal improvements/upgrades require engineering design and/or review;
27. The post development storm flows shall have a release rate less than 60 L/s/ha to meet requirements identified in The Town of Pincher Creek Infrastructure Master Plan, Figure 3.6. Applicant shall revise and resubmit storm water design for Town review;
28. The Applicant is responsible for a portion of the Dobbie Avenue costs based on frontage area;
29. During construction erosion control measures shall be applied to the site to control wind and water erosion so that it does not become a nuisance, a danger, cause damage to property or cause unnecessary harm to the environment;

30. Landscaping is to be compliant with Land Use Bylaw 1547 Schedule 4 & 10;
31. 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;
32. The standing water on the site shall be controlled by the applicant;
33. A Sign Permit shall be submitted for consideration and approval for the display or placement of signage on the premises;
34. Any further development on the property requires a new development permit;
35. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 24-130

4.2 24-D0093 – 625 McDougall Street – Public & Institutional – PI – Discretionary Use: Accessory Buildings/Uses with waiver to the minimum floor area.

B. McGillivray:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D093 – Town of Pincher Creek; Plan 2210776 Block A Lot 5; 625 McDougall Street; Designated Public & Institutional – PI; Discretionary Use: Accessory Buildings/Uses with waiver of the size for the accessory buildings from the required 69.68 m² (750 ft²) to 11.5 m² (120 ft²) 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 December 18, 2024:
 - a. The minimum floor area is 69.68 m² (750 ft²). The approved floor area for each Accessory Building is 11.15 sq. m (120 sq. ft.);
2. The development is to conform to the development permit received on August 30, 2024, and the approved plan attached;

3. The buildings shall be compatible with surrounding development;
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;
5. The Applicant shall secure all required Alberta Building, Safety and Fire code permits, inspection, and final reports;
6. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
7. Any intensification of use shall require a new development permit;
8. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified;

CARRIED MDSA 24-131

4.3 24-D0094 – 440 Victoria Crescent – Public & Institutional – PI – Discretionary Use: Accessory Buildings / Uses with waiver to the minimum floor area.

W. Oliver:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0094 – Town of Pincher Creek.; Plan 2412242 Block 1 Lot 1; 440 Victoria Crescent; Designated Public & Institutional – PI; Discretionary Use: Accessory Buildings/Uses with waiver of the size for the accessory buildings from the required 69.68 m² (750 ft²) 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 December 18, 2024:
 - a. The minimum floor area is 69.68 m² (750 ft²). The approved floor areas are 13.9 m² (150 ft²) and 11.15 sq. ft.);
2. The development is to conform to the development permit received on August 30, 2024, and the approved plan attached;
3. The building shall be compatible with surrounding development;

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;
5. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits, inspection, and final reports;
6. All work shall be performed in compliance with the current Town of Pincher Creek Engineering Standards, found at <http://pinchercreek.ca/town/development.php>;
7. Any intensification of use shall require a new development permit;
8. Failure to comply with this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 24-132

4.4 24-D0112 – 1200 Ken Thornton Blvd – Residential – R1, Discretionary Use: Sign (Freestanding).

S. Nodge:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0112 – Vertical Church; Plan 1111136 Block 5 Lot13; Ken Thornton Blvd: Designated Residential – R1: Discretionary Use: Sign (Freestanding) located on property line 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 development permit application dated October 28, 2024, and the approved sign and site plan attached;
3. The contractor commissioned for construction must have a valid Business License for the Town of Pincher Creek;
4. The existing posts and sign shall be removed from the Municipal Property;
5. The approved area for the sign is 5.6 m² (60 ft²);
6. The sign shall be maintained in a state of good repair;
7. The Applicant shall secure all required Alberta Building, Safety and Fire Code permits;

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. 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 expense
10. Any changes or additions to this permit shall require 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 24-133

4.5 24-D0115 – 1078 Scobie Avenue – Residential – R1 – Discretionary Use: Short-term Rental – Type 2.

B. Wright:

That the Municipal Development and Subdivision Authority approve Development Permit Application No. 24-D0115 – Claradee Ferreira; Plan 6430GH Lot 1; 1078 Scobie Avenue; 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. 1547 and amendments thereto;
2. The development is to conform to the development permit application dated November 21, 2024, and the approved plans attached;
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 resides in the Town of Pincher Creek 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 must apply for and maintain a current yearly Town's Business License related to the Short-term Rental;
6. 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;
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 yard of the property shall be enclosed and fenced to keep guest's pets contained on-site;
9. The maximum nightly occupancy related to the Short-term Rental must be no more than eight guests;
10. The sleeping areas shall be limited to the four bedrooms;
11. The Applicant shall provide, identify, and maintain four parking spaces on site;
12. The Applicant shall disclose their license number in all online postings and advertisements. The business license must also be posted and visible inside the dwelling to guests;
13. 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;
14. 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;
15. The advertising related to the Short-term Rental shall not be displayed until after a development permit is issued;
16. The Signage of the name of the Short-term Rental shall only be displayed as allowed for this bylaw and includes:
 - (i) one window signage, no larger than 0.4 m² (4 sq. ft.), 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 ft.²) 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 or the Municipal Development and Subdivision Authority 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 as a commercial property. The Applicant will be required to show verification of such when requested by the designated officer or the Municipal Development and Subdivision Authority;
 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 Rentals 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. Short-term Rentals 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 changes or additions to this permit shall require new development permit application;
 23. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended, or modified.

CARRIED MDSA 24-134

5. Permitted/Approved Applications

24-D0113 – 39 Hillside Crescent – Residential – R1 - Permitted Use: Home Occupation – Class 1 (Accounting/Consulting)

24-D0114 – 726 Main Street – Downtown / Retail Commercial – C1 –
Permitted Use: Sign (Fascia/Wall)

B. McGillivray:

Moved acceptance of the approved applications as presented.

CARRIED MDSA 24-135

7. Adjournment

W. Oliver:

That this meeting of the Municipal Development and Subdivision Authority be adjourned at 10:31 a.m.

CARRIED MDSA 24-136

Next Meeting Date: Wednesday, January 15, 2025



D. Burnham, Chairperson



for Konrad Dunbar, CAO
Town of Pincher Creek

