

**Municipal District of Pincher Creek No. 9**  
**MUNICIPAL PLANNING COMMISSION**  
Council Chambers  
May 2<sup>nd</sup>, 2023  
6:30 pm  
Agenda

- 1. Adoption of Agenda**
- 2. Minutes**
  - a. Meeting Minutes of April 4<sup>th</sup>, 2023
- 3. Closed Meeting Session**
- 4. Unfinished Business**
- 5. Development Permit Applications**
  - a. Development Permit Application No. 2023-17  
Carter Marr  
NW 21-3-29 W4  
Secondary Farm Residence
  - b. Development Permit Application No. 2023-18  
Ledcor Highways Ltd  
SW 35-7-2 W5  
Construction/Field/Work Camp
  - c. Development Permit Application No. 2023-19  
Sophie LaRocque  
Lot 1, Block 1, 2201365 within SW 18-3-29 W4  
Country Inn
  - d. Development Permit Application No. 2023-21  
Cam & Deanne Bertsch  
Lots 1-7, Block 14, Plan 7850 AL within Beaver Mines  
Moved In Residential Building
- 6. Development Reports**
  - a. Development Officer's Report  
- Report for April 2023
- 7. Correspondence**
- 8. New Business**
- 9. Next Regular Meeting – June 6<sup>th</sup> 2023**
- 10. Adjournment**

**Meeting Minutes of the  
Municipal Planning Commission  
April 4<sup>th</sup>, 2023 6:30 pm  
VIA Teams Meeting**

**ATTENDANCE**

Commission: Chairman Jim Welsch, Member at Large Jeff Hammond, Reeve Rick Lemire, Councillors Harold Hollingshead and John MacGarva, Dave Cox and Tony Bruder

Staff: CAO Roland Milligan and Development Officer Laura McKinnon

Planning  
Advisor: ORRSC, Senior Planner Gavin Scott

Absent:

Chairman Jim Welsch called the meeting to order, the time being 6:30 pm.

**1. ADOPTION OF AGENDA**

Councillor Dave Cox 23/010

Moved that the agenda for April 4<sup>th</sup>, 2023, be approved as presented.

Carried

**2. NEW BUSINESS**

**3. ADOPTION OF MINUTES**

Councillor Tony Bruder 23/011

Moved that the Municipal Planning Commission Meeting Minutes for March 7<sup>th</sup>, 2023 be approved as presented.

Carried

**4. CLOSED MEETING SESSION**

Reeve Rick Lemire 23/012

Moved that the Municipal Planning Commission close the meeting to the public, under the authority of the *Municipal Government Act*, Section 197(2.1), the time being 6:31 pm.

Carried

Reeve Rick Lemire 23/013

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:54 pm.

Carried

5. **UNFINISHED BUSINESS**

6. **DEVELOPMENT PERMIT APPLICATIONS**

- a. **Development Permit Application No. 2022-47**  
**Garry Marchuk**  
**Lot 4, Block 5, Plan 8410414 with NW 10-6-2 W5**  
**Addition – Height Variance**

Councillor Dave Cox

23/014

Moved that Development Permit No. 2022-47, to build an addition to the accessory building, be approved as presented.

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.

**Waiver(s):**

1. That a 2.10m (6.9 ft) Variance be granted from the maximum building height for accessory buildings of 4.6m (15.1ft) for a height of 6.7m (22ft) for the accessory building.

**Informative(s):**

1. This development permit does not include the allowance for a Secondary Suite in the loft portion of the accessory building.

Carried

- b. **Development Permit Application No. 2023-11**  
**Shannon and Shauna Arseneault**  
**Block 6, Plan 9811884 within W 27-7-2 W5**  
**Singlewide, Manufactured Home**

Councillor Harold Hollingshead

23/015

Moved that Development Permit No. 2023-11, for a Singlewide Manufactured Home, be approved as presented.

**Condition(s):**

MINUTES  
Municipal Planning Commission (MPC)  
Municipal District of Pincher Creek No. 9  
April 4, 2023

1. That this development meets the minimum provisions as required in the Land Use Bylaw 1289-18.
2. That the home be finished from the floor level to the ground within 90 days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling to the satisfaction of the development authority
  1. That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the Alberta Safety Code.
3. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.

Carried

**c. Development Permit Application No. 2023-12**  
**Jesse Hammer**  
**Lot 1, Block 1, Plan 2011927 within SE 29-9-2 W5**  
**Country Inn**

Councillor John MacGarva

23/016

Moved that Development Permit No. 2023-12, to place three small cabins and one kitchen for the purpose of a Country Inn, be approved as presented.

**Condition(s):**

1. That this development meets the minimum provisions as required in the Land Use Bylaw 1289-18.
2. Development must meet Food and Housing Regulations as required.

Carried

**d. Development Permit Application No. 2023-14**  
**Dan Chase**  
**Within SE 10-7-29 W4**  
**Airstrip & Accessory Building**

Councillor Rick Lemire

23/017

Moved that Development Permit No. 2023-14, for an Airstrip and Accessory Building, be approved as presented.

**Condition(s):**

1. That this development meets the minimum provisions as required in the Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.

Carried

**e. Development Permit Application No. 2023-15  
Russell and Melissa Friesen  
SE 36-5-29 W4  
Garden Suite**

Member at Large Jeff Hammond

23/018

Moved that Development Permit No. 2023-15, to place a Singlewide Manufactured Home as a Garden Suite, be approved as presented.

**Condition(s):**

1. That this development meets the minimum provisions as required in the Land Use Bylaw 1289-18.
2. That the home be finished from the floor level to the ground within 90 days of placement. All finish material shall either be factory fabricated or of equivalent quality, so that the design and construction complements the dwelling to the satisfaction of the development authority
3. That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the Alberta Safety Code.
4. That this development permit is re-evaluated after five years.

**Variance(s):**

1. That a 3m (9.8ft) Variance be granted from the Minimum Setback from Public Roadways of 30m (98.42ft) for a setback of 27m (88.58ft) to the East for the Garden Suite.

Carried

**7. DEVELOPMENT REPORT**

**a. Development Officer's Report**

Member at Large Jeff Hammond

23/019

Moved that the Development Officer's Report, for the period Mar 2023, be received as information.

Carried

**8. CORRESPONDENCE**

**9. NEW BUSINESS**

None

**MINUTES**  
**Municipal Planning Commission (MPC)**  
**Municipal District of Pincher Creek No. 9**  
**April 4, 2023**

10. **NEXT MEETING** – May 2<sup>nd</sup>, 2023; 6:30 pm.

11. **ADJOURNMENT**

Councillor Harold Hollingshead

23/020

Moved that the meeting adjourn, the time being 7:01 pm.

Carried

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Chairperson Jim Welsch  
Municipal Planning Commission

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Chief Administrative Officer  
Roland Milligan  
Municipal Planning Commission

## Recommendation to Municipal Planning Commission

<b>TITLE:</b> DEVELOPMENT PERMIT No. 2023-17 <b>Applicant:</b> Carter Marr <b>Location:</b> NW 21-3-29 W4 <b>Division:</b> 1 <b>Size of Parcel:</b> 64.47 ha (159.32 Acres) <b>Zoning:</b> Agriculture - A <b>Development:</b> Secondary Farm Residence			
<b>PREPARED BY:</b> Laura McKinnon	<b>DATE:</b> April 26, 2023		
<b>DEPARTMENT:</b> Planning and Development			
<b>Signature:</b>		<b>ATTACHMENTS:</b>	
		1. Development Permit Application 2023-17 2. House Drawings 3. GIS Site Plan	
<b>APPROVALS:</b>			
	 Roland Milligan	 2023/04/27	
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>	<b>Date</b>

**RECOMMENDATION:**

That Development Permit Application No. 2023-17, for a Single Detached Residence as a Secondary Farm Residence, be approved subject to the following Condition(s):

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.
3. That the existing manufactured home is removed from the property once occupancy occurs in the new residence.
4. That the current open discharge septic system be removed concurrently with the removal of the existing manufactured home.

**BACKGROUND:**

- On April 4 2023, the MD accepted the Development Permit Application No. 2023-17 from applicant Carter Marr (*Attachment No. 1*).
- The application is to allow for the placement of a Single Detached Residence as a Secondary Farm Residence on an Agricultural parcel (*Attachment No. 2*).
- This application is being placed in front of the MPC because:

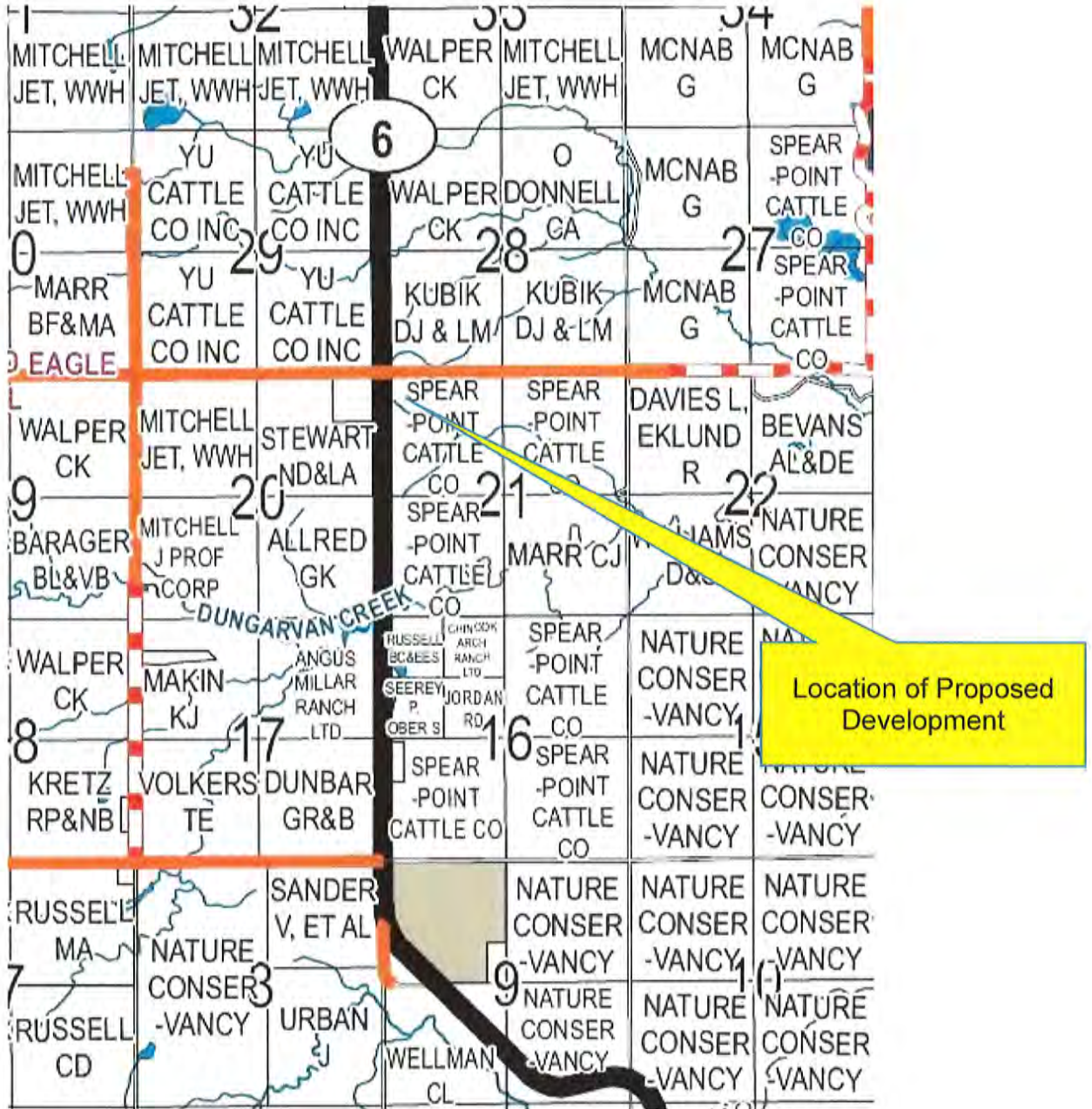
## Recommendation to Municipal Planning Commission

- Within the Agriculture – A Land Use District, Secondary Farm Residence is a Discretionary Use.
- The proposed location for the residence meets all required setbacks. (*Attachment No. 3*).
- The applicant is currently in the process of a subdivision application and meets all the setback requirements for the residence. However, in accordance with the Alberta Private Sewage Systems – Standard of Practice 2021 section 8.7.2.1, Open Discharge Systems require a 90m setback from any property line. This prompted the condition of the removal of the open discharge system once the residence is complete. The new septic system will be in accordance of the Standards of Practice 2021.
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received.



# Recommendation to Municipal Planning Commission

## Location of Proposed Development





**Municipal District of Pincher Creek**

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

**DEVELOPMENT PERMIT APPLICATION**

All grey areas will be completed by the Planning Authority

**DEVELOPMENT PERMIT APPLICATION NO.** 2023-17

**Date Application Received** April 3/23

**PERMIT FEE** \$100 Permitted  
\$150 Discretionary

**Date Application Accepted** April 4/23

**RECEIPT NO.** 51175

**Tax Roll #** \_\_\_\_\_

*IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9*

**SECTION 1: GENERAL INFORMATION**

**Applicant:** Carter Mair

**Address:** Box [redacted] Twin Butte, AB T0K 2J0

**Telephone:** [redacted] **Email:** [redacted]

**Owner of Land (if different from above):** Spearpoint Cattle Co

**Address:** Box 5 [redacted] Twin Butte AB T0K 2J0 **Telephone:** [redacted]

**Interest of Applicant (if not the owner):** Son of the landowner

**SECTION 2: PROPOSED DEVELOPMENT**

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

**A brief description of the proposed development is as follows:**

Building a new site built house and garage

**Legal Description:** Lot(s) NW 21-3-29-W4th

Block \_\_\_\_\_

Plan \_\_\_\_\_

Quarter Section \_\_\_\_\_

**Estimated Commencement Date:** May 15th 2023

**Estimated Completion Date:** Jan 31st 2024

**SECTION 3: SITE REQUIREMENTS**

Land Use District: Agriculture - A Division: 1

Permitted Use  Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes  No

Is the proposed development below a licenced dam?

Yes  No

Is the proposed development site situated on a slope?

Yes  No

If yes, approximately how many degrees of slope? \_\_\_\_\_ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes  No  Don't know  Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes  No  Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	10,000sq/ft		
(2) Area of Building	4,400 sq/ft		
(3) %Site Coverage by Building (within Hamets)	44%		
(4) Front Yard Setback Direction Facing: <u>W</u>	11.2m (367ft)	7.30M (98.4ft)	Yes
(5) Rear Yard Setback Direction Facing: <u>E</u>	6.55m (2148ft)	7.5M (24.6ft)	Yes
(6) Side Yard Setback: Direction Facing: <u>N</u>	5.2M (170ft)	30M (98.4ft)	Yes
(7) Side Yard Setback: Direction Facing: <u>S</u>	7.27M (2386 ft)	7.5M (24.6ft)	Yes
(8) Height of Building	28 ft		
(9) Number of Off Street Parking Spaces	N/A		

Other Supporting Material Attached (e.g. site plan, architectural drawing)

\_\_\_\_\_

\_\_\_\_\_

<b>ACCESSORY BUILDING</b>	Proposed	By Law Requirements	Conforms
(1) Area of Site	N/A		
(2) Area of Building	N/A		
(3) % Site Coverage by Building (within Hamlets)	N/A		
(4) Front Yard Setback Direction Facing:	N/A		
(5) Rear Yard Setback Direction Facing:	N/A		
(6) Side Yard Setback: Direction Facing:	N/A		
(7) Side Yard Setback: Direction Facing:	N/A		
(8) Height of Building	N/A		
(9) Number of Off Street Parking Spaces	N/A		

Other Supporting Material Attached (e.g. site plan, architectural drawing)

\_\_\_\_\_

\_\_\_\_\_

**SECTION 4: DEMOLITION**

Type of building being demolished : \_\_\_\_\_

Area of size: \_\_\_\_\_

Type of demolition planned: \_\_\_\_\_

N/A

**SECTION 5: SIGNATURES (both signatures required)**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: March 22/23

*Clinton J. Mass*

Applicant

*Clinton J. Mass*

Registered Owner

**Information on this application form will become part of a file which may be considered at a public meeting.**



**MD of Pincher Creek No. 9**  
P.O Box 279  
1037 Herron Avenue  
Pincher Creek Alberta T0K 1W0  
(403) 627-3130  
Website: [www.mdpinchercreek.ab.ca](http://www.mdpinchercreek.ab.ca)  
Email: [info@mdpinchercreek.ab.ca](mailto:info@mdpinchercreek.ab.ca)

Marr, Carter

**PAYMENT RECEIPT**

Receipt Number:	57175
Date:	4/3/2023
Initials:	SLM
GST Registration #:	10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00

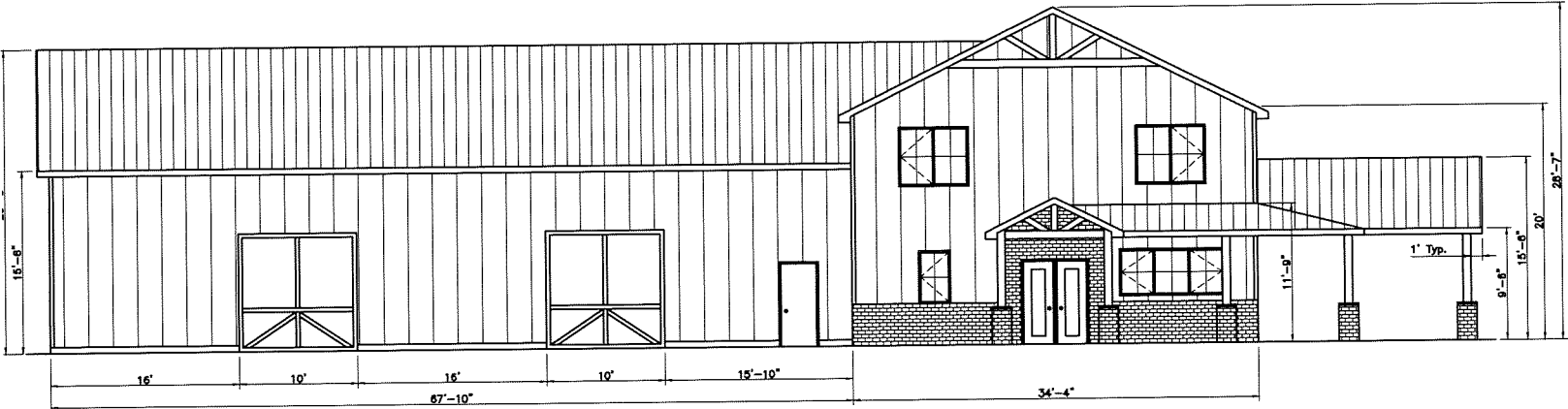
Subtotal:	\$150.00
Discount	\$0.00
GST	\$0.00
Total Receipt:	\$150.00
Mastercard:	\$150.00
<b>Total Amount Received:</b>	<b>\$150.00</b>

I, Clinton John Marr, Director and Shareholder of Spearpoint Cattle Company Ltd., consent to the Development Permit Application. I further approve of the Applicant, Carter Marr, acting as Agent for Spearpoint Cattle Company Ltd. in this application.

**Spearpoint Cattle Company Ltd.**

Clinton J. Marr  
Per: Clinton John Marr, President

24-3-23



NOTES:

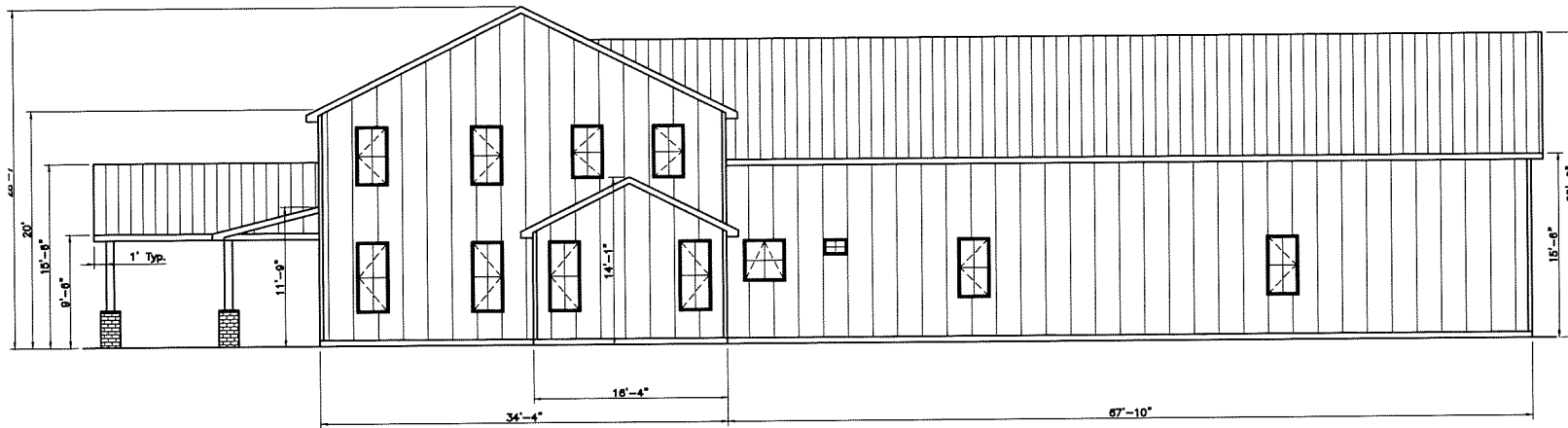
SEAL:

REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:  
 Marr House  
 House Plan #2

DRAWING TITLE: Front Elevation		DRAWING: <b>A1</b>
SCALE: 3/32"=1'	DATE: 02/01/23	
FILE #: Marr-House	BY:	



NOTES:

SEAL:

REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:

Marr House  
House Plan #2

DRAWING TITLE:

Back Elevation

SCALE: 3/32"=1'

DATE: 02/01/23

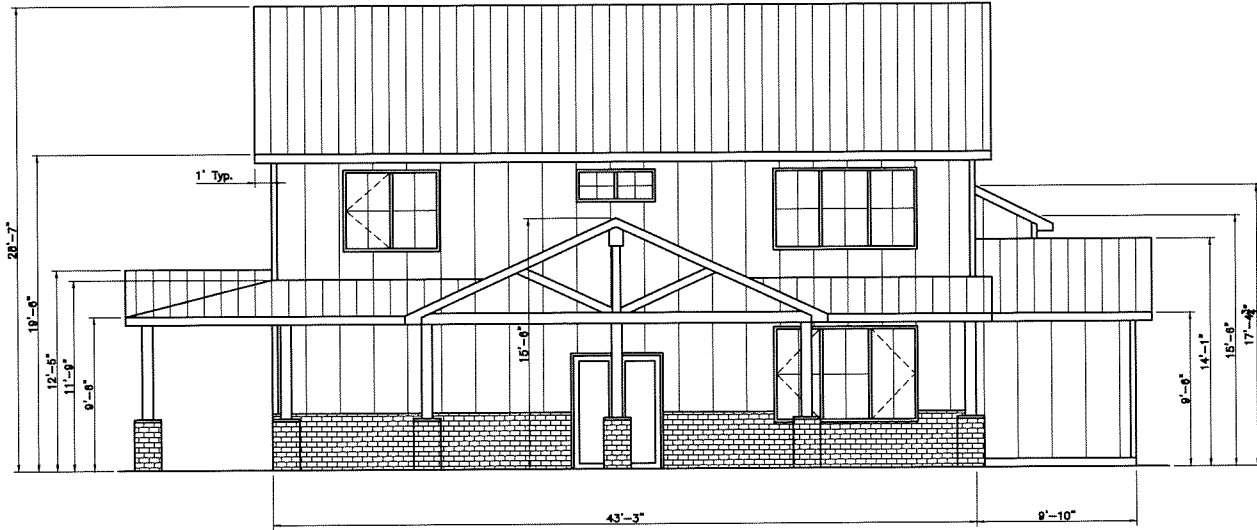
FILE #: Marr-House

DRAWING:

A2

BY:





NOTES:

SEAL:

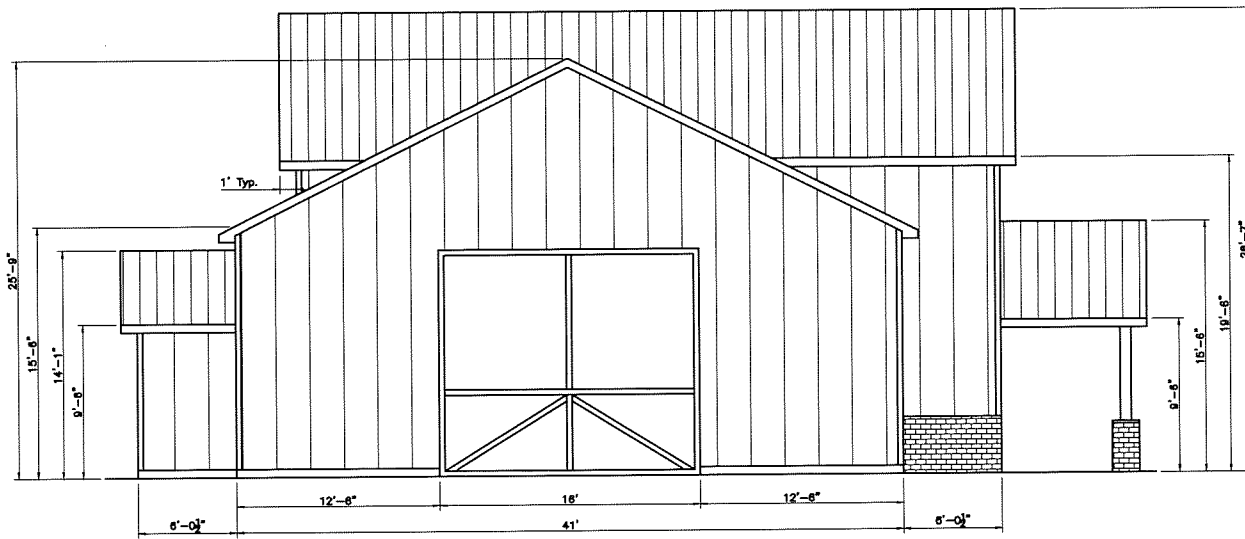
REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:  
Marr House  
House Plan #2

DRAWING TITLE: House Side Elevation		DRAWING: <b>A3</b>
SCALE: 1/8"=1'	DATE: 02/01/23	
FILE # Marr-House		

BY:



NOTES:

SEAL:

REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:

Marr House  
House Plan #2

DRAWING TITLE:  
Garage Side Elevation

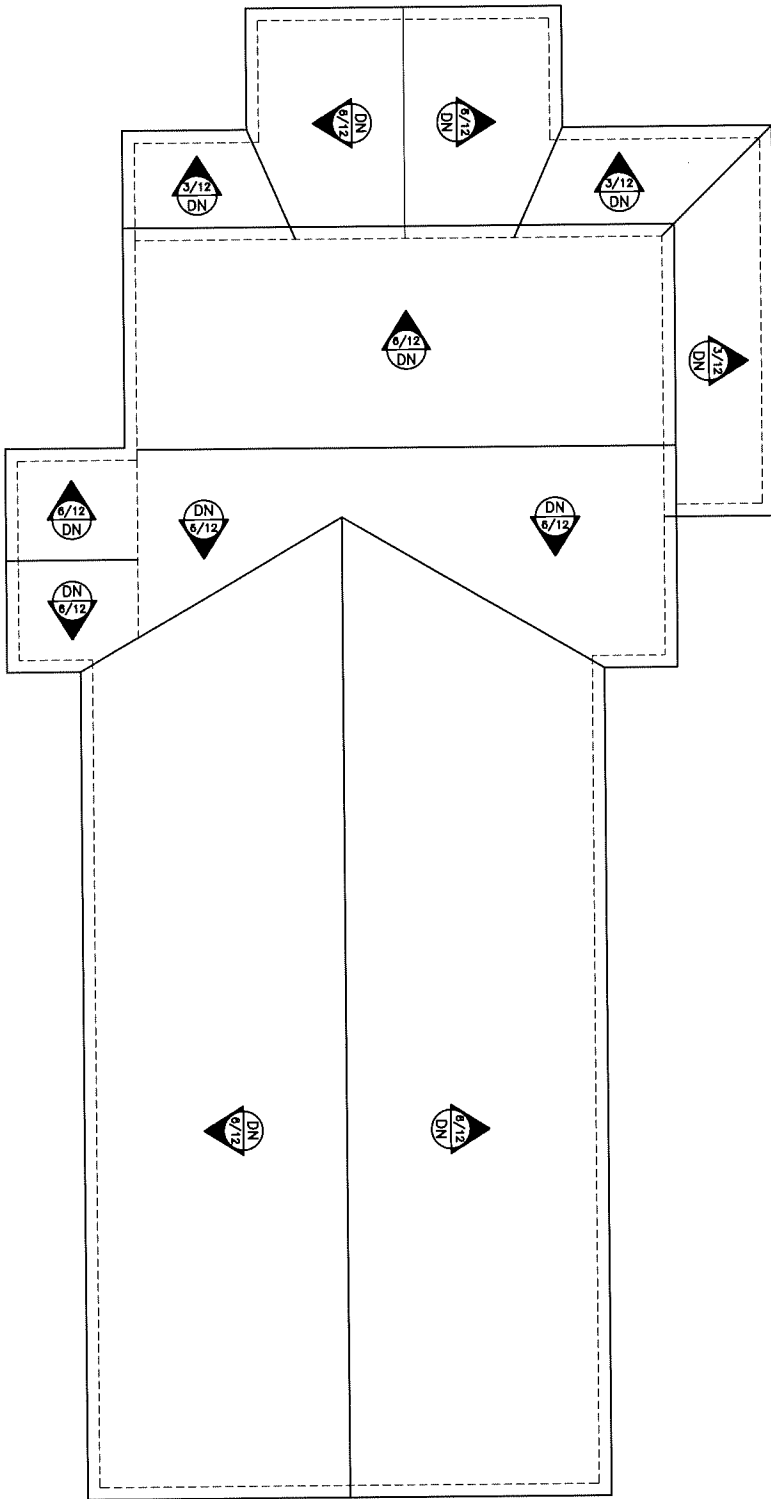
SCALE: 1/8"=1' DATE: 02/01/23

FILE #: Marr-House

DRAWING:

A4

BY:



NOTES:

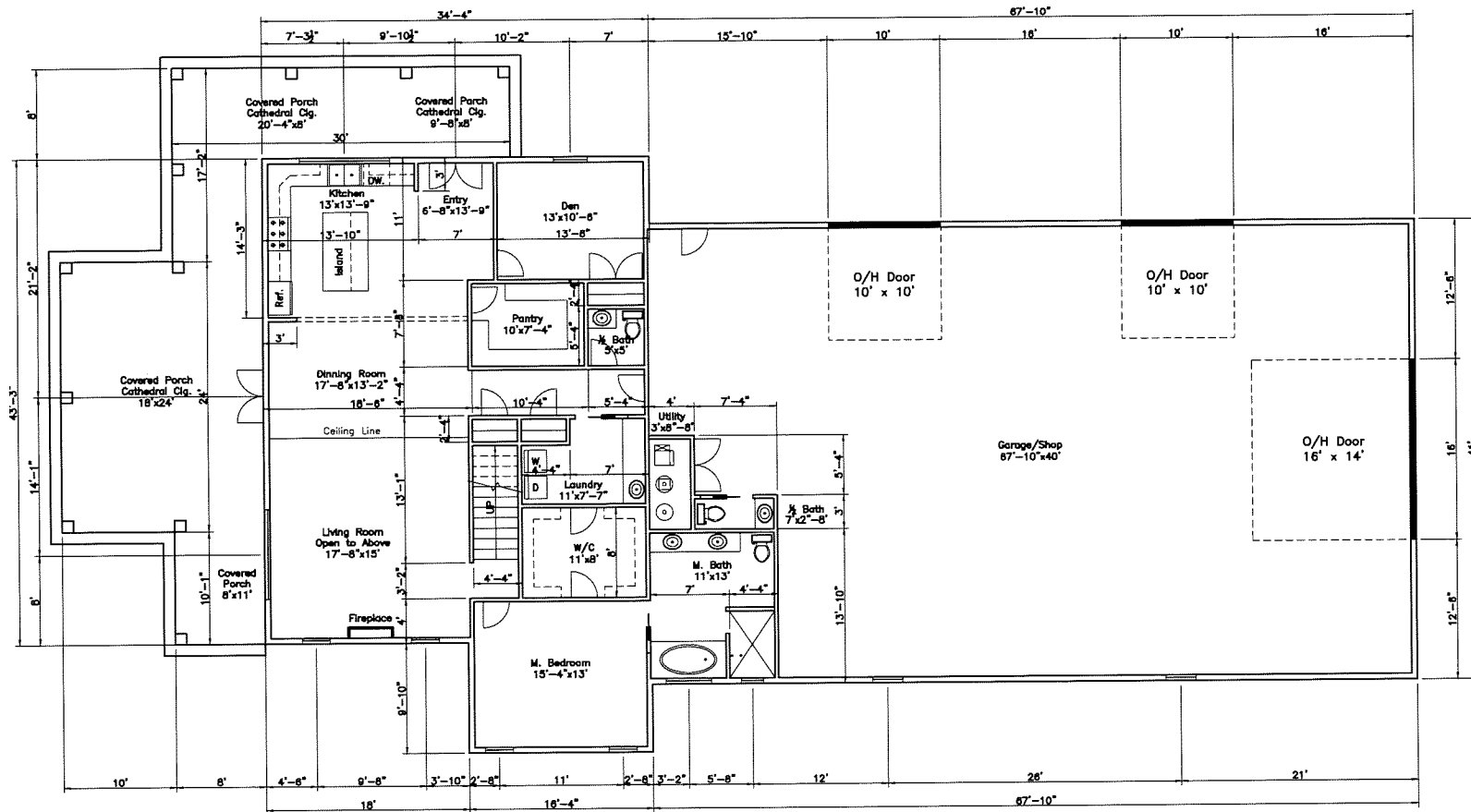
SEAL:

REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:  
Marr House  
House Plan #2

DRAWING TITLE: First Floor Plan	DRAWING: <b>A5</b>
SCALE: 3/32" = 1'	DATE: 02/01/23
FILE # Marr-House	BY:



NOTES:

SEAL:

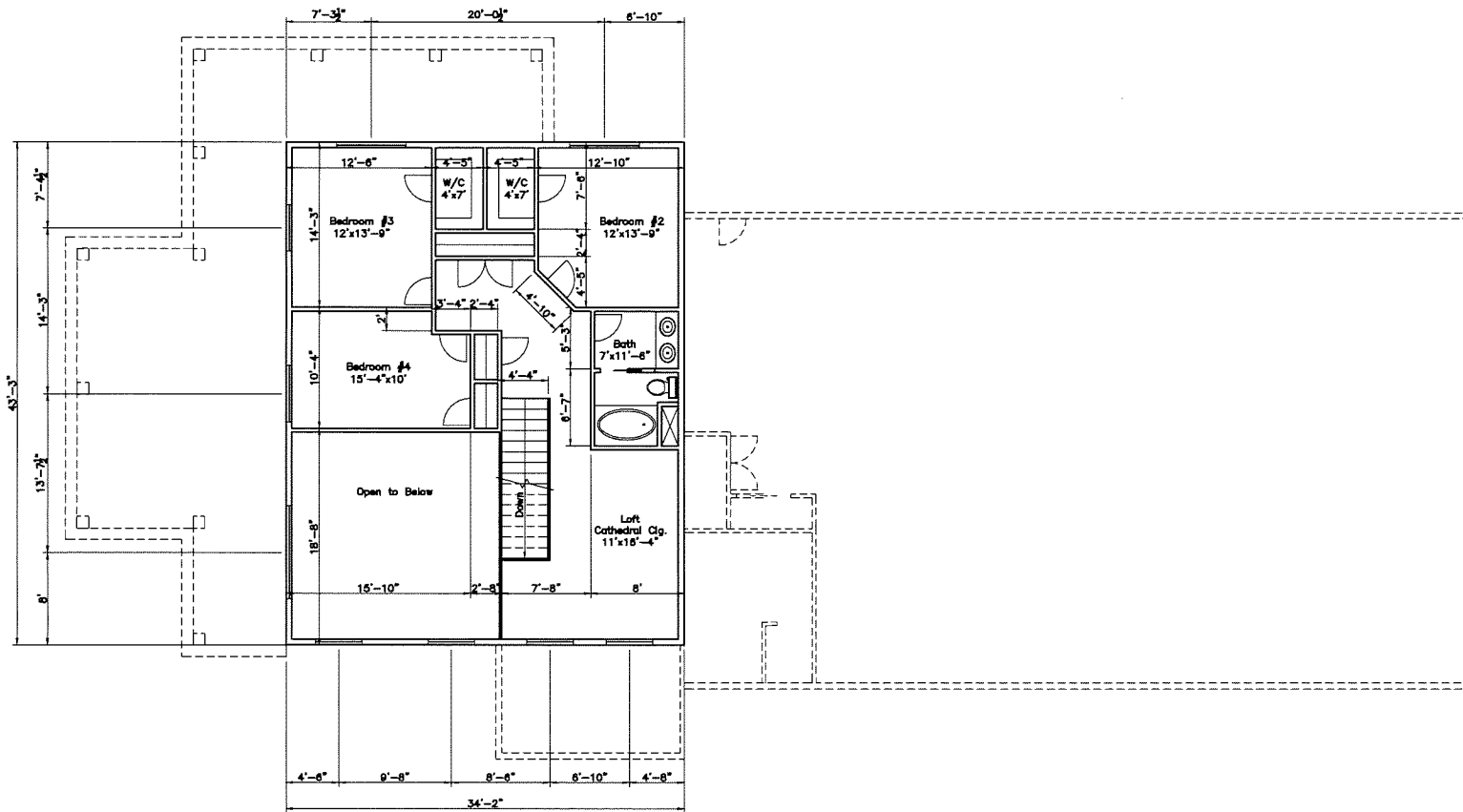
REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:

Marr House  
House Plan #2

DRAWING TITLE: First Floor Plan		DRAWING: <b>A6</b>	
SCALE: 3/32"=1'	DATE: 02/01/23	BY:	
FILE #: Marr-House		BY:	



NOTES:

SEAL:

REV	DESCRIPTION	DATE	BY

ENGINEER:

PROJECT:  
Marr House  
House Plan #2

DRAWING TITLE:  
Second Floor Plan

DRAWING:

SCALE: 3/32"=1' DATE: 02/01/23

A7

FILE #: Marr-House

BY:



Township Rd 34

Township Rd 34

Township Rd 34

Township Rd 34

Township Rd 34

Alberta Highway 6

Alberta Highway 6

Build site

55 m

110m

6

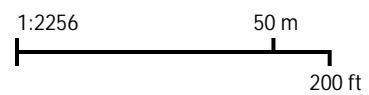
6

6

### 2023-17 - Site Map



All information depicted is subject to change, therefore the Municipal District Of Pincher Creek assumes no responsibility for discrepancies at time of use. Please note, average accuracy of the displayed data is: +/- 10m.



Distance: 52.64 m

Distance: 112.31 m


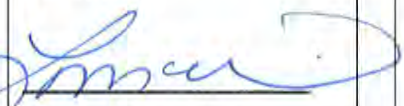

Distance: 655.85 m

Distance: 727.76 m





## Recommendation to Municipal Planning Commission

<b>TITLE:</b>	DEVELOPMENT PERMIT No. 2023-18	
<b>Applicant:</b>	Ledcor Highways Ltd	
<b>Location</b>	Within SW 35-7-2 W5	
<b>Division:</b>	5	
<b>Size of Parcel:</b>	62.34 ha (154.05 Acres)	
<b>Zoning:</b>	Agriculture - A	
<b>Development:</b>	Construction/Field/Work Camp	
<b>PREPARED BY:</b> Laura McKinnon		<b>DATE:</b> April 26, 2023
<b>DEPARTMENT:</b> Planning and Development		
<b>Signature:</b>		<b>ATTACHMENTS:</b>
		<ol style="list-style-type: none"> <li>1. Development Permit Application 2023-18</li> <li>2. Proposed Site Photos</li> <li>3. GIS Site Plan</li> <li>4. Adjacent Landowner Responses</li> </ol>
<b>APPROVALS:</b>		
	 _____ Roland Milligan	_____ 2023/04/27
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>
		<b>Date</b>

**RECOMMENDATION:**

That Development Permit Application No. 2023-18, for a Temporary Construction/Field/Work Camp, be approved subject to the following Condition(s):

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.
3. That all water must be withdrawn from potable water tanks.
4. That all septic disposal shall be hauled off site to appropriate dumping site.

**BACKGROUND:**

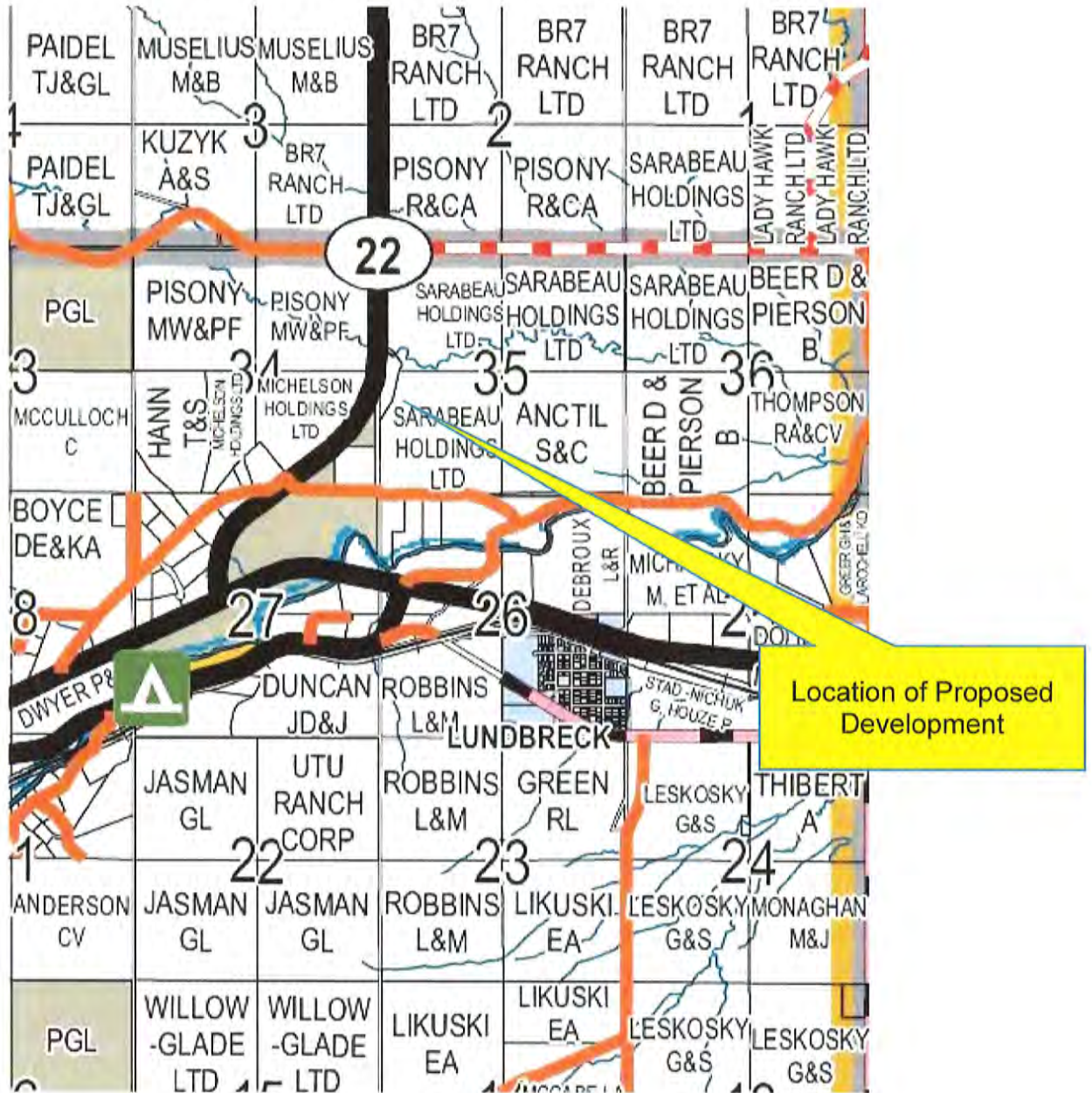
- On April 11 2023, the MD accepted the Development Permit Application No. 2023-18 from applicant Ledcor Highways Ltd (*Attachment No. 1*).
- The application is to allow for a Temporary Construction/Field/Work Camp on an Agricultural parcel (*Attachment No. 2*).
- This application is being placed in front of the MPC because:
  - Within the Agriculture – A Land Use District, Construction/Field/Work Camp is a Discretionary Use.
- The proposed location for the camp meets all required setbacks. (*Attachment No. 3*).

## Recommendation to Municipal Planning Commission

- The requested time line is May 15 – July 31 2023.
- The applicant has put forward the following additional information
  - *All the potable and grey water will be hauled using a local business for supply and disposal*
  - *It would be ~ 30 trailers give or take 5*
  - *Running a 175 kw generator. Noise level estimated to be approx. 100db with would dissipate at the distance of 800m (neighbouring house) to somewhere less than 50db \*estimated\**
  - *Crew operates out of half a dozen or so crew trucks and work 12-14 hour days. Likely only leaving in the morning and returning later in the evening. Might be few deliveries for potable water or the odd trucker over night.*
- The applicant also advised they are looking into drawing electricity from the grid if possible. They are located close to the power lines and would eliminate the use of a generator.
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report two responses had been received (***Attachment No. 4***).

# Recommendation to Municipal Planning Commission

## Location of Proposed Development





Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

## DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2023-18Date Application Received Apr 6 / 23PERMIT FEE \$100 Permitted  
\$150 DiscretionaryDate Application Accepted Apr 11 / 23RECEIPT NO. 57201

Tax Roll # \_\_\_\_\_

*IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9*

### SECTION 1: GENERAL INFORMATION

Applicant: Ledcor Highways Ltd. (Chad Lemay)Address: 7008 Roper Road, Edmonton, Ab T6B 3H2Telephone: 7 [REDACTED] Email: [REDACTED]Owner of Land (if different from above): Sarabeau Holdings Ltd. (David Hurst)Address: PO Box 8 [REDACTED] Lundbreck, Ab T0K 1H0 Telephone: 4 [REDACTED]Interest of Applicant (if not the owner): Temporary Work Camp for Highway Paving

### SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

**A brief description of the proposed development is as follows:**

Temporary self contained RV camp for paving project. Location is within an existing gravel pit.

Legal Description: Lot(s) \_\_\_\_\_

Block \_\_\_\_\_

Plan \_\_\_\_\_

Quarter Section SW-35-07-02 W5 (LSD 5)Estimated Commencement Date: May 15, 2023Estimated Completion Date: July 31, 2023

**SECTION 3: SITE REQUIREMENTS**

Land Use District: Agriculture - A Division: 5

Permitted Use  Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes  No

Is the proposed development below a licenced dam?

Yes  No

Is the proposed development site situated on a slope?

Yes  No

If yes, approximately how many degrees of slope? \_\_\_\_\_ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes  No  Don't know  Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes  No  Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	0.5 Ha		
(2) Area of Building	n/a		
(3) %Site Coverage by Building (within Hamets)	n/a		
(4) Front Yard Setback Direction Facing: <u>W E</u>	>250 m	7.5M	Yes
(5) Rear Yard Setback Direction Facing: <u>W</u>	71.23M	30M	Yes
(6) Side Yard Setback: Direction Facing: <u>N</u>	345.23M	7.5M	Yes
(7) Side Yard Setback: Direction Facing: <u>S</u>	357.66M	30M	Yes
(8) Height of Building	RV approx 12 feet		
(9) Number of Off Street Parking Spaces	1 vehicle per RV site		

Other Supporting Material Attached (e.g. site plan, architectural drawing)

Site plan and photos of camp. RV camp will house approx 30 RV trailers that will be self contained with Sewer and potable water holding tanks. Camp runs off generator. No permanent installations. Appropriate waste management bins etc.

<b>ACCESSORY BUILDING</b>	Proposed	By Law Requirements	Conforms
(1) Area of Site	n/a		
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

\_\_\_\_\_

\_\_\_\_\_

**SECTION 4: DEMOLITION**

Type of building being demolished : n/a

Area of size: \_\_\_\_\_


Type of demolition planned: \_\_\_\_\_


**SECTION 5: SIGNATURES (both signatures required)**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: April 4, 2023

  
 \_\_\_\_\_  
*Applicant*

  
 \_\_\_\_\_  
*Registered Owner*

**Information on this application form will become part of a file which may be considered at a public meeting.**

## **IMPORTANT NOTES:**

**THE DEVELOPMENT OFFICER MAY REFUSE TO ACCEPT AN APPLICATION FOR A DEVELOPMENT PERMIT WHERE THE INFORMATION REQUIRED HAS NOT BEEN SUPPLIED OR WHERE THE QUALITY OF SUCH INFORMATION IS INADEQUATE TO PROPERLY EVALUATE THE APPLICATION.**

1. In addition to completing this application form in its entirety, an application for a development permit shall be accompanied by the following information, where relevant:
  - (a) a lot plan at scale to the satisfaction of the Development Officer showing the size and shape of the lot, the front, rear and side yards, any provision for off-street loading and vehicle parking, access to the site, and the location of public utility lines, waterbodies and treed areas;
  - (b) a scaled floor plan and elevations where construction is proposed;
  - (c) at the discretion of the Development Officer, a Real Property Report as proof of location of existing development and a copy of the Duplicate Certificate of Title indicating ownership and encumbrances;
  - (d) if the applicant is not the registered owner, a written statement, signed by the registered owner consenting to the application and approving the applicant as the agent for the registered owner.
2. A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
3. Failure to complete the application form fully and supply the required information, plans and fee may cause delays in processing the application.
4. All development permits shall contain the following informative:

*“ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT AND/OR LANDOWNER.”*
5. In accordance with the *Municipal Government Act*, a development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

A decision on a completed application must be made within 40 days. After the 40-day period the applicant may deem the application refused and file an appeal within 21 days, of the expiry of the decision date.
6. Every approach to a residence is entitled to a civic address sign, supplied by the municipality. If your location does not already have a sign, please contact the MD Administration Office to make arrangements as soon as your approach has been constructed.



## MD of Pincher Creek No. 9

P.O Box 279  
1037 Herron Avenue  
Pincher Creek Alberta T0K 1W0  
(403) 627-3130  
Website: [www.mdpinchercreek.ab.ca](http://www.mdpinchercreek.ab.ca)  
Email: [info@mdpinnercreek.ab.ca](mailto:info@mdpinnercreek.ab.ca)

Lemay, Chad

### PAYMENT RECEIPT

Receipt Number:	57201
Date:	4/11/2023
Initials:	SLM
GST Registration #:	10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00

Subtotal:	\$150.00
Discount	\$0.00
GST	\$0.00
Total Receipt:	\$150.00
Mastercard:	\$150.00
<b>Total Amount Received:</b>	<b>\$150.00</b>



TYPICAL LEDCOR RV CAMP



LEDCOR PROPOSED CAMP  
LOCATION  
SW(5)-35-07-02-W5



Proposed Leducor RV Camp

176.00 m

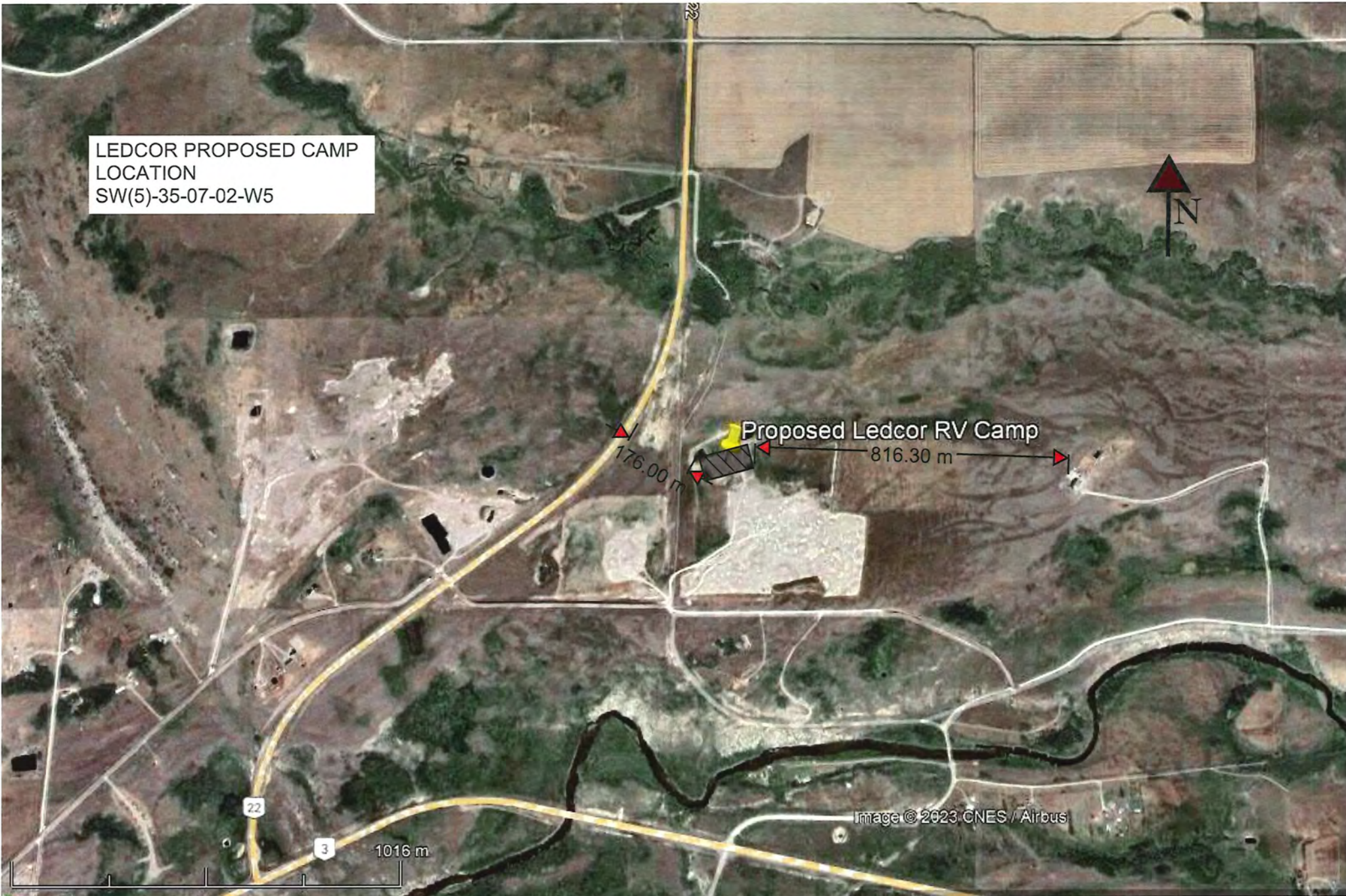
816.30 m

22

3

1016 m

Image © 2023 CNES / Airbus



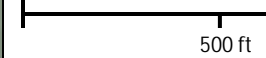
### 2023-18 Site Map



All information depicted is subject to change, therefore the Municipal District Of Pincher Creek assumes no responsibility for discrepancies at time of use. Please note, average accuracy of the displayed data is: +/- 10m.

1:9027

200 m



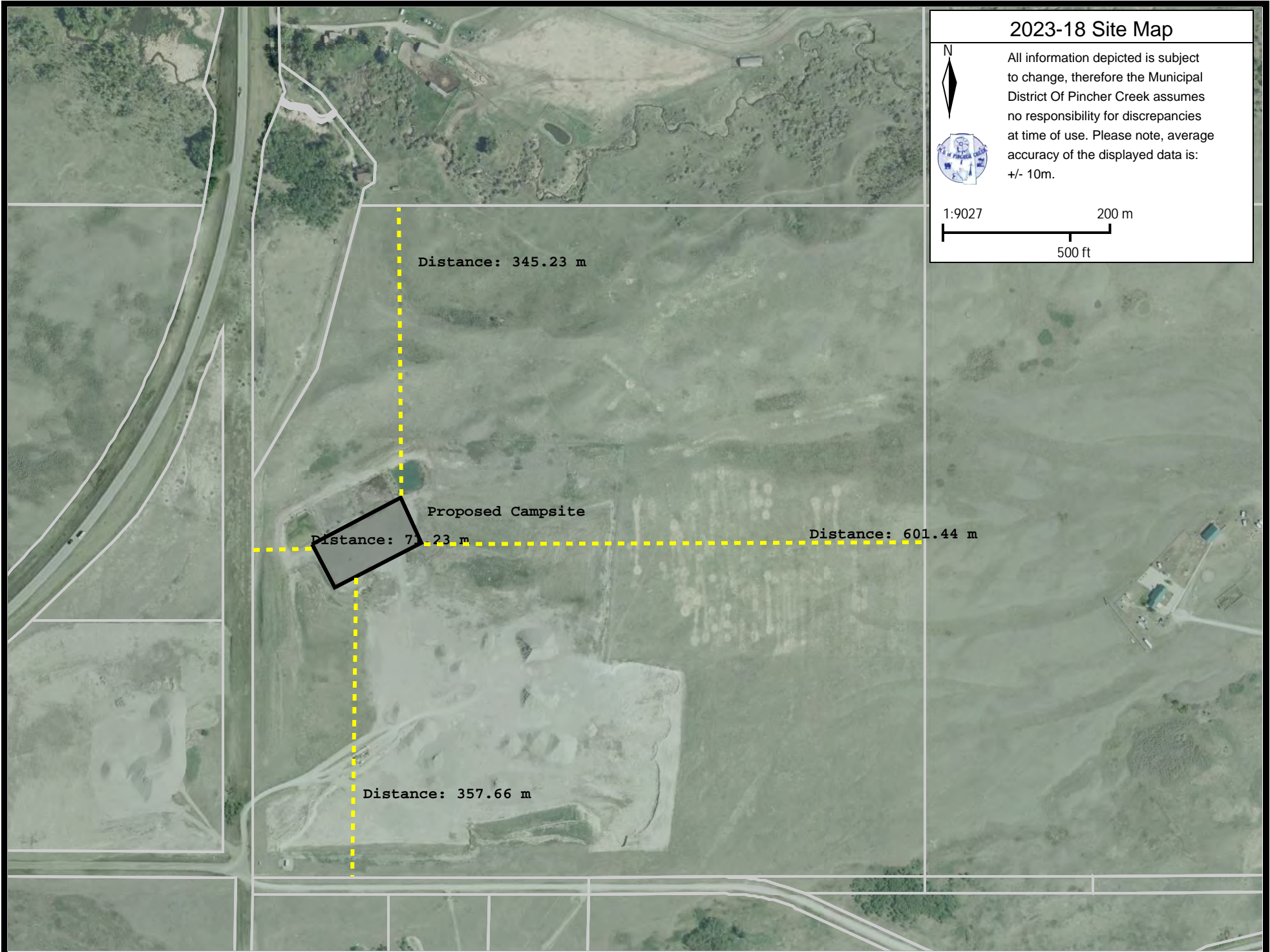
Distance: 345.23 m

Proposed Campsite

Distance: 71.23 m

Distance: 601.44 m

Distance: 357.66 m



Via email – April 26 2023 (b [REDACTED] )

Hi Laura,

We have not seen a response to Larry's question.

Please accept the following as our opposition to the proposed Development Permit Application (2023-18) for a temporary work camp. As you are aware this is the 2<sup>nd</sup> application in short order to use this parcel of land for a work camp/laydown yard and much of the same concerns that were raised with that application still exist with this one although on a smaller scale. We will present our opposition based on safety concerns, Environmental concerns, Noise pollution as well highlighting that development temporary or permanent of this nature and in this area contradict the essence of the Burmis Lundbreck Corridor plans objectives.

We spoke directly with the applicant, whom could not address our concerns, and then questioned as to whether my wife and I were going to be a thorn in their side throughout the project.

Our specific concerns are;

**Safety:**

1. As highlighted previously there are serious safety concerns for added traffic accessing highway 22 from this location. As you are aware this location accesses highway 3 at a location just above the main intersection with highway 3. Vehicles traveling South and traveling at highway speeds and heavily congested coming into highway 3. The North bound traffic is even more congested as everyone is lined up from the turn onto highway 22 and starting to accelerate at the top of this hill where this added traffic from the work camp will be looking to access highway 22. This added traffic just increases the likely hood of a serious motor vehicle accident. Once this project commences at the BC/Alberta border heading east the traffic lineups will be kilometers long which further increases the likely hood of accidents at these critical intersections.

**Environmental Concern:**

1. As we stated during conversations that took place on the other development permit all the land owners in the area are on Shallow culvert type wells in this area. This application has very limited information on where this work camp plans to access potable water from (This work camp drawing from the aquifer that feeds us will be of major concern).
2. There is limited detail of how they propose to empty the waste tanks of the work camp. Will grey water from the trailers be dumped on the ground?
3. There is limited information on actual numbers of units that will be utilizing this location as well as traffic. (Only states approx. numbers).
4. There are plans to power the site from a mobile generator, concerns exist about fuel spills and leakage to ground water and the aquifer we depend upon.
5. Additional fugitive dust concerns are increased with more traffic

**Noise Pollution:**

1. As previously highlighted in the last application everything that occurs in this location echo's throughout the valley and travels East towards our residences. There is nothing that occurs at that pit that can't be heard within the walls of our home (Constant West Winds).

2. With this camp being fed from a mobile diesel/gas generator that will run 24/7 to provide power for this work camp it's with absolute certainty that constant engine noise will impact us.
3. Its also unknown at this point how much residual noise will be created just by the added people residing in this location and their traveling to and from.

We would also like it to be known that this paving project is taking place from the BC/Alberta boarder heading east 30K/M. Over 95 percent of the project this work camp is supporting resides inside the Crowsnest Pass. There is no direct benefit to the MD or us as landowners.. We bare the burden of the impacts for a project our side our borders.

In closing we would like it to be known that this gravel pits has impacts on all of the above raised concerns on an almost daily basis. These impacts are further exuberated when they crush at this location. As land owners the MD approving this development permit just subjects us to even more exposure to the listed impacts we have highlighted. There are far better locations for this type of development whether it is temporary or permanent, as well as locations far closer to the work area.

Thank you  
Shawn & Corrina Anctil

FROM THE OFFICE OF

# TROUT WRANGLER LODGE

---

April 27, 2023

Laura McKinnon  
M.D of Pincher Creek  
1037 Herron Ave,  
P.O. Box 279  
Pincher Creek, Alberta  
TOK 1W0  
[lmckinnon@mdpincercreek.ab.ca](mailto:lmckinnon@mdpincercreek.ab.ca)

Attn: Laura McKinnon and To Whom It May Concern:

**RE: Development Permit Application No. 2023-18**  
**Within SW 35-7-2 W5**

As an adjacent land owner and operator of a 5 star BnB on the same property, I am writing to you inform you that I have a concern with the above application and would request that if you approve this application you apply the following condition:

“require the applicant to draw electric power from the Fortis power line running north/south on the east side of highway 22, just west of the proposed site, rather than running a 175-250 watt diesel generator 24/7 for the duration of the camp operation” (1.5-2 months)

My request is based on the following reasons:

**Air pollution:** The application states that there will be a 175-250 watt diesel generator supplying power to the 20-30 trailers on the site. A generator that size running non stop for 1.5-2 months and burning roughly 30 plus litres of diesel fuel per hour, will be emitting exhaust 24/7 during the duration of the proposed camp. With no prediction or indication of which way the wind will blow on any given day this exhaust pollution will inevitably end up at my

home and over my property and potentially causing an issue for myself, my neighbours and my guests.

**Noise pollution:** The potential for noise pollution is inevitable. A generator that size produces anywhere from 75 to 100 db of noise. Not only am I extremely concerned about the non stop noise for myself, my neighbours and my guests but also for the dwellers of the camp itself. Why subject your employees and their families to the non stop noise pollution of a 175-250 watt generator running 24/7 when they could tap into the power line that is less than 80 meters away and have to noise what so ever?

**Fuel consumption and cost:** A generator that size burns approx. 35 litres of diesel fuel per hour at full operation. Even if we calculate only 25 litres an hour that generator will burn 600 litres of diesel fuel per day and a staggering 18,000 litres per month. Given the duration of approximately 2 months this one generator could burn over 36,000+ liters of diesel fuel! Multiply that by \$1.59 per litre (last time I looked) is approximately \$57,250.00 just in fuel costs alone. (and that doesn't include the cost of the generator itself) I find it hard to believe that Fortis would charge more than that to hook up a temporary electrical box and supply the power?

I also trust that this application will be treated the same as any other RV park/camp application as far as sewage disposal, grey water disposal, garbage disposal, noise hour restrictions, etc.

Thank you in advance for your consideration of my objection and condition to this application and I hope you give it serious consideration.

**Sincerely yours,**

Larry Whan

## Recommendation to Municipal Planning Commission

<b>TITLE:</b>	DEVELOPMENT PERMIT No. 2023-19	
<b>Applicant:</b>	Sophie LaRocque	
<b>Location</b>	Lot 1, Block 1, Plan 2210365 within SW 18-3-29 W4	
<b>Division:</b>	5	
<b>Size of Parcel:</b>	6.22 ha (15.37 Acres)	
<b>Zoning:</b>	Agriculture - A	
<b>Development:</b>	Country Inn	
<b>PREPARED BY:</b> Laura McKinnon		<b>DATE:</b> April 27, 2023
<b>DEPARTMENT:</b> Planning and Development		
<b>Signature:</b>		<b>ATTACHMENTS:</b>
		<ol style="list-style-type: none"> <li>1. Development Permit Application 2023-19</li> <li>2. Bee &amp; Bear Country Inn Information</li> <li>3. GIS Site Plan</li> <li>4. Adjacent Landowner Responses</li> </ol>
<b>APPROVALS:</b>		
	 Roland Milligan	2023/04/27
<b>Department Director</b>	<b>Date</b>	<b>CAO</b>
		<b>Date</b>

**RECOMMENDATION:**

That Development Permit Application No. 2023-19, for a Country Inn, be approved subject to the following Condition(s):

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That this development meet Food and House Regulations as required.
3. Use of new or accessory buildings for Country Inn purposes will require additional development permits.

**BACKGROUND:**

- On April 11 2023, the MD accepted the Development Permit Application No. 2023-19 from applicant Sophie LaRocque (*Attachment No. 1*).
- The application is to allow for a Country Inn on an Agricultural parcel (*Attachment No. 2*).
- This application is being placed in front of the MPC because:
  - Within the Agriculture – A Land Use District, Country Inn is a Discretionary Use.
- The existing location of the house meets all required setbacks. (*Attachment No. 3*).
- The applicant currently operates a Bed and Breakfast out of this location, however would like to increase capacity and developmental potential by changing to Country Inn.
- Sufficient water and septic capacity already exist for the current Bed and Breakfast operations.

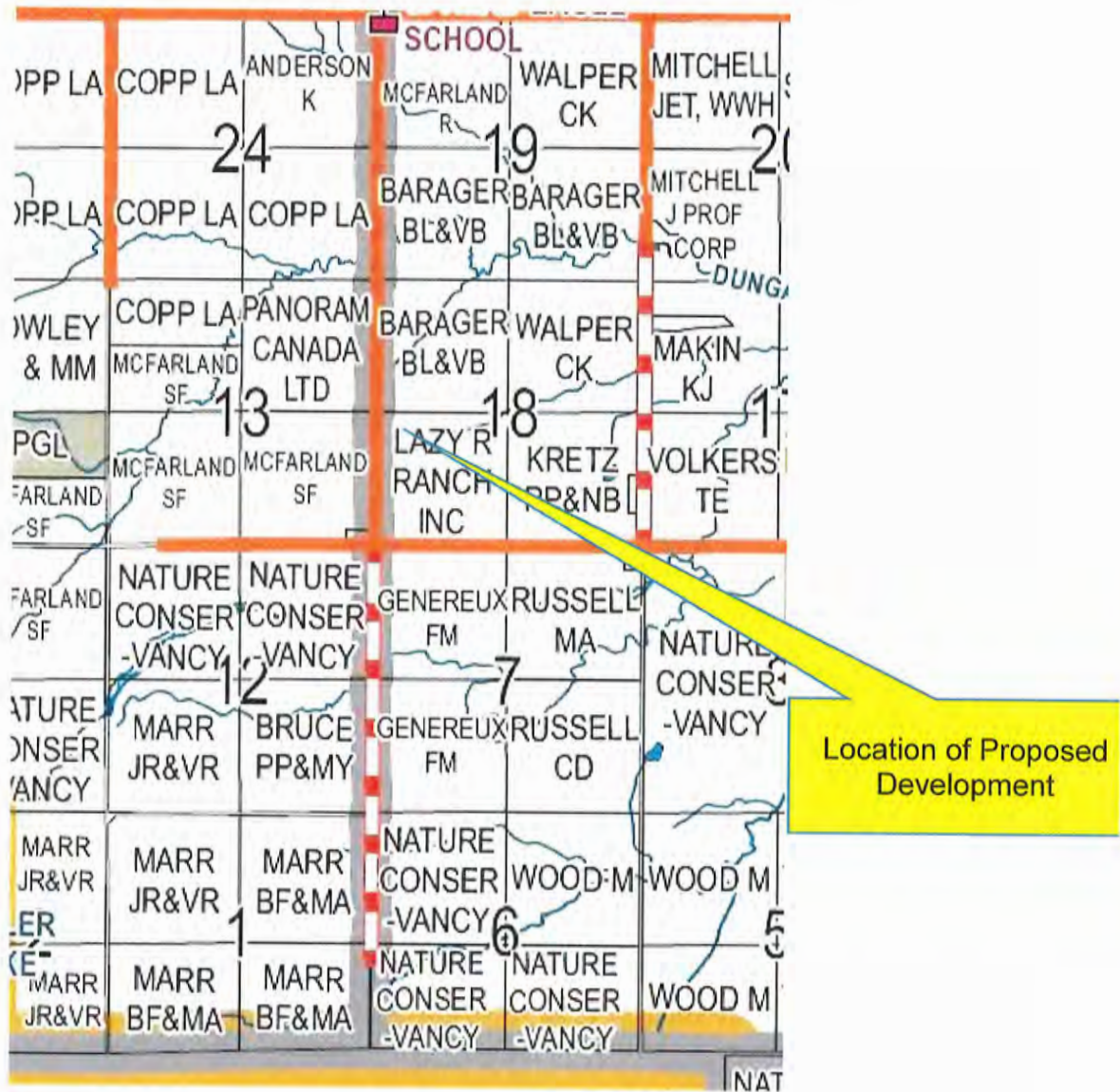


## Recommendation to Municipal Planning Commission

- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report three responses had been received (*Attachment No. 4*)

# Recommendation to Municipal Planning Commission

## Location of Proposed Development





Municipal District of Pincher Creek  
P.O. Box 279  
Pincher Creek, AB T0K 1W0  
Phone: 403.627.3130 • Fax: 403.627.5070

### DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2023-19

Date Application Received Apr 11/23

PERMIT FEE \$100 Permitted / \$150 Discretionary

Date Application Accepted Apr 11/23

RECEIPT NO. 57202

Tax Roll # \_\_\_\_\_

*IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will be made available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9.*

#### SECTION 1: GENERAL INFORMATION

Applicant: Sophie LaRogue  
Address: GD Twin Butte AB T0K 2J0  
Telephone: [REDACTED] Email: [REDACTED]  
Owner of Land (if different from above): Lucy Copp  
Address: see above Telephone: [REDACTED]  
Interest of Applicant (if not the owner): Manager / daughter

#### SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

Country Inn - running a B+B out of existing residence & facilities.

Legal Description: Lot(s) 1  
Block 1  
Plan \_\_\_\_\_  
Quarter Section SW-18-03-29-4

Estimated Commencement Date: May 12, 2023

Estimated Completion Date: \_\_\_\_\_

- Addendum

**SECTION 3: SITE REQUIREMENTS**

Land Use District: Agriculture - A Division: 1

Permitted Use  Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes  No

Is the proposed development below a licenced dam?

Yes  No

Is the proposed development site situated on a slope?

Yes  No

If yes, approximately how many degrees of slope? \_\_\_\_\_ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes  No  Don't know  Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes  No  Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) %Site Coverage by Building (within Hamets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing) ↑

Existing house meets all required setbacks

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

**SECTION 4: DEMOLITION**

Type of building being demolished : \_\_\_\_\_

Area of size: \_\_\_\_\_

Type of demolition planned: \_\_\_\_\_

**SECTION 5: SIGNATURES (both signatures required)**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

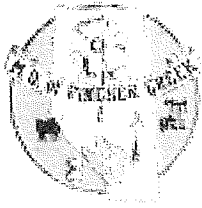
I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: April 11, 2023

*Stephane Pule Rogue*  
Applicant

*Lucy O'Connell*  
Registered Owner

Information on this application form will become part of a file which may be considered at a public meeting.



**MD of Pincher Creek No. 9**  
P.O Box 279  
1037 Herron Avenue  
Pincher Creek Alberta T0K 1W0  
(403) 627-3130  
Website: [www.mdpinchercreek.ab.ca](http://www.mdpinchercreek.ab.ca)  
Email: [info@mdpinchercreek.ab.ca](mailto:info@mdpinchercreek.ab.ca)

LaRocque, Sophie

**PAYMENT RECEIPT**

Receipt Number:	57202
Date:	4/11/2023
Initials:	SLM
GST Registration #:	10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00

Subtotal:	\$150.00
Discount	\$0.00
GST	\$0.00
Total Receipt:	\$150.00
Mastercard:	\$150.00
<b>Total Amount Received:</b>	<b>\$150.00</b>

### **Bee & Bear Country Inn Application**

The Bee & Bear is a Bed & Breakfast operation in Twin Butte, Alberta. We had our trial season last year, are pleased with the outcomes and are exploring options for the future of the venture. We apologize for not applying for a Development Permit last year, it was done out of a misunderstanding of business licenses not being required for the MD.

The Bee is a high-end Bed and Breakfast style vacation lodging with the capacity for 8 guests. For the immediate future (2023 season) there are no changes planned for the property. It will remain visually and functionally the same.

Our reasons for applying to the MD for this designation are to help us reach the following goals for this business:

- To bring operations within the bylaws and regulations of the MD
- To increase confidence moving forward with research and planning in this somewhat uncertain period regarding new developments in the MD

We are applying for a Country Inn designation vs regular BnB as it is more suitable to our current operations and allows for increased future opportunity:

- o An all-inclusive stay including 3 meals a day
- o The use of existing outbuildings
- o To allow for retail opportunities
- o Potential increase in guest capacity beyond 2023

Current considerations for future developments are the addition of a spa/wellness unit (sauna, hot tub, fitness room) which we would make available for community use during the off season to provide value to the community. We realize this would require further Permitting and Approval processes for which we are not yet prepared, but we would like a reasonable level of confidence before investing significant time and effort into the planning and research of this project.

A brief note about our target clientele: Our preferred groups to work with include guided fishing and adventure groups and other affluent travelers looking for bespoke opportunities to unplug and reconnect. Our pricing ensures that we are attracting only high-quality visitors to the neighborhood.

Thank you for the review and consideration of this application.

Regards,

Sophie LaRocque

### 2023-19 - Site Map



All information depicted is subject to change, therefore the Municipal District Of Pincher Creek assumes no responsibility for discrepancies at time of use. Please note, average accuracy of the displayed data is: +/- 10m.

1:2256

50 m

200 ft

Existing Dwelling  
for Proposed Use





## MD of Pincher Creek - Development Permit Application No. 2023-19 (Country Inn)

Rod Kretz &lt;[REDACTED]&gt;

Tue 2023-04-25 11:13 PM

To: Laura McKinnon &lt;AdminDevOfr@mdpincercreek.ab.ca&gt;

Cc: linvingstone.macleod@assembly.ab.ca &lt;linvingstone.macleod@assembly.ab.ca&gt;

 1 attachments (12 MB)

Development Permit No 202319.pdf;

Attn. Laura McKinnon,  
Development Officer, M.D. of Pincher Creek.

We are adjacent landowners to the quarter that this permit application is on. We are located straight west of this site with our home, outbuildings and livestock on our agricultural land.

We have multiple concerns about this application as it is very vague and leaves only clues as to what it will become in the future.

First off this notice reached us by mail on April 21st, 2023 giving us 6 days to respond "prior to April 27th, 2023". This is an inadequate amount of time as we are subjected to a deadline on an important precedent setting decision that may have long term negative effects on our agricultural community.

We would ask for an extension to this deadline as we see no benefits to rushing this decision especially in light of the fact that only adjacent land owners have been notified of this.

Further to this, the application states that "For the immediate future (2023) there are no changes planned for the property" so what then is the rush to process this application without giving time to the surrounding community to adequately examine the application and consult with each other? If there are to be no changes to the property until 2024, why the rush to finalize this application immediately? This calls for a public consultation as this precedent setting decision impacts not only adjacent land owners but every land owner in the municipality of Pincher Creek because every land owner could have an adjacent neighbor who wants to do the very same thing as this commercial application.

The MD of Pincher Creek could simply grant a one year business license to the applicant for the existing property to be run as a bed and breakfast as it was last year.

The following are our greatest concerns:

1. In this application, the applicant states they are currently without a

business license and have a capacity of eight guests at this residence. But they allude to increasing this capacity to an unspecified number which is how many? Does this mean building more hotel/motel type of accommodation?

2. Would this designation of "Country Inn" include the licensing of the premises for the serving of food and alcohol? We are not in favor of any commercial establishment that brings into our quiet country agricultural community, a restaurant/lounge/bar setting and the multiple issues and problems that always accompany alcohol serving establishments. Historically, in our Municipal district, these type of commercial operations have been confined to hamlets such as Twin Butte.

3. In the accompanying letter of application, it states "for increased future opportunities" and "the use of existing outbuildings" for exactly what purposes? The application does not specify, will the outbuilding become a commercial store to address the specified goal of "retail opportunities"? Or do the use of the outbuildings have some other unspecified intention? This application must be more specific and this proposed permit cannot be a blank check to do anything and everything when issued by the municipal district.

4. The addition of a sauna and hot tub (are these to be located inside or outside ?) if located outdoors, would pose a serious fire risk to surrounding neighbors. With the predominantly strong SW winds, a wildfire would directly damage multiple properties downwind. With Pincher Creek fire services being far from this location, what remedial measures are proposed to address these risks? Would one of the current or future activities for these "adventure groups" to "unplug" be to sit around and enjoy bonfires at night? That is a major concern since this location is subject to unpredictably strong winds. While we are sure that all the visitors will only be of the highest standards, "we are attracting only high quality visitors" there would be visitors from big cities that are not aware of the potential for starting wildfires, leaving garbage and food scraps out for bears/wildlife and negatively impact the Waterton Biosphere reserve that we are located in.

In our opinion, in the future, if there is to be more commercial activities, it should be concentrated along highway #6 to Waterton Park so as to minimize the negative effects on the community, wildlife and the Waterton biosphere reserve.

Thank you for your consideration,

Rod and Nancy Kretz

P.S. We have taken the liberty to inform our MLA Roger Reid of this permit application. The attachment contains info on the application correspondence.

## Development Permit App.# 2023-19

Linda Anderson Stewart <[REDACTED]>

Tue 2023-04-25 7:50 PM

To: Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

Dear Ms. Mc Kinnon,

In solidarity with neighbours who will be directly affected by this development request to expand the Bee and Bear , I do not support the increase to a greater presence. A B and B, with a proper license, is okay, anything more I don't approve of.

I believe this to still be a ranching community, where land for farming and grazing is at a premium already and does not need the extra burden of increased traffic and uninformed visitors to add to the stress.

Having lived on Hwy 6 for the last 30 years I have watched the invasion and degradation of our property by the increased numbers of visitors to the area, that we , unfortunately, have no control over. We are constantly picking up garbage and fecal leavings, having to close gates left open and endure loud vehicles and air traffic that disrupt our animals and our once peaceful home.

As a community we need to come together to decide what is the best path forward in changing times, however , for now, this is the tip of the iceberg that is not welcome to many of us who chose to live here for the quiet and fragile natural beauty.

Respectfully,  
Linda Anderson Stewart

## Development Permit Application No. 2023-19

John Webster Hochstadt <[REDACTED]>

Thu 2023-04-27 9:47 AM

To: Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

27 April 2023

Municipal District Council of Pincher Creek

Attn: Laura McKinnon, Development Officer

Re: Development Permit Application No. 2023-19

I live one mile east of the proposed development, on the Oil Basin Road, which would be used by guests and staff accessing the proposed "Country Inn".

I want to register my strong reservations about this application for two primary reasons.

First, your letter to the adjacent landowners failed to include the definition of "Country Inn" - which left people struggling to understand what kind of development was being proposed, with a very narrow window of opportunity in which to respond.

Second, nothing in the application would support the extremely short time allowed for public input, nor the implied urgency. The application clearly states no changes are contemplated for 2023. Therefore a simple B&B license would seem to be more than adequate at this time, allowing more time for the area residents to consider the request.

Personally, I would not welcome an increase in traffic on our quiet road, and would strenuously object should the proposed Inn apply for a liquor license.

Furthermore, I would question the applicant's assumption that people who could afford the rates charged were somehow thereby defined as "quality visitors." Wealthy people are perfectly capable of bad behaviour and possibly even more likely to bring attitudes of entitlement with them into our community.

Finally, I fully support the points raised in the detailed response, and the broader considerations, outlined by Kimberly Pearson and Mike Taylor.

Thank you for your consideration.

John Hochstadt  
NE 7 3 29 W4M  
Twin Butte

Bee and Berry Country Inn attn: Laura McKinnon

Sarah Spranza <[REDACTED]>

Thu 2023-04-27 10:31 AM

To: Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

To Laura and the MDPC Municipal Planning Commission,

I would like to submit a comment regarding the Bee and Bear Country Inn permit application. I am not an adjacent landowner, but I am a landowner and resident of the MD, and I do have concerns about the application.

It is my belief that this potential development could impact the entire landscape/MD from several perspectives, environmental impact (wildlife, water, waste and wastewater), recreational use, traffic. I have been made aware of the development from an adjacent landowner who just recently received the notice of permit application. I am concerned that there has not been much time allowed for comment before potential approval of the application. I am also concerned about what would be approved in this development. The application refers vaguely to future growth plans, but doesn't specify. Would approval of the future plans require new application? Or would approval of this permit be approving the future plans? If so, this sets a concerning precedent for other developments. What are the limits, guidelines and rules of Country Inn designation?

Thank you for considering my concerns. My suggestion is to table the application at this time for more time for public input and require more specificity around the scope of future development plans, or be sure to require another permit application for future development of the site.

Best wishes,

Sarah  
[REDACTED]

Spranza

To the Members of the Municipal District of Pincher Creek Municipal Planning Commission,

Re. Development Permit Application No. 2023-19

April 27, 2023

We live within ¼ mile of this proposed development and have several related comments, concerns, and questions which we appreciate you taking into consideration.

A primary concern is the application alluding vaguely to allowing 'increased future opportunity' without providing much detail on what those opportunities may be. Future intentions for the property within the Country Inn designation surely have implications on the current application and would be best considered as part of it.

We are disappointed the property has been operated as a bed and breakfast without proper permitting over the past year. If the MD hasn't enforced its own development bylaws with such an obvious business being operated without permit, does it have resources and capacity in place to monitor a scaled-up version operating under a permit?

Through the bed and breakfast's 'trial season' this past year, we've experienced some related noise and traffic issues, and had concerns with guests walking dogs off leash adjacent to our property. Our guardian dog is essential to our and our childrens' safety; we're concerned she will be drawn into conflict with uncontrolled dogs being walked by country inn guests who don't understand rural living.

We have these and other concerns with the proposed development, to a greater extent with an expanded clientele. Affluence of clientele does not necessarily translate to an understanding of how to behave in a rural area such as this. For example, even with management by country inn operators, potential for guests to come into conflict with wildlife such as grizzly and black bears, for example through improper securement of attractants, is real and could readily and directly impact us. Similarly, in an area prone to high fire hazard, high winds, and projections of increasingly extreme conditions, possibility of wildfire is a high concern for our neighbourhood; hosting volumes of non-local guests who are not familiar with how to behave in this environment increases that risk. Also, how will guests from away be managed in the vicinity of the development? Wandering across private property, leaving gates open, spreading invasive plants, and disturbing livestock and wildlife are all real issues that the community would prefer not to grow.

We're grateful to have been directly notified of the application, however, would have appreciated a longer turnaround time within which to comment, especially given that the notification letter only arrived in our mailbox late last week (mail is not as reliably efficient as in past). We've had less than a week to consider this and provide comment. Neighbours we've spoken with other than those who received letters were not at all aware of the application though it also has potential impacts on them.

Your decision has potential to impact neighbours, other community members, and the landscape in multiple ways in the long-term, and to establish a precedent for similar decisions. It is one that warrants taking adequate time to consider the implications carefully. How does this decision fit within municipal

planning for landscape-scale conservation, an increasingly important and wide-scale effort, and for tourism that is compatible with existing communities and the environment we rely on?

Thanks to the forward-thinking stewardship of generations of MD Pincher Creek ranching families and policy and decision makers, Agriculture (A) Land Use District has remained in a largely natural state since settlement. Together the community has made a concerted effort to maintain a strongly agricultural focus, an increasingly unique approach to land management along southwest Alberta's eastern slopes which is compatible with conservation of our headwaters and this highly biodiverse area.

Most of these land managers and policy/decision makers have likely recognized their role in caring not just for a relatively small area of land within the MD, but for a key part of a larger landscape that is unique and important in the world. The area is part of the Crown of the Continent Ecosystem, one of the most intact and fully functioning ecosystems remaining on the planet. It is part of the 'buffer zone' of the internationally recognized Waterton Biosphere Reserve and is on the doorstep of the Waterton-Glacier International Peace Park and World Heritage Site.

In recent decades, the community in the southernmost reaches of the MD with the support of partners has sought and implemented agricultural- and landscape conservation-focused alternatives to various types of developments. The Waterton Park Front Project, which the proposed development is within a half mile of, is an unprecedented effort to safeguard the agricultural and natural values of the land through a variety of conservation agreements.

An opportunity is before the MD to maintain the area toward continued maintenance of this uniqueness, which will sustain our community, continue to be internationally recognized for its approach, and be recognized by all who visit as a place worth returning to, not just for views of the mountains. We urge the commission to make decisions on this and future development applications with an eye to the MD continuing to play a key, long-term role in contributing to that, rather than with a narrow focus on how to capitalize on (and ultimately erode) it.

Several questions come to mind when looking at this application relative to Municipal District of Pincher Creek Land Use Bylaws. Section 6.39 states that a Country Inn is *an owner-occupied establishment*. We understand the owners do not occupy the premises but live on a separate property. How is this being addressed and if the owner is not occupying the site, how does this development differ from a Hotel/Motel (S.6.80) in that aspect?

The Bylaw also states (S.6.39) that a Country Inn *offers both accommodation of generally 24 or less guests and/or food service to the public...* Does this mean food service will be available to the general public who are not staying there? Does this include liquor service? We are concerned about potential of a commercial food and/or liquor service operation/restaurant being located at this site, and the associated volumes of traffic, noise, disturbance to wildlife, etc., it would bring.

S.48.4 notes that a Country Inn *shall be operated as a secondary use to the principal development and shall not change the principal character of the area in which it is located*. As far as we understand, operation of an inn has been the primary use of the property since it has been operated as an unpermitted bed and breakfast and would be going forward. A Country Inn would indeed change the principal character of the area from one that is agriculture-focused to one where tourism/commercial enterprise affects many aspects of the life of local residents and the landscape itself.



The application notes increased future use of existing outbuildings and retail opportunities. The primary existing outbuilding is a very large industrial-sized shop – what sort of events or other uses does the applicant have plans for, and would they be considered ‘accessory’ to a Country Inn (S.48.9)? What sorts of retail opportunities are envisioned?

In summary, in addition to inconsistencies between the application and MD bylaws, our primary concerns with the proposed development are direct impacts on the peaceful enjoyment of our property, inconsistency with the dominant land use in the area, eroding the area’s high conservation value and world-renowned land stewardship accomplishments, and setting a precedent for development taking place beyond the context of well-thought-out plans.

Thank you for considering our perspectives in your decision-making.

Respectfully,

Kimberly Pearson and Michael Taylor

Residents of SE 13-3-30 W4M

## Recommendation to Municipal Planning Commission

<b>TITLE:</b> DEVELOPMENT PERMIT No. 2023-21 <b>Applicant:</b> Cameron & Deanne Bertsch <b>Location:</b> Lots 1-7, Block 14, Plan 7850 within Beaver Mines <b>Division:</b> 3 <b>Size of Parcel:</b> 0.19 ha (0.49 Acres) <b>Zoning:</b> Hamlet Single Detached Residential 1 – HR-1 <b>Development:</b> Moved In Residential Building	
<b>PREPARED BY:</b> Laura McKinnon	<b>DATE:</b> April 26, 2023
<b>DEPARTMENT:</b> Planning and Development	
<b>Signature:</b> 	<b>ATTACHMENTS:</b> 1. Development Permit Application 2023-21 2. Cabin Photo 3. GIS Site Plan
<b>APPROVALS:</b>	
 _____ <b>Roland Milligan</b>	 _____ <b>2023/04/27</b>
<b>Department Director</b>	<b>Date</b>
<b>CAO</b>	<b>Date</b>

**RECOMMENDATION:**

That Development Permit Application No. 2023-21, for a Moved In Residential Building, be approved subject to the following Condition(s):

**Condition(s):**

1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
2. That the applicant adhere to conditions set forth within the required Alberta Transportation Roadside Development Permit, to be attached to and form part of this permit.

**BACKGROUND:**

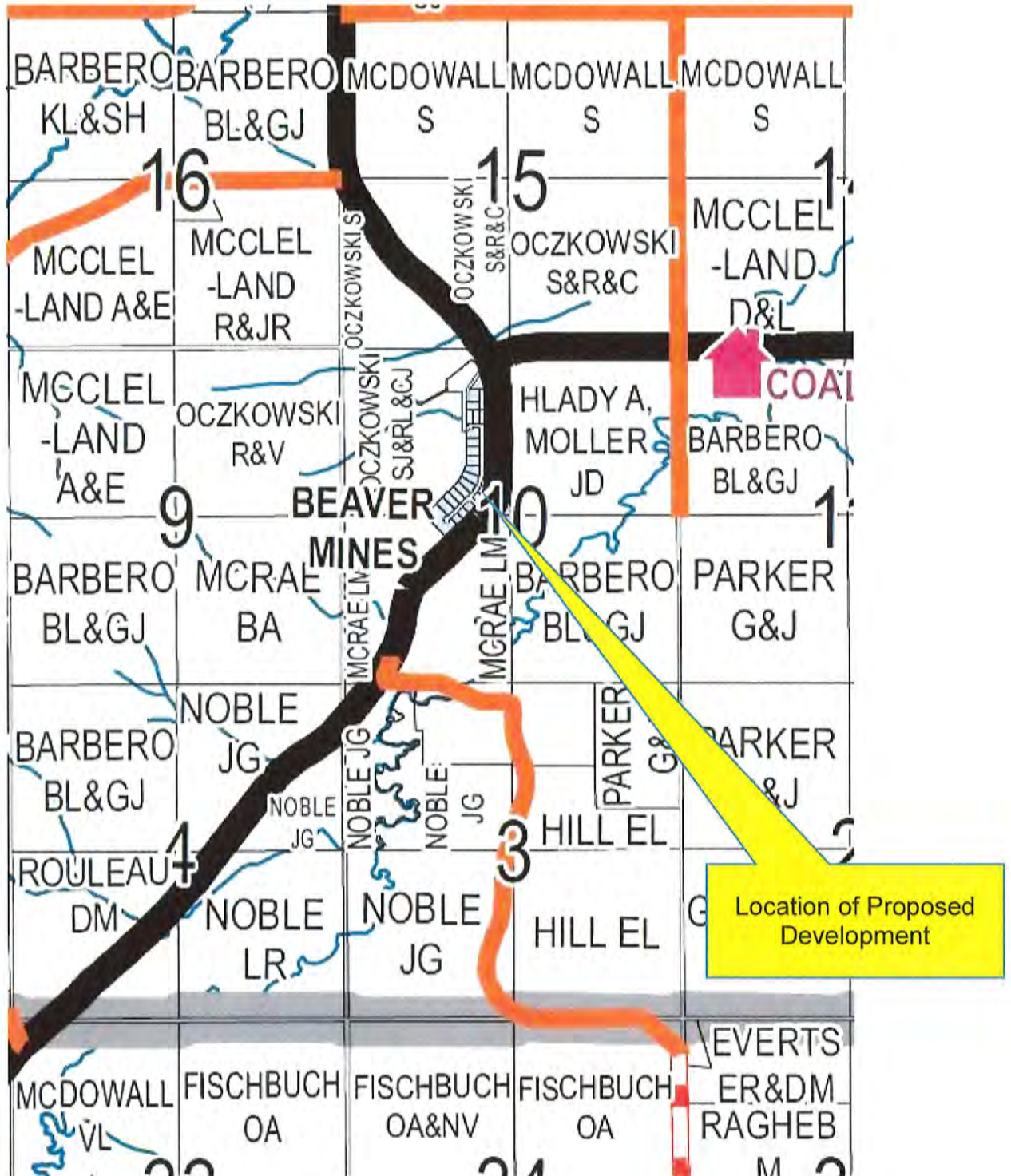
- On April 11 2023, the MD accepted the Development Permit Application No. 2023-21 from applicants Cam and Deanne Bertsch (*Attachment No. 1*).
- The application is to allow for a Moved In Residential Building on an Hamlet Detached Single Residential 1 parcel (*Attachment No. 2*).
- This application is being placed in front of the MPC because:
  - Within the Hamlet Single Detached Residential 1 – HR-1 Land Use District, Moved In Residential Building is a Discretionary Use.
- The proposed location of the house meets all required setbacks. (*Attachment No. 3*).
- The applicants would be moving the cabin from another lot in Beaver Mines.

## **Recommendation to Municipal Planning Commission**

- Applicants future plans are to subdivide this lot. The location of the proposed cabin would follow setback requirements for the proposed subdivision.
- The application was forwarded to the adjacent landowners for comment. At the time of preparing this report no responses had been received.

# Recommendation to Municipal Planning Commission

## Location of Proposed Development





Municipal District of Pincher Creek  
P.O. Box 279  
Pincher Creek, AB T0K 1W0  
Phone: 403.627.3130 • Fax: 403.627.5070

### DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2023-21

Date Application Received April 11/23

PERMIT FEE: \$100 Permitted  
\$150 Discretionary

Date Application Accepted Apr 12/23

RECEIPT NO. 57215

Tax Roll # \_\_\_\_\_

*IMPORTANT: This information may also be shared with appropriate government / other agencies and may also be kept on file by those agencies. This information may also be used by and for any or all municipal programs and services. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9*

#### SECTION 1: GENERAL INFORMATION

Applicant: Cameron and Deanne Bertsch

Address: Box 43, Carbon Alberta

Telephone: [REDACTED] Email: [REDACTED]

Owner of Land (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Interest of Applicant (if not the owner): \_\_\_\_\_

#### SECTION 2: PROPOSED DEVELOPMENT

I/We hereby make application for a Development Permit under the provisions of Land Use Bylaw No. in accordance with the plans and supporting information submitted herewith and which forms part of this application.

A brief description of the proposed development is as follows:

This is for a move in residential building

Legal Description: Lot(s) 1 - 7

Block 14

Plan 7850AL

Quarter Section \_\_\_\_\_

Estimated Commencement Date: May 1, 2023

Estimated Completion Date: July 15, 2023

**SECTION 3: SITE REQUIREMENTS**

Land Use District: Hamlet Single Detached 1 -HR-1 Division: 3

Permitted Use     Discretionary Use

Is the proposed development site within 100 metres of a swamp, gully, ravine, coulee, natural drainage course or floodplain?

Yes     No

Is the proposed development below a licenced dam?

Yes     No

Is the proposed development site situated on a slope?

Yes     No

If yes, approximately how many degrees of slope? \_\_\_\_\_ degrees

Has the applicant or a previous registered owner undertaken a slope stability study or geotechnical evaluation of the proposed development site?

Yes     No     Don't know     Not required

Could the proposed development be impacted by a geographic feature or a waterbody?

Yes     No     Don't think so

<u>PRINCIPAL BUILDING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site	21000		
(2) Area of Building	900		
(3) %Site Coverage by Building (within Hamets)	4.2 %		
(4) Front Yard Setback Direction Facing:	15.2 M ' SE	6M (19.7ft) 6M (19.7ft)	Yes
(5) Rear Yard Setback Direction Facing:	12.2 M NW	7.5M (24.9ft)	Yes
(6) Side Yard Setback: Direction Facing:	1.5 M SW	1.5M (4.9ft)	Yes
(7) Side Yard Setback: Direction Facing:	39.6 M NE	1.5M (4.9ft)	Yes
(8) Height of Building	~30'		
(9) Number of Off Street Parking Spaces	2		

Other Supporting Material Attached (e.g. site plan, architectural drawing)

\_\_\_\_\_

\_\_\_\_\_

<b>ACCESSORY BUILDING</b>	<b>Proposed</b>	<b>By Law Requirements</b>	<b>Conforms</b>
(1) Area of Site	/		
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			

Other Supporting Material Attached (e.g. site plan, architectural drawing)

\_\_\_\_\_

\_\_\_\_\_

**SECTION 4: DEMOLITION**

Type of building being demolished : \_\_\_\_\_

Area of size: \_\_\_\_\_

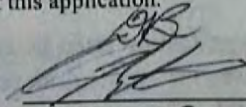
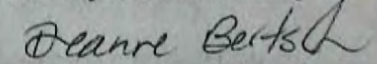
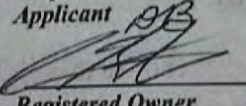
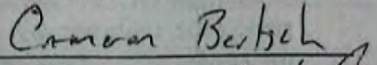
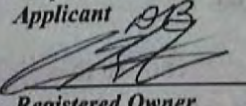
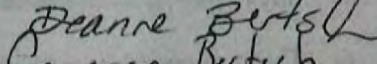
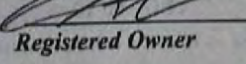
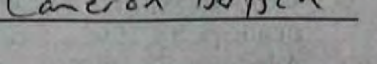
Type of demolition planned: \_\_\_\_\_

**SECTION 5: SIGNATURES (both signatures required)**

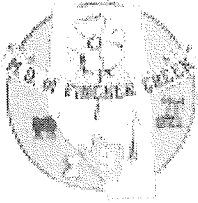
The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to this application for a Development Permit.

I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

DATE: 4/11/2023

	 Deanne Bertsch
	 Cameron Bertsch
	 Deanne Bertsch
	 Cameron Bertsch

**Information on this application form will become part of a file which may be considered at a public meeting.**



**MD of Pincher Creek No. 9**  
P.O Box 279  
1037 Herron Avenue  
Pincher Creek Alberta T0K 1W0  
(403) 627-3130  
Website: [www.mdpinchercreek.ab.ca](http://www.mdpinchercreek.ab.ca)  
Email: [info@mdpinchercreek.ab.ca](mailto:info@mdpinchercreek.ab.ca)

Bertsch, Cam

**PAYMENT RECEIPT**

Receipt Number:	57215
Date:	4/12/2023
Initials:	SLM
GST Registration #:	10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00

Subtotal:	\$150.00
Discount:	\$0.00
GST:	\$0.00
Total Receipt:	\$150.00
Mastercard:	\$150.00
<b>Total Amount Received:</b>	<b>\$150.00</b>





425  
2ND AVE.



## DEVELOPMENT OFFICER REPORT

**April 2023**

### **Development / Community Services Activities includes:**

- Apr 4                   Municipal Planning Commission Meeting
- Apr 6                   Meeting w/ Evolugen (Sunrise Solar Project)
- Apr 7                   Good Friday
- Apr 10                  Easter Monday
- Apr 13                  Landowner Meeting
- Apr 18                  Altalink Wildfire Mitigation Review - CNP
- Apr 19                  Special Council Meeting – DP-2023-02 Alberta Rocks
- Apr 26/27              Split SDO
- Apr 28                  Volunteer Day – Kananaskis Pro Rodeo

### **PLANNING DEPARTMENT STATISTICS**

#### **Development Permits Issued by the Development Officer for Apr 2023**

<b>No.</b>	<b>Applicant</b>	<b>Division</b>	<b>Legal Address</b>	<b>Development</b>
2023-20	Hailey Kopp/Justin Derhousoff	5	Lot 1, Block 14, Plan 1014465 within W 27-7-2 W5	Accessory Building
2023-22	Destination Development	3	Lot 85, Block 3, Plan 0012472 Within NE 24-4-4 W5	Addition to Single Detached Residence
2023-23	Brett & Cassidy Mayer	3	Lot 2, Block 1, Plan 0913700 within SW 8-6-1 W5	Modular Home
2023-24	Peter & Joanne Coldham	5	Lot 4, Block 1, Plan 9511008 within NW 12-7-3 W5	Accessory Building
2023-25	Nathan Pettersen	5	Lot 1, Block 21, Plan 0812738 within SE 26-7-2 W5	Modular Home

#### **Development Permits Issued by Municipal Planning Commission Apr 2023**

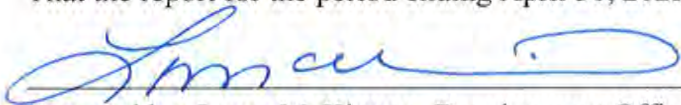
2022-47	Garry Marchuk	3	Lot 4, Block 5, Plan 8410414 within NW 10-6-2 W5	Accessory Building – Height Variance
2023-11	Shannon & Shauna Arseneault	5	Block 6, Plan 9811884 within W 27-7-2 W5	Singlewide, Manufactured Home
2023-12	Jesse Hammer	5	Lot 1, Block 1, Plan 9011927 within SE 29-9-2 W5	Country Inn
2023-14	Dan Chase	4	Within SE 10-7-29 W4	Airstrip & Accessory Building
2023-15	Russell & Melissa Friesen	2	SE 36-5-29 W4	Garden Suite

**Development Statistics to Date**

<b>DESCRIPTION</b>		<b>2023 To date (May)</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Dev Permits Issued	10 - Apr	18 11 -DO 7 -MPC	48 29 – DO 19 - MPC	68 46-DO 19-MPC	67 57-DO 10-MPC
Dev Applications Accepted	9 – Apr	25	49	70	67
Utility Permits Issued	5 – Apr	12	12	31	27
Subdivision Applications Approved	0 - Apr	3	8	20	18
Rezoning		0	5	0	0
<b>DESCRIPTION</b>		<b>2023 to Date (May)</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Compliance Cert	2 – Apr	7	32	41	24

**RECOMMENDATION:**

That the report for the period ending April 30, 2023, be received as information.



Prepared by: Laura McKinnon, Development Officer

Date: April 27, 2023

Respectfully Submitted to: Municipal Planning Commission