Municipal District of Pincher Creek No. 9 MUNICIPAL PLANNING COMMISSION

Council Chambers June 4th, 2024 6:30 pm Agenda

1. Adoption of Agenda

2. Minutes

- a. Meeting Minutes of May 7th, 2024
- 3. Closed Meeting Session
- 4. Unfinished Business

5. Development Permit Applications

- a. Development Permit Application No. 2024-23 Mike Vidricaire for Pribanics Portion of 13;; 29-3-28 W4 Secondary Suite
- b. Development Permit Application No. 2024-25
 Brianna Morrison
 Within NE 20-6-1 W5
 Recreational Accommodation Commercial Resort
- c. Development Permit Application No. 2024-26 Sheila and Mike Pratchler
 Lot 15, Block 1, Plan 2310716 within NE 12-7-3 W5
 Secondary Farm Residence

6. Development Reports

- a. Development Officer's Report
 - Report for May 2024
- 7. Correspondence
 - a. ADOA May Communicator
- 8. New Business
- 9. Next Regular Meeting July 2nd 2024
- 10. Adjournment

Meeting Minutes of the Municipal Planning Commission May 7th, 2024 6:30 pm MD of Pincher Creek Council Chambers

ATTENDANCE

Commission: Chairperson Jeff Hammond, Member at Large Laurie Klassen, Reeve Dave Cox,

Councillors Rick Lemire, Tony Bruder, Jim Welsch and John MacGarva

Staff: CAO Roland Milligan, Development Officer Laura McKinnon

Planning

Advisor: ORRSC, Senior Planner Gavin Scott

Absent:

Chairperson Jeff Hammond called the meeting to order, the time being 6:34 pm.

1. ADOPTION OF AGENDA

Councillor Jim Welsch

Moved that the agenda for May 7th, 2024, be approved as presented.

Carried

24/028

2. **ADOPTION OF MINUTES**

Reeve Dave Cox 24/029

Moved that the Municipal Planning Commission Meeting Minutes for April 2nd, 2024 be approved as amended.

Carried

3. **CLOSED MEETING SESSION**

Councillor Rick Lemire 24/030

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 6:35 pm.

Carried

Councillor Jim Weslch 24/031

Moved that the Municipal Planning Commission open the meeting to the public, the time being 7:46 pm.

Carried

4. UNFINISHED BUSINESS

5. **DEVELOPMENT PERMIT APPLICATIONS**

a. Development Permit Application No. 2024-11
 Andre McGaughey
 Lot 1, Block 1, Plan 0814776 within NE 25-7-2 W4
 Farm Building

Councillor John MacGarva

24/032

Moved that Development Permit No. 2024-11, for a Farm 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 1349-23.

Waiver(s):

- 1. That a shipping container be permitted use for storage within the Farm Building
- b. Development Permit Application No. 2024-14
 Fred MacKinnon
 Lot 21, Block 17, Plan 7610822 within Lundbreck
 Accessory Building

Councillor Tony Bruder

24/033

Moved that Development Permit No. 2024-14, for an Accessory Building, be denied subject to the following Reasons(s):

Reasons(s):

- 1. In accordance with Land Use Bylaw 1349-23 Administration Section 18.1(n), the MPC is of the opinion that there is insufficient information to determine the suitability of the proposed building and an adequate means of stormwater disposal. The MPC requires a full drainage plan presented to ensure that the placement and grading of the accessory building would not adversely affect both neighbouring properties. A grading and drainage plan must ensure proper drainage into both Municipal rights-of-way.
- 2. In accordance with Land Use Bylaw 1349-23 Administration Section 18.1(o), the MPC determined that the requested height exceeds the Maximum Building Height within the Hamlet Residential 2 district of 4.6m (15.1ft). The 1.2m (4.1ft) variance requested could not be approved without assurance that grade is not significantly increased in the backyard.

c. Development Permit Application No. 2024-15 James MacKinnon & Katarina Oczkowski Lot 2, Block 3, Plan 1013229 within ptn of 4-7-29 W4 Secondary Farm Residence

Councillor Jim Weslch

24/034

Moved that Development Permit No. 2024-09, for 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 1349-23
- 2. That the original manufactured home be removed after occupancy of the new manufactured home occurs.
- 3. 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 swelling to the satisfaction of the development authority.
- **4.** That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the National Building Code Alberta Edition.
- d. Development Permit Application No. 2024-17 Robert Stillman and Sharlene Williamson SE 1-6-2 W5 Secondary Farm Residence

Reeve Dave Cox 24/035

Moved that Development Permit No. 2024-17, for 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 1349-23
- **2.** That the existing home be converted for use as an accessory building and not a secondary suite.
- 3. 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 swelling to the satisfaction of the development authority.
- **4.** That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the National Building Code Alberta edition.

e. Development Permit Application No. 2024-19
Glenda Kettles O/A Dam Campground
Lot A, Block OT, Plan 2320 JK within NE 27-4-28 W4
Free Standing Sign and Recreational Accommodation – Commercial Highway

Councillor Tony Bruder

24/036

Moved that Development Permit No. 2024-19, for a 1.4m² (15ft²) Free Standing Sign and 10 additional campsites (20 total), be approved subject to the following Condition(s):

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1349-23
- 2. That the campsites be organized as depicted in the site plan and that trailers all face the same direction
- **3.** That all access into the Waterton Dam Public Day Use Area via the PRA is agreed upon with Alberta Parks.

6. **DEVELOPMENT REPORT**

a. Development Officer's Report

Councillor John MacGarva

24/037

Moved that the Development Officer's Report, for the period April 2024, be received as information.

Carried

7. **CORRESPONDENCE**

a. ORRSC Spring Periodical

Member at Large Laurie Klassen

24/038

Moved that the correspondence be received as information.

8. **NEW BUSINESS**

None

9. **NEXT MEETING** – June 4th, 2024; 6:30 pm.

10. **ADJOURNMENT**

Councillor John MacGarva

24/039

Moved that the meeting adjourn, the time b	eing 7:55 pm.
	Carried
Co-Chairperson Tony Bruder	Development Officer
Municipal Planning Commission	Laura McKinnon
	Municipal Planning Commission

Mike Vidricaire for Victor and Jeffrey Pribanic Portion of 13;; 29-3-28 W4 1 3.55 ha (8.78 Acres) Agriculture - A Secondary Suite		or Prinches Costs
Laura McKinnon	DATE: May 28, 2024	
Planning and Development		
	ATTACHMENTS: 1. Development Permit Ap 2. Development Permit 20 3. GIS Site Plan	
Al	PPROVALS:	
	Roland Milligan	2024/05/30 Date
	Mike Vidricaire for Victor Portion of 13;; 29-3-28 W4 1 3.55 ha (8.78 Acres) Agriculture - A Secondary Suite Laura McKinnon Planning and Development	Portion of 13;; 29-3-28 W4 1 3.55 ha (8.78 Acres) Agriculture - A Secondary Suite Laura McKinnon DATE: May 28, 2024 Planning and Development ATTACHMENTS: 1. Development Permit Ap 2. Development Permit 20 3. GIS Site Plan APPROVALS: Roland Milligan

RECOMMENDATION:

That Development Permit Application No. 2024-23, for a Secondary Suite, 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.

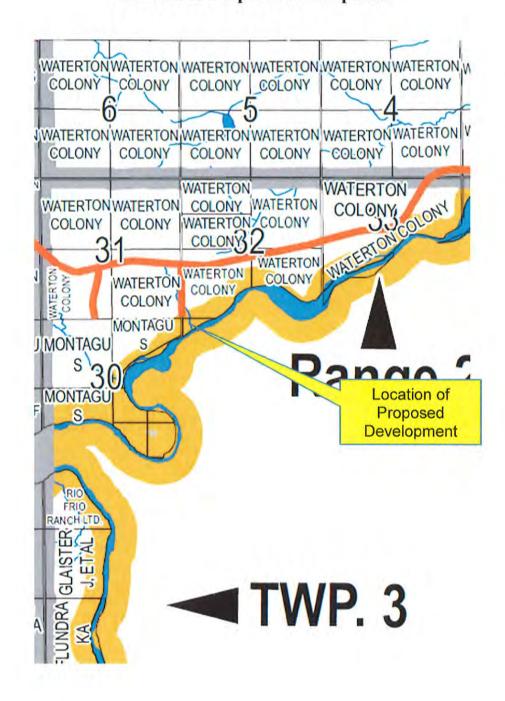
BACKGROUND:

- On May 7, 2024, the MD accepted the Development Permit Application No. 2024-23 from applicants Mike Vidricaire on behalf of Victor and Jeffrey Pribanic. (Attachment No. 1).
- This application is to allow for a Secondary Suite on an Agricultural parcel within a previously approved Accessory Building.
- This application is being placed in front of the MPC because:
 - Within the Agriculture A Land Use District, a Secondary Suite is a Discretionary Use.
- Development Permit 2024-05 was approved on January 25, 2024 as an accessory building with dog kennels, for personal hunting dogs when the property owners come up from the USA (Attachment No. 2).
- The purpose of the secondary suite is primarily for surveillance when the owners are in the USA, but also for guests of the owners when hunting here.
- The location of the Accessory Building meets all required setbacks. (Attachment No. 3)

Presented to: Municipal Planning Commission

- The application was forwarded to the adjacent landowners for comment; no responses were received at the time of this report being written. Cardston County has no concerns.

Location of Proposed Development



Presented to: Municipal Planning Commission



Municipal District of Pincher Creek P.O. Box 279 Pincher Creek, AB TOK (Wil Phone: 403,627,3130 o Fav: 403,627,5070

DEVELOPMENT PERMIT APPLICATION

All grey areas will be co	ompleted by the Planning Authority DEVELOPMENT P	PERMIT APPLICATION NO.	24-23	
Date Application Reco	6 L 1 22 M20	PERMIT FEE STROES	erski derk tary	
Date Application Acce	pred Mdy 7/24.	RECEIPT NO.		
Tax Roll #	Transfer of the second			
Has more man in may also be available to the public and a	on mar alle be chared with appropriate government and ared by and to anyon all municipal programs and wor to subject to the processor of the Providences Informati to this meanation, please contact the Municipal Portra	vises. The application and related file contents to non-and Protestion of Privacy AutoFOIPs. It year	ill become	
SECTION 1: GENER	ALINFORMATION			
Applicant: M.D	. Vidricairi			
Telephone:	Email Mi	KEV_ AIS 6 & SHAW. C	A	
Owner of Land (if diff	erent from above): VICTOR P	RIBANIC -		
Address		Telephone "		
	if not the owner): ADMINISTRATO		16	
pre-	SED DEVELOPMENT			
	ication for a Development Permit under the p	multiper of Land Clea Bylan Mo. in sec		
	orting information submitted herewith and wh		Solution	
	the proposed development is as follows:			
REDNEST /	PPROVAL FOR 52 x 40'	Accessory BuiLDING	To	
INCLUDE PER	SONUT AZE KENNETZ ZIDENPR	SHOP SPACE & DOL BATH	# CARETAKERS	SUITE
	M4. R28. TOB3 . 532.			
Legal Description:	1.01(3)			
		AL SUBDIVISION 13, AS SH		
		D 1922 (MARCH 15,19		
	Quarter Section NW 14 SEC. 8	29, TWP. 3 W. 4" MER	RIDIAN	
Estimated Commence	ment Date: JUNE 4, 202	4		
Estimated Completion	DAILE DECEMBER 4, 2024			
Municipal District of P		Pi	age 1 of 4	

Land Use District:	Agriculture-	4	Division:	
Permitted Use	D'Escretionary Use			-
	THE RESERVE OF THE PARTY OF THE	1		
is the proposed dev	elopment site within 100 metres of	a swamp, gully, ray	ine, coulee, natural	drainage cour
X Yes	□ No	(/		
Is the proposed dev	elopment below a licenced dam?			
☐ Yes	X No			
Is the proposed dev	elopment site situated on a slope?			
☐ Yes	X No	c die		
V	oximately how many degrees of slop	the second second		
Has the applicant o evaluation of the pr	or a previous registered owner und roposed development site?			inical
[] Yes	□ No □ Don't ki	ion X N	ot required	
	development be impacted by a ge		a waterbody?	
□ Yes	No 🗆 Don't th	ank so		
7.15	DING NO CHANGES	Proposed	By Law Requirements	Conforms
PRINCIPAL BUIL	- P 17	1		Conforms
7.15	NO CHUNCES	Proposed		Conforms
PRINCIPAL BUIL (1) Area of Site (2) Area of Building	NO CHUNCES	Proposed NIC		Conforms
PRINCIPAL BUIL (1) Area of Site (2) Area of Building	REQUIRED By Building (within Hamets)	Proposed NIC NIC		Conforms
PRINCIPAL BUIL (1) Area of Site (2) Area of Building (3) %Site Coverage (4) Front Yard Setba Direction Facil (5) Rear Yard Setba	DISC NO CHANGES REQUIRED by Building (within Hamets) ack ng: ck	Proposed NIC NIC NIC NIC		Conforms
PRINCIPAL BUIL (1) Area of Site (2) Area of Building (3) %Site Coverage (4) Front Yard Setba Direction Facil (5) Rear Yard Setba Direction Facil (6) Side Yard Setba	NO CHANGES REQUIRED by Building (within Hamets) ack ng: ck	Proposed NIC NIC NIC		Conforms
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(1) Area of Site (2) Area of Building (3) %Site Coverage (4) Front Yard Setba Direction Faci (5) Rear Yard Setba Direction Faci (6) Side Yard Setba Direction Faci (7) Side Yard Setba Direction Faci (8) Height of Buildi	DISC NO CHANGES REQUIRED by Building (within Hamets) ack ng: ck tg: ck tg: ck: ng:	Proposed NIC		Conforms

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	10.3 ACRES		
(2) Area of Building 52' 4 40'	2080 SARRE FT		
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing: WEST	106 METERS	7.54	403
(5) Rear Yard Setback Direction Facing: EAST	100 METERS	754	yes
(6) Side Yard Setback: Direction Facing: South	BO METERS	7.5M	yos
(7) Side Yard Setback: North	15 METERS	7.5m	yes
(8) Height of Building	6 METERS		0
(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	ı:N/A
Area of size:	
Type of demolition planned:	
SECTION 5: SIGNATURES (bo	oth signatures required)
	n 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.
facts in relation to this application I also consent to an authorized pers	for a Development Permit. son designated by the municipality to enter upon the subject land and buildings for
facts in relation to this application I also consent to an authorized pers	for a Development Permit.

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.

- 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
 - A non-refundable processing fee of an amount determined by Council shall accompany every application for a development permit.
- 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."

- 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
- 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.

Municipal District of Pincher Creek No. 9

Page 4 of 4



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 Email: info@mdpinchercreek.ab.ca

Dancing Rivers Fly Fishing Cor Terri Vidricaire

PAYMENT RECEIPT

Receipt Number:

61853

Date:

5/3/2024

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: Discount GST Total Receipt:	\$150.00 \$0.00 \$0.00 \$150.00
Visa:	\$150.00
Total Amount Received:	\$150.00







1037 Herron Ave. PO Box 279 Pincher Creek, AB T0K 1W0 p. 403.627.3130 f. 403.627.5070

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 DEVELOPMENT PERMIT DEVELOPMENT PERMIT No. 2024-5

This development permit is hereby issued to:

NAME: Michel Vidricaire acting for Victor & Jeffrey Pribanic

ADDRESS: 324 Monterey Dr SE High River AB T1V 0J7

In respect of works consisting of: • Accessory Building 148.65 m² (1600 ft²)

Covered Lean-To 37.15 m² (400 ft²)

On land located at: within 13;; 29-3-28 W4

and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2024-5

and is subject to the Condition(s) contained herein:

Condition(s):

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

Informative(s):

 That the approval does not include the use of a residence within the Accessory Building

This permit becomes effective the 25th day of January 2024, unless an appeal pursuant to section 686(1) of the *Municipal Government Act* is lodged within twenty one (21) days.

SIGNED

Laura McKinnon Development Officer

IMPORTANT - See Attached

THIS IS NOT A BUILDING PERMIT

Page 2

The development outlined above is subject to the following conditions:

- (a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.
- (b) This permit, issued in accordance with the notice of decision, is valid for a period of two (2) years from the date of issue. If, at the expiry of this period, the development has not been completed, an extension must be requested.
- (c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twenty four (24) months from the date of issue of this development permit
- (d) The Development Officer may, in accordance with section 645 of the *Municipal Government Act*, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
- (e) Construction undertaken in accordance with this development may be regulated by the provincial building requirements. The applicant / owner / developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by Alberta Labour.
- (f) Any development commenced prior to this permit being valid is entirely at the risk of the owner and/or applicant.

NOTE: Information provided in this application or generated by this application may be considered at a public meeting.

Inspection Information

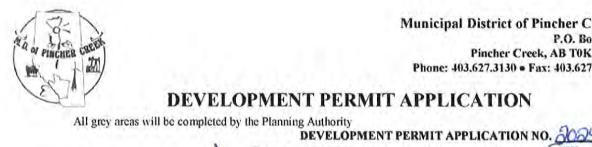
To obtain the necessary Safety Code permits, please contact:

Superior Safety Codes Inc. Phone: (403) 320-0734
Toll Free: 1-877-320-0734
Fax: (403) 320, 9969

Fax: (403) 320-9969

www.superiorsafetycodes.com

Note: Fire Permit inquiries are to be directed to the Pincher Creek and District Fire Hall at 403-627-5333.



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

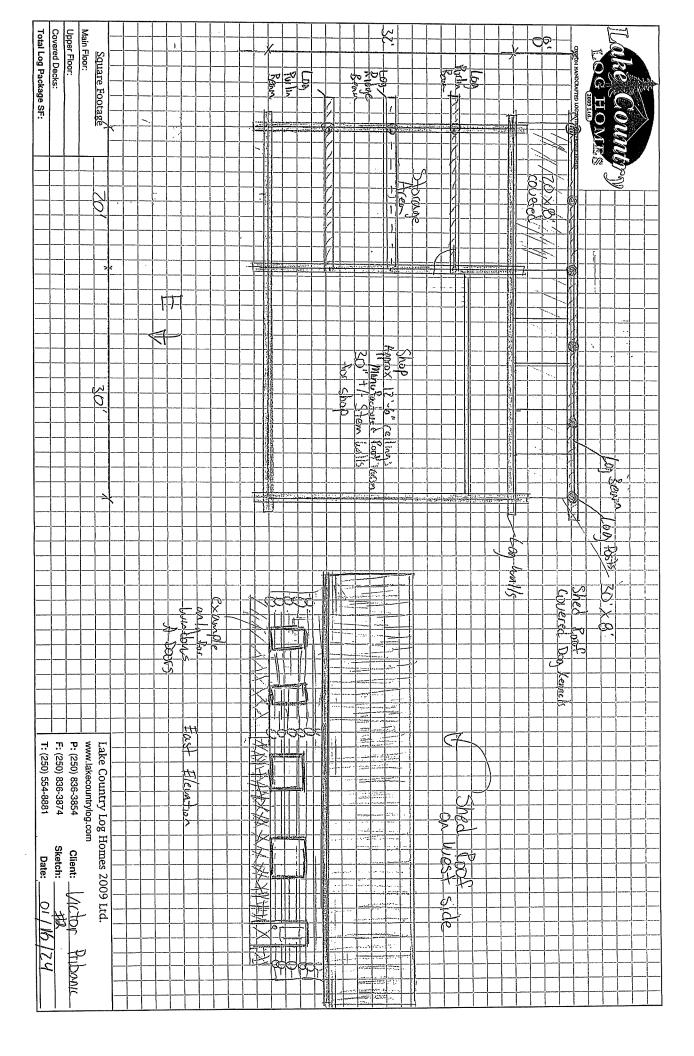
Date Application Received 100 38/24 PER	EMIT FEE 3150 Discretionary
Date Application Accepted 200 32/2	EIPT NO. @CO
Tax Roll # OBST COO	61000
IMPORTANT; This information may also be shared with appropriate government—other agencies and may also b This information may also be used by and for any or all municipal programs and services. The application and a available to the public and are subject to the provisions of the Freedom of Information and Protection of Priva questions about the collection of this information, please contact the Municipal District of Pincher Creek No. 9	related file contents will become
SECTION 1: GENERAL INFORMATION	
Applicant: M.D. VIDRICAIRE	
Address:	
Telephone: 5	
Owner of Land (if different from above): VICTOR PRIBANIC	
	phone:
	The state of the s
Interest of Applicant (if not the owner): ADMINISTRATOR FOR V.	PRIBANIC, M
SECTION 2: PROPOSED DEVELOPMENT	
I/We hereby make application for a Development Permit under the provisions of Land Use with the plans and supporting information submitted herewith and which forms part of this A brief description of the proposed development is as follows: REQUEST APPROVAL FOR 50' x 32' ACCESSORY 6	application.
INCLUDE PERSONAL USE KENNELS, STORAGE, SHOP SPACE	
Legal Description: Lot(s) M4-R28-T003.532. SW Block THAT PORTION OF LEGAL SUBDIVISION Plan TOWNSHIP PLAN DATED 1922 (M Quarter Section NW 1/4 SEC. 29, TWP. 3	13, AS SHOW ON ARCH 15, 1922)
Estimated Commencement Date: AUGUST 4, 2024	
Estimated Completion Date: DECEMBER 4, 2024	
Municipal District of Pincher Creek No. 9	Page 1 of 4

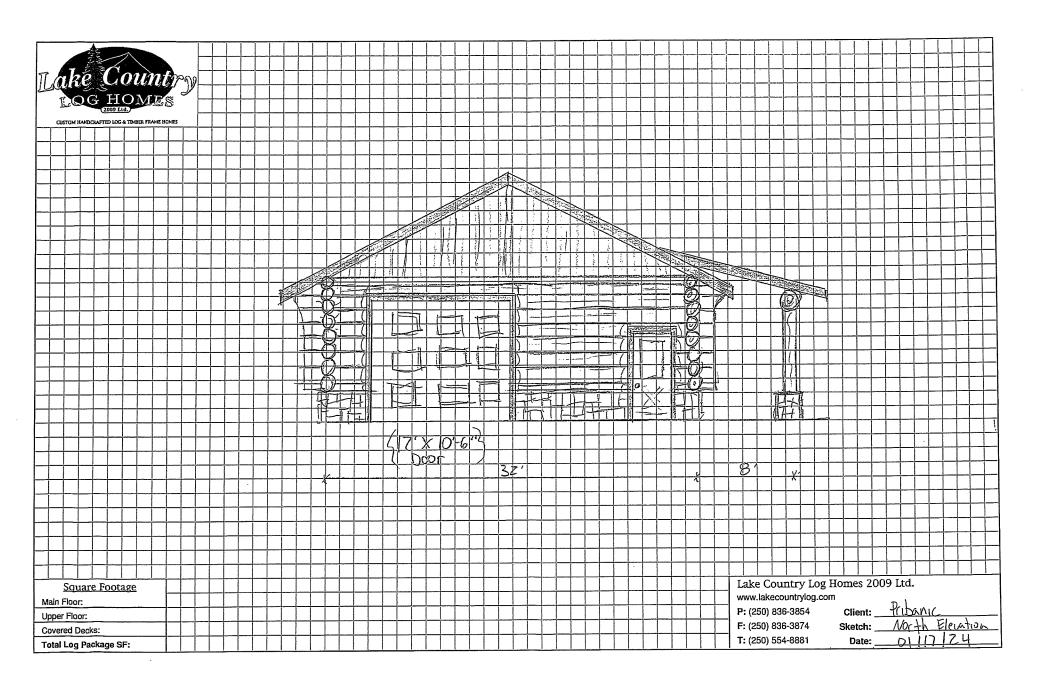
SECTION 3: SITE REQUIREMENTS			
Land Use District: Agriculture -	A	Division:	
Permitted Use Discretionary Use			
Is the proposed development site within 100 metres or floodplain?	of a swamp, gully, ra	vine, coulee, natural	drainage course
X Yes □ No			
Is the proposed development below a licenced dam?			
☐ Yes 💢 No			
Is the proposed development site situated on a slope	?		
□ Yes 💢 No	2712		
If yes, approximately how many degrees of slo	ppe? N/A deg	recs	
Has the applicant or a previous registered owner un evaluation of the proposed development site?	dertaken a slope stab	oility study or geotecl	hnical
☐ Yes ☐ No ☐ Don't l	know 🔀 N	ot required	
Could the proposed development be impacted by a g	경영 제 국가 에 개인이 있어? 이번 기가 맛이지네요. 어디 보다	a waterbody?	
PRINCIPAL BUILDING NO CHANGES	Proposed	By Law Requirements	Conforms
(I) Area of Site REQUIRED	NIC		
(2) Area of Building	NIC		
(3) %Site Coverage by Building (within Hamets)	NIC		
(4) Front Yard Setback Direction Facing:	NIC		
(5) Rear Yard Setback Direction Facing:	N/C		
(6) Side Yard Setback: Direction Facing:	NIC		
(7) Side Yard Setback: Direction Facing:	NIC		
(8) Height of Building	NIC		
(9) Number of Off Street Parking Spaces	NIA		
(9) Number of Off Street Facking Spaces			

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	10.3 ACRES		
(2) Area of Building 50' x 32'	1600 SQARE FT		
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing: WEST	106 neters	30M	405
(5) Rear Yard Setback Direction Facing: EAST	100 METERS	7.5H	45
(6) Side Yard Setback: Direction Facing: SOUTH	BO METERS	7.5M	yes
(7) Side Yard Setback: North	15 METERS	7.514	405
(8) Height of Building	5 METERS		0.0
(9) Number of Off Street Parking Spaces	N/A		

Other St DRA	upporting Material Attached (ANINGS FOR LOG	BUILDING (50' x 32')	WITH COVERE	D DECK/KENNELS (50x8)
SECTIO	ON 4: DEMOLITION			
Type of	building being demolished:	NA		
Area of s	size:			
Type of	demolition planned:			
SECTIO	ON 5: SIGNATURES (both	signatures required)		
facts in r	relation to this application for ensent to an authorized person	full and complete and is, to the best of a Development Permit. designated by the municipality to enter the processing of this application.		
1 1 1 1 1 1	1-19-24	pplicates	Ja .	
		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

Email: info@mdpinchercreek.ab.ca

Dancing Waters Fly Fishing Cor

PAYMENT RECEIPT

Receipt Number:

61000

Date:

1/22/2024

Initials:

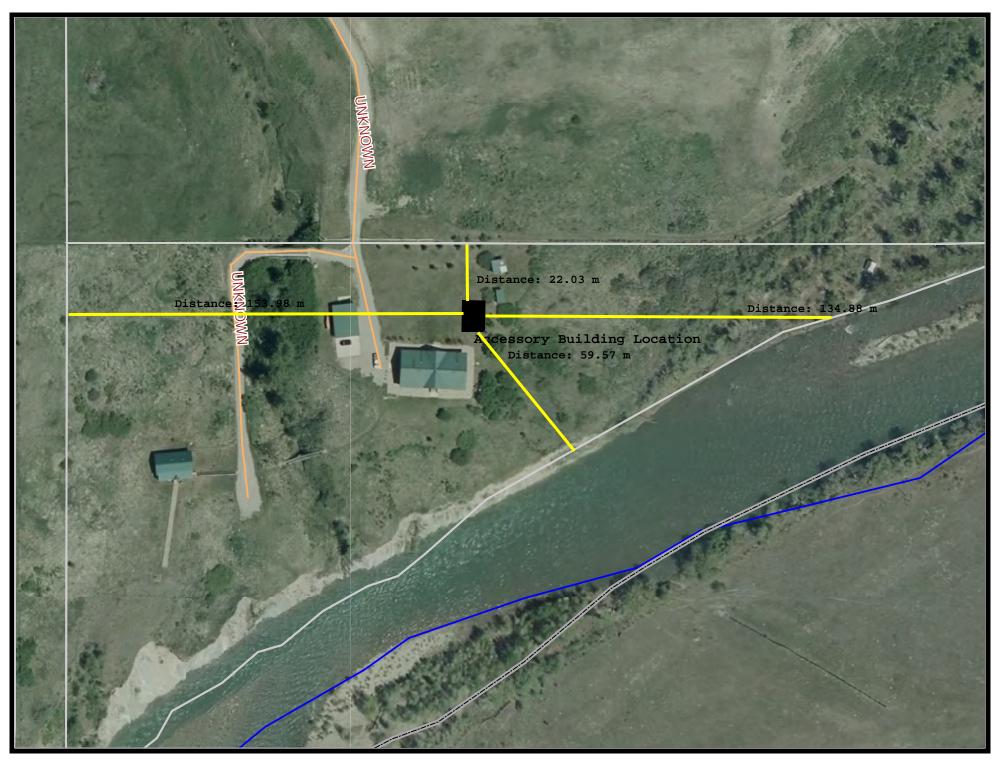
SLM

GST Registration #:

10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$100. 0 0	\$0.00
			Subtotal: Discount		\$100.00 \$0.00

Subtotal: Discount GST Total Receipt:	\$100.00 \$0.00 \$0.00 \$100.00
Visa:	\$100.00
Total Amount Received:	\$100.00





DEVELOPMENT PERMIT No. 2024-25 TITLE: **Brianna Morrison** Applicant: Location: Within NE 20-6-1 W5 Division: 31.87 ha (78.76 Acres) Rezoned area - 7.96 ha (19.67 ac) Size of Parcel: Rural Recreation 2 - RR-2 Zoning: Development: Recreational Accommodation - Commercial Resort PREPARED BY: Laura McKinnon DATE: May 28, 2024 **DEPARTMENT: Planning and Development** ATTACHMENTS: 1. Development Permit Application 2024-25 Signature: 2. Development Permit 2023-43 3. Saddle Hill Ranch Houses Proposal 4. GIS Site Plan - New 5. GIS of Road APPROVALS: Roland Milligan **Department Director** Date CAO Date

RECOMMENDATION:

That Development Permit Application No. 2024-25, for 2 Silo Units for Recreational Accommodation use, be approved subject to the following Condition(s):

Condition(s):

- That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. That if required, dust suppression be supplied by the applicant on Twp Rd 6-4A
- 3. That all garbage be contained in bear proof containers.
- 4. That a pet policy must be formed, and attached to this development permit to mitigate potential pet issues.
- That adequate signage be placed on property such as, but not limited to, trespassing, garbage and river usage.

BACKGROUND:

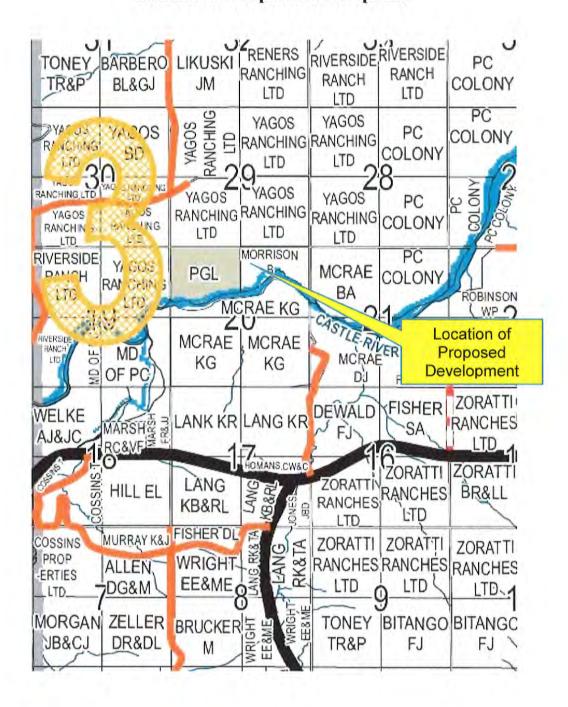
- On May 2, 2024, the MD accepted the Development Permit Application No. 2024-25 from applicant Brianna Morrison. (Attachment No. 1).
- This application is to allow for an additional two (2) silo units, totalling five (5) for Recreational Accommodation purposes on an Rural Recreation 2 parcel
- This application is being placed in front of the MPC because:

Presented to: Municipal Planning Commission

- Within the Rural Recreation 2 RR-2 Land Use District, Recreational Accommodation, Commercial Resort is a Discretionary Use.
- Development Permit 2023-43 was approved on September 6, 2024 for three (3) silo units (*Attachment No. 2*).
- The additional two units will bring the applicant to the total maximum number of units, being five (5) allowed according to the rezoning approval, along with the applicants proposal (Attachment No. 3)
- The location of all the silo units is within the rezoned area (Attachment No. 4).
- All actions previously taken by the applicant to mitigate impact on neighbours will be upheld for these additional silo units.
- The applicant's currently have a development agreement registered on title regarding road use on the undeveloped road allowance (*Attachment No. 5*) and will be required to maintain this for potential additional road use.
- The application was forwarded to the adjacent landowners for comment; no responses were received at the time of this report being written.

Presented to: Municipal Planning Commission

Location of Proposed Development



Presented to: Municipal Planning Commission



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. 2004-25
Date Application Re	ceived Mc4 2 2004	PERMIT FEE \$150 Discretionary
	cepted May 2 2024	RECEIPT NO.
Tax Roll #		
This information may also i available to the public and	be used by and for any or all municipal programs and se	other agencies and may also be kept on file by those agencies. prvices. The application and related file contents will become ation and Protection of Privacy Act (FOIP). If you have any wict of Pincher Creek No. 9
SECTION 1: GENE	RAL INFORMATION	
Applicant: Brea	nna Morrison	
Address: Box 20	608, Pincher Creek, AB	TOK 1W0
Telephone:	Email:	
	fferent from above):	
		. U.S. 2. Sec. 1
Address:		Telephone:
Interest of Applicant	(if not the owner):	
SECTION 2: PROP	OSED DEVELOPMENT	
	plication for a Development Permit under the poporting information submitted herewith and w	provisions of Land Use Bylaw No. in accordance which forms part of this application.
A brief description o	f the proposed development is as follows:	
construction of	of remaining 2 renovated grain	n bin cabins as per
approval thro	ugh theMD of Pincher Creek in	n January 2023
- 9 2012		
Legal Description:	Lot(s)	
	Block	
	Plan	
	Quarter Section NE 20-6-1 W	5
F-V	ement Date: July 01, 2024	
Estimated Commend	Dec 31, 2024	
Estimated Completion	on Date:	

SECTION 3: SITE REQ					
Land Use District:	oral?	Kecreal	tion 2 R	2 - Bivision: _	3
☐ Permitted Use ☐ 1	Discretionary 1	Use			
Is the proposed developm or floodplain?	nent site with	in 100 metres (of a swamp, gully, ravi	ne, coulee, natural	drainage course
□ Yes	■ No				
Is the proposed developn	nent below a	licenced dam?			
□ Yes	□ No				
Is the proposed developn	nent site situa	ated on a slope	}		
□ Yes	■ No	ATA TAN DISTO			
If yes, approxima	tely how man	y degrees of slo	pe?degre	es	
Has the applicant or a prevaluation of the propose			dertaken a slope stabil	ity study or geotec	hnical
□ Yes	□ No	□ Don't l	cnow 🗏 Not	required	
Could the proposed deve	lopment be in	mpacted by a g			
PRINCIPAL BUILDING	<u> </u>		Proposed	By Law Requirements	Conforms
(1) Area of Site			20 acres		
(2) Area of Building			350 sq ft		
(3) %Site Coverage by Bu	ilding (within	Hamets)	N/A		
(4) Front Yard Setback Direction Facing:			SW		
(5) Rear Yard Setback			N		
Direction Facing: (6) Side Yard Setback:		-	- ''		
Direction Facing:					
(7) Side Yard Setback: Direction Facing:					
(8) Height of Building			18 ft		
(9) Number of Off Street	Parking Space	es	N/A		
Other Supporting Material original MD prop		g. site plan, arch	nitectural drawing)		

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			
Type of building being demolished :			
Area of size:			
Type of demolition planned:			
SECTION 5: SIGNATURES (both signatures requi	red)		0.00
The information given on this form is full and complete facts in relation to this application for a Development Po		of my knowledge, a true	statement of the
I also consent to an authorized person designated by the the purpose of an inspection during the processing of the		r upon the subject land	and buildings for
DATE: May 02, 2024	BMo		
	pplicant P		

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.



1037 Herron Ave. PO Box 279 Pincher Creek, T0K 1W0 p. 403.627.3130 www.mdpinchercreek.ab.ca

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 DEVELOPMENT PERMIT DEVELOPMENT PERMIT No. 2023-42

This development permit is hereby issued to:

NAME:

Breanna Morrison

ADDRESS:

P.O. Box 2608 Pincher Creek, Alberta, T0K 1W0

In respect of works consisting of:

• Recreational Accommodation Units - Saddle Hill Ranch

House

3 Grain Silos for Accommodation Purposes

On land located at: within NE 20-6-1 W5 and as described on plans submitted by the applicant.

This permit refers only to works outlined in Development Application No. 2023-42 and is subject to the Condition(s) contained herein:

Condition(s):

- 1. That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. That if required, dust suppression be supplied by the applicant on Twp Rd 6-4A
- 3. That all garbage be contained in bear proof containers
- 4. That a pet policy must be formed, and attached to this development permit to mitigate potential pet issues
- 5. That adequate signage be placed on property such as, but not limited to, trespassing, garbage and river usage

This permit becomes effective the 6st day of September, 2023, unless an appeal pursuant to section 686(1) of the *Municipal Government Act* is lodged within fourteen (14) days

Laura McKinnon

Development Officer

IMPORTANT - See Attached

THIS IS NOT A BUILDING PERMIT

The development outlined above is subject to the following conditions:

- (a) This permit indicates that only the development to which it relates is authorized in accordance with the provisions of the land use bylaw and in no way relieves or excuses the applicant from complying with the land use bylaw or any other bylaw, laws, orders and/or regulations affecting such development.
- (b) This permit, issued in accordance with the notice of decision, is valid for a period of two (2) years from the date of issue. If, at the expiry of this period, the development has not been completed, an extension must be requested.
- (c) If this development permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twenty four (24) months from the date of issue of this development permit
- (d) The Development Officer may, in accordance with section 645 of the Municipal Government Act, take such action as is necessary to ensure that the provisions of this bylaw are complied with.
- (e) Construction undertaken in accordance with this development may be regulated by the provincial building requirements. The applicant / owner / developer assumes all responsibilities pertaining to construction plan submissions, approvals and inspections as may be required by Alberta Labour.
- (f) Any development commenced prior to this permit being valid is entirely at the risk of the owner and/or applicant.

NOTE: Information provided in this application or generated by this application may be considered at a public meeting.

Inspection Information

To obtain the necessary Safety Code permits, please contact:

Superior Safety Codes Inc. Phone: (403) 320-0734 Toll Free: 1-877-320-0734 Fax: (403) 320-9969

www.superiorsafetycodes.com

Please Note: Fire Permit inquiries are to be directed to the Pincher Creek and District Fire Hall at 403-627-5333.



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 DEVELOPMEN	T PERMIT APPLICATION NO. 2023-42
Date Application Re	ceived 2583/08/09	PERMIT FEE \$150 Discretionary
	the real control of the control of t	RECEIPT NO. 59765
Tax Roll #	cepted Aug 9 2023	
IMPORTANT: This information may also available to the public and	ation may also be shared with appropriate government be used by and for any or all municipal programs and	other agencies and may also be kept on file by those agencies. I services. The application and related file contents will become mation and Protection of Privacy Act (FOIP). If you have any istrict of Pincher Creek No. 9
SECTION 1: GENE	ERAL INFORMATION	
Applicant: Brear	nna Morrison	
	08, Pincher Creek, AB T0	< 1W0
	Email: t	
Owner of Land (if di	ifferent from above):	
Address:		Telephone:
Interest of Applicant		
SECTION 2: PROP	POSED DEVELOPMENT	
	plication for a Development Permit under th oporting information submitted herewith and	e provisions of Land Use Bylaw No. in accordance which forms part of this application.
A brief description of	of the proposed development is as follows:	
constructing	3 renovated Grain Bin Cal	bins as per approval through
the MD of P	incher Creek in January	
2 2	6.156	
Legal Description:	Lot(s)	
	Block	
	Plan	
	Quarter Section NE 20-6-1 W5	
Estimated Commence	September 01, 20)23
Estimated Completic	November 01, 2023	

	0
Division:	3
, gully, ravine, coulee, natural	drainage cours
degrees	
slope stability study or geotec	hnical
■ Not required	
feature or a waterbody?	
posed By Law Requirements	Conforms
acres	
sq feet	
N My deler me	de
SW James	
1000	
N Por Ma	J.
hy "	
0	
Feet	
J/A	
awing) al Building x 3 for 3 Cab	oins)
	Building x 3 for 3 Cat

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:			J
(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, arch	nitectural drawing)		
SECTION 4: DEMOLITION	nitectural drawing)		
SECTION 4: DEMOLITION Type of building being demolished :	nitectural drawing)		
SECTION 4: DEMOLITION Type of building being demolished:			
SECTION 4: DEMOLITION Type of building being demolished: Area of size:			
SECTION 4: DEMOLITION Type of building being demolished: Area of size: Type of demolition planned:	ired) e and is, to the best of	f my knowledge, a true	e statement of the
SECTION 4: DEMOLITION Type of building being demolished: Area of size: Type of demolition planned: SECTION 5: SIGNATURES (both signatures requires)	ired) e and is, to the best of termit. e municipality to enter		

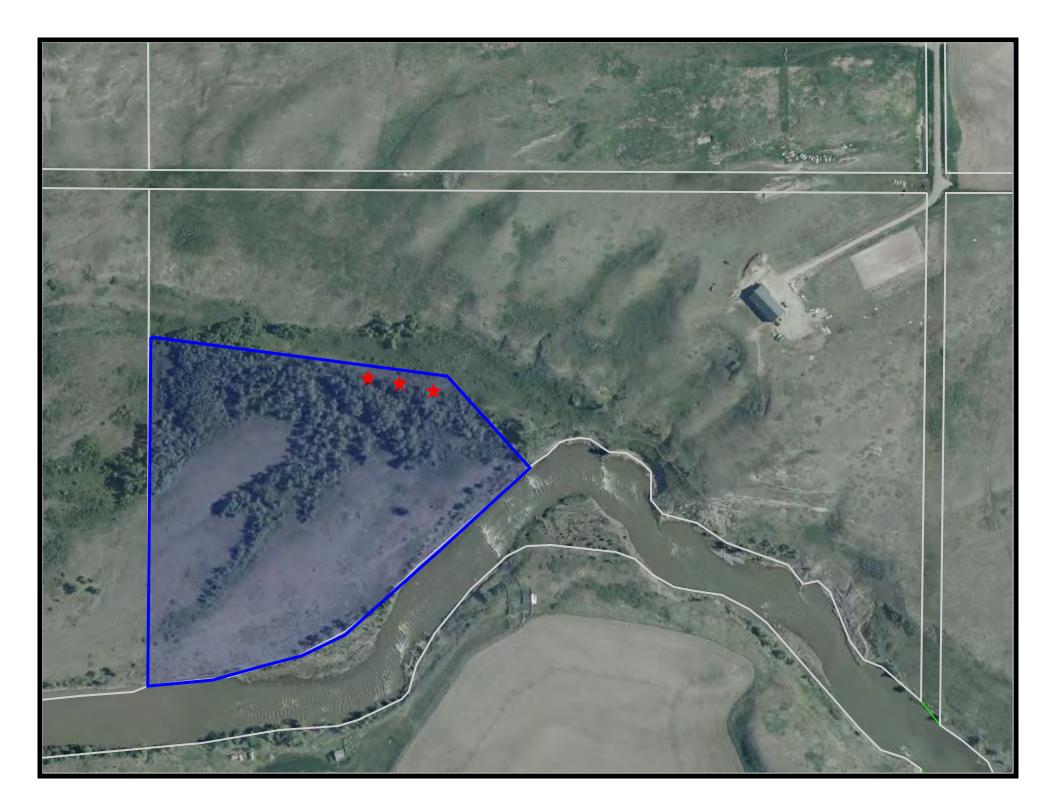
Information on this application form will become part of a file which may be considered at a public meeting.

Registered Owner

IMPORTANT NOTES:

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 - (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.
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MD of Pincher Creek No. 9

P.O Box 279 1037 Herron Avenue Pincher Creek Alberta TOK 1W0 (403) 627-3130 Website: www.mdpinchercreek.ab.ca

Vebsite: www.mdpinchercreek.ab.ca Email: info@mdpinchercreek.ab.ca

Morrison, Brendon

PAYMENT RECEIPT

Receipt Number:

59765

Date:

8/9/2023

Initials:

SLM

Total Amount Received:

\$150.00

GST Registration #:

10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	N/A	\$150.00	\$0.00
			Subtotal: Discount GST Total Receipt:		\$150.00 \$0.00 \$0.00 \$150.00
				Visa:	\$150.00

Saddle Hill Ranch Houses

Located NE-20-6-1 W5
Prepared for M.D. of Pincher Creek No. 9 Council_
August 25, 2023



"A unique vacation experience in beautiful Southern Alberta"

Business Concept:

The purpose of this business plan is to identify the opportunity and potential rewards with a relaxing, unique vacation possibility. Secluded in the country, mountain views and private access to Castle River.

Market Summary:

The location (NE 20-6-1 W5) is approximately 20 minutes outside of Pincher Creek. Pincher Creek is a central sweet spot for tourism year-round, close to Waterton National Park, Castle Mountain Ski Resort and the Crowsnest Pass. The adventure and outdoor activities are limitless year round from hiking to skiing to having private access to Castle River where you can kayak, fish, swim and tube.



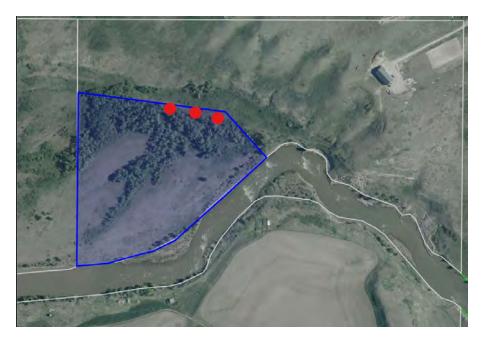
Purpose:

The purpose of this proposal is to re-zone the parcel of land (NE-20-6-1 W5) from agriculture to rural recreation. The land has been subdivided and the parcel is approx. 83 acres, however we are proposing 20 acres to be re-zoned as rural recreational for the purpose of the silo cabins.

Location:

The location is 20 minutes outside of Pincher Creek between Lundbreck and Beaver Mines. There is 83 acres and a shop house that was constructed in 2020. The potential location for the silos is approximately 20 acres located near the river. The land is unusable for agriculture, no hay can be planted and the grazing is minimal as grass is fairly bare. The road and area will be fully fenced so cattle can still be grazed on the remainder of the land. The cabins would be using a 'free space' without taking away from the agriculture use of the entire property.





The above google maps image shows the rezoned 20 acres as rural recreational, as well as the locations of the cabins.

Team Members:

Meet Dylan & Breanna Morrison:

Dylan and Breanna Morrison have been together for nearly 10 years. They have built the business 2127540 Alberta Ltd. from the ground up and are looking to expand into other opportunities that take advantage of their inherited land.

Dylan is a Heavy-Duty Mechanic who contracts to several different companies but currently works at the mines in Elkford, B.C. He is highly proficient, organized and has nearly 18 years of experience. He is a 'handy-man'; growing up building houses with his dad he is capable of doing electrical, plumbing and framing. Therefore the majority of the labor for constructing the silos can be done themselves and therefore much more cost efficient.

Breanna Morrison is a Commercial Bank Manager for CIBC. She holds a Bachelors Degree in Management and has worked in Corporate Finance for nearly 7 years. She is ready to take on a business venture with the necessary leadership, management and financial tools to make it a success. She was gifted 83 acres of land outside Pincher Creek, which is currently utilized for agriculture and where they built their forever home.

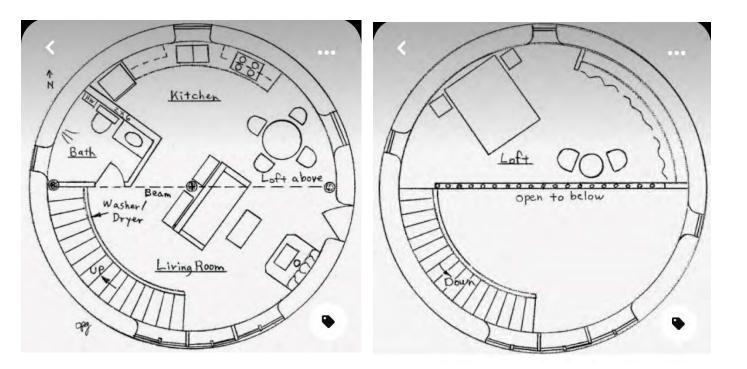
The potential location for the guest cabins is down the hill from the house and secluded in its own area surrounded by trees and the river. There would be complete privacy for both areas but still having someone on the property should any problems or situations arise with the guest cabins.

The Cabins

The guest cabins are to be renovated grain silos. This in itself is a very unique and one of a kind structure. There will be 5 potential cabins however we are starting the project with 3. Each cabin will provide the usual amenities.

The amenities for the 3 standard cabins will include the following:

- 600 square feet of room (more than a standard hotel room)
- 1 king bed
- 1 bathroom including 1 sink and shower
- 1 kitchen including sink, fridge and microwave
- 1 electric fireplace
- 1 air conditioning unit
- 1 front porch deck that seats 2



The property itself will have plenty of availability for parking, as well as a shipping container for storage. This will store river activity equipment including tubes, etc. that can be used by customers should they choose. This will also have 2 washing machines and dryers to be shared between the cabins and will provide more efficiency for the cleaners.

Each cabin will have an electric fireplace and an air conditioning unit to provide hot and cold air making the cabins livable year round.

Each cabin will have its own electrical panel with full 120v service, and all the structures will be built to be in code according to the *Alberta Building Code Requirements*.

Impacts as applicable (Per Recreation and Tourism development according to M.D. of Pincher Creek)

Site Plannings and Drawings

As per above there are sketches outlining the basic blueprints of the silo's.

Google maps overview that shows re-zoned property and approximate silo locations

Compliance with all provincial policies

Potential locations of the silos are greater than 100m from the river. Within guidelines of STEPPING BACK FROM THE WATER. The silos are far enough away from the floodways, there is no slope as the land is flat, there is no risk for groundwater contamination or shoreline migration. Since the properties are far enough setback from the floodway the bank stability is not applicable.

Silos will be constructed by licensed contractors and be up to code according to Superior Safety Codes in Lethbridge, AB.

We will utilize Alberta FireSmart resources and provide the information to our guests when booking. There will also be resources provided in each silo cabin for guests to have access to as well as on our website.

Growing up in the area we understand the importance of safety when it comes to bears for both the guests and the animals. We will provide the guests with the necessary resources from Alberta BearSmart Guide and these will also be provided in each silo cabin as well as on our website. We will have bear bins that will dumped monthly.

River Bend Ranch Cabins are fully committed to following all regulations and policies outlined by provincial and municipal legislations

Neighbor concerns

Based on the public forum and letters from neighbors we would like to address the following. We are trying to make this as simple a process as possible with the least amount of impact on our neighbors in our community.

There has been a large concern about free ranging dogs. We are not making these cabins dog friendly as we do not want to deal with pets. With that being said if people choose to leave their dogs tied up outside they will be required to be on a leash. If they have their dogs on the property at all we will require them to be on a leash. We have dogs as

well and I recognize the concern. We will do our best to maintain this but there are no more cattle being leased on our property and all neighboring houses are several km away so we do not foresee this as a problem. There will probably be no dogs in the winter as people will not want to leave them outside in the cold.

- Trespassing on neighboring lands: the property is entirely fenced, we will post no trespassing signs but we do not believe people will be trying to trespass while staying at our rentals. They will be at the river during the summer and the ski hill in the winter. We aren't advertising any trails or activities to do on the property. We do not believe this will be an issue and will have signs posted in each cabin that says to stay within the property fence lines.
- Garbage management we already have a dumpster service provided by a business in town. We will have bear bins for the cabins to adhere to all provincial BearSmart regulations. These will be dumped on a monthly basis.

Identification of hazards

As the land borders the river there is risk of flood plains, however the silo cabins will be far enough away that no risks are involved.

As the cabins will be within all guidelines there are no environmental risks to Castle river

Sewer system

Each silo cabin will be tied into a common sewage head connected into 1 large underground tank. This certified septic tank is equipped with a level alarm and will be pumped out. We will NOT be using a discharge system and this will have no impact on adjacent properties or Castle River.

Domestic water

The water system will be hauled water stored in a cistern. This will be contained in the shipping container used for storage and will provide fresh water for showers, washroom and kitchen use.

Roadways and access points

The access road is a gravel road between Lundbreck Dump and Blue Bridge. Although it is currently gravel there is potential that it could be paved in the future.

The remaining of the roadway is private land access past the personal home to get down the hill to the location. The road has already been constructed within accordance to the MD requirements that was required with our own driveway and was constructed by Reviere Construction Ltd.

Provision for other utilities and services

Power poles will be ran to the location from a paralleling line. There will be approximately 4 poles with a transformer feeding the underground services.

Water will be hauled and stored in a cistern.

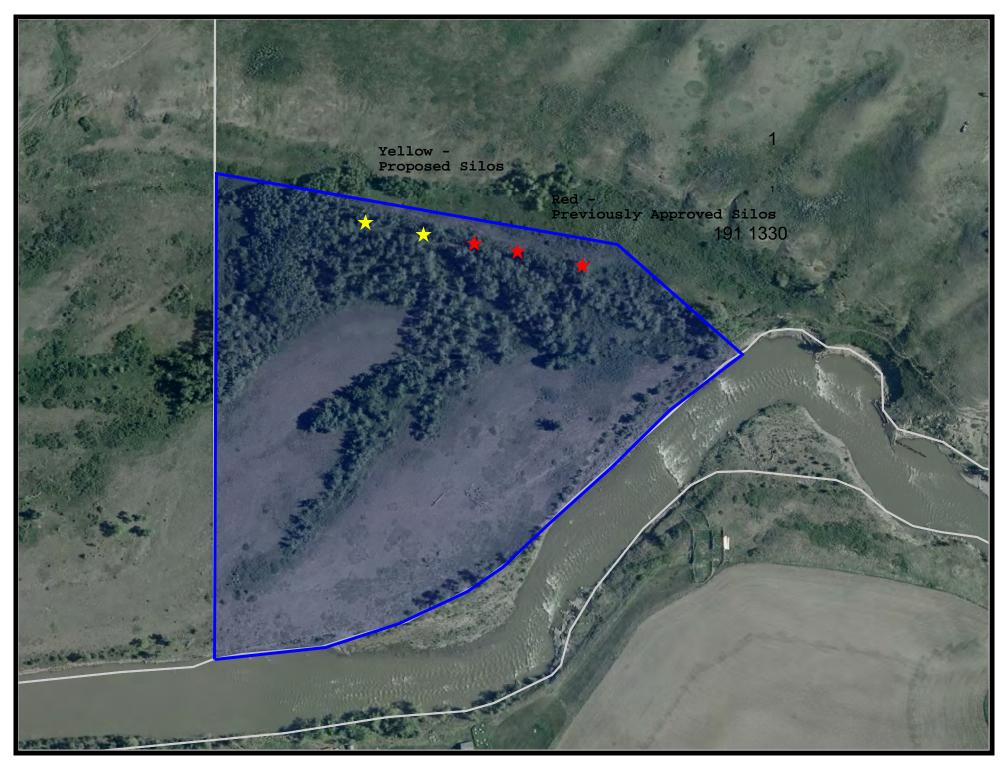
The sewage system is a certified septic tank that will be pumped out, it is NOT a discharge system and is in accordance with regulations. This will have no impact with adjacent properties or Castle River.

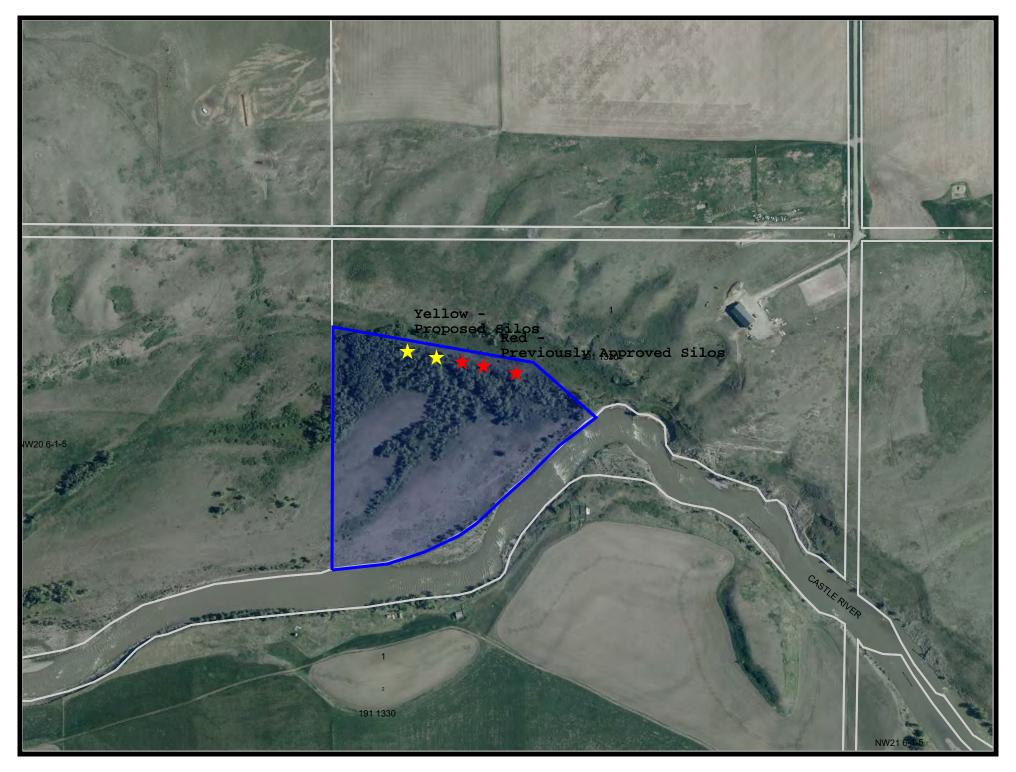
Stormwater surface drainage control

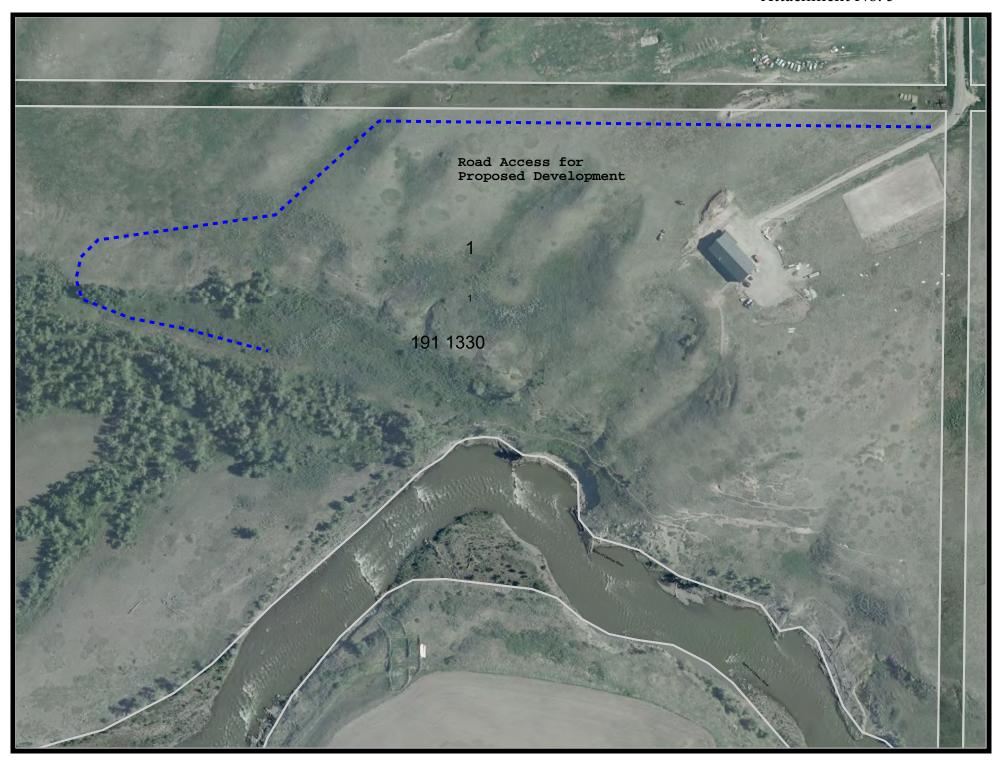
Each silo cabin will have proper eavestroughs that will drain into water barrels. This water will be emptied and utilized on the property without disrupting the adjacent parcel or Castle River.

Landscaping and appearance

The silo cabins will match the agricultural aesthetic in the area, they are also located in a secluded area surrounded by trees, therefore have limited impact to the landscape of the area. There is also no impact to the views accessed by adjacent parcels.







Recommendation to Municipal Planning Commission

Applicant: Sh Location: Lo Division: 5 Size of Parcel: 33 Zoning: Ag	DEVELOPMENT PERMIT No. 2024-26 Sheila & Mike Pratchler Lot 15, Block 1, Plan 310716 within NE 12-7-3 W5 5 33.21 ha (82.06 Acres) Agriculture - A Secondary Farm Residence and Secondary Suite		OF PRINCIPES COSTS
PREPARED BY: Lau	ra McKinnon	DATE: May 29, 2024	
DEPARTMENT: Pla	nning and Developmen	nt	
Signature:		ATTACHMENTS: 1. Development Permit App 2. Modular Home Drawing 3. GIS Site Plan	lication 2024-26
	A	APPROVALS:	
	\equiv	Roland Milligan	2004/05/30
Department Director	r Date	CAO	Date

RECOMMENDATION:

That Development Permit Application No. 2024-26, for a Secondary Farm Residence and Secondary Suite, be approved subject to the following Condition(s):

Condition(s):

- That this development meets the minimum provisions as required in Land Use Bylaw 1289-18.
- 2. That the home be placed on a permanent foundation (e.g. grade beam), or a basement which satisfies the requirements of the National Building Code Alberta edition.

BACKGROUND:

- On May 9, 2024, the MD accepted the Development Permit Application No. 2024-26 from applicants Sheila and Mike Pratchler. (Attachment No. 1).
- This application is to allow for a Secondary Farm Residence on a Agricultural parcel, along with changing the use of the current residence (shop with living quarters) to a secondary suite
- This application is being placed in front of the MPC because:
 - Within the Agriculture A Land Use District, a Secondary Farm Residence and Secondary Suite is a Discretionary Use.
- The applicant intends to move on a modular home as the permanent residence for Mike and Sheila. (Attachment No. 2)
- In the NW corner of the property, Sheila's son and daughter-in-law live in the original homestead.

Presented to: Municipal Planning Commission

Date of Meeting: June 4, 2024

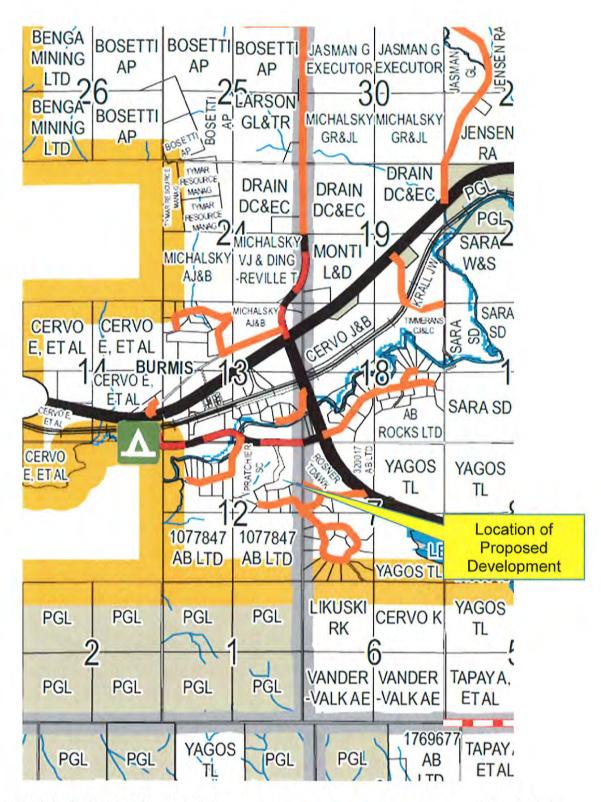
Recommendation to Municipal Planning Commission

- The living quarters in the shop would be converted to a secondary suite for guests, as it is surrounded by the applicants personal property. They have no intention of renting it out.
- The proposed location of the Secondary Farm Residence meets all required setbacks. (Attachment No. 3)
- The application was forwarded to the adjacent landowners for comment; no responses were received at the time of this report being written.

Presented to: Municipal Planning Commission

Date of Meeting: June 4, 2024

Recommendation to Municipal Planning Commission Location of Proposed Development



Presented to: Municipal Planning Commission

Date of Meeting: June 4, 2024



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 c	ompleted by the Pla	anning Authority DEVELOPM	ENT PERMIT APP	LICATION NO.	024-26
Date Application Rec	eived May 9/2			PERMIT FEE SIS	00 Permitted 50 Discretionary
Date Application Acc				RECEIPT NO. 6	2024
Tax Roll #		1-1-			
IMPORTANT: This informate This information may also be available to the public and a questions about the collection	e used by and for any or are subject to the provis	all municipal programs all municipal programs of the Freedom of l	and services. The applicat information and Protection	ion and related file conter of Privacy Act (FOIP). I	nts will become
SECTION 1: GENEI					
Applicant: Shie	ela Pr	atchler +	MIKE	atchler	
Address: 30x	296 lir	odbreck A	RTOKIHO	7)	
Telephone:		Email: _			
Owner of Land (if dif	ferent from above):			
Address:				Telephone:	
Interest of Applicant	(if not the owner):				
SECTION 2: PROPO	OSED DEVELOP				
I/We hereby make app with the plans and sup	lication for a Devel porting information	lopment Permit under submitted herewith	er the provisions of La and which forms par	and Use Bylaw No. in of this application.	n accordance
A brief description of	f the proposed dev	elopment is as follo	ws:		
New residence	nadular	bance m	ove on cl	range ose	to_
residence	in Shop	to Secon	dary suit	e	
Legal Description:	Lot(s)				
	Block				
	Plan 2316	716.			
	Quarter Section	NE 12-	7-3 45	v	
Estimated Commence	rement Date:	00 2024			
	A.	SAD			
Estimated Completic					Page 1 of
A Louisiand District of	Dincher Creek No. !	O .			rage rul

Municipal District of Pincher Creek No. 9

	REQUIREMENTS	•		-
and Use District:	gricolture - 1	7	Division:	5
	Discretionary Use			
s the proposed devel	opment site within 100 metres	s of a swamp, gully, ravi	ne, coulee, natural c	lrainage course
or floodplain?	April 1997 State Strategic			
☑ Yes	□ No			
s the proposed devel	opment below a licenced dam	?		
☐ Yes	□ No			
is the proposed devel	opment site situated on a slop	e?		
□ Yes	□ No			
	cimately how many degrees of s			
Has the applicant or evaluation of the pro	a previous registered owner u posed development site?	ndertaken a slope stabi	lity study or geotech	nical
□ Yes	No □ Don'	t know 🗆 No	t required	
Could the proposed	development be impacted by a	geographic feature or	a waterbody?	
□ Yes		t think so		
PRINCIPAL BUILE	<u>DING</u>	Proposed	By Law Requirements	Conforms
(1) Area of Site				
(2) Area of Building		17165g/A	_	
(3) %Site Coverage b	y Building (within Hamets)		_	
(4) Front Yard Setbac Direction Facing		109 m	7.5m (98.44)	yes
(5) Rear Yard Setbac Direction Facing	k . I	369m	30m (98.4A)	Yes
(6) Side Yard Setback Direction Facing	C:	136 m	30M (98.4A)	yes.
(7) Side Yard Setbac Direction Facin		519m	7.5m (246F)	405
(8) Height of Buildin	g			
(9) Number of Off St	reet Parking Spaces		1 = = = = =	
	1110 1010 040 040 040	rehitectural drawing)		
Othor Communities Me	terial Attached (e.a. site high a			
Other Supporting Ma	iterial Attached (e.g. site plan, a	Territoctular dia wog/		

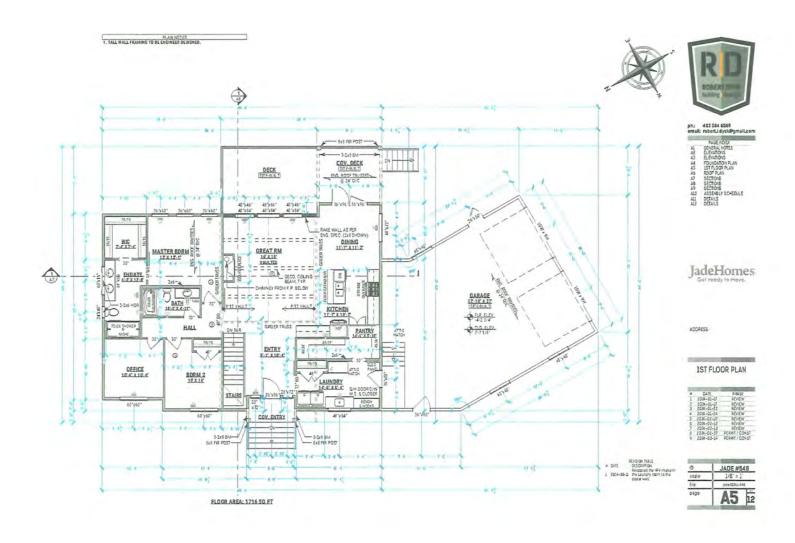
ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site			
(2) Area of Building			
(3) % Site Coverage by Building (within Hamlets)			
(4) Front Yard Setback Direction Facing:			
(5) Rear Yard Setback Direction Facing:			
(6) Side Yard Setback: Direction Facing:			
(7) Side Yard Setback: Direction Facing:			
(8) Height of Building			
(9) Number of Off Street Parking Spaces			
SECTION 4: DEMOLITION			
Type of building being demolished :			
Area of size:			
Type of demolition planned:			
SECTION 5: SIGNATURES (both signatures require	red)		
The information given on this form is full and complete facts in relation to this application for a Development Policy I also consent to an authorized person designated by the the purpose of an inspection during the processing of the	ermit. municipality to ente		
	SPORTI	Q.	
DATE: May 9/24,	pplicant		

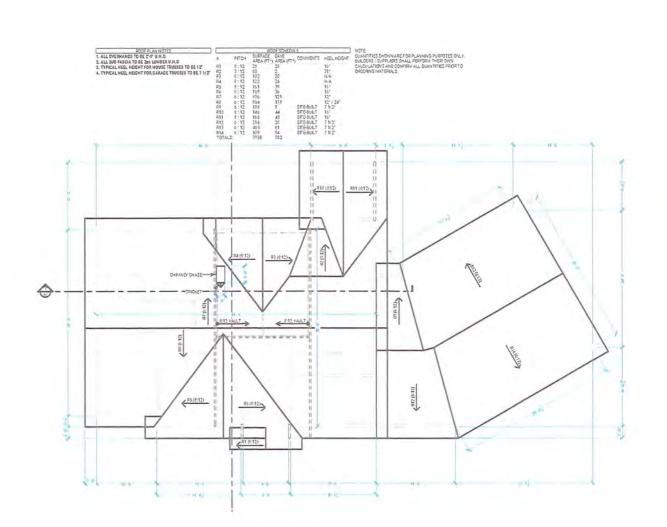
Information on this application form will become part of a file which may be considered at a public meeting.

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.







ph.: 403 504 5569
email: robert.id.yel/9ymail.com
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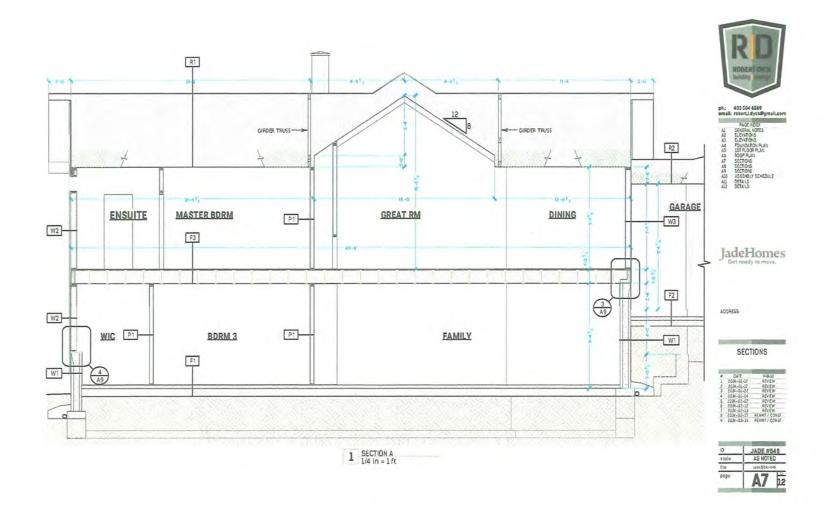
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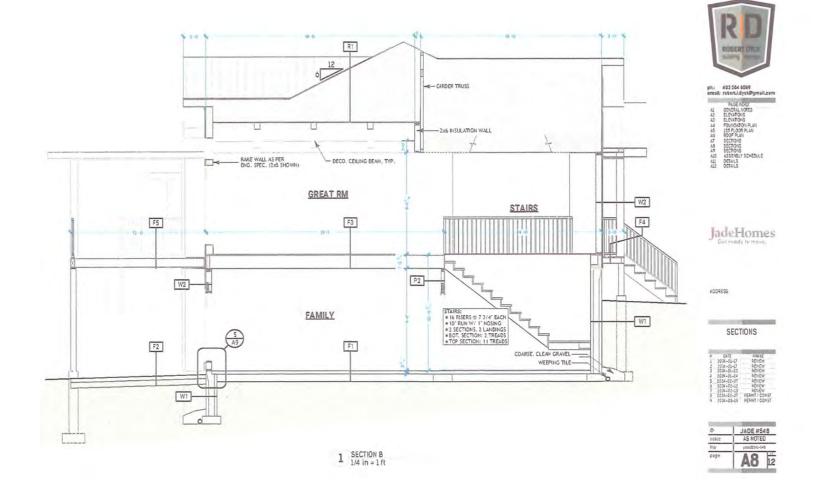
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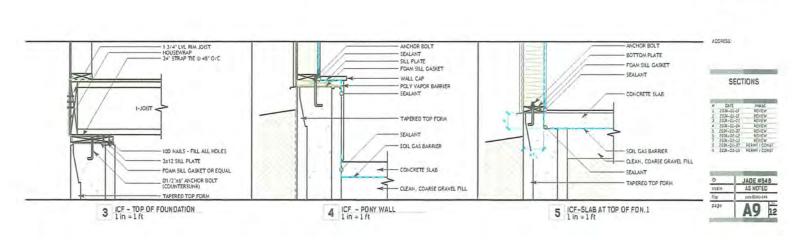
ROOF PLAN

-		_
7	DATE	PHASE
1	2074-01-17	REVIEW
2	2034-01-17	REVIEW
3	2034-01-22	REVIEW
	2034-01-24	MEVIEW
5	2034-02-07	REVIEW
٥	2034-02-12	REVIEW
7	2034-02-13	
8	2034-02-27	PERMIT / CONST
ā	2034-03-19	PERMIT / CONST

JADE #548
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1 SECTION C - STAIRS 1/4 in = 1 ft

2 TRUSS HEEL TYP.



ph.: 4015044569
email: robertLidyck@ymail.com

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AC GOURAN, MOTE A

AC ELVATION



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PENETRATI	
MN, EC	LEAN, COARSE GRAVEL FILL
F2	GARAGE & EXTERIOR SLABS
	DNCRETE THICKNESS
	R 0 24" D/CE/W
MN. 6 C	OMPACTED GRAVEL FILL
F3	1ST FLOOR
FINISH FL	
	EG OSB SHEATHING: GLUED & NAILED / SCREWED
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1/2" DIRE	CTLY APPLIED GYPSUM BOARD CEILING
F4	EXTERIOR DECK
	TE DECK PLANES
JOISTS AS	PER PLAN
FS T	EXTERIOR DECK
· MNYL DE	CKING MEMBRANE
	FIR PLYWOOD; GLUED & NAILED / SCREWED
	TR JOISTS AS PER PLAN
	PPING to 24" 0/C
· PRE-FING	HED ALUMINUM SOFFIT

WALL ASSEMBLIES	π
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STUCCO PARGING ABOVE GRADE	
 ABOYE GRADE: WEATHER RESISTIVE BARRIER (HOUSEWRAP) 	
+ BELOW GRADE: DAMPPRODFING AS PER ICF MFR. SPEC.	
2 5/8" EXPANDED POLYSTYRENE	
-6" POURED CONCRETE WALL -2 5/8" EXPANDED POLYSTYRENE	
+ 1/2" GYPSUM BOARD, TAPED	
1 COAT LATEX PRIMER / Z COATS LATEX PAINT	
WIA GARAGE FOUNDATION WALL	=
STUCCO PARGING ABOVE GRADE	_
6' INSULATED CONCRETE FORM WALL	
1/2" PLYWOOD OR EQUAL TO EXPOSED INTERIOR PORTIONS	
	=
W2 EXTERIOR WALL	_
WEATHER RESISTIVE BARRIER (HOUSEWRAP)	
WEATHER RESISTIVE BARNER (HUUSEVRAP) 3/8" OSB SHEATHING	
2x6 SPF#26ETR STUDS © 24" O/C C/W BATT INSULATION	
+ 6 MIL POLY VAPOR BARRIER	
* 1/2" GYPSUM BOARD: TAPED	
 + 1 COAT LATEK PRIMER / 2 COATS LATEK PAINT 	
W3 HOUSE-TO-GARAGE WALL	
+ 1/2" GYPSUM BOARD; TAPED	
+ 1/2" GYPSUM BOARD; TAPED + 3/8" OSB SHEATHING	
1-12" GYPSUM BOARD; TAPED 3/8" OSB SHEATHING 2/6 SPF-2GBTR STUDS © 24" O/C C/W BATT INSULATION	
+ 1/2" GYPSUM BOARD; TAPED - 3/8" OSB SHEATHING - 2x6 SPF4/26BTR STUDS @ 24" O/C C/W BATT INSULATION - 6MIL POLY VAPOR BAFRIER	
- 1/2" CYPSUM BOARD; YAPED - 3/4" 058 SHEATHING 206 SPF24GETT STUDS © 24" O/C C/W BATT INSULATION - 6 MIL POLY VAPOR BARRIER - 1/2" CYPSUM BOARD: TAPED	
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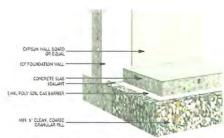


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ASSEMBLY SCHEDULE

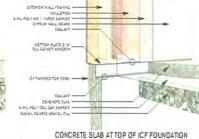
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209-84-0	REVIEW
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2034-01-24	
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Ø-	JADE #548
ACE/OF	9/A
No.	(HI-010-14)
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ICF FOUNDATION TO BASEMENT SLAB

NOTE: THE MAL POLY PROVIDES THE SOL GAS BARRIER AND SHALL BE SCALED AT ALL LINCTIONS, JOINTS AND POETRATIONS.



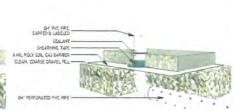
FROST FREE HOSE BIB

MEDIUM DENSITY SPRAY POLYURETHANE FOAM INSULATION

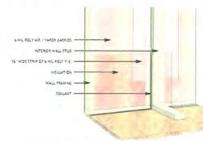
METAL DUCT

ABS / PVC VENT -

NOTE: THE WILL POLY PROMDES THE SOL CAS BARRER AND CONNECTS TO THE INTERIOR WIRL POLY MRIVAROR. NOTE: THE WILL POLY SOIL CAS BARRER SHALL BE STALED AT ALL EDGES, JOINTS, AND PENETRATIONS.



RADON VENT PIPE



INTERIOR WALL INTERFACE AT EXTERIOR WALL

NOTE



ROSERTUNO

ph.: 403 504 6569 email: robert.i.dyck@gmail.com

PAGEINDEX

PAGELIDES

A GRESAL MOTES

A2 ELEVATIONS

A3 ELEVATIONS

A4 FOUNDATION PLAN

A5 HIST ROOP PLAN

A5 SECTIONS

A6 SECTIONS

A6 SECTIONS

A6 SECTIONS

A10 ASSENSIVE SCHEDULE

ALLO DETAILS

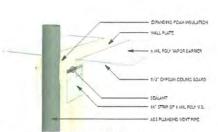
ALLO DETAILS

ADDRESS



I-JOISTS AT ICF FOUNDATION

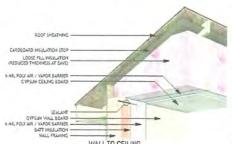
NOTE: THE PRAY FOAM INSLITATION SERVES AS THE THERMAL BARRIER, AIR BARRIER, AND VAPOR BARRIER AND CONNECTS THE ASSEMBLIES PROVIDING A CONTINUOUS SEAL TO THE ADJACENT STRUCTURAL COMPONENTS.



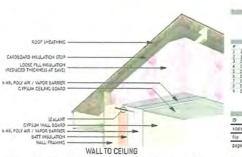
TYPICAL PENETRATIONS THROUGH FLOOR PERIMETER

NOTE: FOUNDATION AS PER PLAN (MAY NOT BE AS ILLUSTRATED)

VERTICAL PENETRATION THROUGH WALL FRAMING



NOTE: INTERIOR AIR BARRIER SYSTEM MADE CONTINUOUS BY OVERLAPPING 6 MIL POLYETHYLENE VAPOR BARRIER AT WALL AND CELING AND SEALED WITH APPROVED SEALANT AT JOINT IN PLATES

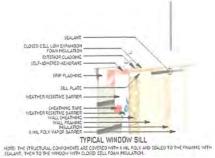


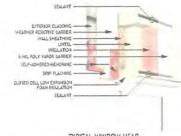
JADE #548 NTS A11 12

DETAILS

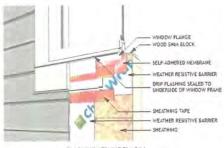
& MIL POLY AR / VAPOR BARRIER

ELECTRICAL BOX INTERFACE NOTE: PENETRATIONS INTO THE ELECTRICAL BOX SHOULD BE SEALED WITH AN APPROVED SEALANT AFTER WEING IS INSTALLED.

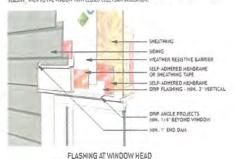




TYPICAL WINDOW HEAD NOTE: THE STRUCTURAL COMPONENTS ARE COVERED WITH 6 MIL POLY, AND SEALED TO THE FRANKIC, MITH SEALANT, THEN TO THE WINDOW MITH CLOSED CELL FOLM INSULATION.



FLASHING AT WINDOW SILL GENERIC DETAIL; ALL TRIM AS PER PLAN



GENERIC DETAIL: ALL TRIM AS PER PLAN.



ph: 403 504 6569 small: robertJ.dyck@g

-	Independance Since
900	PLOEPIDEL
4.1	GENERAL MOTES
4.2	ELEVATIONS
43	ELEVATIONS
4.4	FOUNDATION PLAN
45	1ST FLOOR PLAN
45	ROOF PLAN
47	SECTIONS
AB	SECTIONS
82	SECTIONS
A10	ASSEMBLY SCHEDULS
ALL	DETAILS
412	DETAILS

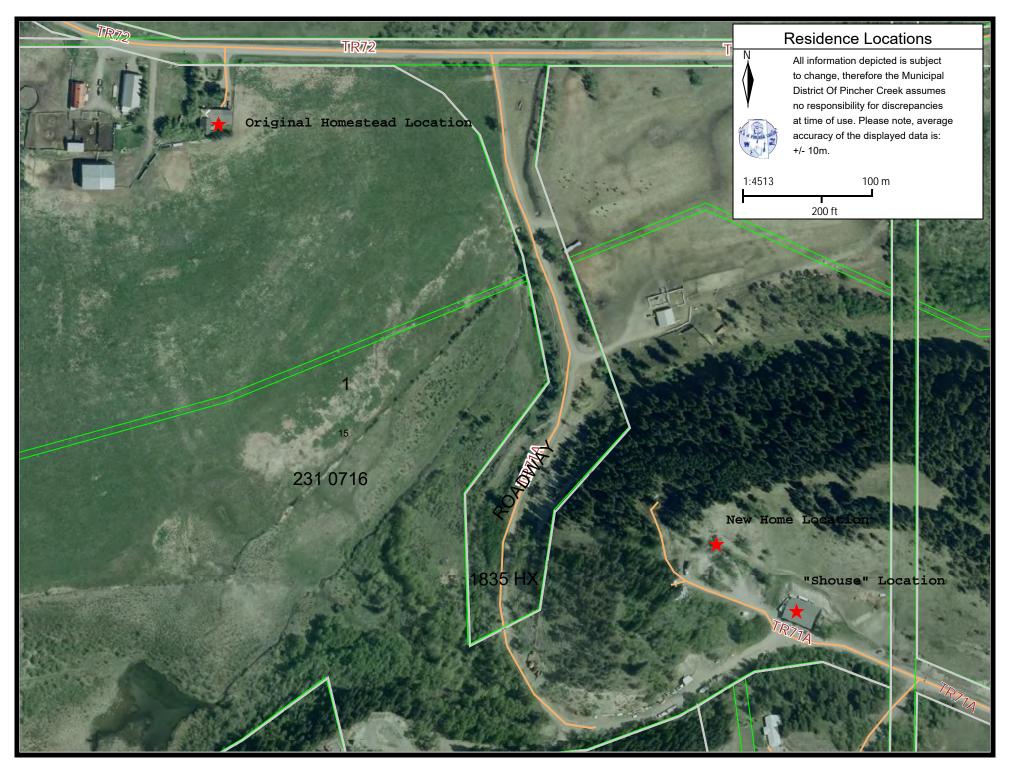


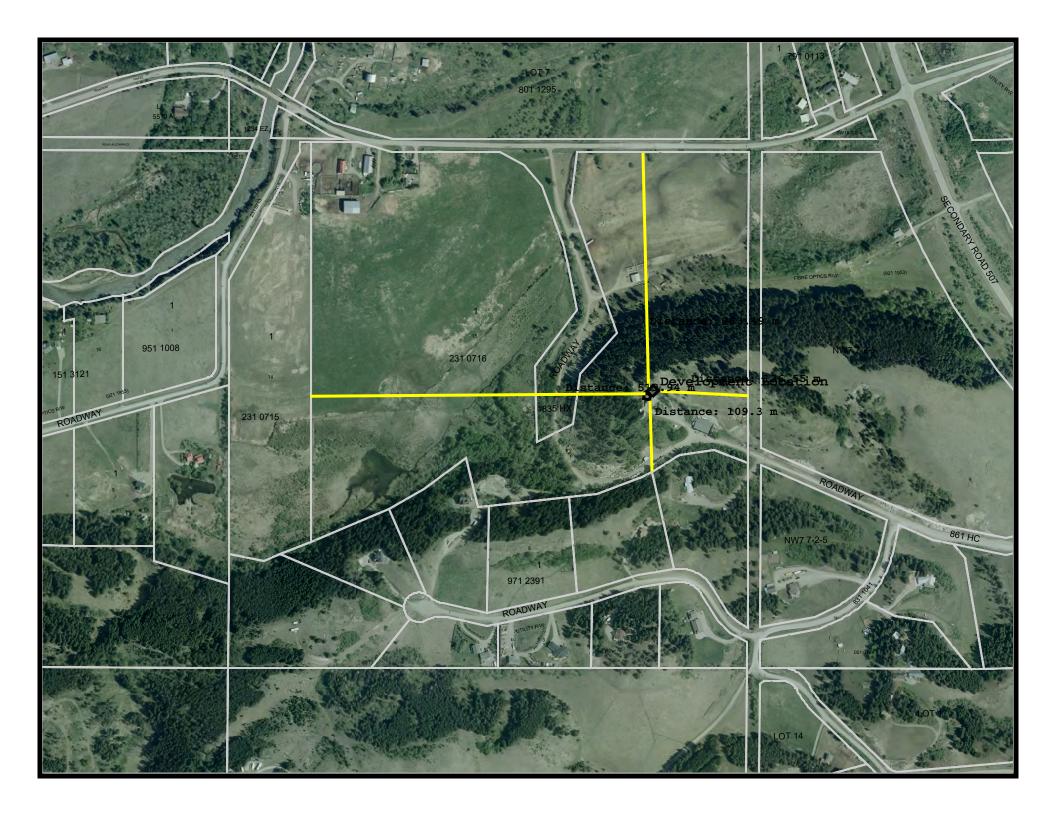
ADDRESS

DETAILS

7	- SIED	PALSE.
1	2031-01-17	REVIEW
3	2034-00-17	REVIEW
3	2034-01-22	REVIEW
4	2034-01-24	REVIEW
5	2014-02-07	REVIEW
	20-12-12	REVIEW
	2034-02-13	
		PERMIT / COMST
2	2034-03-19	PERMIT / CONST

D	JADE #54
- Jace	NTS
Na .	(100022042-04)
page	A12







DEVELOPMENT OFFICER REPORT

May 2024

Development / Community Services Activities includes:

 May 6 	Canadian Bio Gas Meeting
 May 7 	Subdivision & MPC Meeting
 May 8 	Landowner Meeting
 May 9 	South Canadian Rockies Tourism Night
 May 24 	SDO
 May 28 	Landowner Meeting w/ ORRSC
 May 28 	South Canadian Rockies AGM
 May 28 	Council Committee and Regular Council Meeting
 May 30 	Administration Safety Meeting

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Development Officer for May 2024

No.	Applicant	Division	Legal Address	Development
2024-24	Trent & Dena Lewis	4	SW 7-8-1 W5	Home Occupation
			Lot 2, Block 1, Plan 0913700	
2024-27	Cassidy & Brett Mayer	3	within SW 8-6-1 W5	Accessory Building

Development Permits Issued by Municipal Planning Commission May 2024

			Lot 1, Block 1, Plan 0814776	
2024-11	Andre McGaughey	5	within NE 25-7-2 W4	Farm Building
	James MacKinnon & Katarina		Lot 2, Block 3, Plan 1013229	
2024-15	Oczkowski	4	within ptn of 4-7-29 W4	Secondary Farm Residence
	Robert Stillman and Sharlene			
2024-17	Williamson	3	SE-1-6-2 W5	Secondary Farm Residence
			Lot A, Block OT, Plan 2320 JK	Free Standing Sign & 10
2024-19	Glenda Kettles	1	within NE 27-4-28 W4	Campsties

Development Statistics to Date

DESCRIPTION		2024 To date (June)	2023	2022	2021
Dev Permits Issued	6 – May	24 15 -DO 9 -MPC	49 31 -DO 18 -MPC	48 29 – DO 19 - MPC	68 46-DO 19-MPC
Dev Applications Accepted	5 – May	27	54	49	70
Utility Permits Issued	CONTROL OF P.W.		35	12	31
Subdivision Applications 3 – May Approved		4	5	8	20
Rezoning		0	0	5	0
DESCRIPTION		2024 to Date (June)	2023	2022	2021
Compliance Cert	0 – May	13	21	32	41

RECOMMENDATION:

That the report for the period ending May 30, 2024, be received as information.

Prepared by: Laura McKinnon, Development Officer

Date: May 30, 2024

Respectfully Submitted to: Municipal Planning Commission



THE COMMUNICATOR

Alberta Development Officers Association (ADOA)

May 2024

Spring Issue

In this Issue:

- · Words from Editor
- Brownlee LLP—AUC Renewable Energy
- Education Subsiidy
- Inspections Group



Words from the Editor

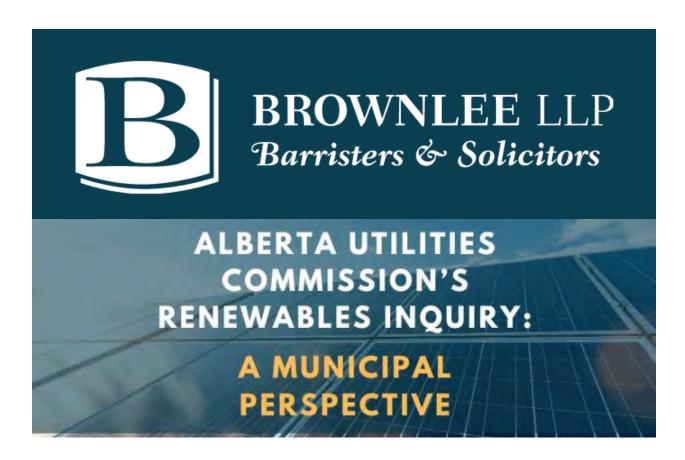
The committee has been working endlessly planning an amazing 40 year anniversary conference. We have fun swag bags, great door prizes, yummy food and a lovely hotel that you can book your reservation anytime, Premier Best Western Calgary Plaza Hotel and Conference Centre, 1316-33 Street NE, 1-800-780-7234. Reminding you of the date, September 25, 26 and 27 in Calgary with the meet and greet on the evening of September 24, 2024.

Dig deep in your closet for your banquet outfit, 80's attire is the theme. And of course your dancing shoes as well. Hopefully we have some breakdancers in the mix!

Please remember to bring a silent auction item from your municipality or yourself. The charity is Alberta Dreams which is for the kids all over Alberta that need our help to get them their dream.

Watch for emails from Diane regarding registration and details up to the event.





ALBERTA UTILITIES **COMMISSION'S**RENEWABLES INQUIRY: A MUNICIPAL PERSPECTIVE

BACKGROUND /1/

On the eve of the expiry of the Generation Approval Pause Regulation, which put in place a pause on approvals of applications for new renewable generation power plants, the Minister of Affordability and Utilities, Nathan Neudorf (the "Minister"), announced the Government of Alberta's intention to bring forward changes relating to the approval of renewable generation power plants throughout the Province. This announcement comes after the Alberta Utilities Commission (the "AUC"), completed a consultation process which culminated in the issuance of the AUC's Module A Report to the Minister on January 31, 2024. Module A was the first part of a two-part module process that the AUC undertook to address renewable generation power plant issues identified by the Alberta government during their Order in Council on August 2, 2023. [2] The AUC's Module A Report focused on the following factors:

- Development of power plants on specific types or classes of agricultural or environmental land;
- Impact of power plant development on Alberta's pristine viewscapes;

- Consideration of implementing mandatory reclamation security requirements for power plants; and
- Consideration for development of power plants on lands held by the Crown in Right of Alberta.

The stated goal of this consultation process is to ensure Albertan's have an electricity grid that is reliable, affordable and sustainable. The AUC's work is meant to provide the groundwork for new government policy that provides consistency and clarity for investors, municipalities and landowners alike. The policy changes and alterations being made to AUC's approval process will be applied to all power plants going forward, but they will not be applied retroactively to previously approved power plants.

Brownlee Comments:

It is not clear how the policy changes will apply to applications that are pending before the AUC (for example, where a hearing has occurred, but the approval has not yet been issued). The Government of Alberta's announcement provides a summary only; further analysis will be required when more details become available. Our Brownlee planning team has outlined below a municipal perspective respecting the Minister's announcement.

1. AGRICULTURE FIRST APPROACH

Government of Alberta Statement:

The Government of Alberta states it is committed to an agriculture first approach in making decisions relating to the best use of agricultural lands involved in proposed renewable developments.

Proposed Changes:

Starting on March 1, 2024, the Government of Alberta has directed the AUC to no longer allow renewable power plants on Class 1 or Class 2 agricultural lands, based on the Alberta Land Suitability Rating System. However, an exception has been put in place where the proponent of a renewable development is able to demonstrate that the crops and/or livestock are able to coexist with the renewable power plant. The Government of Alberta will also be establishing tools necessary to ensure native grasslands, irrigable lands and productive lands continue to be available for agricultural production.

Brownlee Comments:

Clearly this policy change provides some protection respecting agricultural lands – the AUC had previously approved some renewable power plants including solar power plants on prime agricultural land (citing landowner rights), without full consideration respecting long term impacts of taking these lands out of agricultural production.

There are a number of factors creating a demand to use high quality agricultural lands for renewable power plants. The same qualities that make lands desirable for solar power plants

(extensive sunlight, relatively level land), also make those lands desirable for agricultural production. Historical settlement of land in Alberta has (not surprisingly) occurred in areas of Alberta where high-quality agricultural lands exist (including the Highway 2 corridor); transmission lines have capacity in these areas. The demand for solar power plants has resulted in landowners receiving higher compensation (to lease lands to a solar power plant proponent) than the landowner could receive on the open market for agricultural purposes.

Note that the reference in the Government of Alberta statements to Class 1 lands warrants further comment. The Land Suitability Rating System (LSRS) is a national system, and is somewhat nuanced. It is possible that there are no Class 1 lands in Alberta.

More details will be required to fully evaluate this policy change; for example, it will be necessary to consider further details on the actual integration of crops/livestock required to satisfy the "ability to coexist" requirement in a proposed renewable power plant.

It is possible that certain lands in Alberta otherwise under a Class 2 could be classified as Class 1. For this article, we will work off the premise that there are no Class 1 lands in Alberta. The coexistence will be different depending on whether the power plant is solar or wind. A wind tower has a relatively small footprint and can readily allow pasture or cereal crops around it. However, we anticipate that this policy change is largely directed at solar power plants which will apparently be required (if located on Class 2 lands) to incorporate agrivoltaics, i.e. the simultaneous use of areas of land for both solar panels and agriculture. Agrivoltaics is also called co-location, agrophotovoltaics, agri-solar or dual-use solar. The intent of agrivoltaics is that the two uses (agriculture and solar power plant) complement rather than compete with each other.

Agrivoltaics (in terms of practical application on a commercial scale) is in its relative infancy in Alberta. An example that comes to mind contemplates raised solar panels with animals grazing below them. However, agrivoltaics has a broader scope and would also include: solar panels with space between for crops or pollinator habitat; and greenhouses with semi-transparent solar panels. Some questions raised by this policy change include:

- To what extent (on Class 2 lands) will lands historically used for cereal crop production be required to maintain cereal crop production?
- What technical specifications (such as density of panels) will be ideal to address "ability to co-exist"?
- Will the requirement for "ability to coexist" on Class 2 lands result in increased demand for solar power plants on Class 3 and lower classes?
- Will options for "ability to co-exist" still be a factor for the AUC to consider for lands within Class 3 and lower classes?

2. RECLAMATION SECURITY

Government of Alberta Commitment:

The Government of Alberta states it is committed to developing and implementing the necessary policy and legislative tools to ensure adequate security is provided for land reclamation on future renewable power plants.

Proposed Changes:

Developers will be responsible for reclamation costs through either bond or security. Payment will be made to the Alberta government or negotiated directly with affected landowners if sufficient evidence is provided to the AUC.

It is expected that the actual security amounts and timing of payments will be set by the end of 2024, following consultation between the Ministry of Environment and Protected Areas and the Ministry of Affordability and Utilities. However, the requirements set will apply to all approvals issued by the AUC on or after March 1, 2024.

Brownlee Comments

Again, this policy change is a step in the right direction, and will need to be further analyzed when more details become available. Clearly, this policy change is designed to address the extensive problem with lack of proper reclamation in the oil & gas industry; the Alberta government is trying to ensure that this regulatory failure is not repeated in the renewable energy industry. To date, renewable power plant proponents have pushed back against reclamation security given the additional costs of carrying security. Further, proponents have asserted they cannot disclose agreements with landowners referencing confidentiality requirements on privacy grounds. One benefit of having security addressed at the provincial level rather than the municipal (development permit) level is that provincial requirements can more readily be changed over time; this flexibility would help ensure, for example, that security thresholds keep up with the pace of inflation. The risk respecting lack of proper reclamation is exacerbated here because the overwhelming number of proponents (for renewable energy) are only leasing lands from the landowner; the proponents are rarely the landowner.

Some questions raised by this policy change include:

- Will the Alberta Government be satisfied with reclamation obligations contained in the
 agreements (i.e. the private agreement between the proponent and the landowner) or will
 additional security be required to be deposited with Alberta Environment and Protected
 Areas?
- Will there be a transparent and regulated methodology to calculate security required to decommission the site and reclaim to prior or equivalent standards?

3. PROTECTING PRISTINE VIEWSCAPES

Government of Alberta Statement:

The Government of Alberta states is it committed to developing the necessary policy and legislative tools to maintain Alberta's pristine viewscapes and other protected areas.

Proposed Changes:

To establish buffer zones, of a minimum 35 km, around protected areas or other "pristine viewscapes" as designated by the province. Within these buffer zones new wind power plants will no longer be allowed. Additionally, other proposed developments within the buffer zone may require a visual impact assessment provided to the appropriate regulating party for consideration before power plant approval is granted.

Brownlee Comments:

Premier Danielle Smith referenced Alberta's UNESCO Sites when commenting on these provisions. Alberta has 6 UNESCO world heritage sites: Canadian Rocky Mountain Parks; Dinosaur Provincial Park; Head-Smashed in Buffalo Jump; Waterton-Glacier International Peace Park; Wood Buffalo National Park; and Writing-On-Stone or Aisinai'pi Provincial Park.

Note that visual impact assessments may be required for other developments within the buffer zone; therefore, any proponent applying for a solar power plant may need to ensure that the locations do not negatively impact these viewscapes.

Some questions raised by this policy change include:

- What locations within the province will be delineated as "pristine viewscapes" (only UNESCO sites, or others)?
- When an area is designated, what additional requirements (visual impact assessments) will be imposed (for example, siting solar power plants)?

4. CROWN LANDS

Government of Alberta Statement:

The Government of Alberta states it is committed to developing the necessary policy and legislative tools to properly address renewable power plants on Alberta's Crown Lands.

Proposed Changes:

Due to a vast amount of competing interests surrounding Alberta's Crown Land resources, meaningful public engagement will be required before changes to Crown Land access can be implemented. These proposed policy changes would not come into effect until late 2025. Further, any development of renewable plants on Crown Lands will be assessed on a case-by-case basis.

Brownlee Comments:

To date, the Government of Alberta has not allowed renewable power plants on Crown lands. The renewable energy industry has been pressuring government to remove this restriction, to access a larger land base for renewable power plants. Note that "Crown lands" simply refers to the status of the owner, i.e. the provincial Crown. Only some of the "Crown lands" will be environmentally sensitive.

If industry is going to have access to Crown lands for a commercial purpose, important policy choices will need to be made by the Government of Alberta respecting the terms for such contracts.

Some questions raised by this policy change include:

- If the Government of Alberta is going to agree to allow renewable power plants on provincial Crown lands will there be a "level playing field" (i.e. will market value compensation be paid to the Government of Alberta)?
- Will existing dispositions on Crown lands (e.g. grazing leases) be terminated to make way for renewable power plants?

5. TRANSMISSION REGULATION

Government of Alberta Statement:

The Government of Alberta has advised that future changes to Alberta's Transmission Regulation are coming.

Proposed Changes:

Changes are expected in the coming months to Alberta's Transmission Regulation, following the Transmission Green Paper. These upcoming changes are expected to change the allocation of transmission costs with renewable power plants. Full details on these changes are expected to be released as the consultation process with the AUC continues.

Brownlee Comments:

We will provide more information when more details become available.

6. MUNICIPAL PARTICIPATION

Government of Alberta Statement:

The Government of Alberta states its strong support for the AUC's commitments towards increasing the involvement of municipalities, following the AUC's findings in the Module A Report.

Proposed Changes:

In conjunction with the commitments made by the Government to clarify the rules surrounding renewable power plants, the AUC has stated it is committed to a number of initiatives involving municipalities during the process.

Going forward the AUC will automatically grant municipalities the right to participate in AUC hearings. Further, an expansion of eligible costs recovery measures for municipalities will be implemented. The expansion of recoverable costs will apply in circumstances where the municipalities intend to file expert evidence or arguments that will assist the AUC. Lastly, the AUC will allow municipalities to review the rules related to municipal submission requirements while clarifying consultation requirements.

Brownlee Comments:

To date, when a municipality applied to participate in the AUC hearing process for renewable power plants, the AUC has shown a range of responses, from very limited participation to more fulsome participation. Never, to date, has the AUC gone so far as to allow a municipality to claim intervener

funding respecting what the AUC calls facility approvals for renewable power plants; only neighbouring landowners were able to access intervener funding. The AUC's intervener framework is prescribed in Rule 009. The funding model for facility approvals contemplates that interveners may apply to the Commission for a costs award (payable by the proponent) in relation to a hearing or other proceeding.

The scale of costs is limited by the Rule, and includes both legal costs and consultant costs. Whether an intervener will be awarded costs depends on a number of factors including whether the intervener acted responsibly, and contributed to a better understanding of the issues before the AUC.

Granting municipalities intervenor status, with the ability to claim costs awards, is a major and positive policy change. This will give municipalities an opportunity to voice their concerns; whether the AUC listens to municipalities remains to be seen.

Some questions raised by this policy change include:

- Will cost recovery for municipalities (legal and consulting expenses) be available through
 the AUC process if the municipality takes a proactive approach and is able to resolve
 concerns with the proponent prior to a hearing process?
- Will the AUC work up Rules respecting standard conditions/commitments to address
 common municipal concerns like: development agreements; road use agreements; crossing
 agreements; emergency management plans (including appropriate design controls to
 address wildfires); waste management plans; weed control; soil management plans; and
 dust control?
- Given the regulatory failures in the oil & gas industry (respecting non-payment of municipal property taxes), will the AUC or the Government of Alberta develop a stronger regulatory framework to ensure that municipal property taxes are kept current in relation to renewable power plants?

7. SETBACKS AND SITE VISIT RULES

Government of Alberta Statement:

The Government of Alberta states that the AUC is undergoing a process to consider appropriate setbacks of renewable infrastructure.

Proposed Changes:

The AUC has committed to conducting a proceeding or other process to determine the appropriate setbacks of renewable infrastructure from neighboring residences and other important infrastructure. The timeline to implement this proposed procedure has not been specified. Additionally, the AUC has committed to developing rules for mandatory site visits for proposed renewable power plants.

Brownlee Comments:

Setbacks are an issue not only for residences or other receptors but also in other situations, such as aerodromes. Many municipalities own or operate aerodromes; there are complex technical issues respecting height (wind power plants) and glare and turbulence (solar power plants). Setbacks are also considered by the AUC in relation to Noise Control (Rule 012).

WHAT CAN MY MUNICIPALITY DO?

First, municipalities should update their land use bylaws. While a comprehensive analysis respecting land use bylaw amendments is beyond the scope of this article, a municipality should consider the following key themes:

- "use" definitions should be referenced and ideally dovetail with provincial terminology;
- determine whether the preferred approach is a use within a conventional district (with reliance on a discretionary use rather than a permitted use) or a direct control district; and
- develop and adopt standards to address key municipal concerns, such as separation distances, necessary agreements with the municipality (development, road use and crossing), waste management plans, emergency management plans, dust mitigation plans, etc.

While the AUC has the jurisdiction to override a Municipal Council's policy choices in the land use bylaw or elsewhere, the results of the pause clearly indicate the AUC has been directed to pay more attention to municipal concerns. Consideration should also be given to revising fees and charges provisions (either in the land use bylaw or elsewhere) to enhance a municipality's ability to ensure the proponent pays for municipal expenses (including legal and consultant expenses) related to reviewing and processing applications.

Second, and concurrent with any update to the land use bylaw, municipalities should ensure their statutory plans and other relevant planning documents support and align with the land use bylaw. Additionally, this may require municipalities to retain legal counsel and other consultants to assist with drafting planning documents that address issues specific to renewable power plants such as aviation studies (for wind power plants) and soil classification mapping (for solar power plants). Third, municipalities should participate in appropriate early communications with potential proponents. This will allow the municipality, through its administration, to better understand the proposed power plant, retain legal and other experts if needed, and negotiate possible resolutions to municipal concerns outside the AUC process. Municipalities who are aware of power plants in their jurisdiction should sign up for AUC notifications and ensure that if they are sent information packages as part of the Participant Involvement Program created by the developer, they respond proactively and fully, outlining any questions or concerns they have about the proposed power plant.

Fourth, municipalities may wish to review its community standards bylaw and noise bylaws to ensure they align with the aesthetic and noise standards in the land use bylaw.

Fifth, municipalities should participate in the AUC proceedings. The Government has provided that the AUC will automatically grant municipalities intervener status to participate but municipalities may still have to register on the AUC website. Registration will give municipalities access to the application, which should be reviewed by municipal staff to assess the compatibility of the proposed power plant with the municipality's bylaws. The municipality should participate by preparing both written and oral submissions, if necessary.

CONCLUSION

The specific details arising from these policy changes will become apparent over time.

Brownlee will remain on the lookout for the implementation of the proposed legislative tools by the Government of Alberta and their potential impacts on municipalities in practice. If you have any questions regarding the implications these policy developments, please contact these members of Brownlee's Planning Group.

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[1] In this document, the Brownlee LLP Planning Team comments on the Government of Alberta policy announcements as of February 28th, 2024. Statements from the Government of Alberta are outlined using blue boxes, followed by Brownlee's comments.

[2] Order in Council: https://kings-printer.alberta.ca/documents/Orders/Orders_in_Council/2023/2023_171.pdf

TERRY TOPOLNITSKY EDUCATION SUBSIDY

APPLICATION DEADLINE - JULY 31

The Terry Topolnitsky Education Subsidy is meant to recognize and provide funds to Members enrolled in a recognized educational program that is dedicated to their profession and their educational advancement.

SUBMIT YOUR
APPLICATION NOW!
HTTPS://ADOA.NET/EDUCATION/



At last - it seems Spring is here to stay and as such, the construction season is well underway as is the new National Building Code- 2023 Alberta Edition. When the National Building Code was released, it included new building classifications for farm buildings and greenhouses. Alberta continues to work towards harmonization with the National Code, however we will not be seeing these new occupancy's in the National Building Code- 2023 Alberta Edition.

Although Building Code requirements likely don't necessarily impact your role within Planning and Development, it is interesting to see the changes within the industry and the evolution of Code development. An awareness of certain requirements can assist when evaluating various applications or in

the inspections grouping.



encouraging ratepayers or builders to consult with your Safety Codes Officer.

The changes we see in this code cycle are not monumental, they do include a variety of details requiring builders and contractors to be aware of new minimum requirements. Some of these adjustments applicable for residential occupancy's include:

- allowing stairs with open risers in residential homes but eliminating that provision from commercial buildings
- second floor windows were permitted at floor level in residential homes. Now, windows within 600mm of the floor require windows to be protected by a guard or mechanism requiring special knowledge (non egress)
- requirement for basement insulation increased from a minimum of 2ft below grade to the full wall
- increase for the minimum distance between fresh air intake and exhaust

Over the years we have seen an increase to the number of homes providing various care services. A new occupancy has been added to the Code to facilitate residential care occupancy. Previously care occupancy's would fall under a different part of the code which resulted in significant code requirements that were challenging to achieve. This new occupancy has different requirements based on the number of occupants and allow for such uses with greater flexibility.

We have seen significant changes in construction since the introduction of energy code requirements since 2014. As we move to further harmonize to the National Code, the 2023 Code includes moving to the tier based energy code, with this code cycle placing us at tier 1. This change includes the requirement of HRV units- this is no longer optional. There are total of 4 tiers that we will continue to work towards, with tier 4 being a net zero ready home.

Part 3 or commercial buildings see several changes such as:

- an increase to minimum width of doorways in exit corridors and pathways
- roof mounted HVAC equipment previously required stairs for access, however this has been changed back to ladders being acceptable means of roof accessibility
- section has been added for engineers to address roof design with solar panels

Of particular note in rural areas, previously campgrounds with 30 sites or more required a service building for laundry and washroom facilities. This requirement has been removed, there is no requirement for service buildings for campgrounds, however if one is being constructed it will need to meet the applicable minimum code requirements.

Another change we will begin to see is in universal washrooms and barrier free access. There is an increase to the required space as well as requirements to include adult sized change tables. Assembly occupancy's will require assistive listening devices where goods and services are provided / public service counters. This includes screens, microphones, Bluetooth hearing aids etc.

The above items summarized above are not intended to be a comprehensive list of all changes or specify under what circumstances they would apply. We always encourage communication with your Safety Codes Officer when evaluating Code requirements and specific site considerations. The Building Code is available as a pdf, free of charge. Copies of the National Building Code – 2023 Alberta Edition as well as other Code information can be found at https:// www.alberta.ca/building-codes-andstandards



2022-2023 Board of Directors

Board Member	Role	Municipality	Contact
Jordan Ruegg	President	Smoky Lake County	jruegg@smokylakecounty.ab.ca (780) 656-3730
Cheryl Callihoo	Past President Bylaw and Policy Chair	Town of Barrhead	ccallihoo@barrhead.ca (780) 674-3301
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Diane Burtnick Executive Assistant (780) 913- 4214

Contact Us

Send us an e-mail or give us a call for more information about our membership and our non-profit group.

Phone: (780) 913-4214 E-mail: <u>admin@adoa.net</u>

ADOA Office

Alberta Development Officers Association #48, 134 Village Way Strathmore, AB T1P 1A2

Visit us on the web at www.adoa.net