

Municipal District of Pincher Creek No. 9
MUNICIPAL PLANNING COMMISSION
MD of Pincher Creek Council Chambers
February 3, 2026
6:30 pm
Agenda

- 1. Adoption of Agenda**
- 2. New Business**
- 3. Minutes**
 - a. Meeting Minutes of January 6, 2026
- 4. Closed Meeting Session**
- 5. Unfinished Business**
 - a. Development Permit Application No. 2025-55
Donald Comer
Lot 1, Plan 9511705 within NE 21-8-1 W5
Tourist Home
- 6. Development Permit Applications**
 - a. Development Permit Application No. 2026-03
Mueller & Tinis Ltd (Kim Tinis)
Lots 14-16, Block 15, Plan 2177S within Lundbreck
Tourist Home
- 7. Development Reports**
 - a. Development Officer's Report
- Report for January 2026
- 8. New Business**
- 9. Correspondence**
- 10. Next Regular Meeting – March 3rd, 2026 6:30pm**
- 11. Adjournment**

**Meeting Minutes of the
Municipal Planning Commission
January 6th, 2026 6:30 pm
Virtual Via Microsoft Teams**

ATTENDANCE

Commission: Chairperson Jeff Hammond, Member at Large Laurie Klassen, Reeve Rick Lemire, Councillors Tony Bruder, Jim Welsch, Dave Cox and John MacGarva

Staff: CAO Roland Milligan, Development Officer Laura McKinnon

Planning Advisor: ORRSC, Senior Planner Gavin Scott, ORRSC, Assistant Planner Kevin Theriault

Absent:

Chairperson Jeff Hammond called the meeting to order, the time being 6:31 pm.

1. ADOPTION OF AGENDA

Member at Large Laurie Klassen 26/001

Moved that the agenda for December 2nd, 2025, be approved as presented.

Carried

2. NEW BUSINESS

3. ADOPTION OF MINUTES

Councillor Tony Bruder 26/002

Moved that the Municipal Planning Commission Meeting Minutes for December 2nd, 2025 be approved as presented.

Carried

4. CLOSED MEETING SESSION

Councillor Jim Welsch 26/003

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 6:32 pm.

Carried

Councillor Dave Cox 26/004

Moved that the Municipal Planning Commission open the meeting to the public, the time being 6:39 pm.

Carried

5. **UNFINISHED BUSINESS**

- a. **Development Permit Application No. 2025-55
Marco Bergeron & Jacinthe Moreau
Lot 1, Block 2, Plan 1510616 within NW 19-7-1 W5
Modular Home & Accessory Building - Variance**

Councillor John MacGarva

26/005

Moved that Development Permit No. 2025-55, for a Modular Home and Accessory Building be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions required in Land Use Bylaw 1349-23.

Waiver(s):

1. That a 6m (19ft) Variance be granted from the Minimum Setback from All Other Property Lines of 7.5m (24.6ft) for a setback of 1.5m (5ft) to the West for the Accessory Building.
2. That a 43.47m (142.6ft) Variance be granted from the Minimum Setback from Major Powerline and Pipelines of 100m (328ft) for a setback of 56.53m (185.46ft) for the Modular Home.

6. **DEVELOPMENT PERMIT APPLICATIONS**

7. **DEVELOPMENT REPORT**

- a. Development Officer's Report

Reeve Rick Lemire

26/006

Moved that the Development Officer's Report, for the period December 2025, be received as information.

Carried

8. **NEW BUSINESS**

9. **CORRESPONDENCE**

10. **NEXT MEETING** – February 3rd, 2026; 6:30 pm.

MINUTES
Municipal Planning Commission (MPC)
Municipal District of Pincher Creek No. 9
January 6th 2026

11. ADJOURNMENT

Councillor John MacGarva 26/007

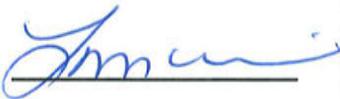
Moved that the meeting adjourn, the time being 6:43 pm.

Carried

Chairperson Jeff Hammond
Municipal Planning Commission

Development Officer
Laura McKinnon
Municipal Planning Commission

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2025-54 Applicant: Donald Comer Location: Lot 1, Plan 9511705 within NE 21-8-1 W5 Division: 4 Size of Parcel: 1.6 ha (4.02Acres) Zoning: Agriculture (A) Development: Tourist Home			
PREPARED BY: Laura McKinnon	DATE: January 29, 2026		
DEPARTMENT: Planning and Development			
Signature:		ATTACHMENTS:	
 Jan 30/26		1. Letter from Ruts Ranching Re: Easement 2. Development Permit Application 2025-54 3. Letter from Applicant 4. GIS Aerial 5. Adjacent Landowner Comments	
APPROVALS:			
		 _____ Roland Milligan	
		_____ 2026/01/30	
Department Director	Date	CAO	Date

RECOMMENDATION:

That Development Permit Application No. 2025-54, for a Tourist Home be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions required in Land Use Bylaw 1349-23.
2. That this development be operated during the months of May-October.
3. That this development be owner occupied (or attended by a designate) during times of operations.

BACKGROUND:

February 3, 2026 Meeting Update

- At the December 2, 2026 MPC Meeting, Development Permit Application No. 2025-54 was tabled pending further information from the adjacent landowner, Ruts Ranching, and the easement to access Lot 1, Plan 9511705 (Tourist Home Parcel).
- After review of the easement with legal counsel, Ruts Ranching provided the attached response to the development permit application (*Attachment No. 1*).

December 2, 2025 Meeting Background

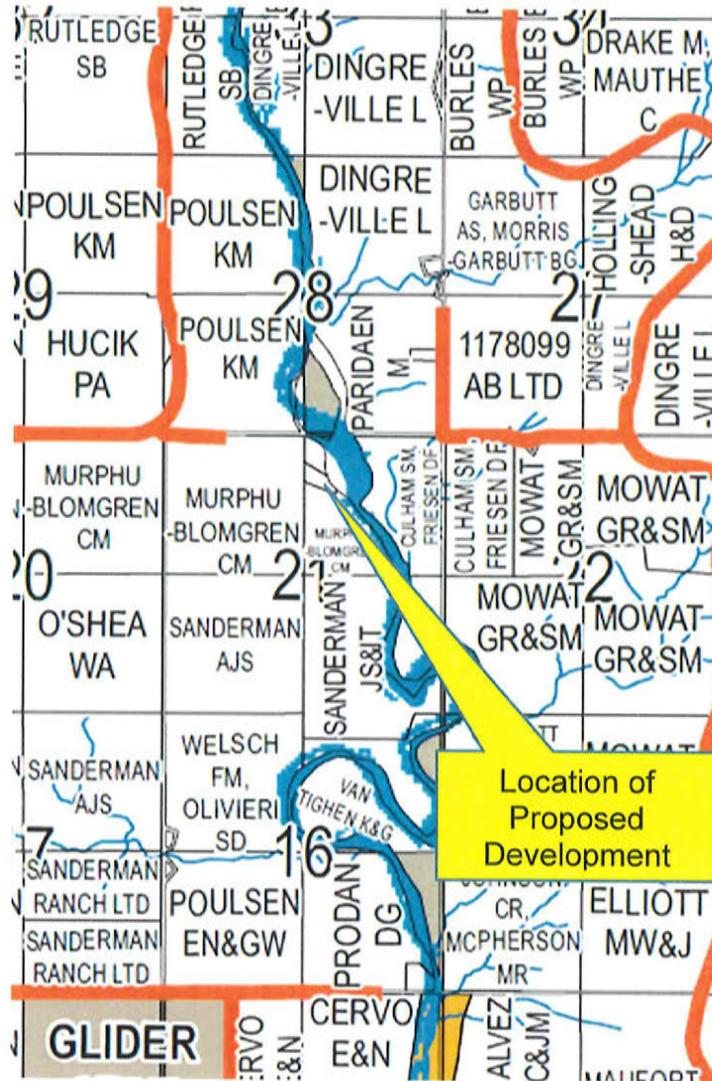
- On October 16, 2025, the MD accepted the Development Permit Application No. 2025-54 from applicant Donald Comer. (*Attachment No. 1*).

Recommendation to Municipal Planning Commission

- This application is to allow for a seasonally operated Tourist Home on an Agricultural (A) parcel.
- This application is being placed in front of the MPC because:
 - Within the Agriculture (A) Land Use District, a Tourist Home is a Discretionary Use.
- The applicant is intending to operate an owner-occupied Tourist Home seasonally from May-October, for 2-4 guests per week. The applicant has sent an email explaining the purpose of the Tourist Home application (**Attachment No. 2**).
 - The following is a brief overview of what we intend to use our property for;
 - *We intend to have 2-4 guests per week from May-October, starting in 2026. We will be present on our property anytime we have guests staying at our residence. We will be taking said guests to experience the many hiking trails through ought the parks in Southern Alberta. Furthermore, offering other outdoor recreational activities such as photography workshops, introductory fly fishing classes, backcountry camping, fishing trips, and star gazing/astrophotography. The majority of guests will be picked up by us at Calgary Airport. This will limit the amount of traffic going through the Rutledge's road. We **are not** going to be a VRBO/Air-bnb/rental home, etc. We value the tranquility of the area and want to maintain a low impact for our own peace and that of our neighbors. Because of the small amount of guests we will be hosting per season, we believe our impact would be less than if the property was being used as a residence, vacation home, or rental home which would have no limit to the amount of guests that would have moving throughout the area at any given time.*
- The development location is accessed via a registered easement on title with the adjacent landowner. The landowners have discussed the proposed development and come to an agreement.
- The application was forwarded to the adjacent landowners for comment; 3 responses were received at the time of this report being written (**Attachment No. 3**).

Recommendation to Municipal Planning Commission

Location of Proposed Development



RE: Donald Comer - Development Permit Application 2025-54

From Steve Rutledge [REDACTED]
Date Tue 2026-01-06 5:10 PM
To Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

Hi Laura,
We checked with our lawyer and reviewed the details specific to our land/easement and everything appears to be in order for Don Comer to proceed with his proposed Development Permit Application.

Thank you for your time in ensuring all parties impacted by this proposed 'development' were engaged in the process.

Take care Laura
Steve and Karen

From: "Laura McKinnon" <AdminDevOfr@mdpincercreek.ab.ca>
Sent: 1/6/26 3:23 PM
To: "Steve Rutledge" [REDACTED]
Subject: Donald Comer - Development Permit Application 2025-54

Hi Steve & Karen,

As discussed earlier today - the MPC is requesting assurance that the easement across your parcel is sufficient for what Mr. Comer has planned in his Development Permit Application 2025-54.

This will continue to be tabled until the February 3rd MPC Meeting.

Let me know if you have any further questions.

Kindly,

Laura McKinnon, CPT
Development Officer

MD Of Pincher Creek
1037 Herron Avenue
Box 279
Pincher Creek, AB
T0K1W0
Office: 403-627-3130
Email: AdminDevOfr@mdpincercreek.ab.ca

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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. 2025-54

Date Application Received Oct. 16/25

PERMIT FEE \$100 Permitted
\$150 Discretionary

Date Application Accepted Oct. 16/25

RECEIPT NO. 69532

Tax Roll # _____

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

SECTION 1: GENERAL INFORMATION

Applicant: Donald M Comer

Address: _____

Telephone: _____ Email: _____

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

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

A brief description of the proposed development is as follows:

Tourist home, 4 bedrooms

Legal Description: Lot(s) 1

Block _____

Plan 9511705

Quarter Section NE 21-8-1025

Estimated Commencement Date: 6/26

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: Agriculture - A Division: 4

Permitted Use Discretionary Use

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

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? 10 degrees

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

Yes No Don't know Not required

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

Yes No Don't think so

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

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

On file with Laura

ACCESSORY BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	Existing building		
(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	4		

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

On file with laws

SECTION 4: DEMOLITION

Type of building being demolished : N/A

Area of size: _____

Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

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

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

DATE: 10/16/25


Applicant

Registered Owner

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

Tourist Home Overview

From Don Comer [REDACTED]
Date Wed 2025-11-26 12:20 PM
To Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

Dear Laura,

The following is a brief overview of what we intend to use our property for;

We intend to have 2-4 guests per week from May-October, starting in 2026. We will be present on our property anytime we have guests staying at our residence.

We will be taking said guests to experience the many hiking trails throughout the parks in Southern Alberta.

Furthermore, offering other outdoor recreational activities such as photography workshops, introductory fly fishing classes, backcountry camping, fishing trips, and star gazing/astrophotography. The majority of guests will be picked up by us at Calgary Airport. This will limit the amount of traffic going through the Rutledge's road.

We **are not** going to be a VRBO/Air-bnb/rental home, etc. We value the tranquility of the area and want to maintain a low impact for our own peace and that of our neighbors.

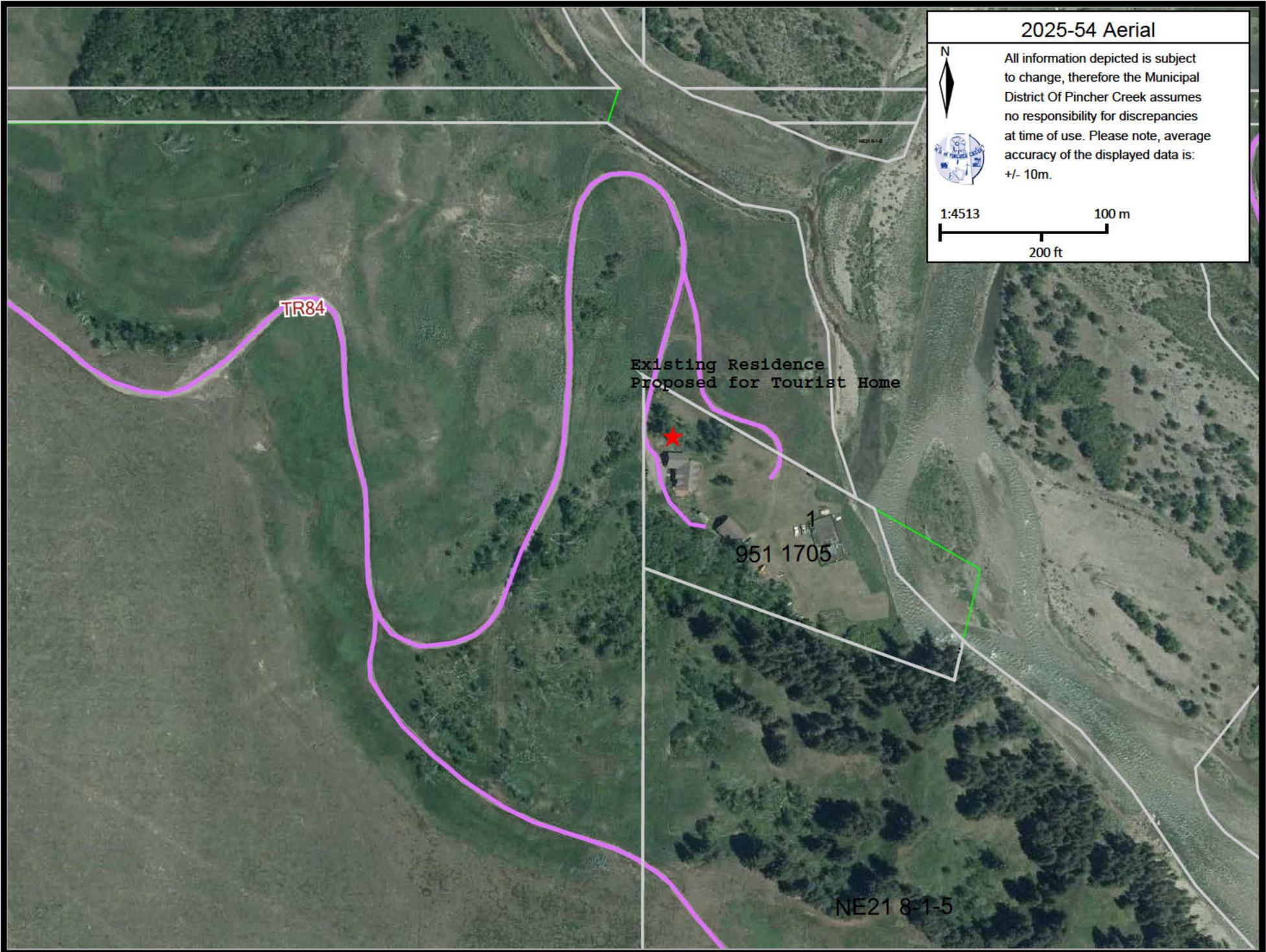
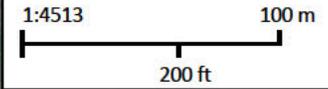
Because of the small amount of guests we will be hosting per season, we believe our impact would be less than if the property was being used as a residence, vacation home, or rental home which would have no limit to the amount of guests that would have moving throughout the area at any given time.

- Don & Alex Comer

2025-54 Aerial



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



Existing Residence
Proposed for Tourist Home

951 1705

NE21 8-1-5

TR84

Development Permit

From shannon culham [REDACTED]
Date Mon 2025-11-24 10:11 AM
To Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

> On Nov 23, 2025, at 6:23 PM, shannon culham [REDACTED] wrote:

>

>

>>>

>>> GORD and Shannon Culham

>>> [REDACTED]

>>> Cowley, Ab, T0K 0P0

>>> [REDACTED]

>>> Date: 11/42/2025

>>>

>>> RE: Development Permit Application No. 2025-54

>>> Lot 1, Plan 9511705 within NE 21-8-1 W5

>>>

>>> To Municipal Planning Commission of the Municipal District of Pincher Creek No. 9:

>>>

>>> Thank you for providing my family with notice of this application. As an adjacent landowner in a predominantly agricultural district, I am submitting this letter to express our opposition to the proposed development for use as a tourist home.

>>>

>>> This proposal provides no demonstrated benefit to the rural community and presents several significant concerns relating to land-use compatibility, safety, accountability, and the preservation of the quiet agricultural character of the area.

>>>

>>> 1. Land-use compatibility and intensity of use:

>>> The surrounding properties are used for farming/ranching and residential purposes. Introducing a commercial tourist accommodation would substantially change the intensity of activity, increasing short-term occupancy, traffic, noise, and disruption in an area not designed or zoned for this type of use. Agriculture and low-impact residential uses have long-standing expectations of tranquility, neighbour oversight, and consistent occupancy levels. Under the Land Use Bylaw No. 1349-23, the Development Authority must consider the change in intensity of use and impacts on neighbouring parcels.

>>>

>>> 2. Non-resident ownership and accountability:

>>> The applicant is a United States citizen who does not reside on, or close by, the subject property. As an out-of-country and absentee owner, there is no clear assurance of on-site supervision, availability

during emergencies, or familiarity with local bylaws, fire restrictions, and rural safety protocols. Adjacent landowners rely on the presence of on-site neighbours for oversight, complaint management, and community safety. Approving a commercial tourist accommodation under absentee ownership increases risks associated with emergency response, property oversight, and compliance with local regulations.

>>>

>>> 3. Fire and environmental stewardship:

>>> This area is highly susceptible to wildfire. Tourist-based occupancy increases the likelihood of fire-pit misuse and unfamiliarity with rural fire-protection measures. Adjacent landowners have no assurance that guests will exercise the same level of care for wildfire prevention or riparian protection along the river. Without robust hosting oversight, the potential for increased risk to both property and environment is elevated.

>>>

>>> 4. Safety, privacy, and security impacts:

>>> Continual turnover of unknown visitors can undermine the sense of safety and security that permanent residents rely upon. Rural neighbours develop awareness of each other's routines and presence; transient occupancy disrupts that social safety net. The application lacks a management plan for guest screening, local oversight, or neighbour contact in the event of issues.

>>>

>>> 5. Impact on the river and fishing pressure:

>>> The river ecosystem and fishery in this area are already under pressure from existing use. Allowing this development will likely increase foot-traffic, river access, and visitor activity without any demonstrated mitigation plan. There is no identified benefit to the community to offset these potential environmental and recreational impacts.

>>>

>>> 6. No demonstrated community benefit:

>>> The application does not identify any economic, social, or agricultural benefit to local residents, nor any improvement to the infrastructure or services of the rural district. Instead, the development appears driven by private financial gain while shifting the associated risks—noise, disruption, environmental stress—onto neighbouring properties.

>>>

>>> 7. Bylaw References:

>>> • Land Use Bylaw No. 1349-23 (effective April 9, 2024) sets out that discretionary uses must consider the impact on adjacent lands and requires the imposition of conditions to mitigate impacts.

>>> • Amendment Bylaw No. 1361-25 (2025) introduces clearer procedure for uses under Part VIII – Special Land Use Provisions (which include tourist homes/short-term accommodations), including mandatory public consultation.

>>> • The Development Authority must assess the change in use, increase in occupancy or intensity, and ensure compliance with the purposes and policies of the Municipal Development Plan, which this new use may conflict with.

>>>

>>> For these reasons, we respectfully request that the Municipal Planning Commission refuse Development Permit Application No. 2025-54. If approval is considered, we ask that the Commission impose stringent conditions to protect adjacent landowners, including but not limited to:

>>> • mandatory on-site host/manager presence 24 / 7

>>> • limitation of guest occupancy (maximum number of rooms/guests)

>>> • prohibition of un-hosted rental of the entire premises

>>> • guest screening and local contact list for neighbours

>>> • capping or restricting river access for guests

>>> • a fire-safety management plan, including licensed fire-pit usage, exclusion zones, and guest

orientation

>>> • a local emergency response contact located within 30 minutes of the site

>>> • annual review or renewal of the permit with compliance reporting

>>>

>>> Thank you for considering our position. Should you require any further information, documentation, or neighbour sign-on sheets, please contact me at your earliest convenience.

>>>

>>> Sincerely,

>

>

>>> Gord and Shannon Culham

>

Development Permit

From shanny_culham@icloud.com [REDACTED] >

Date Tue 2025-11-25 8:47 AM

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

Dear Laura:

I would like to request that the Planning Commission table the Development Permit Application No. 2025-54 Lot 1, Plan 9511705 within NE 21-8-1 W5

Thus giving more time for both parties to deliberate on this issue.

Thank you

- > The MD Bylaws are in place to protect landowners from situations such as this There should be no consideration given to any outside foreign entity to infringe upon these bylaws and our rights as an agricultural community.
- > We trust our MD to protect the rural community and not feel threatened by future proposals such as this.
- > As populations increase, more and more of these cases will arise. Do we stop it now by simply enforcing the present bylaws or put forth a referendum to the rural community to have their input on similar future development permits?

Fw: Atten Laura McKinnon; DPA#2025-54

From Jessica McClelland <AdminExecAsst@mdpincercreek.ab.ca>

Date Wed 2025-11-26 12:55 PM

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

Jessica McClelland

Executive Assistant

Municipal District of Pincher Creek No. 9

1037 Herron Drive, PO Box 279

Pincher Creek, AB T0K 1W0

Phone: 403 627 3130

Communications@mdpincercreek.ab.ca

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From: Crusoe [REDACTED]
Sent: November 26, 2025 12:34
To: MDInfo <MDInfo@mdpincercreek.ab.ca> [REDACTED]
Subject: Atten Laura McKinnon; DPA#2025-54

Dear Laura,

I still reside on the farm to the north (3/4 section); when I say "we", I refer to myself only, although the farm was sold to the Smyth family on July 31, 2025. Am guessing they would agree with most of what i say herein.

In response to your letter for input, re: D. Comer acreage and usage:

1. Best regards to Mr. Comer.
2. We wish to limit potential liability issues that might affect us.
3. No trespassing, and no hunting into our property north of our east/west fence.
This farm has tried to conserve birds and animals since 1916, other than rodents.
That means no walking, hiking, trespassing, shooting, hunting, ATV ing on this farm.
Beneficial coyotes and foxes that catch pocket gophers and mice are protected too.
4. We don't want dogs chasing the cattle away from the watering hole, or water trough.

No dogs attacking baby calves.

5. No children playing in water-trough, or playing with intake suction hose, or swimming in trough or watering hole. No dogs or people at barns.
6. Safety for Mr. Comer and his guests:
Grizzly bears were never spotted by us on this farm since 1916 up to say 2014. But in recent years there have been a number of grizzlies spotted in SW28 quarter along our south hill, and eating crops. We think they sleep in the south sidehill groove of trees, and in the S.E. floodplain near the river. In other words, just north of fence line.
7. Of course walking or fishing along the edge of the river is allowed.
(that means no "short-cutting" across our farm walking back to Mr. Comer's house.)

If Mr. Comer and/or his guests walk north along river-edge to our irrigation engine, it is dangerous to cross our intake water suction pipe. We encourage them to climb the riverbank and walk on the west side of our fenced irrigation engine, then walk north a hundred yards on our property to a gate that allows them to go back to the river.

8. If Mr. Comer or guests suffer a medical emergency, of course they are welcome to walk west to our two houses.
9. Fire Safety: It is best not to light bonfires along the river bank, because a sudden wind could spark a fire in the dry grass. Also, burn-barrels at Mr. Comer's house is a bad idea because Mr. Comer's house is made of dry wood and varnish.

I might add that the Oldman River Planning Commission told me that the acreage property line on east side was to the grassy river bank, but NOT pointed between your two green lines across the gravel rock shore to the edge of the river.

Thank you MD#9, and Laura. yours sincerely, ken poulsen.

.

November 26, 2025

To the Municipal Planning Commission – M.D. of Pincher Creek

RE: Development Permit Application No. 2025-54

Lot 1, Plan 9511705 within NE 21-8-1 W5

The following comments pertain to the development application by Donald Comer, No. 2025-54 (Tourist Home – 4 Bedrooms) for short term rentals.

As an adjacent landowner and living in my home nearby, I would like to see the MPC make the resolution of **full denial** of this application for the following reasons.

1. The road into and out of the home in question has a long, curved and very steep incline as it goes from the river valley to the connecting MD road. As a commercial property as a tourist home, the road is not to standard. The previous owners had a grader for road maintenance (e.g. washouts after severe thunderstorms) and for snow removal requirements in winter. As a tourist home it is very possible that people could easily be stranded – not to mention if medical or emergency services were required.
2. **The lot has an easement agreement, but this easement agreement was not made with the intention of more than the required traffic of a permanent resident.** A broad use of the easement for commercial purposes likely could be legally challenged by the surrounding landowner. There is a history to how this lot came to be (initially with my father and the first owner of the lot) and I am confident that the **easements were never entered into lightly and never with the consideration of commercial activity.**
3. In addition to the short-term rental occupants there would be the required traffic to maintain the short-term rental (e.g. regular cleaning and maintenance) which would mean a significant uptick of traffic on a steep road in all types of weather conditions. The employees of the applicant would encounter agricultural activities and livestock on a regular basis. They would also need to navigate the steep road when/if it was plowed in the winter.
4. The surrounding land of the lot is agricultural with a new and expensive irrigation system recently installed. Cow calf pairs are also periodically and regularly grazing on the land surrounding the lot. People from the tourist home are likely not aware of the safety required to be around agricultural aspects such as irrigation and cattle.

There is the potential for damage or injury that would be financially incumbent upon the landowner (i.e. Rut's Ranching Ltd) surrounding the lot if damage or safety issues occurred outside of the parameters of the lot.

5. Behind the residence is a beautiful old-growth douglas fir forest. If approved this forest would be an attraction for said tourists staying at the residence – although they would be trespassing on land that is not part of the lot (i.e. landowner C. Murphy- Blomgren). Potential problems include:
 - a. interaction with wildlife including but not limited to deer, cougars, black bears with cubs, grizzly bears with cubs and Rocky Mountain wood ticks. (Note: all of the above have been regularly and recently viewed or noted in these woods).
 - b. Parts of the forest and riverbank are very steep and dangerous – as the soil dries out and easily slumps away. There is a potential for a long fall down from the riverbank towards the river.
 - c. As drought conditions continue to be a challenge in southwestern Alberta, this forest becomes vulnerable to long hot summer days and is equally vulnerable in the spring before the new growth comes in. Tourists generally are not aware of MD fire bans nor of the need for caution. In the last ten years, there have been 5 different occasions with nearby fires. The winds of this area can easily arise, and fire awareness and safety are required year-round.
 - d. In the winter, walking on the river ice can be dangerous. There was a February drowning of a young child about 25 years ago, just downstream of the lot.
 - e. Although tourist homes come with a manual for the visitors, **there is no certainty that they will read or heed the list of what not to do.** With four bedrooms available it is likely that families, multi-generational groups or several couples would come which makes managing such groups more challenging.
6. This arm of the Oldman River is under the jurisdiction of the federal government i.e. the Ministry of Fisheries and Oceans. The current residence has a septic field within the gravel river valley. With the water and sewage use of a tourist home the septic field may not be sufficient to handle such demands. Overuse of the septic field would potentially have impact on the health of the river within the lot and downstream. Floods have occurred in recent history and could also affect the septic system and therefore the health of the river.
7. **Because of the agricultural activity, the forest, and the river, a tourist home located on this lot becomes a significant legal and financial risk for the adjacent landowners.** It is also without compensation from the commercial

activities although many of the problems would require action from them, (i.e., as a neighbour would I not try and help someone in need although the situation was not one of my own choosing?).

8. Additionally, there is the lack of certainty of who is physically in the tourist home and who they are at any one time. In other words, living next to a tourist home with people coming and leaving on an ongoing basis would create an ongoing, uncomfortable, and permanent uncertainty. There is a psychological effect upon myself and my family as the closest resident to this proposal that also needs to be considered. Unlike a permanent resident living in the home that a neighbour gets to know and understand, a tourist home has a change of occupants of whomever might decide to make a booking.
9. **If approved, the psychological, legal, and financial risk is not by choice of the adjacent landowners.**
10. The applicant is a resident of the United States (as told to me by the real estate agent in the recent sale of the residence in summer 2025). Donald Comer does not reside in the local area, nor the province of Alberta, or even the country of Canada. This fact indicates an absentee landowner managing a commercial property from another country.
11. The applicant has not made any contact with me as a landowner, either as a neighbour or as concerned landowner although I can be reached by telephone or have a meeting in person or online.

It is for the above reasons that I am submitting my comments regarding this application.

Regards,

Dr. Constance Blomgren

Constance Murphy-Blomgren

Development Permit Application No. 2025-54 (Tourist Home)

From Martha Paridaen [REDACTED]
Date Thu 2025-11-27 10:25 AM
To Laura McKinnon <AdminDevOfr@mdpincercreek.ab.ca>

Good morning Laura,

Thank you for the information letter dated November 18, 2025 regarding the Application for a Tourist Home.

As a neighbor to this property, I do not have a problem with the Application for a Tourist Home. I trust the owner/applicant will have the required insurance for this venture and guests will be respectful to neighbors and neighboring lands.

Kind regards,
Martha Paridaen
SE 1/4 Section 28, T. 8, R. 1, W. 5th M

Recommendation to Municipal Planning Commission

TITLE: DEVELOPMENT PERMIT No. 2026-03 Applicant: Mueller & Tinis Ltd (Kim Tinis) Location: Lots 14-16, Block 15, Plan 2177S Division: 5 Size of Parcel: 0.14 ha (0.34Acres) Zoning: Hamlet Single Detached Residential (HR-1) Development: Tourist Home		
PREPARED BY: Laura McKinnon	DATE: January 29, 2026	
DEPARTMENT: Planning and Development		
Signature:	 	ATTACHMENTS: 1. Development Permit Application 2026-03 2. Renovated floor plan 3. House Photo 4. GIS Aerial
APPROVALS:		
_____ Department Director	_____ Date	<div style="text-align: center;">  Roland Milligan CAO </div> <div style="text-align: right; margin-top: 10px;">  Date </div>

RECOMMENDATION:

That Development Permit Application No. 2026-03, for a Tourist Home be approved subject to the following Condition(s):

Condition(s):

1. That this development meets the minimum provisions required in Land Use Bylaw 1349-23.

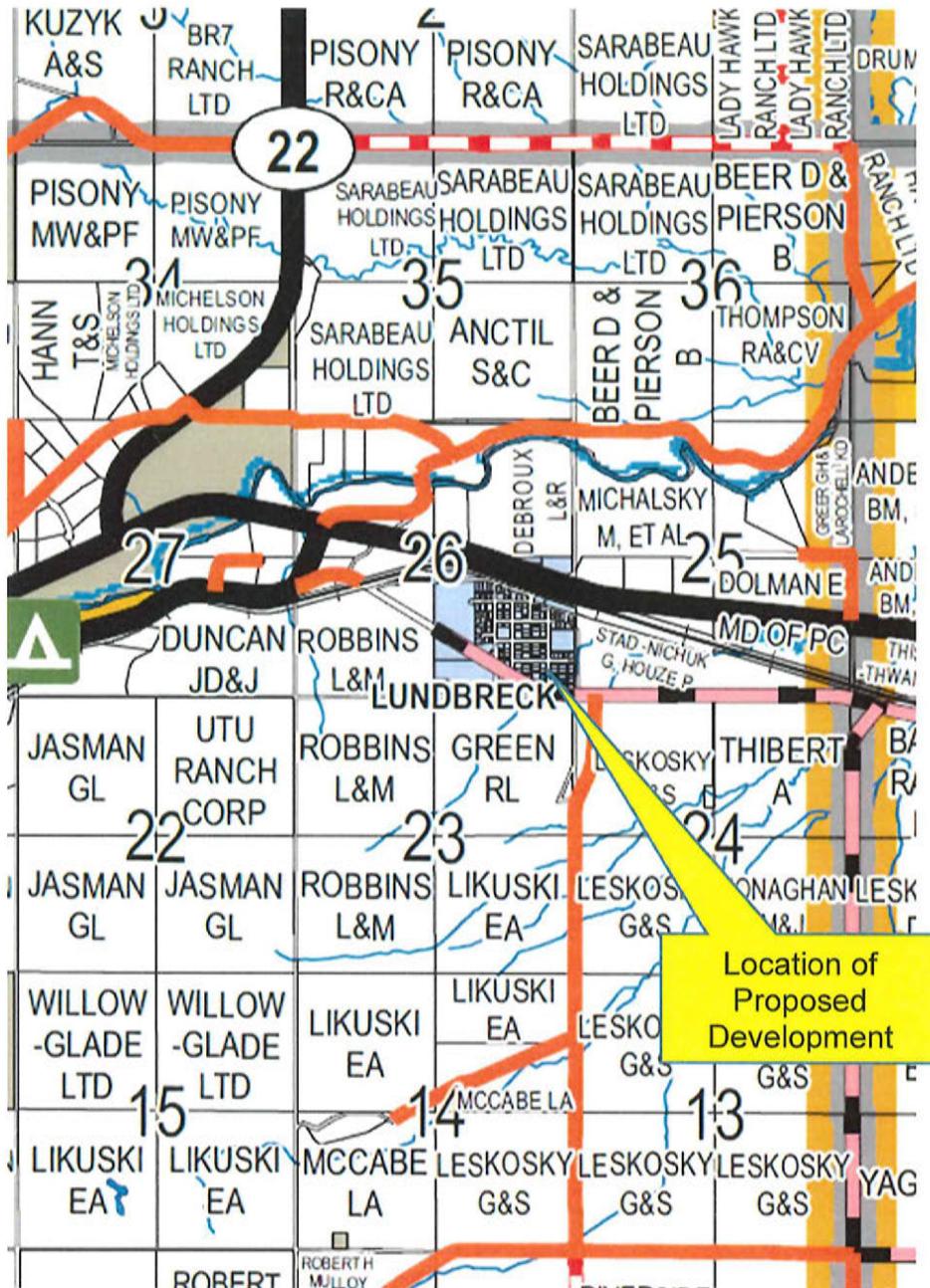
BACKGROUND:

- On January 12, 2026, the MD accepted the Development Permit Application No. 2026-03 from applicant Kim Tinis (Mueller & Tinis Ltd). (*Attachment No. 1*).
- This application is to allow for a seasonally operated Tourist Home on a Hamlet Single Detached Residential (HR-1) parcel.
- This application is being placed in front of the MPC because:
 - Within the Hamlet Single Detached Residential (HR-1) Land Use District, a Tourist Home is a Discretionary Use.
- The applicant obtained a Development Permit in 2025 to convert the property from a previous use of Place of Worship to Residential Use and subsequently completed internal renovations to a 3 bedroom (*Attachment No. 2*) and replaced the windows and siding (*Attachment No. 3*). Additionally, the applicant received Historic Resources Clearance for the 2025 Development Permit.
- The intent of the applicant is to short-term rent, roughly 20 times a year until they move down here full time, and then the house will be used for personal use (*Attachment No. 4*).

Recommendation 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.

Location of Proposed Development





Municipal District of Pincher Creek

P.O. Box 279

Pincher Creek, AB T0K 1W0

Phone: 403.627.3130 • Fax: 403.627.5070

DEVELOPMENT PERMIT APPLICATION

All grey areas will be completed by the Planning Authority

DEVELOPMENT PERMIT APPLICATION NO. 2026-03

Date Application Received 2026/01/12

PERMIT FEE \$100 Permitted / \$150 Discretionary

Date Application Accepted 2026/01/14

RECEIPT NO. 70266

Tax Roll # _____

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

SECTION 1: GENERAL INFORMATION

Applicant: Mueller & Tinis Ltd. (Kim Tinis)

Address: [Redacted] Lundbreck AB T0K1H0

Telephone: [Redacted] Email: [Redacted]

Owner of Land (if different from above): _____

Address: _____ Telephone: _____

Interest of Applicant (if not the owner): _____

SECTION 2: PROPOSED DEVELOPMENT

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

A brief description of the proposed development is as follows:

Application for a Tourist Home at 400 Hamilton Ave Lundbreck Alberta

Legal Description: Lot(s) 14-16

Block 15

Plan 2177S

Quarter Section _____

Estimated Commencement Date: March 1, 2026

Estimated Completion Date: _____

SECTION 3: SITE REQUIREMENTS

Land Use District: Hamlet Single Detached Residential 1 Division: 5

Permitted Use Discretionary Use

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

Yes No

Is the proposed development below a licenced dam?

Yes No

Is the proposed development site situated on a slope?

Yes No

If yes, approximately how many degrees of slope? _____ degrees

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

Yes No Don't know Not required

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

Yes No Don't think so

PRINCIPAL BUILDING	Proposed	By Law Requirements	Conforms
(1) Area of Site	1392 sq M		
(2) Area of Building	187 sq M		
(3) %Site Coverage by Building (within Hamets)	13.5 % ⁹		
(4) Front Yard Setback Direction Facing:	7.26 M	<i>Existing Residence</i>	
(5) Rear Yard Setback Direction Facing:	12.40 M		
(6) Side Yard Setback: Direction Facing:	1.10 M		
(7) Side Yard Setback: Direction Facing:	23.36 M		
(8) Height of Building	Single storey		
(9) Number of Off Street Parking Spaces	2		

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

Please see attached site drawing.

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

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

Site plan attached

SECTION 4: DEMOLITION

Type of building being demolished : N/A

Area of size: _____

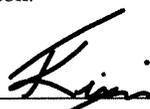
Type of demolition planned: _____

SECTION 5: SIGNATURES (both signatures required)

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

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

DATE: 11 Jan 2026


Applicant


Registered Owner

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

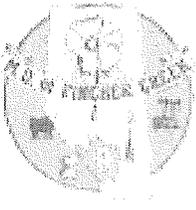
IMPORTANT NOTES:

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

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

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

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



MD of Pincher Creek No. 9

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

Mueller & Tinis LTD

PAYMENT RECEIPT

Receipt Number:	70266
Date:	1/15/2026
Initials:	CD
GST Registration #:	10747347RP

Receipt Type	Roll/Account	Description	QTY	Amount	Amount Owing
General	DEVE	Development Application Fees	1	\$150.00	\$0.00

Subtotal:	\$150.00
Discount	\$0.00
GST	\$0.00
Total Receipt:	\$150.00
Mastercard:	\$150.00
Total Amount Received:	\$150.00

w/d

Full
Bathroom

Kitchen

Water closet

Dining Room

HW Furnace

Living Area

Bedroom 1

Bedroom 2

Bedroom 3



2025-03 - Site Plan

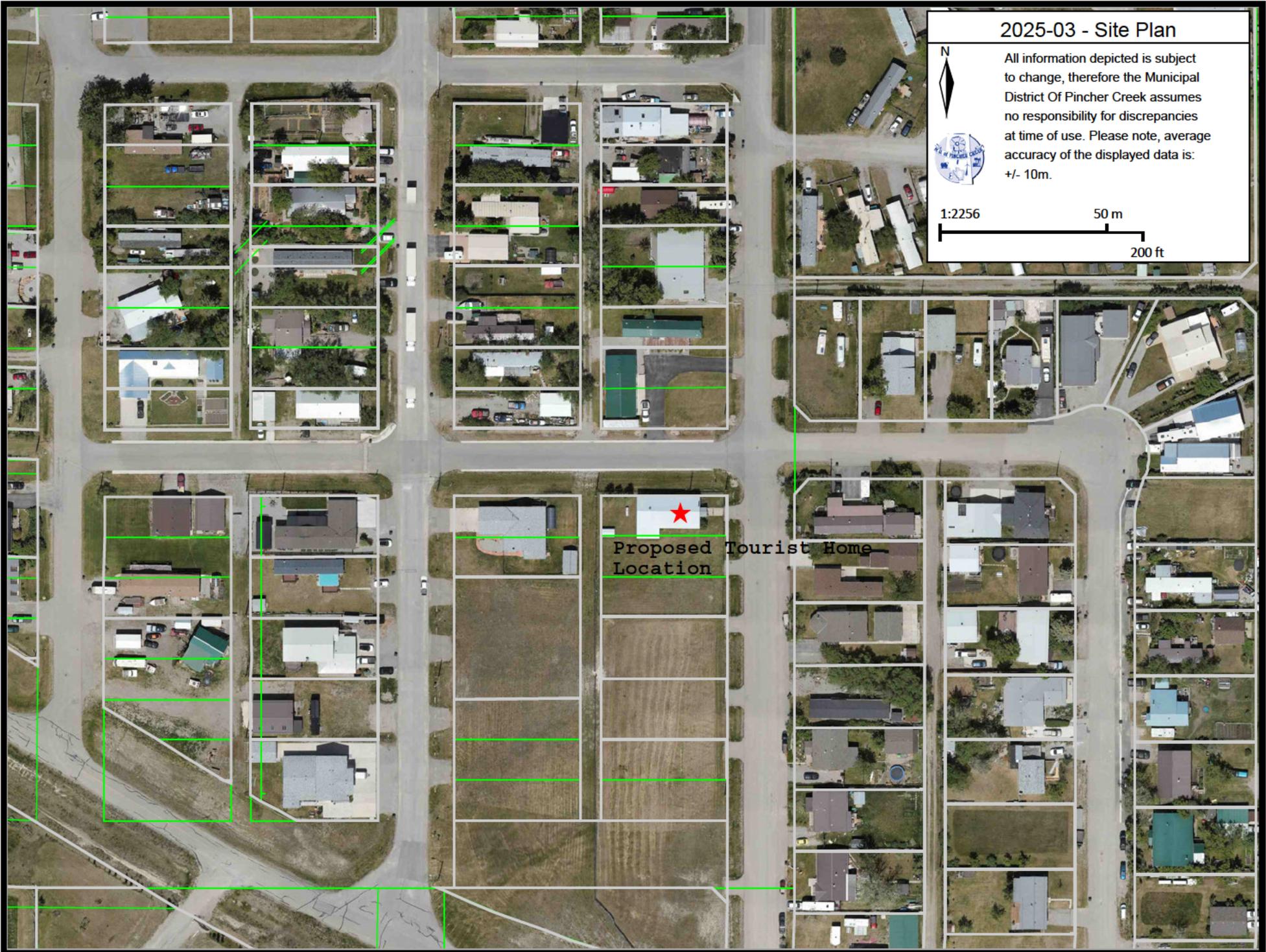


All information depicted is subject to change, therefore the Municipal District Of Pincher Creek assumes no responsibility for discrepancies at time of use. Please note, average accuracy of the displayed data is: +/- 10m.

1:2256

50 m

200 ft

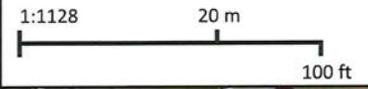


Proposed Tourist Home
Location

2025-03 - Site Plan



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



DEVELOPMENT OFFICER REPORT

January 2026

Development / Community Services Activities include:

- Jan 6 Subdivision Authority Meeting
- Jan 6 MPC Meeting
- Jan 7 South Canadian Rockies Tourism – Team Meeting
- Jan 8 U of A – Planning Law Course (All Day)
- Jan 9 U of A – Planning Law Course (All Day)
- Jan 13 Council Committee & Council Meeting
- Jan 14 Telecommunications Tower Open House
- Jan 19 Pincher Colony Irrigation Project Meeting
- Jan 20 Work from Home (Water Main Break)
- Jan 26 Standard Day Off
- Jan 27 Livingstone School Range Division Meeting
- Jan 27 Council Committee & Council Meeting
- Jan 29 Admin Safety Meeting
- Jan 29 MD Digital Sign Training
- Jan 30 South Canadian Rockies Board Meeting & Dinner

PLANNING DEPARTMENT STATISTICS

Development Permits Issued by the Development Officer for January 2026

No.	Applicant	Division	Legal Address	Development
2026-01	Dustin Desharnais	5	Lot 2, Block 15, Plan 0610438 within SE 27-7-2 W5	Single Detached Residence & Accessory Building
2026-02	Shawn Boese	2	Ptn of SE 18-6-29 W4	Single Detached Residence Replacement

Development Permits Issued by Municipal Planning Commission January 2026

2025-55	Marco Bergeron	5	Lot 2, Block 1, Plan 1510616 within NW 19-7-1 W5	Modular Home & Accessory Building - Variance
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Development Statistics to Date

DESCRIPTION		2026 To date (Jan)	2025	2024	2023
Dev Permits Issued	3 - Jan	3 2 -DO 1 -MPC	55 38 -DO 16 -MPC 1-Council	54 38 -DO 16 -MPC	49 31 – DO 18 - MPC
Dev Applications Accepted	3 – Jan	3	60	58	54
Utility Permits Issued	3 – Jan	3	48	23	35
Subdivision Applications Approved	2 – Jan	2	12	12	5
Rezoning	0 – Jan		0	1	0
DESCRIPTION		2026 to Date (Jan)	2025	2024	2023
Compliance Cert	1 – Jan	1	16	34	21

RECOMMENDATION:

That the report for the period ending January 30, 2026, be received as information.

Prepared by: Laura McKinnon, Development Officer

Date: January 30, 2026

Respectfully Submitted to: Municipal Planning Commission