MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1352-24

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1349-24, being the Land Use Bylaw.

WHEREAS Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 is in receipt of a request to change the land use designation of lands legally described as:

That portion NW 10-6-2 W5M lying within the Hamlet of Beaver Mines

And as shown on Schedule 'A' attached hereto, from "Hamlet Transitional / Agricultural - HTA" to "Hamlet Single Detached Residential 1 – HR-1" and "Hamlet Public and Institutional - HPI; and

WHEREAS The purpose of the proposed amendment is to allow for residential subdivision and development;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1352-24".

2. Amendments to Land Use Bylaw No. 1349-24 as per "Schedule A" attached.

3. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this 24 day of September, 2024.

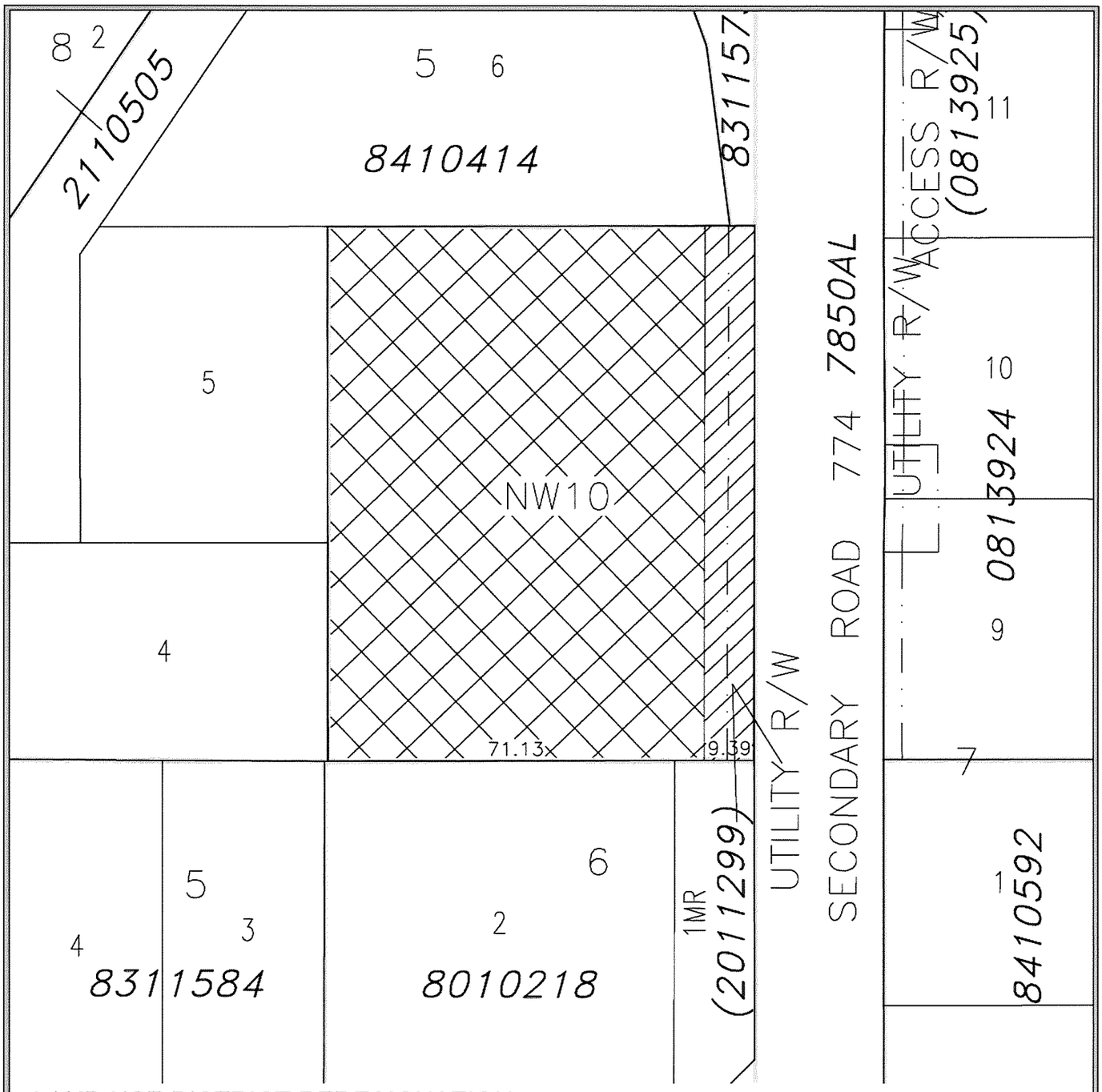
A PUBLIC HEARING was held this 22 day of October, 2024.

READ a second time this 12 day of November, 2024.

READ a third time and finally PASSED this 12 day of November, 2024.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

FROM: Hamlet Transitional/Agricultural 'HTA'
TO: Hamlet Single-Detached Residential 1 'HR-1'

FROM: Hamlet Transitional/Agricultural 'HTA'
TO: Hamlet Public and Institutional 'HPI'

PORTION OF NW 1/4 SEC 10, TWP 6, RGE 2, W 5 M
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK No 9
(HAMLET OF BEAVER MINES)
DATE: SEPTEMBER 13, 2024

Bylaw #: 1352-24
Date: _____

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

OLDMAN RIVER REGIONAL SERVICES COMMISSION

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September 13, 2024 N:\Pincher-Creek-MD\Pincher-Creek-MD LUD & Land Use Redesignations\MD of Pincher Creek – Bylaw No. 1352-24 NW 10-6-2-5.dwg

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1361-25

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1349-23, being the Land Use Bylaw.

WHEREAS Section 640 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 desire to amend sections of the Land Use Bylaw as shown on Schedule 'A' attached hereto; and

WHEREAS The purpose of the proposed amendment among other general clean up items is to allow for an adjustment in the parking for Tourist homes proposed at Castle Mountain Resort, clarify the procedure for conducting open house meetings and to introduce Data Centre Operation as a use in the Land Use Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1361-25".

2. Amendments to Land Use Bylaw No. 1349-23 as per "Schedule A" attached. That the amendments to Bylaw No. 1349-23, being the Land Use Bylaw, include additions to the Table of Contents and make use of formatting that maintains the consistency of the portions of the Bylaw being amended.

3. This bylaw shall come into force and effect upon third and final passing thereof and a consolidated version of the Land Use Bylaw reflecting the amendment is authorized to be prepared.

READ a first time this 10 day of June 2025.

A PUBLIC HEARING was held this 8 day of July 2025.

READ a second time this 8 day of September 2025.

READ a third time and finally PASSED this 8 day of September 2025.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan

SCHEDULE 'A'

1. Revise Part III Development Permits by adding to Section 16.2 the following:

(c) be accompanied by a written report resulting from the public meeting (open house) required by the procedures found in Part VIII – Special Land Use Provisions and in accordance with Section 27.4.

2. Revise Part III Development Permits Section 27 *Developer's Responsibility* by adding the following:

27.4 Where the uses under Part VIII – Special Land Use Provisions require a public meeting (open house) it is the responsibility of the developer/applicant to complete the following:

(a) A public consultation plan implemented to the satisfaction of the Development Officer. The consultation plan shall contain the following:

(i) Identification of the intended venue where the public meeting (open house) will be held;
(ii) Acknowledgement that at minimum one (1) engagement with the public will occur and identification of any additional engagements;
(iii) Appropriate timing of when the public meeting (open house) will occur given the time requirements for mailing the notification, observance of calendared holidays, and recognition of seasonal agriculture and ranching processes; and
(iv) A draft copy of the notice described in subsection (b).

(b) The notification for the public meeting (open house) shall contain the following:

(i) The date, time, and location for the meeting;
(ii) A description of the proposed use as defined by this bylaw;
(iii) A description of the intensity of the proposed use;
(iv) A description of the existing and proposed utility servicing for the proposed use; and
(v) A map of the proposed development site and the roads being used to access the location.

(c) The mailing for the notification for the public meeting (open house) shall be carried out by the development officer and paid for by the developer/applicant. The extent of the notification is determined by the individual uses under Part VIII – Special Land Use Provisions or as determined by the Development Officer.

3. Revise Part VIII as follows:

48.27 Prior to redesignation to Rural Recreation 1 or Rural Recreation 2, the proponent shall conduct ~~an~~ public meeting (open house) with all adjacent property owners and all residences along the access road(s), as determined by the Development Officer, to the proposed development site. See Part III Section 27.4 for details.

53.2 Prior to a decision being made, the proponent shall hold a public meeting (open house) in order to solicit the views of the public in regard to the application for a natural resource extractive uses development. Notices for the meeting shall be circulated to every household within 1.6km of the proposed development. See Part III Section 27.4 for details.

59.11 Prior to an application being made, the applicant shall hold a public meeting (open house) in order to solicit the views of the public in regard to the application and report the information received to the Development Authority. See Part III Section 27.4 for details.

4. Revise Part VIII – Special Land Use Provisions Section 62 Retail Cannabis Store as follows:

62.13 In issuing a development permit for a Retail Cannabis Store, ~~Council~~ Development Authority will consider and may place as a condition of approval the following:

5. Revise Part III Development Permits Section 16 Application for Development Permit as follows:

16.5 In determining the development permit application requirements and procedures pursuant to Section 16.4, the ~~Council~~ Development Authority may consider and be guided by the provisions outlined in Section 16.2 and may require the applicant to submit any or all of the following for the purpose of relating any proposal to the satisfaction of the Municipal District of Pincher Creek:

6. Revise Part VIII Section 47.19(c) as follows:

(c) One hard surfaced, on-site parking stall per bedroom shall be provided and parking stalls shall not be tandem. The Development Authority shall not approve any variance to the off-street parking standard for a Tourist Home, excepting development areas of Castle Mountain Resort where off-street parking has not been provided for the residential development.

7. Add to Part I – General Section 6 Definitions the following:

DATA CENTRE OPERATION
The development of a heavy industrial facility consisting of a building or structure or group of buildings or structures housing powerful, highly specialized computers and storage devices that require 24/7 climate control. This use may include an on-site power plant.

NOISE IMPACT ASSESSMENT
An assessment prepared by an APEGA engineer which measures and maps noise and noise impacts.

8. Add to Part VIII – Special Land Use Provisions the following:

Section 63 Data Centre Operation

REDESIGNATION REQUIREMENT

63.1 All 'Data Centre Operation' uses shall apply for redesignation to Direct Control – DC.

63.2 Prior to a decision being made, the proponent shall hold a public meeting (open house) in order to solicit the views of the public in regard to the application for a data centre operation. Notices for the meeting shall be circulated to every household within 1.6 km of the proposed development.

63.3 Application for redesignation shall include:

(a) operation plans including water (source, usage and disposal) and number of employees;

(b) details of roads, access points and traffic volumes;

(c) details on any proposed power plant including battery energy storage systems;

(d) weed control and management plan;

(e) reclamation planning and security;

(f) acknowledgement of the historic resources value for the property and the need to gain provincial clearance where appropriate; and

(g) analysis of impacts including noise, fencing and security lighting on adjacent properties or structures including a locational plan that includes distances to all other development.

63.4 The applicant shall provide noise impact assessment in accordance with Section 63.10.

REFERRALS

63.5 The municipality shall solicit and consider the comments of:

(a) Alberta Environment;

(b) any landowners within 1.6km (1.0 mile) of the lot; and

(c) Alberta Transportation where applicable;

before approving a development application for a data centre operation use.

DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

63.6 An application for a data centre operation shall be accompanied by all the application submission requirements in accordance Part III - Development Permits, Section 16.2, 16.3 and 18.2 as well as the following information:

(a) floor plans, elevations and renderings conveying all proposed buildings and structures that will form part of the facility including trailers, shipping containers, back-up power generators and related storage buildings;

(b) a breakdown of the number of computer units, fans and any pertinent information concerning their anticipated noise impacts;

(c) noise impact assessment (NIA) completed by a qualified APEGA professional which measures sound from the proposed facility to all dwellings and other buildings within 1 mile (1.6km). The assessment shall be undertaken in accordance with the principles specified in AUC Rule 012 or a comparable standard, regardless of whether the proposed operation involves the on-site generation of electric energy.

(d) a fire protection plan (including code compliance) and emergency response plan;

(e) any proposed signage to be presented in accordance with Section 55 of this part; and

(e) any other information that may be required by the Development Officer or Council.

63.7 Proposals for data centre operations integrating an on-site power plant or backup power source shall indicate the total MW at full build-out, and any pertinent information concerning their anticipated noise impacts. All structures related to energy generation shall be indicated on the site plan.

63.8 An application for a data centre operation that draws its power from the electricity grid shall be accompanied by verification in writing from the electrical service provider that the projected electrical consumption of the proposed use can be accommodated and that the utility supply equipment and related infrastructure is sufficiently sized to accommodate the proposal.

63.9 The applicant shall submit from the Alberta Utilities Commission:

(a) a copy of proof of exemption of an approval for applications utilizing an on-site power plant generating less than 10 megawatts (MW);

(b) a copy of any approvals required by for applications utilizing an on-site power plant generating 10 MW or more.

63.10 At all times during the operation of the data centre operation noise compliance shall be:

Proximity to Transportation	Dwelling density per quarter section of land					
	1 to 8 dwellings		9 to 160 dwellings		Greater than 160 dwellings	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
Category 1	50 dB	40 dB	53 dB	43 dB	56 dB	46 dB
Category 2	55 dB	45 dB	58 dB	48 dB	61 dB	51 dB
Category 3	60 dB	50 dB	63 dB	53 dB	66 dB	56 dB

Category 1: dwelling(s) distance is more than or equal to 500 metres (m) from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.

Category 2: dwelling(s) distance is more than or equal to 30 m, but less than 500 m from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.

Category 3: dwelling(s) distance is less than 30 m from heavily travelled roads, or rail lines or subject to frequent aircraft flyovers from proposed development.

	Daytime	Nighttime
Adjacent parcels zoned for Industrial purposes	75 dB	70 dB

63.11 Facilities used in conjunction with data centre operation shall integrate noise management strategies to achieve noise compliance, including but not limited to exhaust baffles, roof and side extensions on the exhaust side of buildings, sound-absorbent padding, and fire-resistant sound-absorbing walls. Where the above measures do not adequately mitigate sound to achieve noise compliance specified in section 63.10, more sophisticated sound mitigation solutions shall be required prior to commencement of operations.

63.12 At no time shall the cumulative modelled sound level of a Data Centre (and its associated improvements) at the development property boundary exceed the sound levels of section 63.10 unless:

(a) an easement, as approved by the Municipal Planning Commission, is agreed to by the affected landowner and registered on the affected title, or

(b) the affected landowner is the crown or an agent of the crown, excluding statutory roads or road plans, and will be asked for comment under a different clause in this bylaw.

63.13 In response to noise complaints:

(a) by residents, the data centre operation that is the subject of those complaints may, at the discretion of Council, be required to undertake sound level testing at the location of the most affected dwelling to demonstrate that the noise threshold in is not exceeded.

(b) by operators of other properties, the Council may determine that noise compliance testing is required to demonstrate compliance.

(c) any required compliance testing shall be undertaken at the cost of the developer.

9. Replace all references to the *Matters Relating to Subdivision and Development Regulation* with *Matters Related to Subdivision and Development Regulation.*

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1368-26

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1349-23, being the Land Use Bylaw.

WHEREAS Section 640 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 desire to amend sections of the Land Use Bylaw as shown on Schedule 'A' attached hereto; and

WHEREAS The purpose of the proposed amendment is to add a detached secondary suite and to limit the dwelling density within the agriculturally oriented districts in the Land Use Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1368-26".

2. Amendments to Land Use Bylaw No. 1349-23 as per "Schedule A" attached. That the amendments to Bylaw No. 1349-23, being the Land Use Bylaw, include additions to section that affect numbering and formatting which will be changed to maintain the consistency of the portions of the Bylaw being amended.

3. This bylaw shall come into force and effect upon third and final passing thereof and a consolidated version of the Land Use Bylaw reflecting the amendment is authorized to be prepared.

READ a first time this 27 day of January 2026.

A PUBLIC HEARING was held this 10 day of March 2026.

READ a second time this 24 day of March 2026.

READ a third time and finally PASSED this 24 day of March 2026.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan

SCHEDULE 'A'

1. Revise Part I – General Section 6 Definitions as follows:

   6.140 Secondary Suite
   An additional dwelling unit located on a property containing a single unit residence, which is subordinate to the principal dwelling ~~primary residence~~. The secondary suite must be located within the same yard as the principal dwelling. ~~The unit must have a separate entrance from the principal dwelling, either from a common indoor landing or directly from the exterior of the house.~~ A secondary suite shall not be developed within a "Duplex", "Semi-detached dwelling", "Multi-unit dwelling", "Manufactured home park", "Rowhouse or townhouse" or "Apartment". "Garden suite", "Surveillance suite", and "Secondary farm residence" are separate uses.

   6.121 Principal Dwelling
   Principal dwelling means the primary residence unit located on a titled piece of land.

2. Delete and replace Part VII Section 42.1 and 42.2 with the following:

   42.1 The maximum number of dwelling units per parcel of land is as regulated through the applicable land use district and associated use specific standards of development of this Bylaw.

   42.2 No person shall construct or locate, or cause to be constructed or located, more than one dwelling unit on a parcel except as provided in the land use district for which the application is made and authorized by the Development Authority through issuance of a development permit for a use that allows for more than one dwelling in accordance with the provisions of this Bylaw.

3. Revise Part VII Section 42.3 with the following:

   42.3 Within the Agriculture – A, Airport Vicinity Protection – AVP, Urban Fringe – UF, Wind Farm Industrial – WFI districts, one or more additional dwelling units may be located on a parcel provided that:
   (a) all such dwelling units are secondary farm residences on a parcel that has an area greater than 32.4 ha (80 acres) and this use is a permitted or discretionary use in the applicable district; and
   (b) all such dwelling units comply with this bylaw.

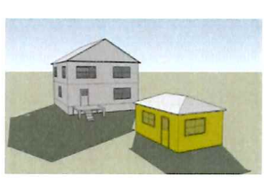
4. Revise Part VIII Tourist Home Section 47.15 by changing the following:

   47.15 Within the Agriculture – A district, a tourist home may be considered on properties that have a principal dwelling and that may also have a secondary suite or a secondary farm residence. ~~and/or~~ Only one of the dwelling units may be considered for the Tourist Home use. Alternatively, where a principal dwelling is located on the site, a tourist home may be approved as a maximum of two (2) ~~supplemental~~ recreation vehicle spaces and is to be designated as a seasonal tourist home in place of designating a dwelling unit as a tourist home.

5. Revise Part VIII Section 49 Garden and Secondary Suites by changing Section 49.5(c) to the following:

   (c) in the Agriculture – A, Airport Vicinity Protection – AVP, Urban Fringe – UF, Wind Farm Industrial – WFI districts where listed as a permitted or discretionary use, a secondary suite may be considered (as shown in figure below) as a second storey garage (or shop) suite or detached dwelling. All secondary suites in this category are limited to a maximum building footprint or floor area of 1000 ft^2 (28.32m^2).





6. Revise Part IX – Districts Section 2 by removing 'Garden Suite' from the Agriculture – A, Airport Vicinity Protection – AVP, Rural Business – RB, Urban Fringe – UF, Wind Farm Industrial – WFI districts.

7. Revise Part IX – Districts by adding to Agriculture – A, Airport Vicinity Protection – AVP, Rural Business – RB, Urban Fringe – UF, Wind Farm Industrial – WFI districts the following:

3. Maximum Density

For all subdivided parcels that are less than 32.4 ha (80 acres) the maximum number of dwelling units is two (2). This can be any combination of a principal dwelling with a secondary suite as defined by Section 49. For those properties that were approved for a secondary farm residence and were subdivided the secondary farm residence will need a permit to transition to a secondary suite. Where a subdivided parcel contains more than 2 dwelling units, each dwelling unit greater than two will be considered legal non-conforming and cannot be altered or added to with an addition or secondary suite.

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1369-26

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1349-23, being the Land Use Bylaw.

WHEREAS Section 640 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 desire to amend sections of the Land Use Bylaw as shown on Schedule 'A' attached hereto; and

WHEREAS The purpose of the proposed amendment is to define dugouts and reservoirs within the agriculturally oriented districts in the Land Use Bylaw;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1369-26".

2. Amendments to Land Use Bylaw No. 1349-23 as per "Schedule A" attached. That the amendments to Bylaw No. 1349-23, being the Land Use Bylaw, include additions to section that affect numbering and formatting which will be changed to maintain the consistency of the portions of the Bylaw being amended.

3. This bylaw shall come into force and effect upon third and final passing thereof and a consolidated version of the Land Use Bylaw reflecting the amendment is authorized to be prepared.

READ a first time this 3 day of March 2026.

A PUBLIC HEARING was held this 14 day of April 2026.

READ a second time this 28 day of April 2026.

READ a ~~third~~ time and finally PASSED this 28 day of April 2026.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan

SCHEDULE 'A'

1. Add to Administration Section 6 Definitions the following:

Agricultural Water Reservoir
An agricultural water reservoir means a development specifically constructed for the purpose of containment and storage of a water supply for non-public use that is greater than 1 acre (0.40 ha) in size, including any associated berms, stockpile and fencing and/or includes any means of water storage above the natural grade of the surrounding lands.

Dugout
A dugout means a development by excavation specifically for the purpose of catching and storing water below the natural grade of the surrounding lands. Depending on the circumstances, the dugout may be intended for either seasonal use or permanent use. Construction that is greater than 1 acre (0.40 ha) or includes storage above grade is classified as a "Agricultural Water Reservoir" and is a separate use.

2. Revise Administration Section 6 Definitions the following:

6.62 Farm Buildings and Structures

In accordance with the National Building Code – Alberta Edition, the development of buildings or structures commonly or normally contained in a farmstead that is associated with a farming operation or an "Extensive agriculture" use where the buildings are of low human occupancy for the housing of livestock or the storage or maintenance of equipment, materials, or produce. Examples include barns, granaries, implement machinery and equipment sheds, ~~dugouts,~~ corrals, fences and haystacks but this use does not include "Intensive horticultural facility", or any "Dwelling unit" or "Sleeping unit" including conventional "Single-detached residences" and "Manufactured homes".

3. Add to Part III Section 15 Development Not Requiring a Permit the following:

aa) A dugout or agricultural water reservoir that meets the requirements of the sight triangle, setbacks of the district, and Section 64 of this bylaw.

4. Add to Part VII Special Land Use Provisions the following:

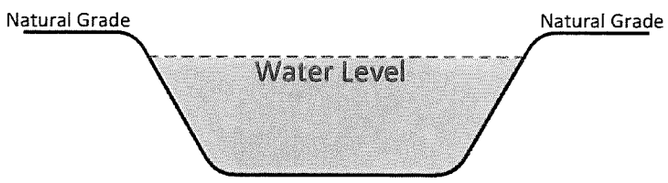
SECTION 64 DUGOUTS AND AGRICULTURAL WATER RESERVOIRS

Dugouts

64.1 A dugout used by a landowner to store water for the purposes of agricultural or domestic use that has a capacity of less than 7,500 cubic metres (88,287 cubic ft.) will not require a development permit if located outside the sight triangle and is a minimum of 30.0 m (98.4 ft.) from the right-of-way of a highway or municipal road to the designed capacity of the dugout.

64.3 Any requests for a variance to setbacks shall be accompanied by a soil analysis and/or engineered design for the dugout to indicate the ability of the dugout to function without leakage beyond the property line.

Dugout



64.4 Where a variance has been granted, a barricade shall be installed along 100 percent of the length of that part of the dugout fronting the highway or public road and 25 percent of the length of the sides of the dugout. The minimum standard of a barricade that may be required around a dugout shall be a post and cable barricade as per Alberta Transportation and Economic Corridors standards.

64.6 Perimeter fencing may be required to be installed in proximity of residential dwellings if deemed necessary by the Development Officer or the Municipal Planning Commission.

Agricultural water reservoirs

64.7 Development permit application for an above grade water reservoir or dugout greater than 1 acre (0.40 ha) for agricultural purposes with a capacity greater than 2,500 cubic metres (88,287 cubic ft.) shall submit the following information:

(a) a detailed site plan including all setbacks from property lines, location of municipal road, location of easements in proximity of the proposed reservoir site; and

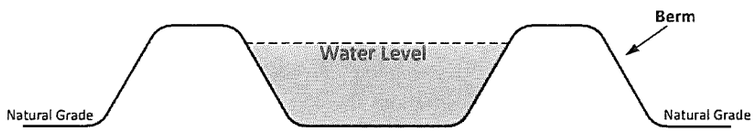
(b) if the water source to fill the reservoir is not located on the parcel of land, a site plan indicating the location of the source, information regarding the proposed conveyance route, any proposed road crossings, distances between the proposed development and any existing residences, grouped residential developments, or recreational areas;

(c) engineered design plans prepared by a professional engineer.

64.8 Agricultural reservoirs may require an approval under the Water Act. Proof of approval or an active application process shall be submitted as part of the development application to determine application completeness.

64.9 Upon completion, the developer shall submit a certified copy of the "as built" construction drawing to the municipality.

Above-grade Storage



5. Add to Part IX – DISTRICTS Agriculture -A, Airport Vicinity Protection – AVP, Rural Business – RB, Urban Fringe – UF, Wind Farm Industrial – WFI Section 2.1 Permitted Uses the following:

Agricultural Water Reservoir (see Section 15.1 (aa) and Section 64).
Dugout (see Section 15.1 (aa) and Section 64)

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1370-26

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1349-23, being the Land Use Bylaw.

WHEREAS Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw;

WHEREAS The Municipal District of Pincher Creek No. 9 is in receipt of a request to change the land use designations of lands legally described as:

Block 4, Plan 7910279, as shown on Schedule 'A' attached hereto, from "Grouped Country Residential - GRC" to "Rural Business – RB"; and
The portion of SW 34-7-2 W5M as shown on Schedule 'A' attached hereto, from "Agricultural - A" to "Rural Business – RB"; and

WHEREAS The purpose of the proposed amendment is to allow for rural business subdivision and development;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1370-26".

2. Amendments to Land Use Bylaw No. 1349-23 as per "Schedule A" attached.

3. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this 10 day of February 2026.

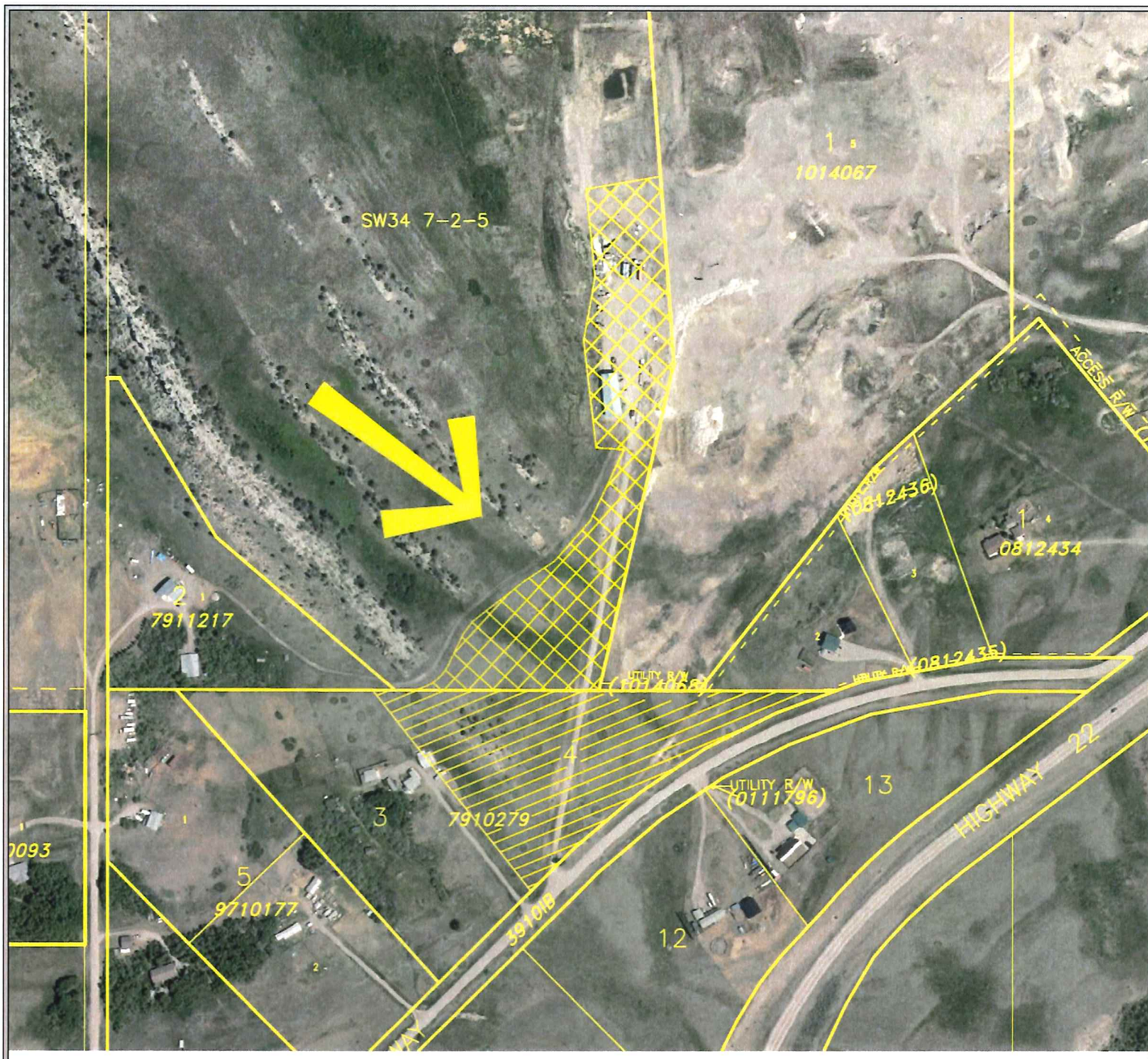
A PUBLIC HEARING was held this 10 day of March 2026.

READ a second time this 24 day of March 2026.

READ a third time and finally PASSED this 24 day of March 2026.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan



LAND USE DISTRICT REDESIGNATION
SCHEDULE 'A'

Aerial Photo Date: 2024

FROM: AGRICULTURE – A
TO: RURAL BUSINESS - RB

FROM: GROUPED COUNTRY RESIDENTIAL – GCR
TO: RURAL BUSINESS - RB

PORTION OF SW 1/4 SEC 34, TWP 7, RGE 2, W 5 M
MUNICIPALITY: MD OF PINCHER CREEK
DATE: FEBRUARY 2, 2026

Bylaw #: 1370-26
Date: _____

OLDMAN RIVER REGIONAL SERVICES COMMISSION

0 Metres 100 200 300 400

N

MAP PREPARED BY:
OLDMAN RIVER REGIONAL SERVICES COMMISSION
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8
TEL. 403-329-1344
"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

February 02, 2026 N:\Pincher-Creek-MD\Pincher-Creek-MD LUD & Land Use Redesignations\MD of Pincher Creek – Bylaw No. 1370-26 Ptn SW 34-7-2-5.dwg

MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
BYLAW NO. 1372-26

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to correct a technical error in Bylaw No. 1349-23, being the Land Use Bylaw.

WHEREAS Section 63(1) and Section 63(2)(g)(i) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a council may by bylaw authorize the revision of a bylaw to make changes, without materially affecting the bylaw in principle or substance, to correct clerical, technical, grammatical or typographical errors in the bylaw; and

WHEREAS Section 692(6) of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a bylaw under Section 692(1), Planning bylaws, may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical or typographical errors and does not materially affect the bylaw in principle or substance; and

WHEREAS A technical error has been identified in Bylaw No. 1372-26 being the Municipal District of Pincher Creek Land Use Bylaw, whereby the Section 64.1 sets out the volume of water at less than 7,500 cubic metres (264,860 cubic ft.) and Section 64.5 was to be greater than that value. Instead, a value of greater than 2,500 cubic metres (88,287 cubic ft.) was adopted; and

WHEREAS The Council of the Municipal District of Pincher Creek deems it proper and expedient to correct the technical error and deems that the correction does not materially affect the bylaw in principle or substance;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1372-26".

2. That Part VIII Section 64.5 replace 2,500 cubic metres (88,287 cubic ft.) with 7,500 cubic metres (264,860 cubic ft.).

3. Bylaw No. 1349-23 is hereby revised and a consolidated version of Bylaw No. 1349-23 reflecting the revisions is authorized to be prepared.

4. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this 23 day of June 2026.

READ a second time this 23 day of June 2026.

PRESENTED for third and final reading this 23 day of June 2026.

READ a third time and finally PASSED this 23 day of June 2026.

Reeve
Rick Lemire

Chief Administrative Officer
Roland Milligan