

**TOWN OF PINCHER CREEK
BYLAW NO. 1639-25-A**

BEING a bylaw of the Town of Pincher Creek in the Province of Alberta, to amend Bylaw No. 1639-25, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Pincher Creek has been requested to redesignate portions of lands within its corporate limits, generally located south of Tumbleweed Ave and north of the Pincher Creek, to accommodate residential, multi-unit residential, and parks and open space in the form of municipal reserve and environmental reserve lands, and to enable future subdivision in accordance with the Inspiration Area Structure Plan (Bylaw No. 1638-25);

AND WHEREAS the said lands are shown on the map in Schedule 'A' attached hereto;

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing;

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 Town of Pincher Creek in the Province of Alberta duly assembled does hereby enact the following:

1. Lands legally described as:

- a) PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E" CONTAINING 12.97 HECTARES (32.18 ACRES) MORE OR LESS EXCEPTING THEREOUT:

PLAN NUMBER	HECTARES MORE OR LESS	ACRES MORE OR LESS
SUBDIVISION 8211483	0.572	1.28
SUBDIVISION 9610888	0.387	0.96
SUBDIVISION 9912812	0.049	0.12
SUBDIVISION 1111136	0.055	0.14

EXCEPTING THEREOUT ALL MINES AND MINERALS

- b) MERIDIAN 4, RANGE 30, TOWNSHIP 6, SECTION 22
THAT PORTION OF THE EAST HALF WHICH LIES NORTH OF PINCHER
CREEK AS SHOWN ON THE TOWNSHIP PLAN APPROVED AT OTTAWA 29
SEPTEMBER 1887

- c) PLAN 8211483, BLOCK 3, LOT 7MR
CONTAINING 2.43 HECTARES (6.00 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
PLAN NUMBER HECTARES (ACRES) MORE OR LESS
SUBDIVISION 0010513 0.669 1.65
EXCEPTING THEREOUT ALL MINES AND MINERALS

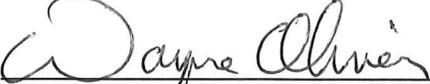
be redesignated from "Residential - R1" to "Multi-unit Residential - R4", "Residential - R1" to "Parks and Open Space - POS", "Parks and Open Space - POS" to "Residential - R1", and "Parks and Open Space - POS" to "Multi-unit Residential - R4" for the portions of land as shown on the map in Schedule 'A'.

2. Bylaw No. 1639-25, being the municipal Land Use Bylaw, is hereby amended.
3. The land use district map shall be amended to reflect this change.
4. This bylaw shall come into effect upon third and final reading hereof.

READ A FIRST TIME THIS 8th DAY OF DECEMBER, 2025.

READ A SECOND TIME THIS 26th DAY OF JANUARY, 2026.

READ A THIRD TIME AND FINALLY PASSED THIS 26th DAY OF JANUARY, 2026.

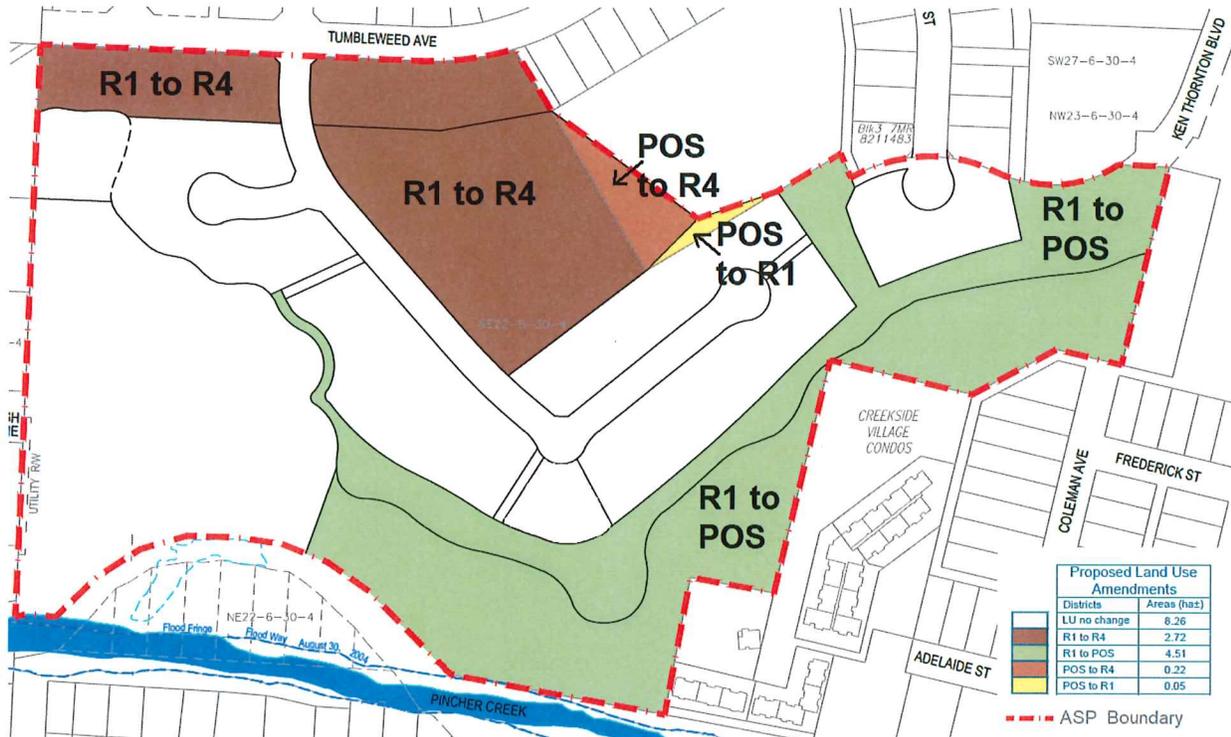


Mayor – Wayne Oliver



Chief Administrative Officer - Konrad Dunbar

SCHEDULE 'A'
BYLAW NO. 1639-25-A



Portions of Land within Legal Description:

1. PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E" CONTAINING 12.97 HECTARES (32.18 ACRES) MORE OR LESS EXCEPTING THEREOUT:

PLAN NUMBER	HECTARES MORE OR LESS	ACRES MORE OR LESS
SUBDIVISION 8211483	0.572	1.28
SUBDIVISION 9610888	0.387	0.96
SUBDIVISION 9912812	0.049	0.12
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 EXCEPTING THEREOUT ALL MINES AND MINERALS

2. MERIDIAN 4, RANGE 30, TOWNSHIP 6, SECTION 22
 THAT PORTION OF THE EAST HALF WHICH LIES NORTH OF PINCHER CREEK AS SHOWN ON THE TOWNSHIP PLAN APPROVED AT OTTAWA 29 SEPTEMBER 1887

3. PLAN 8211483, BLOCK 3, LOT 7MR
 CONTAINING 2.43 HECTARES (6.00 ACRES) MORE OR LESS
 EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES) MORE OR LESS
SUBDIVISION	0010513	0.669	1.65

 EXCEPTING THEREOUT ALL MINES AND MINERALS

TOWN OF PINCHER CREEK
BYLAW NO. 1639-25-B

BEING a bylaw of the Town of Pincher Creek in the Province of Alberta, to amend Bylaw No. 1639-25, being the municipal Land Use Bylaw.

WHEREAS the Council of the Town of Pincher Creek has been requested to regulate and control the use and development of lands within its corporate limits to enable a future lot to be subdivided along the escarpment on the upper portion of the Inspiration Area Structure Plan development area, with the land proposed to be designated to the Direct Control - DC District to follow the rules of the Residential – R1 district but with the addition of allowing Personal Service Uses as a discretionary use, to accommodate the operation of spa services at a local level within the neighbourhood, with the district regulations as outlined in Schedule 'B' of the amending bylaw;

AND WHEREAS the purpose of proposed Bylaw No. 1639-25-B is to redesignate a **0.2 ha+/- portion of land within a title generally described as PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E"** located south of Tumbleweed Ave from "Residential – R1" to "Direct Control - DC" accommodate the said use;

AND WHEREAS the said lands are shown on the map in Schedule 'A' attached hereto;

AND WHEREAS the municipality must prepare a corresponding bylaw and provide for its consideration at a public hearing;

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 Town of Pincher Creek in the Province of Alberta duly assembled does hereby enact the following:

1. Lands legally described as:

PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E" CONTAINING 12.97 HECTARES (32.18 ACRES) MORE OR LESS EXCEPTING THEREOUT:

PLAN NUMBER	HECTARES MORE OR LESS	ACRES MORE OR LESS
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SUBDIVISION 9912812	0.049	0.12
SUBDIVISION 1111136	0.055	0.14

EXCEPTING THEREOUT ALL MINES AND MINERALS

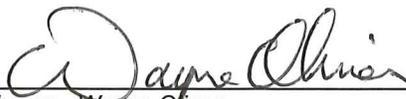
be redesignated from "Residential - R1" to "Direct Control - DC" for the 0.2 ha+/- portion as shown on the map in Schedule 'A'.

2. The Direct Control - DC district as provided for in the attached Schedule 'B' is hereby adopted for the aforementioned lands.
3. Bylaw No. 1639-25, being the municipal Land Use Bylaw, is hereby amended.
4. The land use district map shall be amended to reflect this change.
5. This bylaw shall come into effect upon third and final reading hereof.

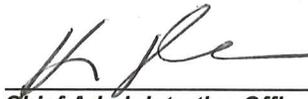
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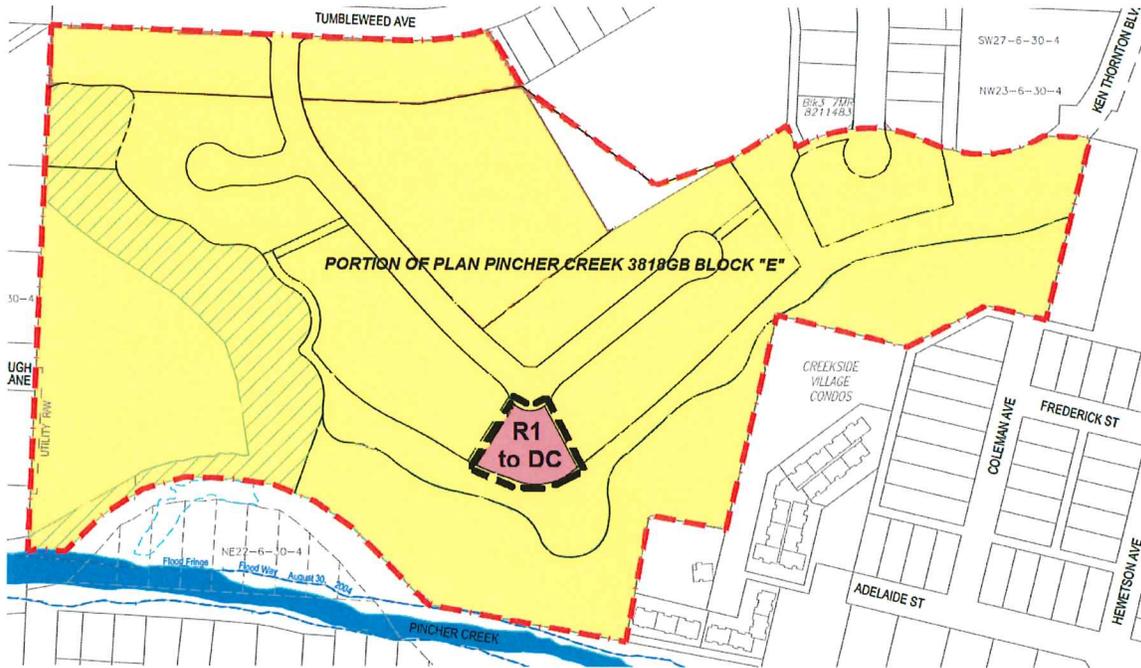
Mayor – Wayne Oliver



Chief Administrative Officer
Konrad Dunbar

SCHEDULE 'A'

DIRECT CONTROL – DC BYLAW NO. 1639-25-B



 From "Residential - R1" to "Direct Control - DC"

0.2 ha+/- Portion of Land within Legal Description:

PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E" CONTAINING 12.97 HECTARES (32.18 ACRES) MORE OR LESS EXCEPTING THEREOUT:

PLAN NUMBER	HECTARES MORE OR LESS	ACRES MORE OR LESS
SUBDIVISION 8211483	0.572	1.28
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SUBDIVISION 1111136	0.055	0.14
EXCEPTING THEREOUT ALL MINES AND MINERALS		

SCHEDULE 'B'

DIRECT CONTROL – DC BYLAW NO. 1639-25-B

INTENT: To provide a means whereby Council may regulate and control the use, development, or subdivision on a 0.2 ha+/- site-specific basis to the following lands:

PORTION OF PLAN PINCHER CREEK 3818GB BLOCK "E" CONTAINING 12.97 HECTARES (32.18 ACRES) MORE OR LESS EXCEPTING THEREOUT:

PLAN NUMBER	HECTARES MORE OR LESS	ACRES MORE OR LESS
SUBDIVISION 8211483	0.572	1.28
SUBDIVISION 9610888	0.387	0.96
SUBDIVISION 9912812	0.049	0.12
SUBDIVISION 1111136	0.055	0.14

EXCEPTING THEREOUT ALL MINES AND MINERALS

as shown on Schedule 'A'.

The Direct Control (DC) is for the purposes of enabling a future lot to be subdivided along the escarpment on the upper portion of the Inspiration Area Structure Plan development area, with the land currently designated **Residential - R-1 District** and the DC is proposed to follow the rules of the **R-1** district with the addition of allowing **Personal Service Uses** as a discretionary use, to accommodate the operation of spa services at a local level within the neighbourhood.

1. DEVELOPMENT CONTROL REGULATIONS

While this DC bylaw is in effect the following development control regulations shall apply and no development other than that prescribed for the 0.2 ha+/- lot area as shown on Schedule 'A' shall be undertaken unless otherwise approved by Council.

2. PERMITTED AND DISCRETIONARY USES

The permitted and discretionary uses shall be the same as prescribed in the **Residential - R-1 District** with the addition of the following use as a discretionary use: **Personal Service Use** as defined in Land Use Bylaw No. 1639-25.

Any use Council considers suitable may be considered as approved by Council.

Any use which is not authorized and approved by Council is a Prohibited Use.

3. MINIMUM LOT SIZE

The minimum lot size shall be as the 0.2 ha+/- lot area as designated or unless otherwise approved by Council.

4. MINIMUM YARD SETBACK REQUIREMENTS

The regulations of the Residential - R-1 District shall apply or as otherwise authorized by Council.

5. MAXIMUM DENSITY AND SITE COVERAGE

The regulations of the Residential - R-1 District shall apply or as otherwise authorized by Council.

6. ACCESSORY BUILDINGS AND STRUCTURES

- (1) Any accessory buildings or structures shall not be located in a front yard or in the required setback from a public road or an easement.
- (2) The accessory building or structure setback regulations of the Residential - R-1 District shall apply unless otherwise required or authorized by Council.
- (3) An accessory building or structure shall only be constructed after or in conjunction with an approved principal use or building on the parcel.

7. STANDARDS OF DEVELOPMENT

Any development standards as Council, being the Development Authority, considers necessary having regard to but not bound by Schedule 5 and Schedule 6 of Land Use Bylaw No. 1639-25, in relation to the applied for development for Residential uses or Personal Service use.

Parking shall be provided for the Residential uses and the Personal Service use as required by Council, having regard to but not bound by Schedule 5, Section 24 of Land Use Bylaw No. 1639-25.

8. OTHER APPLICATION REQUIREMENTS (AS MAY BE REQUIRED BY COUNCIL)

Prior to decision being made upon receipt of a development application proposal, Council may request any information, plans or studies be provided that it determines are necessary to make an informed decision on the application. Plans and information may include but are not limited to:

- (1) **Comprehensive Site and Landscaping Plans** – that shows the property dimensions, building size and locations with setbacks, outdoor storage areas, parking areas, landscaping, fencing, refuse container storage, utility easements, and servicing areas.
- (2) **Grading and Drainage Plan** – that establishes elevations on the property to allow surface water runoff to flow away from building foundations and to follow a pre-determined drainage path.

9. SUBDIVISION

- (1) Notwithstanding the provisions of this DC bylaw, subdivision is limited to the form of the one 0.2 ha+/- size lot, unless Council otherwise grants permission for further subdivision.
- (2) The Municipal Development and Subdivision Authority, acting in the capacity of the Subdivision Authority, shall make decisions on subdivision applications as directed by Council.

10. DELEGATION OF AUTHORITY

Council shall be the Development Authority to decide on all development permit applications, including applications for waivers of any development standards established by Council if applicable.

11. APPROVAL PROCEDURE

- (1) All submitted development permit applications shall be submitted to the Development Officer for processing and referred by the Development Officer to Council to decide upon.
- (2) Before Council considers a development permit application for a use in the Direct Control district, they shall:

- (a) delegate that the Development Officer cause notice to be issued by the Development Officer in accordance with Section 4.12 of the land use bylaw;
 - (b) ensure that the notice contains the date and time that Council will hear the application for the proposed development; and
 - (c) hear any persons who claim to be affected by a decision on the application.
- (3) Council may then approve the development application with or without conditions or refuse the application with reasons.
- (4) As part of the development application review process, the application shall be circulated to municipal administration and planning staff to provide input and recommendations on any proposal.

12. APPEAL PROCEDURE

- (1) Pursuant to section 685(4)(a) to the Municipal Government Act, if a decision with respect to a development permit application in the Direct Controls district is made by Council, there is no appeal to the Subdivision and Development Appeal Board.