

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

_____ day of _____, 2026.

READ a second time this

_____ day of _____, 2026.

READ a third time and finally PASSED this

_____ day of _____, 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:

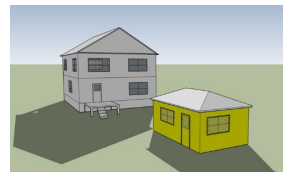
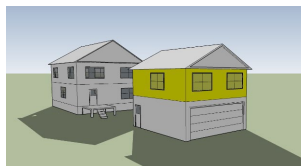
- (a) all such dwelling units are secondary farm residences on a parcel that has an area greater than 32.4 ha (80 acres) and this use is a permitted or discretionary use in the applicable district; and
- (b) all such dwelling units comply with this bylaw.

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 ft² (28.32m²).



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.