

Municipality of Crowsnest Pass

CHINOOK INTERMUNICIPAL
SUBDIVISION & DEVELOPMENT APPEAL BOARD

June 10, 2026

10:00 a.m.

Hearing No. DP 2026-019

Appellant: Cory Tourond

Applicant: Dale Linderman

LIST OF EXHIBITS

- A. Notice of Hearing and Location Sketch Map
- B. List of Persons Notified
- C. Notice of Appeal with Reasons
- D. Notice of Decision DP2026-019 (Revised) dated April 30, 2026
- E. Development Permit Application DP2026-019
- F. Photo of Site Plan Access with Notations
- G. Municipal Planning Commission Report (Request for Decision March 25, 2026)
- H. Notice of Decision DP2026-019 dated April 9, 2026
- I. Municipal Planning Commission (MPC) Meeting Minutes March 25, 2026
(draft/unapproved)
- J. Memorandum to MPC (April 17, 2026), and April 22, 2026, MPC Meeting Minutes
(draft/unapproved)
- K. Excerpts from Municipality of Crowsnest Pass Land Use Bylaw 1165, 2023 and
other various municipal bylaws
- L. Additional submission by Applicant D. Linderman, dated June 2, 2026

MUNICIPALITY OF CROWSNEST PASS

NOTICE OF CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING Development Permit No. DP2026-019

THIS IS TO NOTIFY YOU THAT IN ACCORDANCE WITH SECTION 686 OF THE MUNICIPAL GOVERNMENT ACT, REVISED STATUTES OF ALBERTA, 2000, CHAPTER M-26, AS AMENDED, A PANEL OF THE CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD WILL HEAR AN APPEAL OF A DECISION BY THE:

Development Authority of the Municipality of Crowsnest Pass with respect to Development Permit Application DP2026-019

APPELLANT: Cory Tourond

APPLICANT: Dale Linderman

LEGAL DESCRIPTION: Portion of NE 17-7-3-W5 legally described as that portion of the North East Quarter Which Lies South and East of Subdivision on Plan 4735 AQ and South and West of Road Plan 2005 HX (1301 East Hillcrest Drive, Hillcrest, AB)

(SUBJECT PROPERTY)

PROPOSAL: For a "Home Occupation – Class 2" (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry.

DECISION: Approved subject to conditions

PLACE OF HEARING: Municipality of Crowsnest Pass Administration Office
Council Chambers
8502 19 Avenue, Coleman, Alberta

DATE OF HEARING: Wednesday, June 10, 2026

TIME OF HEARING: 10:00 A.M.

PROCEDURES PRIOR TO THE HEARING:

1. **Provide Written Submissions** - The Appeal Board encourages all hearing participants to submit presentations, letters, and comments to the Board prior to the hearing. It is preferred that written material is emailed to the Board Clerk, ideally in a PDF format, in 1 file. Please contact the Clerk with your written submissions, which will be accepted until **noon (12 p.m.) on June 9, 2026**.

EMAIL: steveharty@orrsc.com

MAIL: **Steve Harty, Board Clerk**
Oldman River Regional Services Commission
3105 – 16th Avenue N., Lethbridge, Alberta T1H 5E8

If you are bringing information to the hearing for submission, you are required to supply 12 copies.

2. **Exhibit Viewing** - The initial appeal exhibit package will be posted on the ORRSC website at www.orrsc.com.

DATE: May 27, 2026

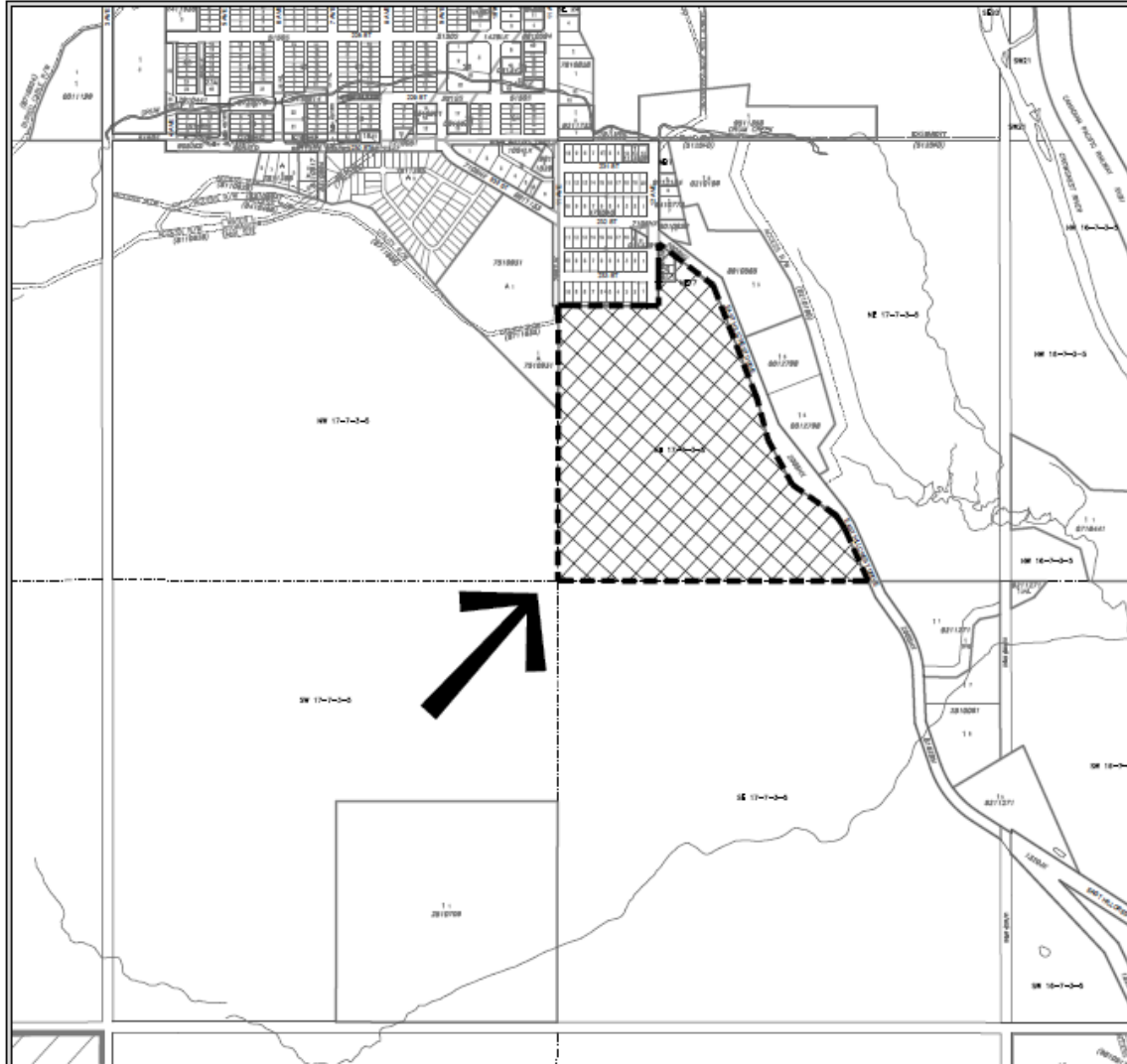


Steve Harty, Clerk
Subdivision & Development Appeal Board

MUNICIPALITY OF CROWSNEST PASS

CHINOOK INTERMUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Land Subject of Appeal DP2026-019
Portion of NE 17-7-3-W5
(1301 East Hillcrest Drive, Hillcrest, AB)



LOCATION SKETCH

PORTION OF NE 1/4 SEC 17, TWP 7, RGE 3, W 5 M

MUNICIPALITY: CROWSNEST PASS (HILLCREST)

DATE: MAY 26, 2026

**MUNICIPALITY OF CROWSNEST PASS
CHINOOK INTERMUNICIPAL
SUBDIVISION & DEVELOPMENT APPEAL BOARD**

Development Permit No. DP 2026-019

List of Persons Notified

Municipality:

Municipality of Crowsnest Pass CAO
Municipality of Crowsnest Pass Manager
of Development & Trades
Municipality of Crowsnest Pass
Development Officer
ORRSC Planner, Ryan Dyck

SDAB Members:

Don Anderberg
Colleen MacDonald
Howard Paulsen
Evert Van Essen

Appellant:

Cory Tourond

Applicant:

Dale Linderman

Other Persons Notified:

B. George & Susan E. Kostyniuk
Byron Hills Resources Ltd
Donald Hvizdos
Michael Linderman
Thomas Onno
Roger A & Darlene C. Stein
Tyler Suteau
Kevin & Amy Whitehead
Trevor Brazzoni
Brian Grahm
William M. & Isabelle M Kovach
John P Mcneil
Klair O'brien
Kelly J. & Dawn L. Pinel
Kent Alan Strandquist
Robert & Dee-Anna Strandquist
Brent Thibodeau
Justin Willdig
Stephen D. & Marie G Burger
Thomas Joseph & Debbie Houda
Jane Mollison
Kendal F. & Paul D. O'neill
Derrick Sagrafena

1st Choice Savings & Credit
Union Ltd.
Carl Derek Headland
Shelly A Osadan-Barlow &
Terry E. Barlow
Derrick F. Sagrafena
Cory J. & Jacqueline R. Woodward
Christopher Berndt
Justin Juurlink
Garnet S. Paton
Wayne Snow
Pauline M. Coster
Peter Loseth
Tyle Phillips
Marnie Woodman

Notice of Appeal

**RE: Development Permit Application #DP2026-019
1301 East Hillcrest Drive**

May 19, 2026

Please be advised that I am formally appealing Development Permit Application #DP2026-019 for the following reasons:

1. Inaccurate Statements Regarding Historical Access Use

In the submission to the Municipal Planning Commission dated [April 21, 2026](#), it was stated that access from 12th Avenue has been utilized for “23 plus years.” Based on available photographic evidence, this statement appears inaccurate.

Date and time-stamped photographs demonstrate the following:

- [September 17, 2018](#) – no gate or access point existed on 12th Avenue (Photo #1)
- [July 27, 2019](#) – no gate or access point existed (Photo #2)
- [July 13, 2020](#) – no gate or access point existed (Photo #3)
- Between July 2020 and [April 18, 2022](#) – a gate was installed (Photo #4)

Prior to this installation, the property appears to have been accessed exclusively from East Hillcrest Drive and/or 11th Avenue. This raises significant concerns regarding the accuracy of statements presented to the MPC respecting the historical nature and duration of access from 12th Avenue.

2. Industrial Traffic on a Residential Street

The approval of industrial or heavy equipment access through a residential roadway is inappropriate when a viable alternative access already exists via East Hillcrest Drive.

The evidence suggests East Hillcrest Drive served as the primary access for several years prior to the establishment of the unapproved secondary residence. Allowing continued industrial traffic through a residential area creates unnecessary impacts on neighboring residents and establishes an undesirable precedent for residential neighborhoods within the municipality.

Reference is made to:

- Notice of Revised Decision dated April 30, 2026
- Important Information & Notes, Section e)(iv)

3. Drainage and Infrastructure Concerns

A significant concern exists regarding the storm sewer infrastructure located at the end of 12th Avenue, directly in line with the proposed heavy equipment access route.

As shown in Photos #5–10:

- 12th Avenue and 233 Street drain toward this storm sewer system
- This area represents one of the lowest collection points south of 232 Street
- During periods of heavy rainfall, substantial runoff accumulates in this location

In situations where drainage becomes overwhelmed or blocked, water has the potential to back up toward adjacent properties, including my garage, creating risk of property damage. Increased heavy equipment traffic through this area may contribute to roadway degradation, mud accumulation, and additional strain on existing drainage infrastructure.

4. Concerns Regarding Statements About Road Conditions

During discussions, comparisons were made between mud tracked onto the roadway by garbage collection vehicles and the anticipated impacts from heavy industrial equipment.

These uses are not comparable in scale or frequency. Garbage trucks operate on a scheduled basis with substantially less equipment volume and weight than logging trucks, low beds, or heavy industrial machinery. Temporary mud from standard municipal services is generally resolved naturally through weather conditions, whereas repeated heavy industrial use may create more persistent roadway impacts.

5. Existing Access Challenges Do Not Justify Residential Access

It was suggested during the MPC discussions that access from East Hillcrest Drive is steep, shaded, and difficult for equipment use.

However, the nature of the applicant's logging and industrial operations inherently involves navigating difficult terrain and resource roads with heavy equipment. Operational inconvenience alone should not justify redirecting industrial traffic through a residential street when an existing access point remains available.

Additionally, the property contains an internal roadway connecting the primary residence, shop, and secondary residence, further supporting the feasibility of utilizing the existing access configuration.

6. Neighbourhood Opposition

I have spoken directly with neighboring residents on 12th Avenue who share similar concerns regarding the proposed access arrangement.

The following individuals have indicated opposition and may either appear at the public hearing or provide written submissions:

- Tom Onno
- Kelli Pinel
- Kevin Whitehead

It should also be noted that Mr. Pinel had previously signed a letter of support but, after further consideration, no longer supports access from 12th Avenue.

7. Concerns Regarding Enforcement and Monitoring

A proposed road-use agreement does not adequately resolve the concerns of neighboring residents.

Questions remain regarding:

- who would be responsible for monitoring compliance,
- how violations would be documented,
- and what practical enforcement mechanisms would exist.

Residents should not bear the burden of monitoring or reporting ongoing industrial access concerns within a residential neighborhood.

8. Community Contributions Are Not the Planning Issue

I acknowledge and respect the applicant's longstanding business history and contributions to the community. However, those contributions are separate from the land-use and planning considerations before the Commission.

Development and access decisions should be evaluated consistently and fairly based on planning principles, infrastructure impacts, neighborhood compatibility, and bylaw compliance — regardless of how long an individual or business has operated within the community.

Thank you for your time and consideration of this appeal.

Sincerely,
Cory Tourond

4:08



Hillcrest
September 17, 2018 7:32 AM



LIVE

HDR



1.
12 AVG.
NO GATE
NO ACCESS



4:08



Hillcrest
July 27, 2019 7:59 PM



#2.
12 AVE.

NO GATE
NO ACCESS



4:10



Hillcrest
July 13, 2020 8:03 PM



#3.
12 AVE.

NO GATE
NO ACCESS



4:10



Hillcrest
April 18, 2022 6:47 PM



#4
12 AVE.
GATE +
USING
ACCESS



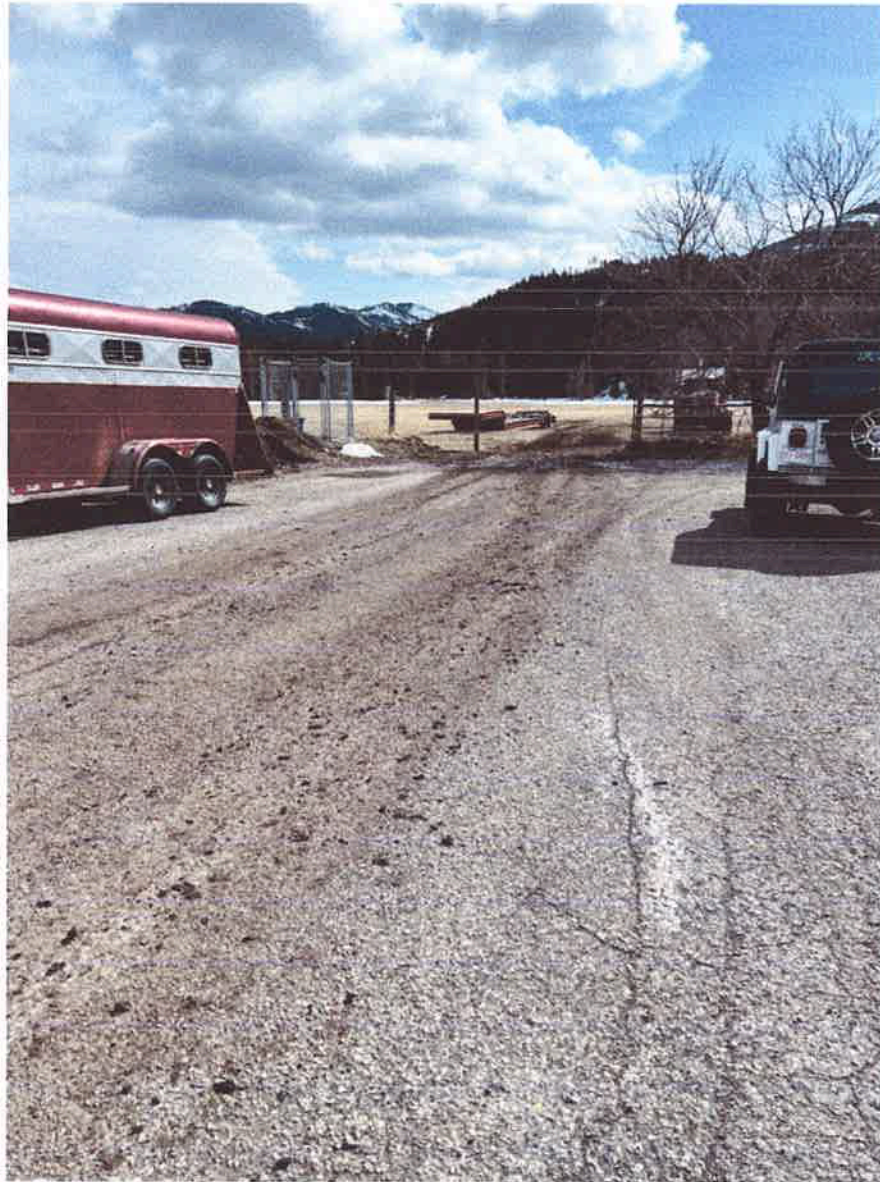
4:11



Hillcrest
April 8, 2023 3:05 PM



#5
12 AVE.



USING
ACCESS



4:11



Hillcrest
January 13 4:55 PM
2026



LIVE



*H6
12 AVE.*



C10

4:12



Hillcrest
March 17 4:20 PM



2026

LIVE



#7
12 AVE



4:12



Crowsnest Pass

March 17 4:30 PM

2026



LIVE



8.
12 Ave.
STORM
SEWER
DRAIN



4:12



Home
April 13 7:22 PM
2026



#9

LIVE



STORM
SEWER DRAIN
PLUGGED



4:12



Home
April 13 7:22 PM



2026

#10

LIVE



ALLEY
12 AVE.



4:13



Crowsnest Pass
April 17 11:09 AM



2026



#11



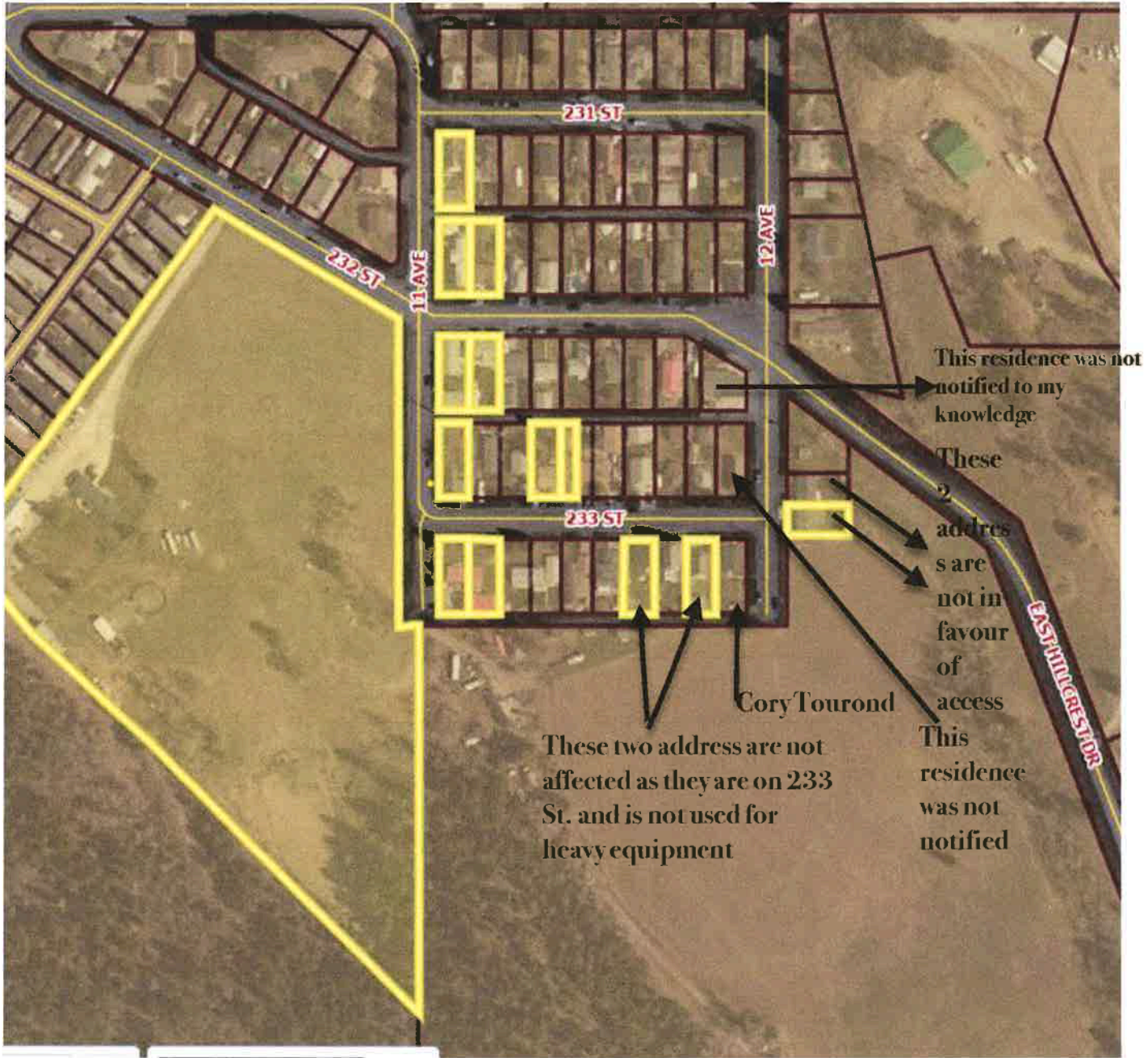
12 Ave.



Save Shared Photo



MAP



This residence was not notified to my knowledge

These 2 addresses are not in favour of access

Cory Tourond

These two address are not affected as they are on 233 St. and is not used for heavy equipment

This residence was not notified



Box 600
Crowsnest Pass, Alberta,
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474

REVISED

Notice of Decision

This is not a
Development Permit

Application No.	DP2026-019
Roll No.	3110400
Application Complete:	3/9/2026
Notice of Decision:	April 9, 2026
Revised Notice of Decision:	April 30, 2026
Appeal Period Expires:	May 21, 2026

Approving Authority:	Municipal Planning Commission
Land Use District:	Non-Urban Area NUA-1
Civic Address:	1301 East Hillcrest Dr., Hillcrest
Legal Land Description:	Lot N/A Block N/A Plan N/A
Proposed Development:	For "Contractor Services, General" (discretionary use)

Dear Sir or Madam:

Please be advised that the **Development Permit application DP2026-019 initially approved on April 09, 2026 was revised upon your request pursuant to section 24 in the Administration Part of the Land Use Bylaw, and a revised approval is hereby issued**, subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and the use shall not commence, until all "Prior to Issuance Conditions" stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the "Prior to Issuance Conditions" and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority's Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until

such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

4. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, “commence” may include applying for a building permit under the Safety Codes Act).

Conditions of a Continuing Nature (Permanent Conditions)

5. Vehicular traffic directly or indirectly connected with the “Contractor Services, General” shall access the subject property only from:
 - a) The existing access on East Hillcrest Drive as the primary site access for the majority of trips, except as specified in par. b) below, and
 - b) the existing urban residential accesses on 11 Avenue and 12 Avenue subject to the following conditions:
 - i) the landowner shall ensure that truck engines are operated with as little noise as possible along 11 Avenue and 12 Avenue and through the residential community of Hillcrest, pursuant to sections 7.2 and 7.3 of the Community Standards Bylaw, and
 - ii) the landowner shall ensure that mud and clay are not transferred and deposited onto municipal roads pursuant to section 12.5 of the Traffic Bylaw., and
 - iii) vehicles and/or equipment directly or indirectly connected with the “Contractor Services, General” shall not be parked on 11 Avenue or 12 Avenue, including the boulevards of these roads.
6. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023.
7. There shall be no signage attached to or installed at the subject property without the benefit of a development permit for such sign in accordance with the Sign Standards Schedule of the Land Use Bylaw.
8. The hours of noise activity on-site or off-site related to the operation of the “Contractor Services, General” on the subject lands shall follow the provisions in section 7 of the Community Standards Bylaw.
9. There shall be no noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, glare or industrial waste produced by the use to a level that is reasonably considered and deemed by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts.
10. The landowner and/or the applicant shall familiarize themselves with and follow the Road Ban Restrictions of the Municipality of Crownsnest Pass.
11. Any change to the use or intensity of the “Contractor Services, General” other than what is approved in this development permit shall require a new development permit application.
12. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.

13. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality.
14. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner's and/or Applicant's responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality's Department of Development, Engineering & Operations for assistance if required.
15. This development permit approves only the development contained herein, and a further application is required for any changes or additions.
16. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality's Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

- a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.
- b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.
- c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.
- d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including

authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:

- (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (<https://www.alberta.ca/online-permitting-clearance>) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.
- e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
- (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) Notifying Utility Safety Partners (Alberta 1st Call) at <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/> or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.
 - (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.
 - (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
 - (xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.
 - (xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g.

erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.

- (xiv) Being aware of FireSmart Regulations including the Municipality’s FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
 - (xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority’s satisfaction, and any applicable appeal period has expired. It is the owner’s responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner’s agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.
- f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Lot (m ²)	212846.48	Provincial Historic Resource Value (Archaeology)	4a, 3p, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main Preferred Referral (Yes – Send Notice)	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	Yes	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

Right to Appeal

This decision may be appealed within 21 days after the notice of decision. You may file an appeal with the required appeal fee by the appeal deadline. The SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) has jurisdiction to hear an appeal of the Development Authority’s Decision on this development permit.

Subdivision and Development Appeal Board:

Submit the online form: https://portal.laserfiche.ca/o8468/forms/Development_Appeal or visit <https://www.crowsnestpass.com/planning-development/p-d/subdivision-and-development-appeals> to learn more and access the link to appeal. The fee of \$400.00 must be paid with the appeal (will be contacted for payment once the form is sent).

If you have any questions regarding the development permit, please contact the undersigned at development@crowsnestpass.com or make an appointment by calling (403) 562-8833.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katherine Mertz', is placed over a light gray rectangular background.

Katherine Mertz
Development Officer



RECEIVED
FEB 12 2026



Box 600
 Crowsnest Pass, Alberta
 TOK OE0
 Phone: 403-562-8833
 Fax: 403-563-5474
 Email: development@crownsnestpass.com

*Office Us
 DP2026-019

Application No.	
Land Use District	N/A-1
Roll No.	310000
Date Received	FEB 12 2026

Development Permit Application Form – Commercial/Industrial/Home Occupation

(Commercial/Industrial Buildings, Additions, Accessory Buildings, Commercial/Industrial Change of Use, Tourist Homes, Short-Term Rental/Bed & Breakfast, Home Occupation 2, Home Occupation 1 (Over 1))

PLEASE NOTE: This application is ONLY for a development permit. If a building permit is also required, you must apply for it separately prior to construction. Providing an email means you consent to receiving documents or communications related to this application, including but not limited to development permit decisions, acknowledgments confirming an application is complete, and any notices identifying any outstanding documents and information by email. Please be sure to complete the entire application. **Failure to send in a complete application can result in a delay of your permit.**

Applicant Information		Property Information	
Name	DALE LINDERMAN	Municipal Street Address	DRIVE
Phone	[REDACTED]		1301 EAST HILLCREST
Email	[REDACTED]	Lot(s)	
Mailing Address/Box#	Box 135	Block	
City and Postal Code	HILLCREST TOK-1C0	Plan	

Land Title Certificate and Registrations (Choose One)

<input checked="" type="checkbox"/> Current Certificate of Title and Registrations on Title (Within 3 Months - Attached) Obtain online from Land Titles (Spin2 website) or a Registries Office	<input type="checkbox"/> I am requesting the Municipality to obtain the required certificate of title and registered documents and apply all costs to the application fee (\$25.00)
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Will drop off

PLEASE CONFIRM ONE OF THE FOLLOWING:

- I am the registered owner of the above noted property
- I have entered into a binding agreement to purchase the above noted property with the registered owner(s) (please attach a copy of the agreement)
- I have permission of the registered owner(s) of the above noted property to make the attached application for a Development Permit (please complete or attach a separate authorization letter from the owner with their contact information)

Type of Development (Check all that apply)

REQUIRED SUBMISSIONS	Site Plan	Parking Plan (on Site Plan)	Elevation Plans	Floor Plans (Include Basement)	Landscape Plan	Photos (All Sides)
<input type="checkbox"/> Commercial/Industrial Building and Additions	✓	✓	✓	✓	✓	•
<input type="checkbox"/> New/Change of Use	•	•	•	•	•	•
<input type="checkbox"/> Tourist Home	For Sign	✓	•	•	•	Rendition
<input type="checkbox"/> Short-Term Rental	For Sign	✓	•	✓	•	Rendition
<input checked="" type="checkbox"/> Home Occupation 2	For Sign	•	•	•	•	Rendition
<input type="checkbox"/> Additional Home Occupation 1	•	•	•	•	•	•
<input type="checkbox"/> Commercial Signage	✓	•	•	•	•	Rendition
<input type="checkbox"/> Moved-In Building	✓	✓	✓	✓	✓	✓

Proposed Use / Description of Proposed or Existing Development and Reason for Variance Request (If applicable): Home Occ 2 - Logging - Equip. Storage	Anticipated Start Date Existing
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The personal information provided as part of this application is collected under Sections 303 and 295 of the Municipal Government Act and in accordance with Section 32(c) of the Freedom of Information and Protection of Privacy Act. The information is required and will be used for issuing development permits, Land Use Bylaw enforcement and property assessment purposes. The name of the permit holder and the nature of the permit are available to the public upon request. If you have any questions about the collection or use of the personal information provided, please contact the Municipality.

DEVELOPMENT SPECIFICATIONS – COMMERCIAL/INDUSTRIAL BUILDINGS, ADDITIONS, ACCESSORY BUILDINGS			
<i>Provide measurements in metres below and show on site plan (Refer to Page 3 for Site Plan requirements)</i>			
Total Lot Area (m ²)		Front Yard Setback (m)	Primary Front: Secondary Front:
Building Footprint Area (m ²)	Existing:	Rear Yard Setback (m)	
	Proposed:		
Gross Floor Area (m ²) <i>(Roofed floor area of all storeys)</i>		Side Yard Setback (m) <i>(Indicate N/S/E/W)</i>	Side 1:
			Side 2:
Habitable Floor Area (m ²) <i>(Sum of all above grade storeys – do not include garage or basement)</i>		Building Height (m) <i>(Finished Grade to Top of Tallest Peak)</i>	
WATER AND SEWER SERVICES			
Is your property connected to Municipal Services? <input type="checkbox"/> Water <input type="checkbox"/> Sanitary OR <input type="checkbox"/> Requires Connection from Street			
OR <input type="checkbox"/> Private (well) water and Private septic system capacity (if applicable): Capacity: _____ Number of Bedrooms: _____ If none, please describe and show the location of private services on site plan. (water well & private septic system, including disposal)			
PARKING AND ACCESS See Land Use Bylaw Schedule 6 – Off-Street Parking and Loading Area Standards.			
# of parking stalls on property		# of driveway accesses / approaches	
Parking Stall Length (per stall – m ²)		Parking Stall Width (per stall – m ²)	
NEW OR CHANGED USE – COMMERCIAL/INDUSTRIAL <i>(Business License will be required)</i>			
Name of Business		Complete Parking and Access Above	
Existing/Previous Use		New Use	
SHORT-TERM RENTAL/TOURIST HOME <i>(If Applicable – See Land Use Bylaw Schedule 17 – Standards for Short-Term Rental / Bed & Breakfast and Tourist Home)(Business License will be required)</i>			
<input type="checkbox"/> Short-Term Rental/B&B (Within Home Owner's Primary Residence) <input type="checkbox"/> Tourist Home (Entire Space Rented)			
# of Bedrooms Available		Sign Dimensions (m ²)	
# Bonus Rooms		Sign Height (m)	
# Occupancy Requested		Local Contact Name	
		Local Contact Phone #	
HOME OCCUPATION 2, ADDITIONAL HOME OCCUPATION 1 <i>(Business License will be required)</i>			
Name of Business 793128 AB LTD		Number of Employees 0	Currently Living on Premises <u>YES</u> Living off Site _____
# of Daily Customers 0		Any outdoor storage, commercial vehicles, heavy equipment or retail sales?	<u>YES</u>
MOVED-IN BUILDING <i>(If Applicable. May require additional authorization from Transportation Department)</i>			
Year of Building N/A		Date of Expected Move In	

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SIGN (See Land Use Bylaw Schedule 11 – Sign Standards)

Type of Sign		Sign Dimensions	Width (m)	
			Height (m)	

ADDITIONAL PROPERTY INFORMATION

	Yes	No
Any abandoned wells on property: If yes, submission required pursuant to ERCB Directive 079	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any known environmental issues or studies effecting this property: If yes, attach description/reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any known historic buildings on the property or adjacent property:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the entire parcel of land (not just the development site): The subject of a license, permit, approval or other authorization granted by any of the following: Natural Resources Conservation Board, Energy Resources Conservation Board, Alberta Energy Regulator, Alberta Energy and Utilities Board or Alberta Utilities Commission, AND/OR The subject of a license, permit, approval or other authorization granted by the Minister of Environment and Protected Areas? If you answered "Yes" to any of these, please provide the approval, authorization number and/or license number here: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHORIZATION

- I am aware that this application will be reviewed by the Development Authority and may be delayed or refused if the application and/or information provided is incomplete. I will be notified within 20 days if it is complete or incomplete.
- I understand that additional information may be required after the application has been deemed complete.
- I understand if the subject property is located within an area where development constraints exist, (e.g., non-operating landfill, grade issues etc.) additional information and/or reports may be required.

The information I have provided herein and herewith is true, and to the best of my knowledge, accurate and complete.

<p><u>DALE LINDGREN</u> Name of Applicant (please print)</p> <p>_____ Name of Applicant (please print)</p> <p>_____ Name of Owner (if different than applicant)</p> <p>Registered Owner(s) Mailing Address: _____ Registered Owner Email(s) and Phone Number(s): _____</p>	<p><u>Dale Lindgren</u> Signature of Applicant</p> <p>_____ Signature of Applicant</p> <p>_____ Signature of Owner</p>
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OR Permission Letter Attached (Use if there is more than one owner, include authorization, signature, and contact information for each owner registered on the land title) **If the applicant or owner is a corporation, please attach a current corporate search**

SITE PLAN MUST INCLUDE:

- Property Civic Address and North Arrow
- Adjacent roadway and lanes
- Lot dimensions and lot area
- Existing and Proposed structures identifying dimensions, including height, floor area, building footprint, percentage of lot coverage
- Distances from foundations to front, side and rear property lines (measured perpendicular to the lot line)
- Location of utilities, access, driveway, sidewalks and curbs and any registered utility right of ways or easements (if known)
- Location and number of off-street parking spaces

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REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
1401KR .	26/03/1970	CAVEAT CAVEATOR - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED. "AS TO PORTION DESCRIBED (CORRECTED 7/8/90 BY 901204155)"
031 162 330	20/05/2003	MORTGAGE MORTGAGEE - THE BANK OF NOVA SCOTIA. P. O. BOX 537, BLAIRMORE ALBERTA T0K0E0 ORIGINAL PRINCIPAL AMOUNT: \$250,000

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 19 DAY OF FEBRUARY, 2026 AT 09:34 A.M.

ORDER NUMBER: 56337979

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



NUMBER 1 - IS MAIN ACCESS USE 90% TIME

NUMBER 2 - IS USE ONLY 3-4 MONTHS IN WINTER WHEN
TO SLIPPERY TO GET OUT OF ACCESS ONE.

NUMBER 3 - USED ONLY OCCASIONALLY

X Storage - 3 trucks
- 6 Logging Equipment March-July



**Municipality of Crowsnest Pass
Municipal Planning Commission
Request for Decision**

Meeting Date	March 25, 2026
Application No.	DP2026-019
Roll No.	3110400
Civic Address	1301 East Hillcrest Drive, Hillcrest
Legal Address	Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M
Land Use District	Non-Urban Area NUA-1
Overlay District	N/A

Proposed Development

For a “Home Occupation – Class 2” (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry.

Background

- DP2002-042 was issued for the existing “Single-Detached Dwelling” and “Accessory Building” (hay shed).
- DP2016-146 was issued for an “Accessory Building” (pole barn for storage).
- DP2026-018 is being processed for a “Secondary Suite, detached”, “Accessory Building or use up to 72.8m² (784ft²), not prior to the establishment of the principal building or use” (shipping container), and “Agriculture” (accessory buildings requiring a variance).

Discussion

- The 52-acre parcel is used for residential, agriculture and commercial purposes.
- The applicant has operated a home-based logging business on the subject parcel for over two decades without the benefit of a development permit.
- A complaint was received from a resident in the adjacent R-1 neighborhood about noise including airbrakes and truck engine noise, vehicles occasionally being parked on 11 Avenue and 12 Avenue, and mud and clay being dragged into 11 Avenue and 12 Avenue and clogging the storm drain. (See photos attached) The Development Office communicated these concerns to the landowner, and the applicant has applied for a “Home Occupation - Class 2” development permit for the storage of heavy vehicles and equipment.
- The operation requires on-site storage of equipment, including three trucks and up to six pieces of logging equipment.
- Pursuant to Schedule 8, Section 3.1, the Development Authority may vary the standards for a “Home Occupation – Class 2” in the NUA-1 District to permit the outdoor storage of materials, commercial vehicles or heavy equipment.

- The Transportation Department completed a site inspection of the storm drain and the mud had been removed.
- The applicant advised that East Hillcrest Drive is used for access approximately 90% of the time.
- During winter months (October 15-March 15), 12 Avenue may be used as an alternative due to the steep and icy conditions of the primary driveway, approximately 14 times over a period of five months. Access via 11 Avenue is only used occasionally. In the winter months, mud and clay are not typically a problem when the ground is frozen.
- Consultation with the Municipality's Transportation Department confirmed that access from 12 Avenue complies with the applicable standards, with the expectation that the shortest available route is used when traveling on internal urban roads (for that reason, access from 11 Avenue does not comply with the standards and should be prohibited).
- Although agriculture or commercial uses with heavy equipment should use the collector roads, there are instances in which access is only available or feasible through local roads. For example, the 12-acre agriculture parcel east of the subject lands only has access from 232 Street or 11 Avenue.
- A multi-axle vehicle using Municipal owned/maintained roads for the purpose of hauling and moving large equipment shall enter into a Road Use Agreement with the municipality pursuant to the municipalities Road Use Agreement policy – May 9, 2023.
- The Transportation Manager is responsible for coordinating and creating the Agreement with the Company. The Agreement determines the best route, conditions to be met including speeds and hours of use, any restrictions (i.e. engine brakes), as well as the assessment of securities.

- If the MPC wants to allow access from 12 Avenue, a condition must be imposed that A Road Use Agreement be entered into that addresses the following:
 - (a) prohibits the use of access from 11 Avenue,
 - (b) permits the use of 12 Avenue access subject to:
 - (i) a requirement that the landowner ensures that truck engines are operated with as little noise as possible, with a prohibition on the use of engine brakes pursuant to the Noise Control section 7 of the Community Standards Bylaw.
 - (ii) 12 Avenue access being used only once a week from October 15 to March 15
 - (iii) a prohibition on the use of 12 Avenue access prior to 7:00 am and after 10:00 pm (or such other times as prescribed in the Community Standards Bylaw),
 - (iv) a requirement that the landowner shall ensure that mud and clay are cleaned up from the 12 Avenue road surface every time that the access is used, and

- However, considering that:
 - (a) there are concerns that some of the above conditions are not easily policed and enforceable, and an argument could be made that a condition or rule that is not enforceable is not a valid condition or rule, and
 - (b) that a complaint was made from a resident in the adjacent R-1 neighborhood about noise, parking, and site access from 11 Avenue and 12 Avenue, and
 - (c) if the concern about steep slopes and icy conditions is related to the main access from East Hillcrest Drive (See the attached Site Access – Contours and Site Access – Streetview) and on-site private roads, the landowner is responsible to ensure feasible roads on their own property and therefore can construct a safe feasible road from the main access to where the logging operations occur, the Development Office recommends that condition 7 is imposed to prohibit access from 11 Avenue and 12 Avenue and restrict site access to the access from East

Hillcrest Drive in order to mitigate the impacts of the logging business on the landowners in the adjacent residential neighborhood.

- No signage is proposed, and no on-site customer visits are anticipated with the business.
- The “Home Occupation – Class 2” has been in operation without the benefit of a development permit. The landowner has paid the penalty fee equivalent to five times the development permit application fee, in accordance with the Fees Rates and Charges Bylaw.

Notification

In accordance with Administration Section 20 of the LUB, notification to the Applicant and affected landowners will occur by regular mail and/or a newspaper advertisement after the MPC has decided upon the application. Affected parties will have 21 days from the date of the notification to appeal the decision.

Appeal Jurisdiction

The Subdivision and Development Appeal Board has jurisdiction to hear an appeal of the Development Authority’s decision on this development permit.

Alternatives

A. Approve the development permit application for DP2026-019, subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and the use shall not commence, until all “Prior to Issuance Conditions” stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the “Prior to Issuance Conditions” and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority’s Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

4. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, “commence” may include applying for a building permit under the Safety Codes Act).

5. The applicant or landowner shall enter into a Road Use Agreement with the Municipality to use municipal maintained roads for commercial purposes (contact the Transportation Department).

Conditions of a Continuing Nature (Permanent Conditions)

6. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023 (except as approved by variance in the table below). Failure to conform to the approved site plan without an approved amendment may result in enforcement measures pursuant to the Municipal Government Act and the Land Use Bylaw:

Home Occupation – Class 2	Standard	Proposed	Variance Requested
Number of Home Occupations per dwelling unit	1	1	N/A
Limited volume of on-premises sales	Not more than 25 customer visits per week.	None	N/A
Employees	Immediate Family Member and 1 Paid Assistant Employed	Family Members	N/A
Outdoor Storage	Prohibited	9 Heavy Vehicles / Equipment related to the logging industry	Yes – approved for 9 heavy vehicles / equipment related to the logging industry

7. The landowner shall ensure that:
 - 7.1. vehicular traffic directly or indirectly connected with the “Home Occupation – Class 2” shall access the subject property only from:
 - a) the existing access on East Hillcrest Drive, or
 - b) a second access on East Hillcrest Drive in a feasible location subject to approval of its location and construction specifications from the Municipality’s Transportation Department, at no cost to the Municipality; and
 - 7.2. vehicular traffic directly or indirectly connected with the “Home Occupation – Class 2” shall not use 11 Avenue or 12 Avenue for access to the subject property; and
 - 7.3. vehicles and/or equipment directly or indirectly connected with the “Home Occupation – Class 2” shall not be parked on 11 Avenue or 12 Avenue.
8. There shall be no signage attached to or installed at the subject property without the benefit of a development permit for such sign in accordance with the Sign Standards Schedule of the Land Use Bylaw.
9. The hours of noise activity on the lands related to the business shall follow the Community Standards Bylaw.
10. There shall be no noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, glare or industrial waste produced by the use to a level that is reasonably considered and deemed

by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts.

11. The landowner and/or the applicant shall familiarize themselves with and follow the Road Ban Restrictions of the Municipality of Crowsnest Pass.
12. Any change to the use or intensity of the “Home Occupation - Class 2” other than what is approved in this development permit shall require a new development permit application.
13. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
14. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality.
15. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner’s and/or Applicant’s responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality’s Department of Development, Engineering & Operations for assistance if required.
16. This development permit approves only the development contained herein, and a further application is required for any changes or additions.
17. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality’s Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

- a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they

should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.

- b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.
- c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.
- d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:
 - (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (<https://www.alberta.ca/online-permitting-clearance>) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.
- e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
 - (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) Notifying Utility Safety Partners (Alberta 1st Call) at <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/> or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.

- (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.
 - (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
 - (xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.
 - (xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.
 - (xiv) Being aware of FireSmart Regulations including the Municipality's FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
 - (xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority's satisfaction, and any applicable appeal period has expired. It is the owner's responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner's agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.
- f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Lot (m ²)	212846.48	Provincial Historic Resource Value (Archaeology)	4a, 3p, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main Preferred Referral (Yes – Send Notice)	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	Yes	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

- OR -

- B. Deny the development permit application, stating the reason for this decision.

Attachments

- 1. Location Maps
- 2. Site Plan
- 3. Site Access – Contours
- 4. Site Access – Streetview
- 5. Photos

Recommendation

The Development Office recommends that the Municipal Planning Commission approves DP2026-019 subject to the conditions in Alternative A.

Authorization



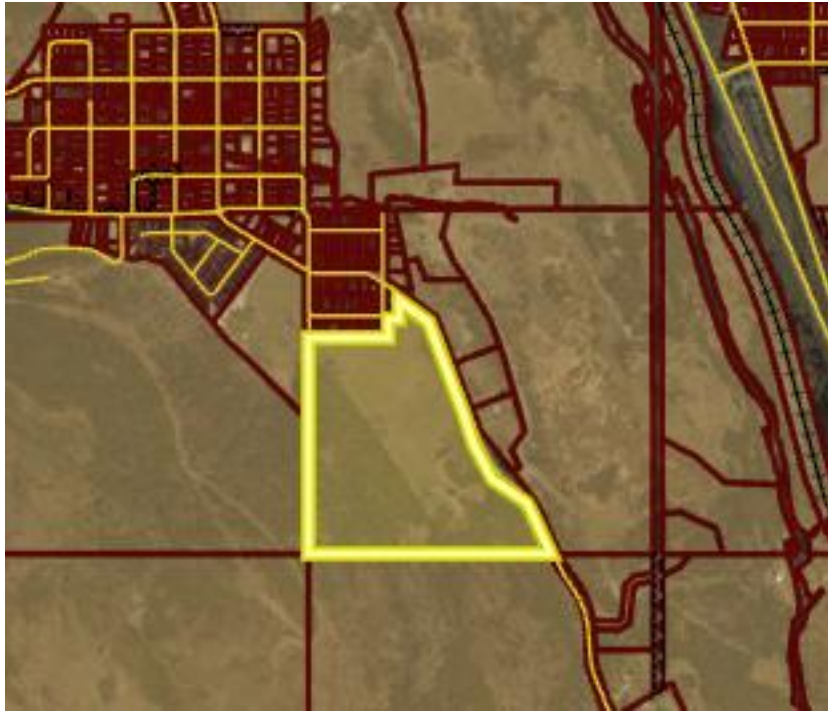
Katherine Mertz B.SC
Development Officer



Johan van der Bank, M.TRP, RPP
Manager Development & Trades

Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M

1301 East Hillcrest Drive, Hillcrest





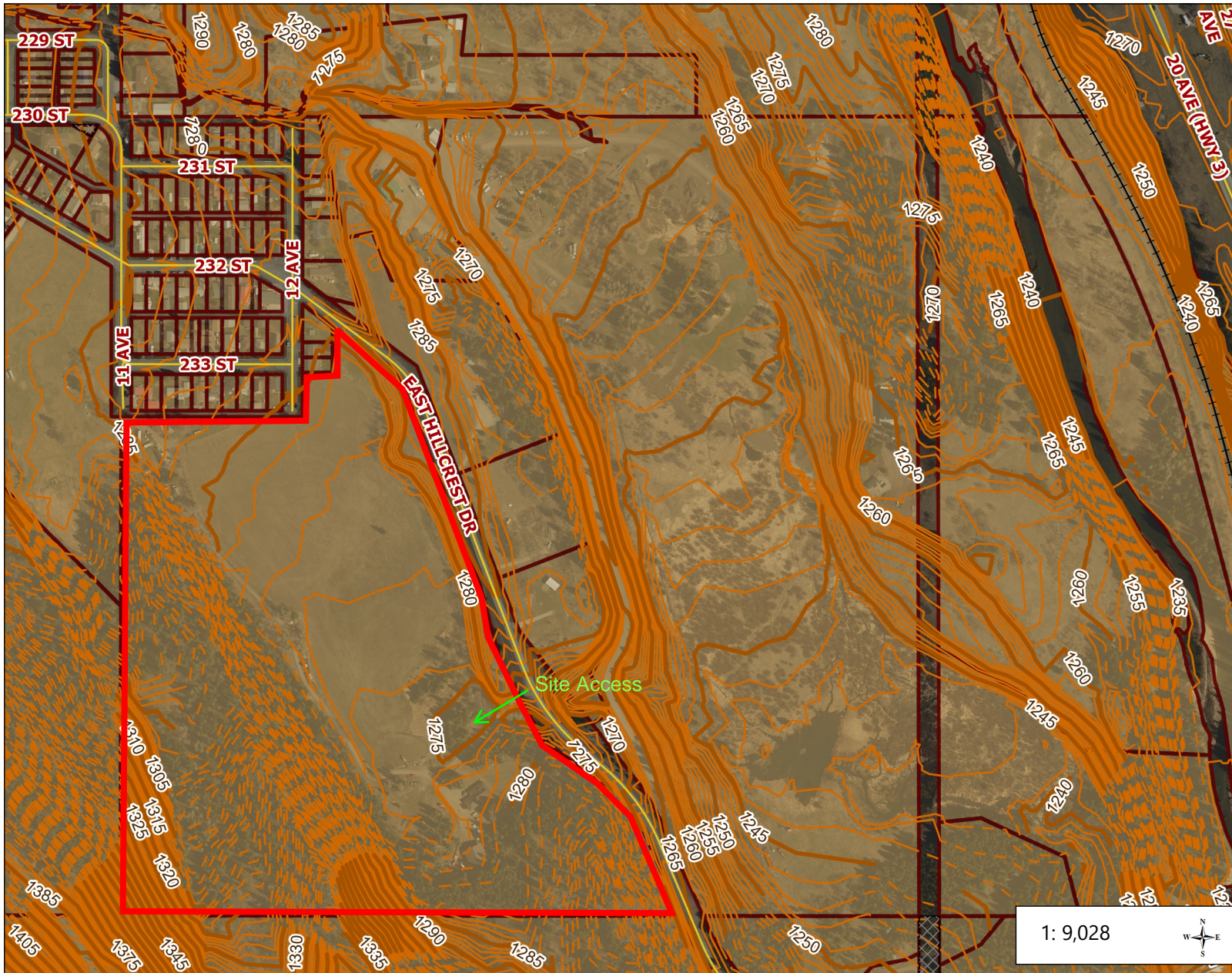
NUMBER 1 - IS MAIN ACCESS USE 90% TIME

NUMBER 2 - IS USE ONLY 3-4 MONTHS IN WINTER WHEN
TO SLIPPERY TO GET OUT OF ACCESS ONE.

NUMBER 3 - USED ONLY OCCASIONALLY

X Storage - 3 trucks
- 6 Logging Equipment March-July

Municipality of Crowsnest Pass



Legend

- Adjacent Roads
- Railway
- Road Labels
- Road Centerline
- Closed Roads
- Contour-Index
- Contour-Intermediate
- Contour-Intermediate-Obscure
- Boundary
- Title Linework
- Parcels

1: 9,028



0.5 0 0.23 0.5 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
© OpenStreetMap contributors

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Crowsnest Pass

G11









March 20, 2026

Municipality of Crowsnest Pass
Municipal Development Board

To Whom it may concern:

RE: Dale Linderman – 1301 East Hillcrest Drive Business License

In regards to my business license, I would like it to be noted that we have been operating out of Hillcrest for the last 52 years, originally with a coal truck, gravel trucks and loaders that used to leave and return to Hillcrest five (5) days a week, 50 weeks of the year. Our business model has changed so that we do not leave and return to Hillcrest that often (approx. 40-50 times a year)

In that time (52 years) we have had no issues that we know of, as most of our friends and neighbors would have the decency to come and talk to us to resolve a problem if there was one. (I do not know of any issues before now). The one hypocrite that is complaining, when she was married and lived in Hillcrest on a lot in town, had 5 logging trucks - leaving and returning 5 days a week, but that was okay because it was for her benefit.

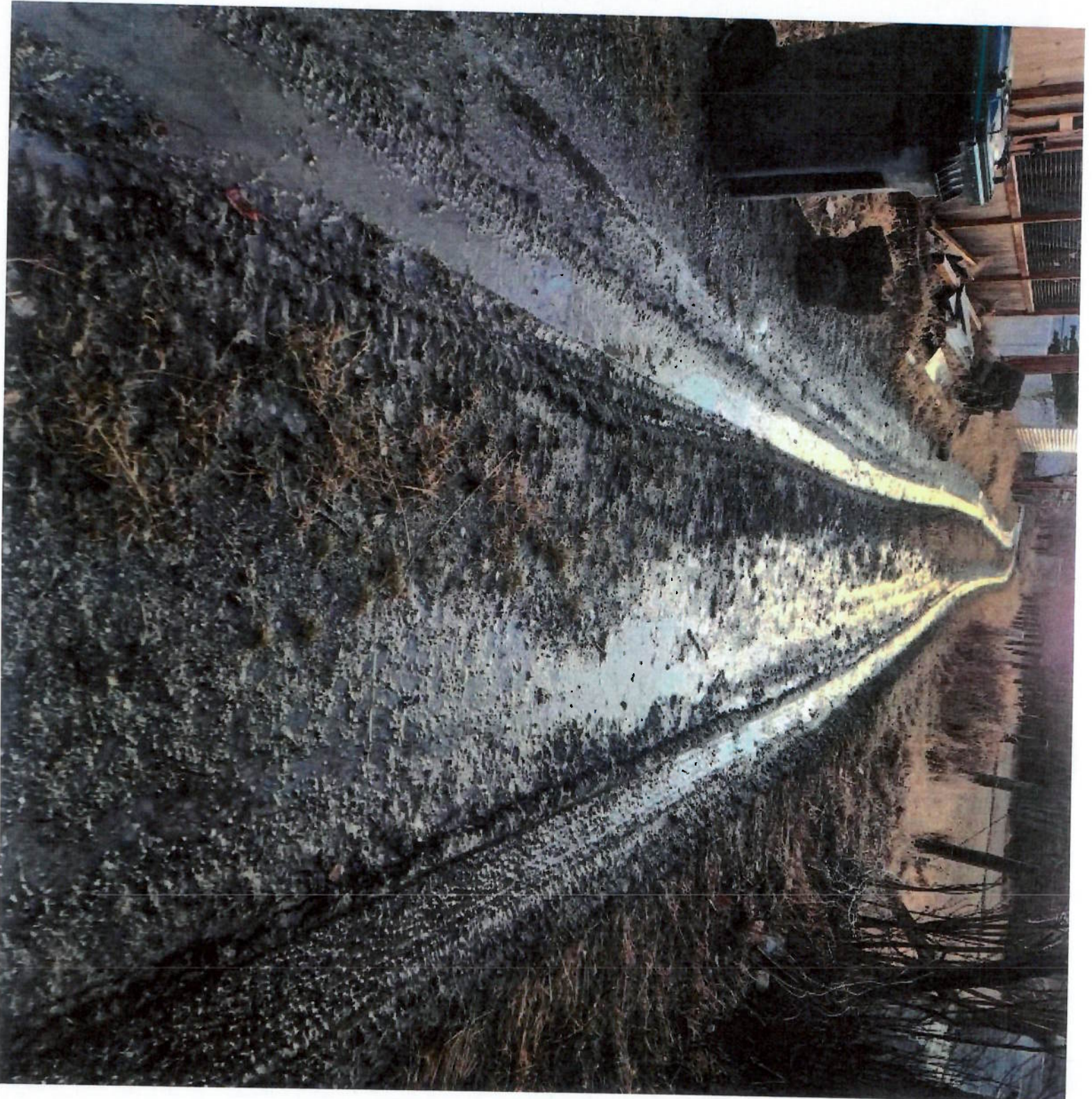
We are a community minded company, such as donating timber to the Belleuve Mine when needed, donating firewood to Crows Snow Riders, donating equipment and funds to the Kananaskis Rodeo Association and cutting the new ski runs on Pass Powder Keg Ski Hill and donating all the money from the timber back to the Municipality (\$35,000).

Going forward, if there is an issue with anything we are doing, we would like to work with the municipality and our neighbors to resolve the issue. It is not right to cater to one person that is anti-industry that is trying to shut my business down, and not at least have the decency to give me a phone call first – not doing that I believe is wrong.

Thank you for your attention to this matter.

Dale Linderman

Municipal Lane South of 233 Street

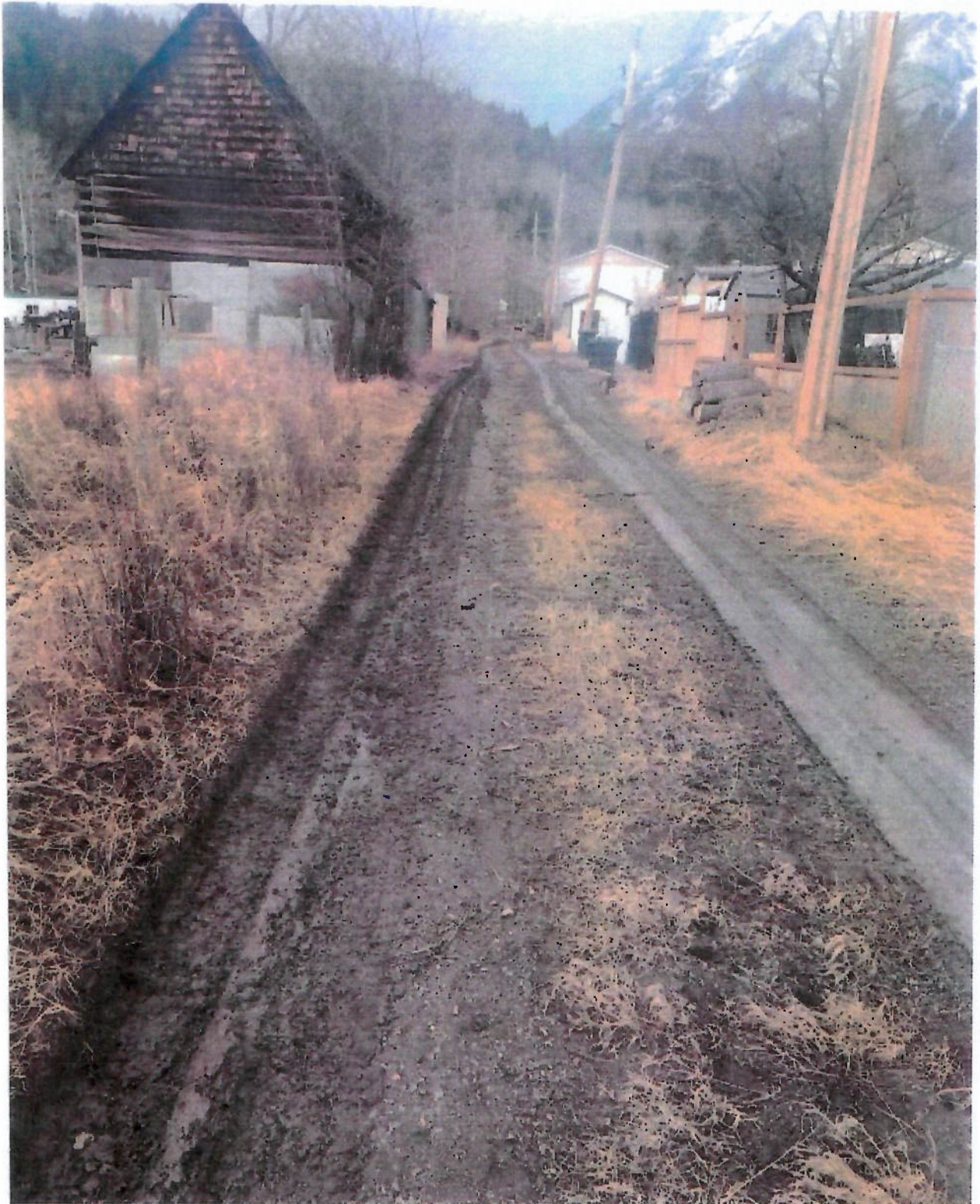


MARCH 20 2026

G17

MARCH 20th 2026

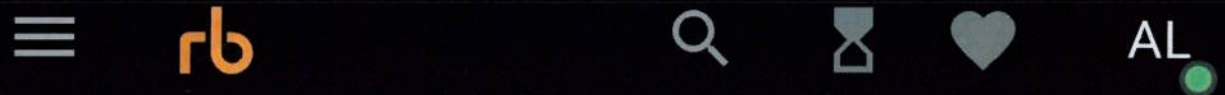
Municipal Lane South of 233 Street



11:59



←  2026 Suihe SSBR 72 in Skid S...
<https://www.rbauction.com/ar/2026-suil>



**This item's sold. Ready to sell yours?
Start here.**



Lot #1105

2026 Suihe SSBR 72 in Skid Steer Sweeper (Unused)

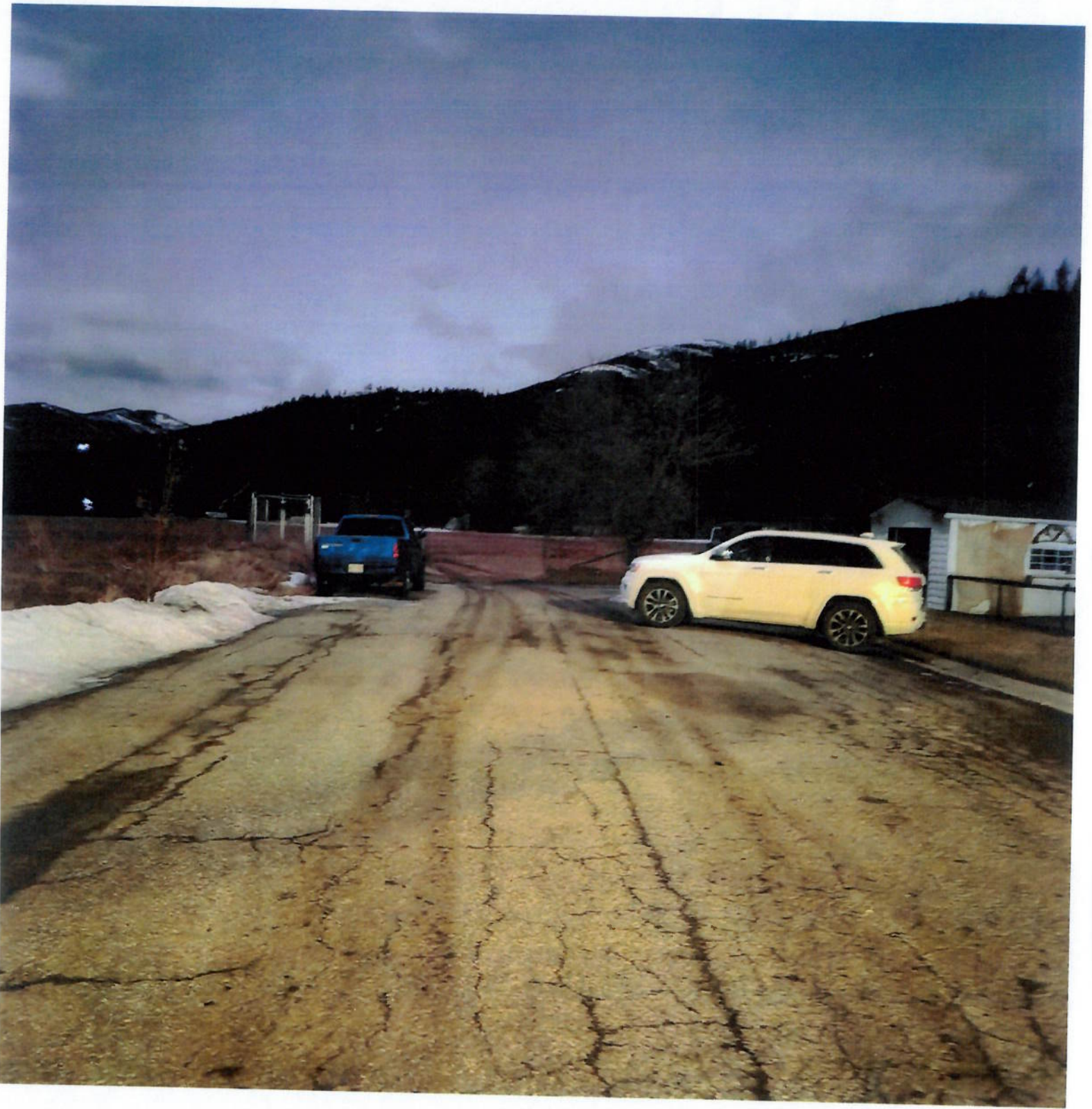
📍 Located

📍 Lethbridge county, AB, CAN

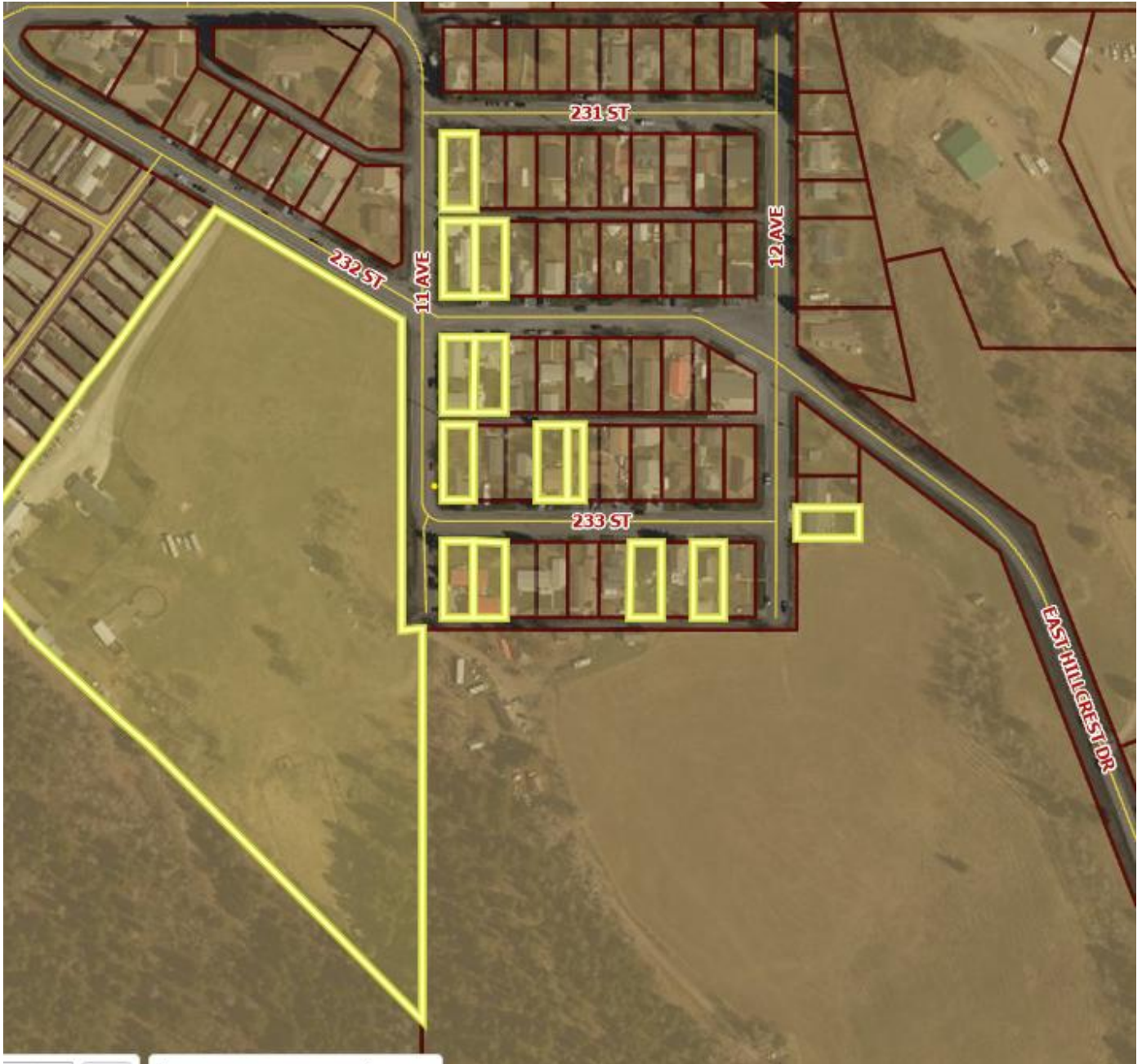
SOLD



Road cleaned - following evening



Landowner letters attached

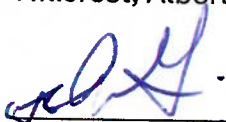


March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. Daryl Grahn
1101-233 Street
Hillcrest, Alberta



Signature

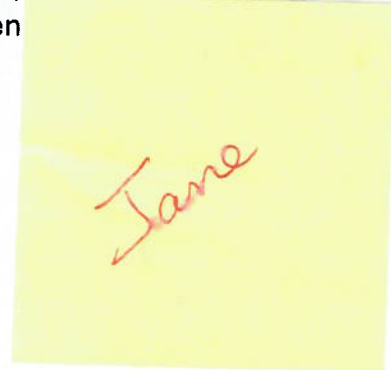
March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc... I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Aven

Jane Morrison
1102-233 Street
Hillcrest, Alberta

Jane Morrison
Signature




March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. John McNeil
1133-233 Street
Hillcrest, Alberta


Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Terry Barlow
1102-232 Street
Hillcrest, Alberta

A handwritten signature in blue ink, appearing to read "Terry Barlow", is written over a horizontal line.

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Abbey Huffman
1101-231 Street
Hillcrest, Alberta



Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Garnet & Gena Paton
1114-233 Street
Hillcrest, Alberta

A handwritten signature in blue ink, appearing to read 'Garnet Paton', written over a horizontal line.

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Kelly Pinel
2309-12th Avenue
Hillcrest, Alberta




Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Ms. Kendal O'neill
1125-233 Street
Hillcrest, Alberta

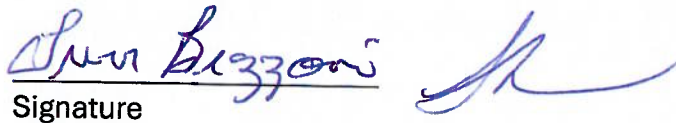

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Trevor & Sheryl Brazzoni
1101-232 Street
Hillcrest, Alberta


Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Dean & Kara Civaterese
1106-232 Street
Hillcrest, Alberta




Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Elsie Linderman
917-232 Street
Hillcrest, Alberta


Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. Brian Grahn
1101-233 Street
Hillcrest, Alberta



Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

TJ Barlow
1105-232 Street
Hillcrest, Alberta



Signature



Box 600
Crowsnest Pass, Alberta,
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474

CORRECTION See Condition #9

Notice of Decision

Application No. DP2026-019

Roll No. 3110400

Application Complete: 3/9/2026

Notice of Decision: April 9, 2026

Appeal Period Expires: April 30, 2026

This is not a
Development Permit

Approving Authority:	Municipal Planning Commission
Land Use District:	Non-Urban Area NUA-1
Civic Address:	1301 East Hillcrest Dr., Hillcrest
Legal Land Description:	Lot N/A Block N/A Plan N/A
Proposed Development:	For a "Home Occupation – Class 2" (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry.

Dear Sir or Madam:

Please be advised that the **Development Permit application DP2026-019 was approved** subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and the use shall not commence, until all "Prior to Issuance Conditions" stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the "Prior to Issuance Conditions" and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority's Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.
4. The applicant or landowner shall provide to the Development Officer an executed Road Use Agreement with the Municipality (contact the Transportation Department) to use municipal maintained roads for commercial purposes (Home Occupation – Class 2); and further, the road use agreement shall contain terms and conditions as outlined in 4.1 below to the satisfaction of the Development Office:
 - 4.1 Vehicular traffic directly or indirectly connected with the "Home Occupation – Class 2" shall access the subject property only from:
 - a) the existing access on East Hillcrest Drive as the primary site access for the majority of trips, except as specified in par. b) below, and
 - b) the existing urban residential accesses on 11 Avenue and 12 Avenue subject to the following conditions:
 - (i) not more than once a week only during the period from October 15 to March 15, and
 - (ii) the landowner shall ensure that truck engines are operated with as little noise as possible along 11 Avenue and 12 Avenue and through the residential community of Hillcrest, pursuant to sections 7.2 and 7.3 of the Community Standards Bylaw, and
 - (iii) the landowner shall ensure that mud and clay are cleaned up from the road surface every time that the 11 Avenue and 12 Avenue residential accesses are used and mud or clay is deposited, and
 - (iv) vehicles and/or equipment directly or indirectly connected with the "Home Occupation – Class 2" shall not be parked on 11 Avenue or 12 Avenue, including the boulevards of these roads.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

5. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, "commence" may include applying for a building permit under the Safety Codes Act).

Conditions of a Continuing Nature (Permanent Conditions)

6. The applicant or landowner shall maintain the road use agreement for the duration of the operation of the Home Occupation – Class 2, subject to the following:
 - 6.1 If the applicant does not maintain the road use agreement in accordance with the conditions outlined in 4.1, the applicant shall not use the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.
 - 6.2 If the Municipality chooses to not renew the road use agreement, the applicant shall not use the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.

7. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023 (except as approved by variance in the table below). Failure to conform to the approved site plan without an approved amendment may result in enforcement measures pursuant to the Municipal Government Act and the Land Use Bylaw:

Home Occupation – Class 2	Standard	Proposed	Variance Requested
Number of Home Occupations per dwelling unit	1	1	N/A
Limited volume of on-premises sales	Not more than 25 customer visits per week.	None	N/A
Employees	Immediate Family Member and 1 Paid Assistant Employed	Family Members	N/A
Outdoor Storage	Prohibited	9 Heavy Vehicles / Equipment related to the logging industry	Yes – approved for 9 heavy vehicles / equipment related to the logging industry

8. There shall be no signage attached to or installed at the subject property without the benefit of a development permit for such sign in accordance with the Sign Standards Schedule of the Land Use Bylaw.
9. **The hours of noise activity on-site or off-site related to the operation of the Home Occupation – Class 2 on the subject lands shall follow the provisions in section 7 of the Community Standards Bylaw.**
10. There shall be no noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, glare or industrial waste produced by the use to a level that is reasonably considered and deemed by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts.
11. The landowner and/or the applicant shall familiarize themselves with and follow the Road Ban Restrictions of the Municipality of Crowsnest Pass.
12. Any change to the use or intensity of the “Home Occupation - Class 2” other than what is approved in this development permit shall require a new development permit application.
13. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
14. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional

development permits are required, and construction shall be completed by the landowner at no cost to the municipality.

15. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner's and/or Applicant's responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality's Department of Development, Engineering & Operations for assistance if required.
16. This development permit approves only the development contained herein, and a further application is required for any changes or additions.
17. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality's Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

- a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.
- b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.
- c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.
- d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:

- (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (<https://www.alberta.ca/online-permitting-clearance>) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.
- e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
- (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) Notifying Utility Safety Partners (Alberta 1st Call) at <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/> or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.
 - (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.
 - (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
 - (xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.
 - (xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.

- (xiv) Being aware of FireSmart Regulations including the Municipality’s FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
- (xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority’s satisfaction, and any applicable appeal period has expired. It is the owner’s responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner’s agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.

f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Lot (m ²)	212846.48	Provincial Historic Resource Value (Archaeology)	4a, 3p, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main Preferred Referral (Yes – Send Notice)	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	Yes	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

Right to Appeal

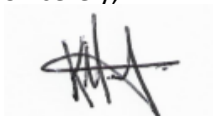
This decision may be appealed within 21 days after the notice of decision. You may file an appeal with the required appeal fee by the appeal deadline. The SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) has jurisdiction to hear an appeal of the Development Authority’s Decision on this development permit.

Subdivision and Development Appeal Board:

Submit the online form: https://portal.laserfiche.ca/o8468/forms/Development_Appeal or visit <https://www.crowsnestpass.com/planning-development/p-d/subdivision-and-development-appeals> to learn more and access the link to appeal. The fee of \$400.00 must be paid with the appeal (will be contacted for payment once the form is sent).

If you have any questions regarding the development permit, please contact the undersigned at development@crowsnestpass.com or make an appointment by calling (403) 562-8833.

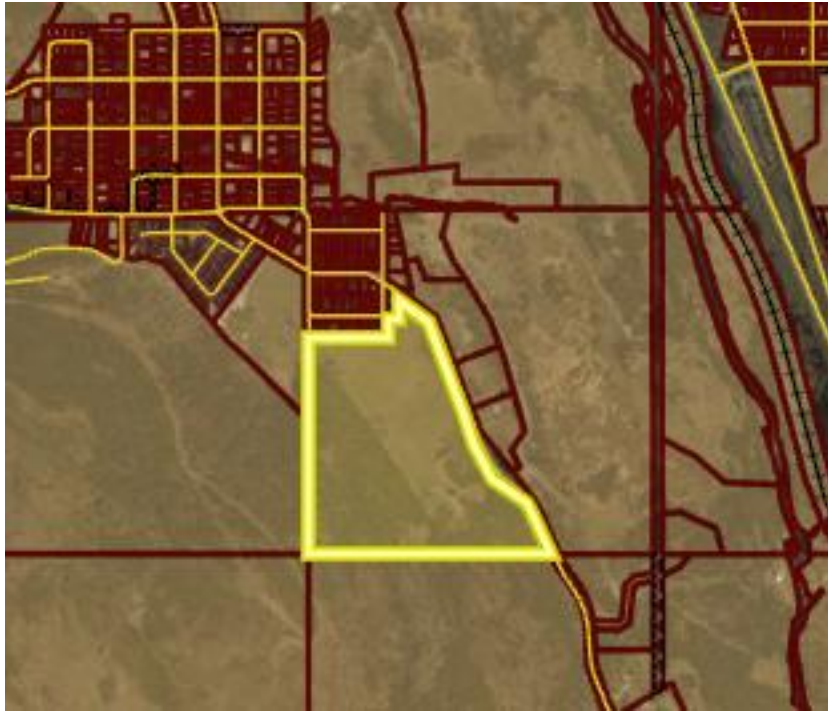
Sincerely,



Development Officer

Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M

1301 East Hillcrest Drive, Hillcrest







Municipality of Crowsnest Pass
Municipal Planning Commission Minutes
Wednesday, March 25, 2026, at 2:00 PM

- PRESENT:** Dean Ward, Chair
Doreen Johnson, Vice Chair
Sam Silverstone, Member
Robert Schefter, Member
Howard Vandenhoeft, Member
Donald Budgen, Member
- ADMINISTRATIVE:** Katherine Mertz, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Max Kelly, ORRSC
Randi Lafreniere, Recording Secretary
- ABSENT:** Gaston Aubin (Apology)
-

1. Call to Order

The chair called the meeting to order at 2:00 pm.

2. Agenda

MOTION by Donald Budgen to accept the agenda with the following amendments:

Add 8.1 Appeals – Johan Van Der Bank to give overview of SDAB appeal decision for Charmed Resorts

Add 9.1 Round Table Discussion – Lot Coverage

Add 9.2 Round Table Discussion – Board Composition

CARRIED

3. Minutes

MOTION by Donald Budgen to adopt the minutes of February 25, 2026, as presented.

CARRIED

4. Consent Agenda

N/A

5. Requests for Decision - Subdivision Applications

5.1 Subdivision 2026-0-015 – Lot(s) 22-23 Block 18 Plan 2347BS within SW ¼ 2-8-4-W5M

MOTION by Sam Silverstone to approve Subdivision Application 2026-0-015 with the resolution provided in the MPC request for decision package.

CARRIED

6. Requests for Decision – Development Permit Applications

6.1 DP2026-012 – 2325 214 Street, Bellevue (Lot 7 Block 8 Plan 6099AQ)

For a “Single-Detached Dwelling” (permitted use) with a 40% variance to the front yard setback, a 60% variance to the rear yard setback, a 19% variance to the east side yard setback a 15.4% variance to the maximum lot coverage and a 13% variance to the minimum habitable floor area.

MOTION by Howard Vandenhoeft to approve DP2026-012 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 DP2026-013 – 2910 76 Street, Coleman (Lot(s) 26-27 Block 26 Plan 8111839)

For an Addition to a “Single-Detached Dwelling” (discretionary use)

MOTION by Sam Silverstone to approve DP2026-013 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.3 DP2026-017 – 1213 83 Street, Coleman (Lot 21 Block 4 Plan 0910239)

For an “Accessory Building/Structure or Use up to 72.8m²” (Garage 52m²) (permitted use) with a 70% variance to the rear yard setback, a 6% variance to the maximum building height and a 36% variance to the maximum lot coverage.

MOTION by Donald Budgen to approve DP2026-017 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.4 DP2026-018 – 1301 East Hillcrest Drive, Hillcrest (Lot N/A Block N/A Plan N/A, NE 17-7-3-W5M)

For a “Secondary Suite – Detached” (discretionary use)

For an existing “Accessory Building/Structure or Use up to 72.8m² (784ft²) not prior to the establishment of the principal building or use” (shipping container) (permitted use) with a 46% variance to the north side yard setback.

For the existing “Accessory Building/Structure or Use up to 72.8m² (784ft²) not prior to the establishment of the principal building or use” (three agriculture buildings) (permitted use) with a 100% variance to the north side yard setback.

MOTION by Doreen Johnson to approve DP2026-018 with conditions as identified by Alternative A in the MPC request for decision package and adding a new Condition #4 as a Prior to Issuance Condition as follows, and renumber the subsequent conditions accordingly:

“4. The landowner or applicant shall provide to the Development Officer a Private Sewage Disposal System inspection report completed by a Safety Codes Officer, at no cost to the Municipality, that confirms that the existing Private Sewage Disposal System is in an acceptable working condition to receive and safely handle sewage disposal from the Secondary Suite.”

CARRIED

6.5 DP2026-019 – 1301 East Hillcrest Drive, Hillcrest (Lot N/A Block N/A Plan N/A, NE 17-7-3-W5M)

For a “Home Occupation – Class 2” (discretionary use) with a variance pursuant to Schedule 8 Section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging industry.

MOTION by Donald Budgen to accept the additional information provided by the applicant and an adjacent landowner that was not included in the original MPC package.

CARRIED

RECESS & RECONVENE

3:32pm – Dean Ward called a short recess at 3:32pm

3:35pm – Dean Ward reconvened the meeting

MOTION by Howard Vandenhoeft to approve DP2026-019 with the conditions as identified by Alternative A in the MPC request for decision package, and the following revisions and additions:

1. Move condition #5 (road use agreement) to condition #4 under “Prior to Issuance Conditions” and renumber the subsequent conditions accordingly.
2. Revise the new condition #4 (road use agreement) to read as follows:

- “4. The applicant or landowner shall provide to the Development Officer an executed Road Use Agreement with the Municipality (contact the Transportation Department) to use municipal maintained roads for commercial purposes (Home Occupation – Class 2); and further, the road use agreement shall contain terms and conditions as outlined in 4.1 below to the satisfaction of the Development Office:
- 4.1 Vehicular traffic directly or indirectly connected with the “Home Occupation – Class 2” shall access the subject property only from:
- a) the existing access on East Hillcrest Drive as the primary site access for the majority of trips, except as specified in par. b) below, and
 - b) the existing urban residential accesses on 11 Avenue and 12 Avenue subject to the following conditions:
 - (i) not more than once a week only during the period from October 15 to March 15, and
 - (ii) the landowner shall ensure that truck engines are operated with as little noise as possible along 11 Avenue and 12 Avenue and through the residential community of Hillcrest, pursuant to sections 7.2 and 7.3 of the Community Standards Bylaw, and
 - (iii) the landowner shall ensure that mud and clay are cleaned up from the road surface every time that the 11 Avenue and 12 Avenue residential accesses are used and mud or clay is deposited, and
 - (iv) vehicles and/or equipment directly or indirectly connected with the “Home Occupation – Class 2” shall not be parked on 11 Avenue or 12 Avenue, including the boulevards of these roads.”
3. Add a new condition #6 under Conditions of a Continuing Nature (Permanent Conditions) as follows and renumber the subsequent conditions accordingly:
- “6. The applicant or landowner shall maintain the road use agreement required under condition 4 for the duration of the operation of the Home Occupation – Class 2, subject to the following:
- 6.1 If the applicant does not maintain the road use agreement in accordance with the conditions outlined in 4.1, the applicant shall not use the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.
- 6.2 If the Municipality chooses to not renew the road use agreement in accordance with the conditions outlined in 4.1, the applicant shall not use

the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.”

4. Delete the original condition #7 (vehicle access - including 7.1 to 7.3) and renumber the subsequent conditions accordingly.
5. Reword the renumbered condition #9 to read as follows: “The hours of noise activity on-site or off-site related to the operation of the Home Occupation – Class 2 on the subject lands shall follow the provisions in section 7 of the Community Standards Bylaw.”

7. Land Use Bylaw Amendments

N/A

8. Appeals

Johan van der Bank gave an update on the Land & Property Rights Tribunal appeal decision to approve the Charmed Resorts development (DP2025-027), and that the most significant take-aways from this decision is that the Municipality has been and continues to follow the correct procedure for environmental monitoring and buried waste delineation of the former nuisance ground (adjacent to the development property) in compliance with the requirements of Alberta Environment and Protected Areas and relevant provincial legislation, and that the proposed resort accommodation is not required to be set back from the adjacent former nuisance ground because recreational occupancy in the proposed resort is not the same as residential occupancy (as defined in the Land Use Bylaw).

9. Round Table Discussion

9.1 Lot Coverage Discussion

Doreen Johnson opened discussion about variances to the maximum lot coverage and considerations regarding variances going forward in relation to the effects on current stormwater infrastructure. Consensus was reached that a variance of lot coverage for either an accessory building or a principal building should not (and thus far has not) exceed the combined maximum lot coverage for the principal and accessory structures.

9.2 Board Composition

Doreen Johnson opened discussion on the fact that one of the MPC members represents the MPC on the Municipal Historic Resources Advisory Committee (MHRAC) while also representing another interest group on the same Advisory Committee. Johan van der Bank mentioned that the MHRAC is aware of this and are looking into options. If the MHRAC makes changes to the representation, MPC may have to appoint a different MPC member as its representative to the MHRAC.

Doreen further opened discussion on the election of chair and vice-chair, which occurred on November 26, 2025, when there were two vacancies on the MPC, and whether the election should be re-opened at some point. Dean Ward mentioned that typically the chair and vice-chair are elected annually after the Council organizational meeting in October, but that if the MPC preferred to re-elect a chair and vice chair now that the MPC membership is filled, that is a possibility. Consensus was reached to defer election of the chair and vice-chair to the regular timing of October 2026.

10. In Camera

N/A

11. Next Meeting

Next Meeting Wednesday, April 22, 2026, at 2:00pm.

12. Adjourn

MOTION by Doreen Johnson to adjourn the meeting at 3:58pm

CARRIED

13. Signing of Minutes

Approved By:

Chairperson

Date

Manager of Development and Trades

Date



MEMORANDUM

To: Municipal Planning Commission for the April 22, 2026 meeting

From: Development Office Staff

Date: April 17, 2026

Re: Clarification and Reconsideration of MPC Decision DP2026-019 of March 25, 2026

Development Permit application DP2026-019 was decided by the MPC on March 25, 2026. Subsequent to the issuance of a Notice of Decision on April 09, 2026, the applicant indicated to the MPC Chair that they have concerns about the decision, and the Chair of the MPC requested that the Development Office bring the application back to the MPC for clarification.

Section 24.2 and 24.4 of the Land use Bylaw No. 1165, 2023 provides that a development permit that has been approved may be reconsidered when the Development Authority becomes aware that:

- (a) the application for the development permit contained misrepresentations; or
- (b) facts concerning the application or the proposed development that should have been but were not disclosed at the time the application was considered, have subsequently become known; or
- (c) a development permit was issued in error or contains a clerical error;

Section 24.2 provides that in such a case, "... the Development Authority may revise and re-issue, suspend, or cancel the development permit by notice in writing to the holder of the development permit, the landowner, and adjacent landowners and affected persons as deemed applicable, stating the reasons for the revision and re-issue, suspension, or cancellation".

A Notice of Decision was previously issued for a "Home Occupation Class 2 (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry." Upon further review by the Development Office, the Municipal Planning Commission may consider issuing a revised Notice of Decision, identifying the use as "Contractor, Services General" (discretionary use in the NUA-1 district) as this is considered a more appropriate land use classification for the nature of the activities occurring on the subject property.

Contractor Services, General means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction,

wastewater systems or similar services of a construction or light manufacturing nature which require on-site outside storage space for materials, construction equipment and/or vehicles normally associated with the contractor service. This may include accessory sales, display, office and/or technical support service areas.

Additional Information from the Applicant

For the reconsideration of the development permit, the applicant has provided clarification regarding the proposed use, specifically the requirement for access via 11th Ave and 12th Avenue, as follows:

1. Personal Use of 11 Avenue and 12 Avenue

- Personal use of 11 Avenue and 12 Avenue for access to the property including the Secondary Suite that was approved under DP2026-018 should not be restricted in the way that access may be restricted for the logging business under DP2026-019.
- Some of the equipment and vehicles used for the Logging Business are also used for Agricultural purposes on the property, and under Schedule 3 of the Land Use Bylaw Agricultural Use is exempted from the requirement to obtain a development permit if all the applicable standards in the Land Use Bylaw are met. As noted in DP2026-018, the Agricultural Use does not comply with the standards, and therefore a 100% variance was approved under DP2026-018.

2. Access – 11 Avenue for the Logging-related equipment and vehicle access:

- Time frame of use: Access to 11 Avenue is required year-round, with the majority of trips occurring between October and March.
- Frequency of use: Use is sporadic, with logging-related access occurring approximately 10 times per year.

3. Access – 12 Avenue for the Logging-related equipment and vehicle access:

- Time frame of use: Access to 12 Avenue is required year-round, with the majority of trips occurring between October and March.
- Frequency of use: Use is sporadic, with logging-related access occurring approximately 10 times per year.

Additional Information from Adjacent Landowners

At the March 25, 2026 meeting the MPC accepted additional materials from an adjacent landowner who has objections to the operation of the logging business and, through materials accepted from the applicant, the MPC accepted additional materials from other adjacent landowners who had no concerns with the operation of the logging business.

The LUB Administration s. 12.1(a) provides that, prior to bringing a development permit application before the MPC for a decision, the Development Officer (Development Office) may refer an application "... to any person who in their opinion may provide relevant comments ...". Pursuant to the acceptance of additional materials from a concerned adjacent landowner at the March 25, 2026 MPC meeting, when the Chair requested that this matter is brought back to the MPC for clarification and reconsideration and with additional information from the applicant, the Development Office

reached out to the concerned adjacent landowner pursuant to s. 12(a) to provide an opportunity to submit additional materials for the reconsideration of the matter.

For the reconsideration of the development permit, the concerned adjacent landowner provided the following additional materials: See attachment 2.

At the March 25, 2026 meeting of the MPC, through additional materials that were submitted by the applicant and accepted by the MPC, some of the other adjacent landowners indicated no concerns over the operation of the logging business. The Development Office determined that it is not necessary that the matter is referred to those landowners for the purpose of reviewing the matter – all adjacent landowners will receive a new Notice of Decision in the mail if the MPC decides to revise the decision.

Conclusion

Attachments 4, 5, 6, and 7 are provided from the March 25, 2026 meeting for MPC’s convenience and reference.

The request to reconsider and clarify the March 25, 2026 decision by the MPC was not initiated by the applicant with the Development Office. Instead, it was initiated by the applicant with the MPC Chair. Therefore, the Development Office prefers to step back from this matter and will not make a recommendation to the MPC. The MPC and the Development Office form the “Development Authority”, therefore in the context of how the request for clarification and reconsideration was initiated, the MPC should deal with this matter and come to a decision of their own. The Development Office staff is available to provide technical advice if needed.

If the MPC so desires, pursuant to s. 197 (2.1) the MPC may deliberate and make a decision on this application by closing the meeting to the public, and it is not required that the MPC identifies the exception under Division 2 of Part 1 of the Access to Information Act (see Attachment 1 - legal opinion obtained).

The Development Office suggests that in formulating any revision to the decision the MPC keep in mind that this development permit will likely be appealed, and it is imperative that the MPC decision complies with the following provisions of the Administration Part of the Land Use Bylaw (see Attachment 3):

- Section 13.1 Consistency with section 617 of the Municipal Government Act - ;
- Section 13.3 Considerations for Discretionary Uses;
- Section 13.4 Considerations for Variances;
- Section 19.2 Conditions of Development Permit Approval; and
- Section 24.4 – if the Municipal Planning Commission chooses to revise and re-issue the notice of decision, “... the appeal period shall be reset and the holder of the development permit, the landowner, and adjacent landowners and affected persons who are required by the land use bylaw to be notified, shall have the right to appeal the re-issued development permit”.

Attachments:

Attachment 1: MGA section 197 (2.1)

Attachment 2: Additional Materials from an Adjacent Landowner

Attachment 3: LUB Extracts s. 13, 19, and 24

Attachment 4: March 25 - DP2026-019.1 B - Notice of Decision REVISED APRIL 10 2026

Attachment 5: March 25 - Submission from applicant redacted

Attachment 6: March 25 - Comments from Adjacent landowner

Attachment 7: March 25 - DP2026-019.1 MPC REQUEST FOR DECISION

Council committee meetings

195 The municipality must give at least 24 hours' notice of a council committee meeting

- (a) to the members of the council committee, and
- (b) to the public.

1994 cM-26.1 s195

Notice of meeting

196(1) A councillor or member of a council committee is deemed to have received sufficient notice of a council or council committee meeting if the notice was given by a method approved by the council.

(2) The public is deemed to have received sufficient notice of a council or council committee meeting if the notice was given by a method approved by the council.

RSA 2000 cM-26 s196;2022 c16 s9(42)

Public presence at meetings

197(1) Councils and council committees must conduct their meetings in public unless subsection (2) or (2.1) applies.

(2) Councils and council committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Access to Information Act*.

(2.1) does not contain the same requirement that (2) does, i.e. to identify which section of Division 2 of Part 1 of the Access to Information Act (ATIA) applies to closing a meeting to the public. The Manager of Development & Trades obtained a legal opinion that this means that the MPC can deliberate and make a decision on an application before them without having to identify the reason under ATIA.

(2.01) Repealed 2019 c22 s10(5).

(2.1) A municipal planning commission, subdivision authority, development authority or subdivision and development appeal board established under Part 17 may deliberate and make its decisions in meetings closed to the public.

(3) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting of a council or council committee held in public.

(4) Before closing all or any part of a meeting to the public, a council or council committee must by resolution approve

- (a) the part of the meeting that is to be closed, and
- (b) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the *Access to Information Act*, the part of the meeting is to be closed.

April 17, 2026

To the Municipal Planning Commission

RE: 1301 East Hillcrest Drive – Development Application for a Secondary Suite

This letter outlines my concerns following the Municipal Planning Commission meeting held on March 25, 2026, regarding the above-noted application.

At that meeting, Mr. Linderman accused me of attempting to shut down his business, which I found both unfair and offensive.

Mr. Linderman stated that they have operated their logging business from the property for the past 20 years. However, 11th Avenue and 12th Avenue were not used for access until the secondary residence was established at the northwest end of the property. Prior to that, the Lindermans used their East Hillcrest Drive access exclusively. Municipal file photos should be able to verify this, which makes that statement inaccurate.

Mr. Linderman also stated at the March 25 meeting that debris from the alley is what clogs the storm drain. While it is true that some vehicles use the alley, including the garbage truck, there is a significant difference between occasional alley traffic and repeated industrial hauling. Standard vehicles distribute mud very differently than heavy equipment and semi trucks, which create a far greater impact on the roadway and storm drainage system.

As noted in my previous letter, the storm drain remains one of my primary concerns. The current grate is not sufficient to handle heavy semi traffic. Although Mr. Linderman claimed they would only use the street without loads, that statement was contradicted during the March 25 MPC meeting when Austin Linderman acknowledged that a bridge had been hauled in approximately six weeks earlier.

It was also mentioned by the Lindermans, and discussed by MPC members, that their East Hillcrest Drive access is shaded, icy, and difficult to use. If that access is inadequate for their needs, then it should be improved accordingly. Given the nature of their operation and the equipment they have available, it is difficult to understand why the burden of that access issue should be shifted onto a residential street.

Following the March MPC meeting, the Lindermans stated they would keep the road clean. They purchased a sweeper, and it was implied that this would help keep the storm sewer clear.

However, if there was any real intention to comply with the road use conditions in the development agreement, I believe I would have been contacted on April 13, when heavy rain fell for more than an hour and the storm drain was already plugged with mud before the rainfall began. I had to clear the drain myself to prevent water from backing up into my garage. A photo is attached.

I would ask the board to refer to the following sections of the Land Use Bylaw: **13.3, 13.4, and 3.1(3)**.

Above all, I ask each board member to consider whether this type of industrial activity would be acceptable in their own residential neighborhood, or in any residential neighborhood in this community.

If approved, I believe this would set a dangerous precedent for a growing and expanding community.

Thank you for your time

Sincerely

Cory Tourond



J8



J9



J10



J11



J12

- a change of use or occupancy, or a request for approval to undertake work that involves renovation, alteration, new signage or a change to existing signage, maintenance, or improvement that is likely, in the sole discretion of the Development Officer, to affect or change the known **character defining elements** of a building on a property in one of the categories below,

to the Municipal Historic Resources Advisory Committee and/or respectively the federal or provincial government, as may be applicable, for review and comment prior to the application being considered by the Development Officer or the Municipal Planning Commission:

- (a) A property located within the boundaries of the Historic Commercial Areas Overlay District.
 - (b) Those properties that are designated by Bylaw as a Municipal Historic Resource.
 - (c) Those properties that are designated as a Provincial Historical Resource.
 - (d) The properties, buildings and structures listed in the Heritage Management Plan Inventory as Historically Significant.
 - (e) Property within the Coleman National Historic Site of Canada.
- 12.4 The Development Officer or the Municipal Planning Commission, as the case may be, may make a decision on a development permit application or a request for approval pursuant to section 12.3 without receiving comments from the Municipal Historic Advisory Committee or the federal or provincial government, provided that the Development Officer or the Municipal Planning Commission acknowledges in its decision the historic or heritage relevance of the property and that the applicant has been made aware of the significance of the property and the statutory requirements, if any, that apply to the property.

13 CONSIDERATIONS WHEN DECIDING ON AN APPLICATION FOR A DEVELOPMENT PERMIT, SUBDIVISION OR LAND USE REDESIGNATION

Consistency with Section 617 of the MGA

- 13.1 When evaluating and deciding on an application for a development permit, subdivision or land use redesignation, the Development Authority, the Subdivision Authority or Council (whatever the case may be) shall fulfil the purpose of Part 17 of the MGA in that these decisions must strive:
- (a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement in the Municipality; and
 - (b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in the Municipality,

without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.

Considerations for Permitted Uses

- 13.2 When making a decision on a development permit for a permitted use the Development Officer shall take into account, but not be limited to:
- (a) access, transportation and servicing requirements;
 - (b) the Subdivision and Development Regulation;
 - (c) stormwater management and site grading;

- (d) the land use definitions, the purpose statement of the applicable land use district, the development standards of the applicable land use district and the applicable Schedules in this Bylaw.

Considerations for Discretionary Uses

13.3 When making a decision on a development permit for a discretionary use, the Development Authority shall seek to achieve the orderly, compatible, economical and beneficial use of land, development, and patterns of settlement, and to maintain and improve the quality of the physical environment, within the following context, but not limited to it:

- (a) the decision must be in accordance with the South Saskatchewan Regional Plan;
- (b) the decision must have regard to applicable statutory plans and comply with the same however, where discrepancy exist between an applicable statutory plan and this Bylaw, the Land Use Bylaw takes precedence over a statutory plan;
- (c) the decision must have regard to the provisions of applicable non-statutory plans or studies affecting the parcel or type of development;
- (d) the appropriateness of the location and the suitability of the parcel for the proposed development;
- (e) the compatibility and impact of the proposed development with respect to existing and future adjacent development and the neighbourhood;
- (f) the merits of the proposed development;
- (g) access, transportation and servicing requirements;
- (h) the Subdivision and Development Regulation;
- (i) stormwater management and site grading;
- (j) the land use definitions, the purpose statement of the applicable land use district, the development standards of the applicable land use district and the applicable Schedules in this Bylaw.

Considerations for Variances

13.4 The Municipal Planning Commission or the Development Officer, subject to the restrictions established under Variance and Encroachment Authority in this Bylaw, and the Subdivision and Development Appeal Board, as may be applicable, may approve an application for, or an appeal of, a development permit even though the proposed development does not comply with the standards in this Bylaw if, in the opinion of the Municipal Planning Commission, the Development Officer or the Subdivision and Development Appeal Board:

- (a) the proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land;

and

- (b) the proposed development conforms with the use prescribed for the subject land or building in Schedule 2.

13.5 The Development Authority shall not approve a variance for a yard setback unless the relevant provisions and standards for yard setback variances in Schedule 4 are complied with.

18 ADDITIONAL APPROVALS REQUIRED

- 18.1 In addition to the requirements of this Bylaw, a landowner, an applicant or their agent, as part of commencing a development permit issued to any of them under this Bylaw, is required and responsible, at their sole risk and to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters and at no cost to the Municipality, to comply with the requirements of applicable municipal, provincial and federal legislation. This includes but is not limited to the *Safety Codes Act*.
- 18.2 The issuance of a development permit pursuant to this Bylaw does not preclude or absolve the landowner, the applicant and/or their agent from the responsibility to obtain any additional municipal, provincial or federal permits, authorizations, approvals or licenses that may be required before, during or after the development permitting process required in this Bylaw.
- 18.3 Every development permit shall include notes to make the landowner, applicant and their agent aware of their responsibility to comply with the requirements of applicable municipal, provincial and federal legislation.
- 18.4 Where a development requires the approval of an entity listed in Section 619 of the Municipal Government Act and which also requires a municipal approval (in accordance with the paramouncy established by the abovementioned provision), the provincial approval will normally be expected to be issued and received prior to the application for a development permit. This does not preclude the involvement of the municipality in making preliminary statements and/or recommendations, as the case may be.

19 CONDITIONS OF DEVELOPMENT PERMIT APPROVAL

- 19.1 The standards, regulations and other provisions established in this Bylaw are conditions that attach by default to any development permit as may be applicable without them being listed in a development permit. It shall be the responsibility of the Landowner and/or Applicant to ensure that they comply with those standards, regulations and other provisions.
- 19.2 In addition to the standards, regulations and other provisions established throughout this Bylaw the Development Authority may impose enforceable and reasonable conditions with a planning-related objective that do not exceed its jurisdiction or subdelegate its decision-making power on a development permit for a permitted use (regardless of whether or not a variance is involved) and on a development permit for a discretionary use, as may be specified below, and on a development permit for the demolition of a building, for the following purposes as may be applicable:
- (a) to ensure compliance with the relevant provisions of the Act and the Subdivision and Development Regulation;
 - (b) to ensure compliance with the uses, standards, regulations, use-specific conditions, and other provisions established in this Bylaw, the land use districts and other Schedules;
 - (c) to ensure that:
 - (i) in the case of a permitted use for which the development standards are being relaxed through a variance; or
 - (ii) in the case of any discretionary use; or
 - (iii) in the case of infill development in an existing mature neighbourhood or an historically significant area, whether the proposed development is a permitted or discretionary use;

appropriate mitigating measures are established and/or other measures imposed, based on the advice of suitably qualified professionals where applicable, to the extent that the proposed development:

- would not affect public safety,
- would not result in environmental contamination,
- would not create a nuisance, or
- would not result in traffic safety issues, and
- that the proposed development is compatible with and would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

Measures to this effect may include but are not limited to:

- restricting the hours of operation,
 - requiring dust control,
 - requiring an appropriate form of landscaping, fencing and/or screening,
 - requiring a standard of aesthetic appearance including but not limited to:
 - consideration for the impact of the proposed development on the historical significance of the subject or adjacent properties,
 - slope-adaptive building and site design,
 - the impact of proposed new or infill development on and its compatibility with existing development in mature neighbourhoods;
 - increasing the yard setbacks or other standards for a proposed development (e.g. in exchange for variances);
 - requiring that the applicant undertake relevant professional studies and incorporating the recommendations from those studies as conditions of development approval; and/or
 - other mitigating measures as may be deemed applicable;
- (d) to require that the landowner or applicant enters into an agreement with the municipality in accordance with the provisions of the Act regarding the construction, upgrading and connection to roads, walkways, public utilities, off-street parking and loading facilities, off-site levies and redevelopment levies, agreement securities and oversized improvements;
- (e) to require the preparation of and/or compliance with recommendations in relevant engineering reports and other professional studies;
- (f) to require the preparation of detailed plans and construction drawings illustrating, to the Development Officer's satisfaction, access, site layout, landscaping, parking, building elevations, slope-adaptive building and site design, signs, slope stability, lot grading, stormwater management and/or utility servicing;
- (g) to require the consolidation of parcels by plan of survey prepared by an Alberta Land Surveyor;

- (h) to require a lot grading certificate [confirming the completion of rough grade with tolerances that allow for finished grade (i.e. landscaping) to be completed] prepared by an Alberta Land Surveyor where an overall grading plan or stormwater management plan has been approved;
 - (i) to require the provision of a refundable security deposit to ensure that the conditions are complied with;
 - (j) to require the stake-out, a survey and a survey drawing of the property and/or building footprint area by either an Alberta Land Surveyor, professional engineer (see definition) or other certified agent prior to the commencement and/or after the completion of a development;
 - (k) to specify the temporary nature, maximum duration or other limitation on the time that a development permit remains in effect or a use may be exercised;
 - (l) to require, relative to a temporary development permit, the cessation and removal from the property of any improvements associated with the temporary development permit upon its expiry, the posting of a refundable security deposit to ensure its cessation and removal, and the implied consent and default agreement from the landowner or applicant upon accepting the issuance of a temporary development permit whereby the Municipality shall not be liable for any costs involved in the cessation or removal of any development at the expiration of the temporary development permit;
 - (m) to require that the landowner or applicant provide to the Development Officer copies of applications for, or copies of, permits issued under the Safety Codes Act to demonstrate that such applications or permits are consistent with the development permit issued for the proposed development;
 - (n) to specify the timing of the completion of any part of the proposed development.
- 19.3 Minor details of the conditions imposed upon a development permit may be revised, upon request from the applicant and landowner or upon the Development Officer's initiative as deemed necessary and applicable, pursuant to section 24 of the land use bylaw.

20 DECISION AND NOTIFICATION OF DEVELOPMENT PERMIT

- 20.1 The Development Authority shall decide on a development permit application within the timeline prescribed in the Act.
- 20.2 A decision on a development permit is deemed to have been made on the date that it is put into writing.
- 20.3 Notification of decisions on development permit applications are to be made in the following manner:
- (a) When the Development Officer has made a decision on a permitted use development permit application that conforms in all respects to the provisions of this Bylaw, the Development Officer **may notify** the public by publishing a notice in any manner that is deemed appropriate in accordance with an applicable Municipal policy or bylaw.
 - (b) When the Development Authority has made a decision on a permitted use development permit application in which the provisions of the Land Use Bylaw were relaxed or varied or where there is a possibility of the provisions having been misinterpreted, or has made a decision on a discretionary use development permit application, with or without a variance to a development standard, the Development Officer shall, on the same day the decision is made, notify, as may be applicable, the applicant, the landowner of the subject parcel (if not the same as the applicant), adjacent landowners and any other

Transfer and Continuance

- 22.8 When a development or use has been commenced pursuant to an issued development permit, the development permit by which it was approved is deemed to be valid and transferrable and it shall “run with the land” or continue and remain in effect on the subject property until a new development permit is issued and commenced that effectively replaces the previous development or use on the subject property, except when:
- (a) a temporary development permit was issued for a limited time pursuant to the Act and/or this Bylaw, or
 - (b) the development permit was issued conditional upon a valid encroachment agreement that has an expiry date.
- 22.9 A development permit that is conditional upon a valid encroachment agreement with an expiry date shall expire when the encroachment agreement expires. To maintain the validity of such a development permit the landowner is required to apply to renew the encroachment agreement prior to its expiry (encroachment agreements are regulated by Municipal policy, the Development Authority or the Subdivision Authority cannot impose a condition of approval that binds the Municipality or an adjacent private landowner into an encroachment agreement with the applicant, and there is no guarantee of an encroachment agreement being entered into or renewed).
- 22.10 After commencement, a development permit issued for a commercial or industrial land use shall expire when the use has not been carried on for twelve consecutive months.

23 REAPPLICATION INTERVAL

- 23.1 If a development permit application was accepted as complete, processed, reviewed and refused by the Development Authority and there was no appeal filed within the prescribed timeline or if, on appeal, a development permit was refused, the Development Officer shall not accept another application by the same or a new applicant for the same use or a similar use on the subject property for a period of six (6) months after the date of refusal.
- 23.2 Notwithstanding the period referenced in subsection 23.1, the Development Officer may modify the re-application interval only for a use that conforms to all the standards and regulations of the bylaw and that was revised to resolve the reason(s) why the original application had been refused.
- 23.3 When a development permit was approved with or without conditions, the applicant has the right to apply for and have considered on its merits a second application for a development permit for the same use, even though the approved permit which has not been acted upon (not commenced) is outstanding.

24 REVISING, SUSPENDING OR CANCELLING A DEVELOPMENT PERMIT

- 24.1 Pursuant to the applicable provisions of the Municipal Government Act and the provisions of this section 24 regarding notification requirements and the right to appeal, minor details of conditions imposed upon a development permit for either a permitted use or a discretionary use may be revised:
- (a) upon request from the applicant and landowner, or
 - (b) upon the Development Officer’s initiative,
- as deemed necessary and applicable to facilitate the implementation of the development permit and/or to accomplish the satisfactory completion of conditions and deadlines (e.g. a deadline to comply with a condition, or the material used for a screening fence if the screening

effect would be the same, etc.), **in the sole discretion of the Development Officer**; and further, in the absence of such delegation having been expressly given in the development permit the Development Officer may deem such delegation to have been given by default; and further, the Development Officer shall not be obligated to revise a development permit upon request from an applicant or landowner; and further, the Development Officer may refer the proposed revisions to the Municipal Planning Commission.

24.2 Pursuant to the applicable provisions of the Municipal Government Act, if, after a development permit has been issued, the Development Authority becomes aware that:

- (a) the application for the development permit contained misrepresentations; or
- (b) facts concerning the application or the proposed development that should have been but were not disclosed at the time the application was considered, have subsequently become known; or
- (c) a development permit was issued in error or contains a clerical error;

the Development Authority may revise and re-issue, suspend, or cancel the development permit by notice in writing to the holder of the development permit, the landowner, and adjacent landowners and affected persons as deemed applicable, stating the reasons for the revision and re-issue, suspension, or cancellation.

24.3 When a revision and re-issue, suspension or cancellation results in the subject property being in contravention of the re-issued development permit or in contravention of the land use bylaw, the Development Authority **may issue** a Stop Order requiring that the use or development that is / was the subject of the development permit shall be modified or ceased and/or removed or a new application be made to bring the property into compliance.

24.4 When a development permit was revised and re-issued for reasons other than correcting clerical errors, or suspended or cancelled, the appeal period shall be reset and the holder of the development permit, the landowner, and adjacent landowners and affected persons who are required by the land use bylaw to be notified, shall have the right to appeal the re-issued development permit.

24.5 When a development permit is revised and re-issued only for clerical corrections, the appeal period shall not be reset, notification to adjacent landowners and affected persons is not required, and there shall not be a right to appeal.

25 SITE INSPECTIONS AND ENFORCEMENT

25.1 Pursuant to the relevant provisions of the Act, the Development Officer acting in their capacity as the Development Authority and on behalf of and with a mandate hereby delegated by a designated officer or the Chief Administrative Officer, after giving reasonable notice to the owner or occupant of the land or building to be entered to inspect for subdivision and/or development permit applications or to enforce compliance with this Bylaw, may enter the land or building at any reasonable time to carry out the inspection or enforcement, request anything to be produced to assist in the inspection or enforcement, and make copies of anything related to the inspection or enforcement.

26 STOP ORDERS

26.1 The Development Authority may issue a stop order pursuant to the relevant provisions of the Act.

26.2 The issuance of a Stop Order may be appealed in accordance with the relevant provisions of the Act.



Box 600
Crowsnest Pass, Alberta,
T0K 0E0
Phone: 403-562-8833
Fax: 403-563-5474

CORRECTION See Condition #9

Notice of Decision

Application No. DP2026-019

Roll No. 3110400

Application Complete: 3/9/2026

Notice of Decision: April 9, 2026

Appeal Period Expires: April 30, 2026

This is not a
Development Permit

Approving Authority:	Municipal Planning Commission
Land Use District:	Non-Urban Area NUA-1
Civic Address:	1301 East Hillcrest Dr., Hillcrest
Legal Land Description:	Lot N/A Block N/A Plan N/A
Proposed Development:	For a "Home Occupation – Class 2" (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry.

Dear Sir or Madam:

Please be advised that the **Development Permit application DP2026-019 was approved** subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and the use shall not commence, until all "Prior to Issuance Conditions" stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the "Prior to Issuance Conditions" and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority's Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.
4. The applicant or landowner shall provide to the Development Officer an executed Road Use Agreement with the Municipality (contact the Transportation Department) to use municipal maintained roads for commercial purposes (Home Occupation – Class 2); and further, the road use agreement shall contain terms and conditions as outlined in 4.1 below to the satisfaction of the Development Office:
 - 4.1 Vehicular traffic directly or indirectly connected with the "Home Occupation – Class 2" shall access the subject property only from:
 - a) the existing access on East Hillcrest Drive as the primary site access for the majority of trips, except as specified in par. b) below, and
 - b) the existing urban residential accesses on 11 Avenue and 12 Avenue subject to the following conditions:
 - (i) not more than once a week only during the period from October 15 to March 15, and
 - (ii) the landowner shall ensure that truck engines are operated with as little noise as possible along 11 Avenue and 12 Avenue and through the residential community of Hillcrest, pursuant to sections 7.2 and 7.3 of the Community Standards Bylaw, and
 - (iii) the landowner shall ensure that mud and clay are cleaned up from the road surface every time that the 11 Avenue and 12 Avenue residential accesses are used and mud or clay is deposited, and
 - (iv) vehicles and/or equipment directly or indirectly connected with the "Home Occupation – Class 2" shall not be parked on 11 Avenue or 12 Avenue, including the boulevards of these roads.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

5. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, "commence" may include applying for a building permit under the Safety Codes Act).

Conditions of a Continuing Nature (Permanent Conditions)

6. The applicant or landowner shall maintain the road use agreement for the duration of the operation of the Home Occupation – Class 2, subject to the following:
 - 6.1 If the applicant does not maintain the road use agreement in accordance with the conditions outlined in 4.1, the applicant shall not use the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.
 - 6.2 If the Municipality chooses to not renew the road use agreement, the applicant shall not use the residential roads along 11 Avenue and 12 Avenue for commercial site access at any time whatsoever.

7. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023 (except as approved by variance in the table below). Failure to conform to the approved site plan without an approved amendment may result in enforcement measures pursuant to the Municipal Government Act and the Land Use Bylaw:

Home Occupation – Class 2	Standard	Proposed	Variance Requested
Number of Home Occupations per dwelling unit	1	1	N/A
Limited volume of on-premises sales	Not more than 25 customer visits per week.	None	N/A
Employees	Immediate Family Member and 1 Paid Assistant Employed	Family Members	N/A
Outdoor Storage	Prohibited	9 Heavy Vehicles / Equipment related to the logging industry	Yes – approved for 9 heavy vehicles / equipment related to the logging industry

8. There shall be no signage attached to or installed at the subject property without the benefit of a development permit for such sign in accordance with the Sign Standards Schedule of the Land Use Bylaw.
9. **The hours of noise activity on-site or off-site related to the operation of the Home Occupation – Class 2 on the subject lands shall follow the provisions in section 7 of the Community Standards Bylaw.**
10. There shall be no noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, glare or industrial waste produced by the use to a level that is reasonably considered and deemed by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts.
11. The landowner and/or the applicant shall familiarize themselves with and follow the Road Ban Restrictions of the Municipality of Crowsnest Pass.
12. Any change to the use or intensity of the “Home Occupation - Class 2” other than what is approved in this development permit shall require a new development permit application.
13. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
14. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional

development permits are required, and construction shall be completed by the landowner at no cost to the municipality.

15. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner's and/or Applicant's responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality's Department of Development, Engineering & Operations for assistance if required.
16. This development permit approves only the development contained herein, and a further application is required for any changes or additions.
17. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality's Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

- a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.
- b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.
- c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.
- d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:

- (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (<https://www.alberta.ca/online-permitting-clearance>) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.
- e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exonerated of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
- (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) Notifying Utility Safety Partners (Alberta 1st Call) at <https://utility-safety.ca/wheres-the-line/submit-a-locate-request/> or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.
 - (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.
 - (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
 - (xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.
 - (xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.

- (xiv) Being aware of FireSmart Regulations including the Municipality’s FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
- (xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority’s satisfaction, and any applicable appeal period has expired. It is the owner’s responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner’s agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.

f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Lot (m ²)	212846.48	Provincial Historic Resource Value (Archaeology)	4a, 3p, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main Preferred Referral (Yes – Send Notice)	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	Yes	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

Right to Appeal

This decision may be appealed within 21 days after the notice of decision. You may file an appeal with the required appeal fee by the appeal deadline. The SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) has jurisdiction to hear an appeal of the Development Authority’s Decision on this development permit.

Subdivision and Development Appeal Board:

Submit the online form: https://portal.laserfiche.ca/o8468/forms/Development_Appeal or visit <https://www.crowsnestpass.com/planning-development/p-d/subdivision-and-development-appeals> to learn more and access the link to appeal. The fee of \$400.00 must be paid with the appeal (will be contacted for payment once the form is sent).

If you have any questions regarding the development permit, please contact the undersigned at development@crowsnestpass.com or make an appointment by calling (403) 562-8833.

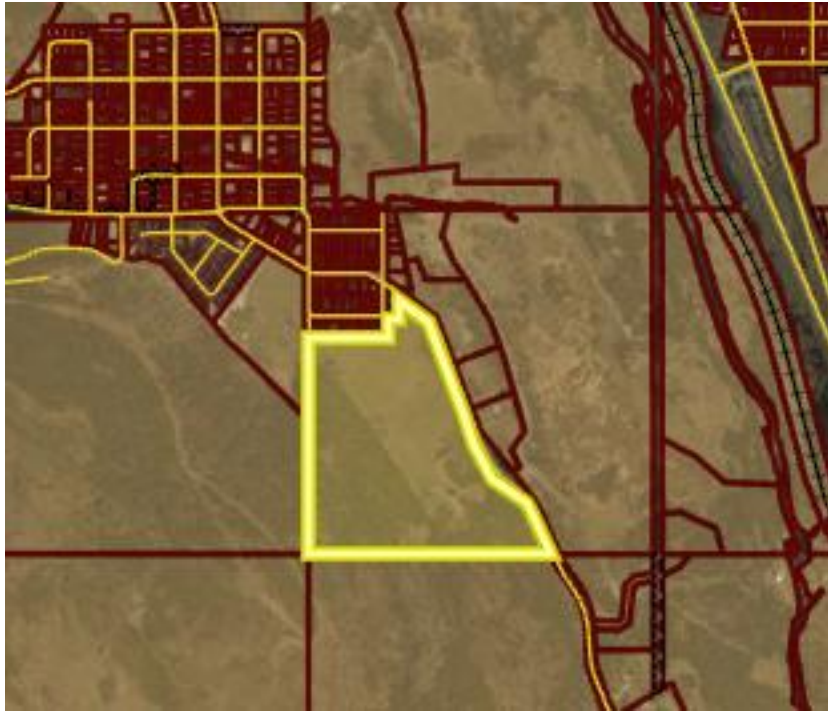
Sincerely,



Development Officer

Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M

1301 East Hillcrest Drive, Hillcrest





March 20, 2026

Municipality of Crowsnest Pass
Municipal Development Board

To Whom it may concern:

RE: [REDACTED] - 1301 East Hillcrest Drive Business License

In regards to my business license, I would like it to be noted that we have been operating out of Hillcrest for the last 52 years, originally with a coal truck, gravel trucks and loaders that used to leave and return to Hillcrest five (5) days a week, 50 weeks of the year. Our business model has changed so that we do not leave and return to Hillcrest that often (approx. 40-50 times a year)

In that time (52 years) we have had no issues that we know of, as most of our friends and neighbors would have the decency to come and talk to us to resolve a problem if there was one. (I do not know of any issues before now). The one hypocrite that is complaining, when she was married and lived in Hillcrest on a lot in town, had 5 logging trucks - leaving and returning 5 days a week, but that was okay because it was for her benefit.

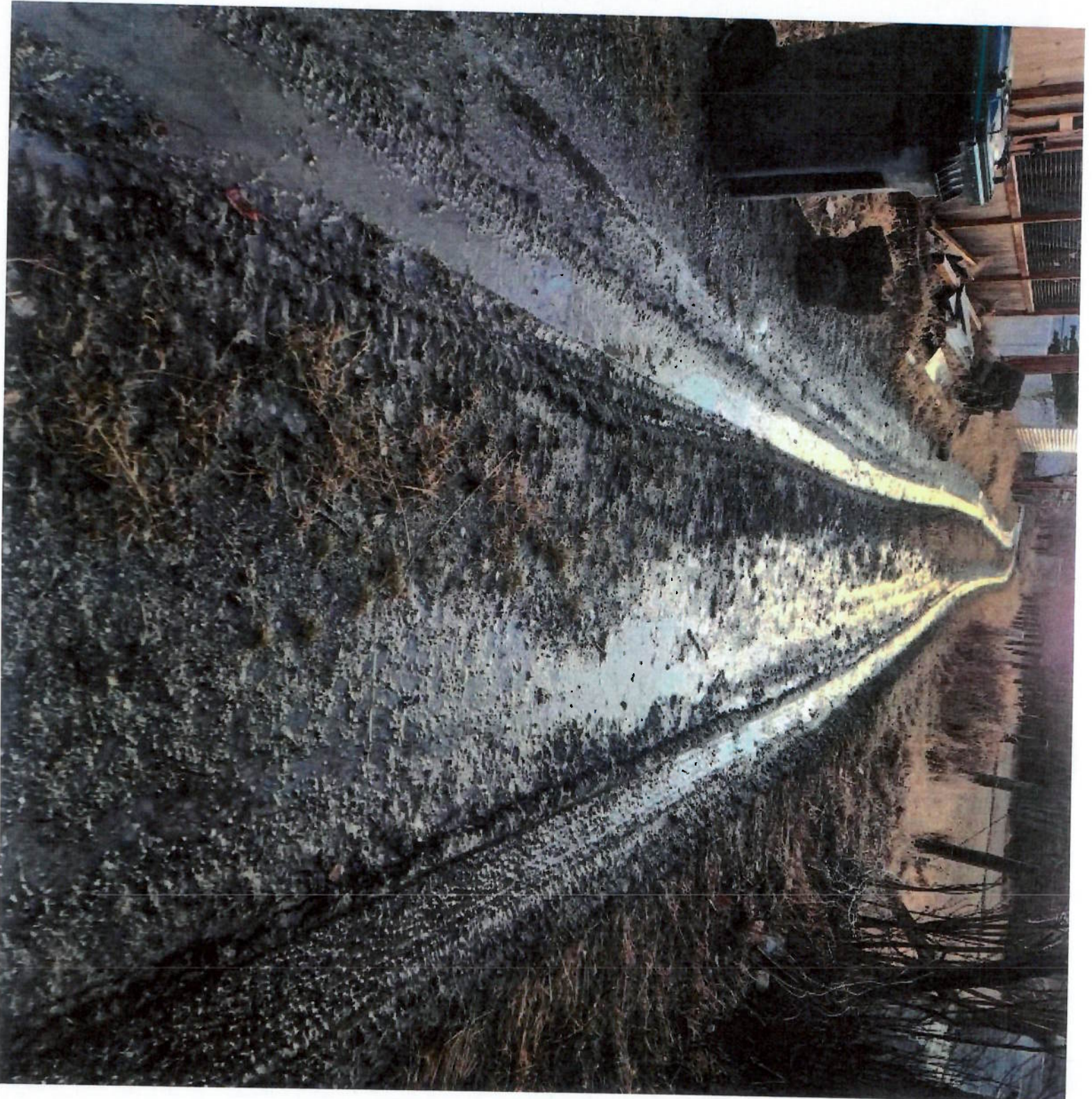
We are a community minded company, such as donating timber to the Belleuve Mine when needed, donating firewood to Crows Snow Riders, donating equipment and funds to the Kananaskis Rodeo Association and cutting the new ski runs on Pass Powder Keg Ski Hill and donating all the money from the timber back to the Municipality (\$35,000).

Going forward, if there is an issue with anything we are doing, we would like to work with the municipality and our neighbors to resolve the issue. It is not right to cater to one person that is anti-industry that is trying to shut my business down, and not at least have the decency to give me a phone call first - not doing that I believe is wrong.

Thank you for your attention to this matter.

Dale Linderman

Municipal Lane South of 233 Street

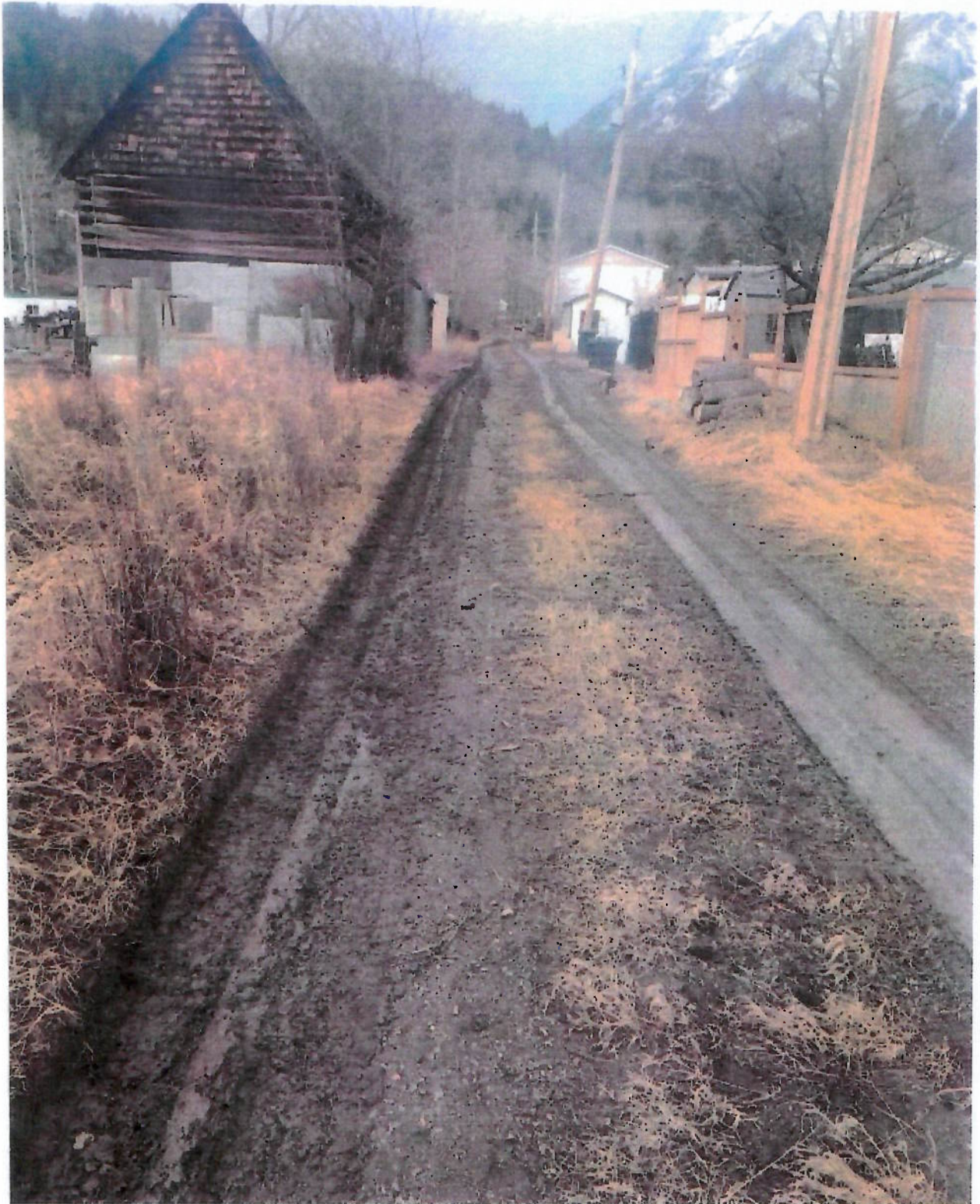


MARCH 20 2026

J29


MARCH 20th 2026

Municipal Lane South of 233 Street



11:59

68

←  2026 Suihe SSBR 72 in Skid S...
<https://www.rbauction.com/ar/2026-suil>



AL

This item's sold. Ready to sell yours?
Start here.



Lot #1105

2026 Suihe SSBR 72 in Skid Steer Sweeper (Unused)

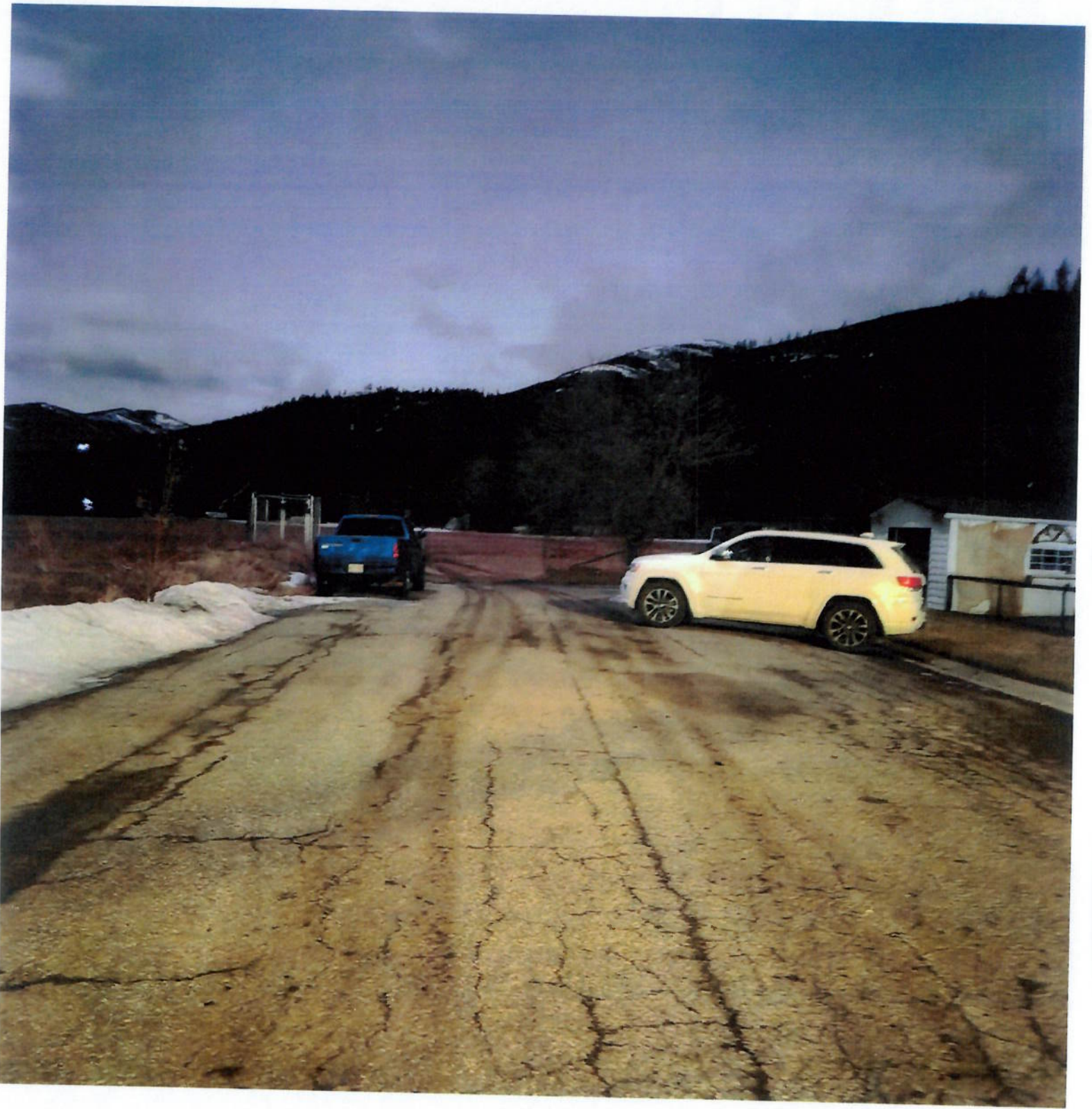
📍 Located

📍 Lethbridge county, AB, CAN

SOLD



Road cleaned - following evening



Landowner letters attached



March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. Daryl Grahn



A handwritten signature in blue ink, appearing to read 'D. Grahn', written over a horizontal line.

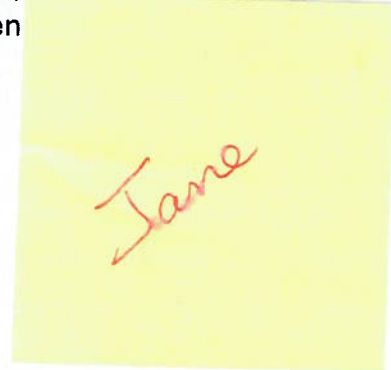
Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc... I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Aven

Jane Morrison



Jane Morrison
Signature

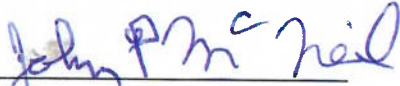
March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. John McNeil




Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Terry Barlow



A handwritten signature in blue ink that reads "Terry Barlow".

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Abbey Huffman





Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Garnet & Gena Paton



A handwritten signature in blue ink, appearing to read "Gena Paton", written over a horizontal line.

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Kelly Pinel




Signature

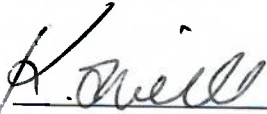
March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

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Ms. Kendal O'neill




Signature


March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Trevor & Sheryl Brazzoni



Trevor Brazzoni 
Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Dean & Kara Civaterese



A handwritten signature in blue ink, appearing to be 'D & K'.

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Elsie Linderman



Elsie Linderman

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

Mr. Brian Grahn



A handwritten signature in blue ink, appearing to be 'BG', written over a horizontal line.

Signature

March 19, 2026

Members of Development Board
Municipality of Crowsnest Pass
Box 600
Coleman, Alberta
T0K 0M0

In regards to Dale or Austin Linderman's heavy equipment trucks, etc., I have no issues with them accessing 1301 East Hillcrest Drive by 11th & 12th Avenue in Hillcrest Mines.

TJ Barlow



A handwritten signature in blue ink, appearing to read 'TJ Barlow', written over a horizontal line.

Signature

To the Municipal Planning Commission,

Thank you for the opportunity to provide input regarding this matter.

I would like to begin by clarifying that my concern is not with the operation of a business. I understand and respect the importance of industry in our community, and I have known the Linderman family my entire life. This has not been an easy matter for me to raise.

My concern is specific to the ongoing impact of hauling activity on my residential street.

Recently, with thawing ground conditions, I returned home to find my street covered in mud as a result of trucks and equipment exiting a field and entering directly onto the paved roadway. This has happened multiple times over the past three years. The mud buildup has, on occasion, clogged the storm drain in front of my home.

This is not a minor concern. The storm drain has previously backed up, resulting in water entering my garage and causing damage. If this drain continues to be driven over while filled with mud and debris, it will inevitably clog again, and the same situation will repeat itself.

In addition, the condition of the road has made it difficult to safely access my property, as there are times when stepping out of my vehicle means stepping directly into mud on what is otherwise a maintained residential street.

This issue is not limited to mud alone. There have also been instances of late-night hauling of large equipment, including oversized loads, which has added to the disruption in what is a residential area.

At no time was I approached in advance to be informed of this activity or given reassurance that efforts would be made to minimize the impact or ensure proper cleanup. Had that conversation taken place, I would have been open to working together toward a reasonable solution.

From my own experience in the area dating back approximately 26 years, when I was involved in operating a local logging company, it was not uncommon at that time for heavy trucks and equipment to travel through town roads. However, expectations, regulations, and community standards have evolved significantly since then. What may have been considered acceptable in the past is no longer appropriate for residential areas today, yet these practices appear to be continuing.

There is a clear and established access point from East Hillcrest Drive that serves as the primary driveway into the property and shop in question. This is not a matter of interpretation — it is their main access and has been used as such.

Given this, I do not believe this is a situation where vague or conditional measures will be effective. There is no practical way to monitor or enforce limited or “appropriate” use of residential streets by heavy equipment. Residential roads are intended for residential traffic.

The expectation should be clear and consistently upheld: access to the property must be taken via East Hillcrest Drive, or not at all.

Other contractors operating in the same area do not haul equipment through residential streets in this manner, and I believe it is reasonable to expect a consistent standard.

I respectfully ask the Commission to consider whether this level of impact would be acceptable in any other residential neighbourhood within the Crowsnest Pass. If not, then it should not be considered acceptable here.

My intention is not to hinder business operations, but to ensure that residential areas are treated with the same level of care and consideration as any other neighbourhood in our community.

Thank you for your time and consideration.

Sincerely,

Cory Tourond

Footnote:

I would also appreciate some clarification regarding the servicing of the trailer residence on the property. It is my understanding that no well has been dug, and no subdivision has taken place. As such, I am curious how water and sewer services are currently being managed or connected, and whether this aligns with municipal requirements.









**Municipality of Crowsnest Pass
Municipal Planning Commission
Request for Decision**

Meeting Date	March 25, 2026
Application No.	DP2026-019
Roll No.	3110400
Civic Address	1301 East Hillcrest Drive, Hillcrest
Legal Address	Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M
Land Use District	Non-Urban Area NUA-1
Overlay District	N/A

Proposed Development

For a “Home Occupation – Class 2” (discretionary use) with a variance pursuant to Schedule 8 section 3.1 of the Land Use Bylaw to allow outdoor storage of heavy vehicles and equipment related to the logging Industry.

Background

- DP2002-042 was issued for the existing “Single-Detached Dwelling” and “Accessory Building” (hay shed).
- DP2016-146 was issued for an “Accessory Building” (pole barn for storage).
- DP2026-018 is being processed for a “Secondary Suite, detached”, “Accessory Building or use up to 72.8m² (784ft²), not prior to the establishment of the principal building or use” (shipping container), and “Agriculture” (accessory buildings requiring a variance).

Discussion

- The 52-acre parcel is used for residential, agriculture and commercial purposes.
- The applicant has operated a home-based logging business on the subject parcel for over two decades without the benefit of a development permit.
- A complaint was received from a resident in the adjacent R-1 neighborhood about noise including airbrakes and truck engine noise, vehicles occasionally being parked on 11 Avenue and 12 Avenue, and mud and clay being dragged into 11 Avenue and 12 Avenue and clogging the storm drain. (See photos attached) The Development Office communicated these concerns to the landowner, and the applicant has applied for a “Home Occupation - Class 2” development permit for the storage of heavy vehicles and equipment.
- The operation requires on-site storage of equipment, including three trucks and up to six pieces of logging equipment.
- Pursuant to Schedule 8, Section 3.1, the Development Authority may vary the standards for a “Home Occupation – Class 2” in the NUA-1 District to permit the outdoor storage of materials, commercial vehicles or heavy equipment.

- The Transportation Department completed a site inspection of the storm drain and the mud had been removed.
- The applicant advised that East Hillcrest Drive is used for access approximately 90% of the time.
- During winter months (October 15-March 15), 12 Avenue may be used as an alternative due to the steep and icy conditions of the primary driveway, approximately 14 times over a period of five months. Access via 11 Avenue is only used occasionally. In the winter months, mud and clay are not typically a problem when the ground is frozen.
- Consultation with the Municipality's Transportation Department confirmed that access from 12 Avenue complies with the applicable standards, with the expectation that the shortest available route is used when traveling on internal urban roads (for that reason, access from 11 Avenue does not comply with the standards and should be prohibited).
- Although agriculture or commercial uses with heavy equipment should use the collector roads, there are instances in which access is only available or feasible through local roads. For example, the 12-acre agriculture parcel east of the subject lands only has access from 232 Street or 11 Avenue.
- A multi-axle vehicle using Municipal owned/maintained roads for the purpose of hauling and moving large equipment shall enter into a Road Use Agreement with the municipality pursuant to the municipalities Road Use Agreement policy – May 9, 2023.
- The Transportation Manager is responsible for coordinating and creating the Agreement with the Company. The Agreement determines the best route, conditions to be met including speeds and hours of use, any restrictions (i.e. engine brakes), as well as the assessment of securities.

- If the MPC wants to allow access from 12 Avenue, a condition must be imposed that A Road Use Agreement be entered into that addresses the following:
 - (a) prohibits the use of access from 11 Avenue,
 - (b) permits the use of 12 Avenue access subject to:
 - (i) a requirement that the landowner ensures that truck engines are operated with as little noise as possible, with a prohibition on the use of engine brakes pursuant to the Noise Control section 7 of the Community Standards Bylaw.
 - (ii) 12 Avenue access being used only once a week from October 15 to March 15
 - (iii) a prohibition on the use of 12 Avenue access prior to 7:00 am and after 10:00 pm (or such other times as prescribed in the Community Standards Bylaw),
 - (iv) a requirement that the landowner shall ensure that mud and clay are cleaned up from the 12 Avenue road surface every time that the access is used, and

- However, considering that:
 - (a) there are concerns that some of the above conditions are not easily policed and enforceable, and an argument could be made that a condition or rule that is not enforceable is not a valid condition or rule, and
 - (b) that a complaint was made from a resident in the adjacent R-1 neighborhood about noise, parking, and site access from 11 Avenue and 12 Avenue, and
 - (c) if the concern about steep slopes and icy conditions is related to the main access from East Hillcrest Drive (See the attached Site Access – Contours and Site Access – Streetview) and on-site private roads, the landowner is responsible to ensure feasible roads on their own property and therefore can construct a safe feasible road from the main access to where the logging operations occur, the Development Office recommends that condition 7 is imposed to prohibit access from 11 Avenue and 12 Avenue and restrict site access to the access from East

Hillcrest Drive in order to mitigate the impacts of the logging business on the landowners in the adjacent residential neighborhood.

- No signage is proposed, and no on-site customer visits are anticipated with the business.
- The “Home Occupation – Class 2” has been in operation without the benefit of a development permit. The landowner has paid the penalty fee equivalent to five times the development permit application fee, in accordance with the Fees Rates and Charges Bylaw.

Notification

In accordance with Administration Section 20 of the LUB, notification to the Applicant and affected landowners will occur by regular mail and/or a newspaper advertisement after the MPC has decided upon the application. Affected parties will have 21 days from the date of the notification to appeal the decision.

Appeal Jurisdiction

The Subdivision and Development Appeal Board has jurisdiction to hear an appeal of the Development Authority’s decision on this development permit.

Alternatives

A. Approve the development permit application for DP2026-019, subject to the following conditions:

1. The Development Permit approved in this Notice of Decision shall not be issued and shall be of no effect, and the use shall not commence, until all “Prior to Issuance Conditions” stated in this Notice of Decision have been met or fulfilled.
2. This Notice of Decision shall remain effective for a period of six (6) months and shall then expire and be deemed null and void unless the applicant or landowner (proponent of the proposed development) to whom the Notice of Decision was issued continues to collaborate with the Development Authority to satisfy or complete the “Prior to Issuance Conditions” and, if required, an extension is approved by the Development Authority.

Prior to Issuance Conditions (these conditions are to be satisfied prior to issuance of a development permit and will only form part of the Notice of Decision and not part of the formal development permit issued however, the development permit shall be of no effect until these conditions have been satisfied)

3. An appeal period of twenty-one (21) days from the date of the Development Authority’s Notice of Decision applies, and if any appeals are submitted the development permit shall not be issued until such appeals are dealt with by the Subdivision and Development Appeal Board or the Land and Property Rights Tribunal, as may be applicable.

Time Specific Conditions After Issuance (deadline for enforcement or for the validity of the development permit)

4. The applicant or landowner shall commence the approved development and carry it out with reasonable diligence, in the opinion of the Development Officer, within 12 months from the date of issuance of the development permit and / or within the specific timelines and by the specific deadlines stated in this development permit, otherwise the permit shall be deemed to be null and void (for this purpose, “commence” may include applying for a building permit under the Safety Codes Act).

5. The applicant or landowner shall enter into a Road Use Agreement with the Municipality to use municipal maintained roads for commercial purposes (contact the Transportation Department).

Conditions of a Continuing Nature (Permanent Conditions)

6. The applicant or landowner shall ensure that the development complies with and is carried out and completed in its entirety in conformance with the attached approved site plan and the development standards in the Land Use Bylaw 1165, 2023 (except as approved by variance in the table below). Failure to conform to the approved site plan without an approved amendment may result in enforcement measures pursuant to the Municipal Government Act and the Land Use Bylaw:

Home Occupation – Class 2	Standard	Proposed	Variance Requested
Number of Home Occupations per dwelling unit	1	1	N/A
Limited volume of on-premises sales	Not more than 25 customer visits per week.	None	N/A
Employees	Immediate Family Member and 1 Paid Assistant Employed	Family Members	N/A
Outdoor Storage	Prohibited	9 Heavy Vehicles / Equipment related to the logging industry	Yes – approved for 9 heavy vehicles / equipment related to the logging industry

7. The landowner shall ensure that:
 - 7.1. vehicular traffic directly or indirectly connected with the “Home Occupation – Class 2” shall access the subject property only from:
 - a) the existing access on East Hillcrest Drive, or
 - b) a second access on East Hillcrest Drive in a feasible location subject to approval of its location and construction specifications from the Municipality’s Transportation Department, at no cost to the Municipality; and
 - 7.2. vehicular traffic directly or indirectly connected with the “Home Occupation – Class 2” shall not use 11 Avenue or 12 Avenue for access to the subject property; and
 - 7.3. vehicles and/or equipment directly or indirectly connected with the “Home Occupation – Class 2” shall not be parked on 11 Avenue or 12 Avenue.
8. There shall be no signage attached to or installed at the subject property without the benefit of a development permit for such sign in accordance with the Sign Standards Schedule of the Land Use Bylaw.
9. The hours of noise activity on the lands related to the business shall follow the Community Standards Bylaw.
10. There shall be no noise, vibration, effluent, electrical interference, smoke, dust, ash, odour, heat, glare or industrial waste produced by the use to a level that is reasonably considered and deemed

by the Development Officer to be offensive, noxious, a nuisance or otherwise incompatible with the character and purpose of the subject and adjacent land use districts.

11. The landowner and/or the applicant shall familiarize themselves with and follow the Road Ban Restrictions of the Municipality of Crowsnest Pass.
12. Any change to the use or intensity of the “Home Occupation - Class 2” other than what is approved in this development permit shall require a new development permit application.
13. No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
14. The Developer and/or the Landowner shall ensure that any changes to the lot grading maintains positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality.
15. The Land Use Bylaw 1165, 2023, as amended, contains development standards and regulations that apply to this development permit and for which the landowner is responsible to comply with, at no cost to the Municipality of Crowsnest Pass. These regulations address matters relating to many aspects of the approved development or use e.g., access to the property, lines of sight, public safety setbacks, parking requirements, lot grading, maintaining positive drainage towards abutting roads and/or lanes, outdoor storage, etc. It is the Landowner’s and/or Applicant’s responsibility to ensure that they are fully aware of and comply with all the applicable development standards and regulations in the Land Use Bylaw that may apply to the proposed development or use. Please contact the Municipality’s Department of Development, Engineering & Operations for assistance if required.
16. This development permit approves only the development contained herein, and a further application is required for any changes or additions.
17. Failure to comply with any one or more of the conditions listed in this development permit either by a specified deadline or at any time throughout the lifetime of the development permit, as may be applicable, or implementation of the development contrary to the approved site plan and/or approved variances, shall result in enforcement through a Stop Order and corresponding fees, rates, charges, or fines pursuant to the Municipality’s Fees, Rates and Charges Bylaw in effect at the time of the non-compliance.

Important Information & Notes:

- a) The review or approval of a development permit application does not include matters that are regulated by other authorities, for example but not limited to a building permit (Safety Codes Act, s. 66), community health standards, wildlife species at risk, or approvals required from Alberta Environment and Protected Areas or the federal Department of Fisheries and Oceans. Therefore, the Municipality of Crowsnest Pass and/or its Development Authority do not conduct or require independent environmental checks or other investigations or assessments of private land [for example, but not limited to, matters regarding species at risk, migratory birds, birds of prey, bear dens, or other wildlife, or underground mines, or the presence or absence of any environmental contaminants (except, regarding the latter, requiring an environmental study for a setback distance variance pursuant to the Matters Related to Subdivision and Development Regulation AR 84/2022, and except studies and assessments as may be required pursuant to the Land Use Bylaw, e.g. a slope stability assessment)]. If the landowner, the development permit applicant, or an adjacent landowner or other affected party is concerned about any such matters, they

should conduct their own tests and reviews. When issuing a development permit, the Municipality of Crowsnest Pass and/or its Development Authority approve a proposed development only for land use planning purposes, and do not make representations and do not offer warranties as to the suitability or otherwise of the subject property for any purpose.

- b) By accepting the development permit issued herein, or issued subsequent to an appeal decision, and by acting to implement the development approved within this development permit, the landowner and applicant indemnifies and holds harmless the Municipality of Crowsnest Pass, its Development Authority, and its employees and agents from any and all claims, demands, actions, and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, alteration or operation of the works authorized in the development permit.
- c) It is the responsibility of the landowner, including successors in title, to comply with the conditions imposed on this development permit.
- d) The issuance of a Development Permit indicates only that the development to which the Development Permit relates is authorized in accordance with the provisions of the Municipality of Crowsnest Pass Land Use Bylaw and does not in any way relieve or excuse the Landowner and/or the Development Permit holder from obtaining any other permit (including authorization to modify a wetland, safety codes permits e.g. building, electrical, gas, plumbing, Historical Resources Act approval, Highways Development and Protection Act, etc.), license, or other authorization required by any Federal or Provincial Act or regulation, or under any Bylaw of the Municipality (e.g. a business license), or complying with the conditions of any easement, covenant, agreement, or other instrument affecting the building or land. The Landowner and/or the Applicant is responsible to ensure compliance with these matters, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass. The applicable requirements may include the following:
 - (i) An application under the Historical Resources Act via the Online Permitting and Clearance (OPaC) process (<https://www.alberta.ca/online-permitting-clearance>) to the Historic Resources Management Branch of Alberta Arts, Culture, and Status of Women, and compliance with any requirements, terms, and conditions of such clearance.
- e) The Applicant/property owner is responsible for the following aspects as may be applicable to this development permit, at the sole risk and responsibility of the Applicant/property owner to the exoneration of the Municipality of Crowsnest Pass from any liability related to these matters, and at no cost to the Municipality of Crowsnest Pass:
 - (i) Determining the legal property boundaries and any applicable easements through a survey by an Alberta Land Surveyor before foundations are excavated or poured and before construction proceeds above ground level.
 - (ii) Ensuring that any structures approved under this Development Permit are constructed such that they are correctly set back from the property boundaries in compliance with the front, rear, and side yard setbacks approved in this Development Permit. The landowner should consult an Alberta Land Surveyor for this purpose.
 - (iii) Ensuring that the development and the associated excavation and/or construction activity approved under this Development Permit shall not disturb, affect, or alter conditions of all utilities and appurtenances, drainage rights-of-way, utility rights-of-way, access rights-of-way, and any easements as they may exist, over, under, or through the Lands. The landowner should consult a professional engineer and/or an Alberta Land Surveyor and/or the relevant utility company / utility owner for this purpose.
 - (iv) Ensuring that the development and/or any associated structures and/or the associated excavation and/or construction activity approved under this Development Permit is undertaken in a manner that does not cause or result in a public safety risk or concern, or a nuisance, disturbance, or damage to adjacent properties and/or roads, lanes, or other municipal infrastructure. The landowner should consult a legal professional, a professional engineer and/or an Alberta Land Surveyor for this purpose.
 - (v) Ensuring that all equipment, waste bins, portable toilets, building materials, and excavation stockpiles associated with construction activity approved under this development permit are placed within the subject property boundaries, and that where such items must encroach onto adjacent private property and/or adjacent boulevards, sidewalks, streets and /or lanes, that the adjacent landowner's consent has been obtained and/or that the Municipality has authorized such encroachment through a hoarding permit under the Traffic Bylaw (please contact the Manager of Transportation or a Community Peace Officer).
 - (vi) Making suitable arrangements with utility companies for the provision of all services and/or necessary easements for utility rights-of-way.
 - (vii) Notifying Utility Safety Partners (Alberta 1st Call) at <https://utilitysafety.ca/wheres-the-line/submit-a-locate-request/> or 1-800-242-3447 to arrange for field location of buried utilities prior to excavation for the proposed development.

- (viii) Ensuring that permanent structures are located outside the 1:100-year flood plain of any water body. The landowner should consult a wetland assessment practitioner and/or an Alberta Land Surveyor for this purpose.
 - (ix) Ensuring that construction activity approved under this Development Permit does not result in the modification of a wetland without provincial approval. The landowner should consult a wetland assessment practitioner for this purpose.
 - (x) Ensuring that foundation and drainage systems on a property with an effective grade / slope of greater than 15% are designed in accordance with the recommendations in a slope stability assessment and/or a grading plan / stormwater management plan, as may be applicable, prepared by a professional engineer, and that the same are constructed under the supervision of a professional engineer, to protect the bank from erosion and to ensure slope stability.
 - (xi) Ensuring that a 2-meter separation is provided between the water table and footings for the buildings. The landowner should consult a professional engineer for this purpose.
 - (xii) Ensuring that sub-surface conditions are suitable for the proposed construction and, where necessary, that foundations have been designed by a professional engineer.
 - (xiii) Ensuring that the property is graded in such a manner that positive drainage directing the flow of all surface stormwater away from building foundations towards adjacent streets and lanes is maintained without adversely affecting (e.g. erosion, flooding) adjacent properties, roads, lanes, public property, or public infrastructure, including where applicable in such a manner that the post-development rate and volume of surface stormwater drainage from the subject property do not exceed the pre-development rate and volume of surface stormwater drainage. Should retaining walls be required as part of the stormwater drainage system, additional development permits are required, and construction shall be completed by the landowner at no cost to the municipality. Where an approved grading plan or stormwater management plan exists, the property must be graded (finished grade) in accordance with the grading plan or stormwater management plan. The landowner should consult a professional engineer and an Alberta Land Surveyor for this purpose.
 - (xiv) Being aware of FireSmart Regulations including the Municipality's FireSmart Bylaw and Safety Codes Permit Bylaw as may be applicable.
 - (xv) This document does not provide permission to commence a use, start construction or occupy a building (as may be applicable) until all prior to issuance conditions have been satisfied to the Development Authority's satisfaction, and any applicable appeal period has expired. It is the owner's responsibility to ensure that all development permit conditions have been satisfied, and other applicable permits are applied for and issued before commencing a use, start construction, or occupy a building, and that construction is inspected and permits closed, before occupancy. It is the responsibility of the owner or owner's agent to make an application to the Municipality for an Occupancy and Completion Certificate prior to taking occupancy.
- f) As part of the development permit review the Development Officer considered the following items checked in the table below, and relevant conditions were imposed on the development permit as deemed applicable:

Lot (m ²)	212846.48	Provincial Historic Resource Value (Archaeology)	4a, 3p, 5a
Abandoned Gas Wells	N/A	Abandoned Coal Mines	N/A
Transportation & Economic Corridor (direct access or structure within 40 m of Hwy 3 / 40)	N/A	Provincial Historic Designation	N/A
Hydrography through parcel	N/A	Historic Commercial Areas Overlay District	N/A
High Pressure Gas Main Preferred Referral (Yes – Send Notice)	N/A	Municipal Historic Resource Designation / MCNP Heritage Inventory	N/A
Contours – Steep Grade	Yes	Historic Resource Designation by Bylaw	N/A
Area Structure Plan	N/A	Coleman National Historic Site	N/A
Cadastral – URW on parcel	N/A	Areas of Potential Environmental Concern Overlay District / Lagoon	N/A
Flood Hazard	N/A	Wetlands	N/A
Forestry Reserve	N/A	Miistakis	N/A

- OR -

- B. Deny the development permit application, stating the reason for this decision.

Attachments

1. Location Maps
2. Site Plan
3. Site Access – Contours
4. Site Access – Streetview
5. Photos

Recommendation

The Development Office recommends that the Municipal Planning Commission approves DP2026-019 subject to the conditions in Alternative A.

Authorization



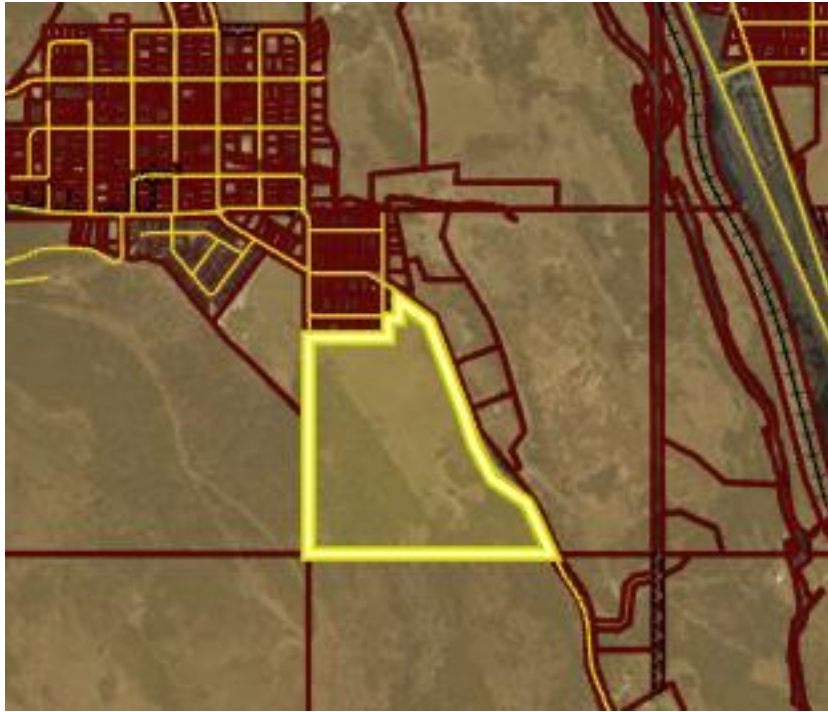
Katherine Mertz B.SC
Development Officer



Johan van der Bank, M.TRP, RPP
Manager Development & Trades

Lot N/A Block N/A Plan N/A / NE 17-7-3-W5M

1301 East Hillcrest Drive, Hillcrest





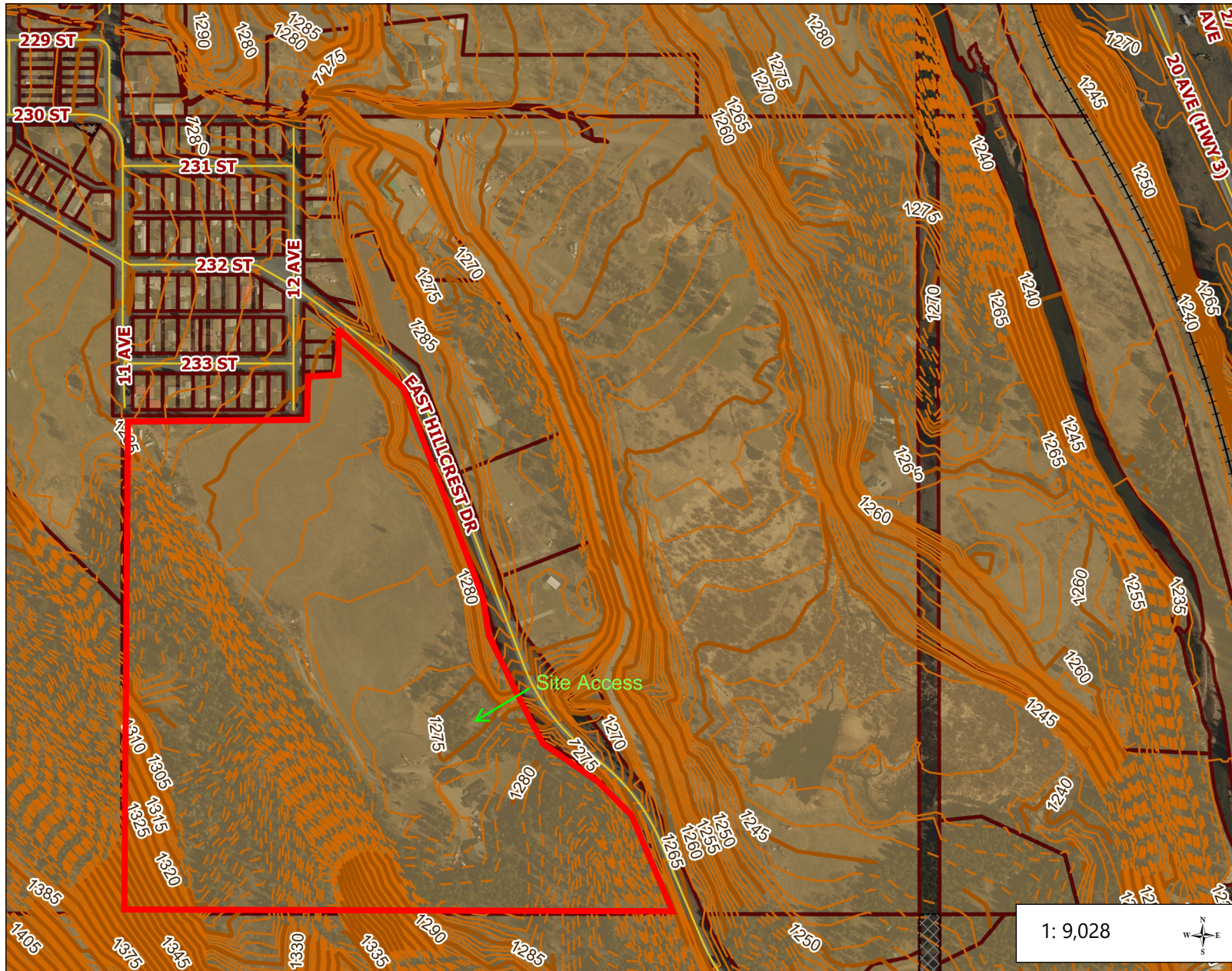
NUMBER 1 - IS MAIN ACCESS USE 90% TIME

NUMBER 2 - IS USE ONLY 3-4 MONTHS IN WINTER WHEN
TO SLIPPERY TO GET OUT OF ACCESS ONE.

NUMBER 3 - USED ONLY OCCASIONALLY

X Storage - 3 trucks
- 6 Logging Equipment March-July

Municipality of Crowsnest Pass



Legend

- Adjacent Roads
- Railway
- Road Labels
- Road Centerline
- Closed Roads
- Contour-Index
- Contour-Intermediate
- Contour-Intermediate-Obscure
- Boundary
- Title Linework
- Parcels

1: 9,028



0.5 0 0.23 0.5 Kilometers

WGS_1984_Web_Mercator_Auxiliary_Sphere
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Crowsnest Pass

J63





-
- PRESENT:** Dean Ward, Chair
Doreen Johnson, Vice Chair
Sam Silverstone, Member
Robert Schefter, Member
Howard Vandenhoeft, Member
Donald Budgen, Member
- ADMINISTRATIVE:** Katherine Mertz, Development Officer
Johan Van Der Bank, Manager of Development & Trades
Ryan Dyck, ORRSC
Randi Lafreniere, Recording Secretary
- ABSENT:** Gaston Aubin (Apology)
-

1. Call to Order

The chair called the meeting to order at 2:01 pm.

2. Agenda

MOTION by Doreen Johnson to accept the agenda with the following amendments:

Move “Development Permit Application Item 6.4 Memorandum – DP2026-019” to “10.1 – In Camera”.

CARRIED

3. Minutes

MOTION by Dean Ward to defer approval of March 25, 2026, minutes until after the 10.1 In Camera discussion.

CARRIED

4. Consent Agenda

N/A

5. Requests for Decision - Subdivision Applications

5.1 Subdivision 2026-0-004 – Lot 4, Block 2, Plan 2411221 and part of NW ¼ 15-8-5-W5M.

MOTION by Donald Budgen to approve Subdivision Application 2026-0-004 with the resolution provided in the package.

MOTION by Sam Silverstone as a carried amending motion to the motion by Donald Budgen to include a condition of approval that the landowner shall provide architectural controls in the form of a restrictive covenant requiring that future landowners shall implement wildlife-friendly fencing as established in policies 5.3, 6.5.3(f), and 6.6.4(f) of the Tecumseh Road Area Structure Plan (Bylaw 1233, 2025) to the satisfaction of the subdivision authority as follows:

“Formal urban-style fencing shall be avoided, and new barbed wire shall be discouraged, and all fencing shall follow the Alberta Conservation Society guidelines for fencing (e.g. split-rail fencing or low-impact plantings) throughout the entirety of the Plan Area.”

CARRIED

MOTION by Donald Budgen to approve Subdivision Application 2026-0-004 with the resolution provided in the package and the amendment to include a restrictive covenant for architectural controls regarding fencing as approved in the motion by Sam Silverstone.

CARRIED

6. Requests for Decision – Development Permit Applications

6.1 DP2026-025 – 6514 22 Avenue, Coleman (Lot 14, Block 19 Plan 232A1)

For a “Duplex/Semi-Detached Dwelling” (discretionary use) with a 2% variance to the maximum height and a proposed 51% variance to the front yard setback.

MOTION by Sam Silverstone to approve DP2029-025 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.2 DP2026-026 – SW 9-8-5-W5M (Lot N/A, Block N/A, Plan N/A)

For the Phase 2 development of up to (3) off-gris cabins “Tourism Accommodation, Small” (Camping Accommodation) (discretionary use), including the existing Phase 1 development as per the Comprehensive Site Plan CSDP approved under development permit DP2023-076 and revised under DP2026-026. Development permit DP2023-076 approved the campground containing 12 RV sites (discretionary use), 3 existing accessory buildings (discretionary use), 1 existing cabin (discretionary use) and an overflow parking area as Phase 1 development, supported by a Comprehensive Site Development Plan that included the future development (Phase 2).

MOTION by Howard Vandenhoeft to approve DP2026-026 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

6.3 DP2026-028 – 6510 22 Avenue, Coleman (Lot 13, Block 19, Plan 232AI)

For a “Duplex/Semi-Detached Dwelling” (discretionary use) with a 2% variance to the maximum height and a 70% variance to the front yard setback.

MOTION by Donald Budgen to approve DP2026-028 with conditions as identified by Alternative A in the MPC request for decision package.

CARRIED

7. Land Use Bylaw Amendments

N/A

8. Appeals

N/A

9. Round Table Discussion

N/A

10. In Camera

10.1 Memorandum – DP2026-019 – 1301 East Hillcrest Drive, Hillcrest (Lot N/A, Block N/A, Plan N/A / NE 17-7-3-W5M)

To reconsider DP2026-019 that was approved at the March 25, 2026, meeting.

MOTION by Howard Vandenhoeft to close the meeting to the public for Agenda Item 6.4 as per Section 197(2.1) of the Municipal Government Act, at 2:45pm.

Those present: Dean Ward, Doreen Johnson, Sam Silverstone, Robert Schefter, Howard Vandenhoeft, Donald Budgen, Kristin Colucci

CARRIED

Left the meeting: Johan Van Der Bank, Katherine Mertz, Randi Lafreniere, Ryan Dyck, Members of the public.

Johan Van Der Bank, Katherine Mertz and Randi Lafreniere returned to the meeting at 3:30 pm

MPC provided information to Administration on the motion that was made in-camera in order to issue the Notice of Decision.

MOTION by Sam Silverstone to come out of camera at 3:49pm.

11. Next Meeting

Wednesday, May 27, 2026, at 2:00pm

CARRIED

12. Adjourn

MOTION by Robert Schefter to adjourn the meeting at 3:50pm.

CARRIED

13. Signing of Minutes

Approved By:

Chairperson

Date

Manager of Development and Trades

Date



NON-URBAN AREA – NUA-1

PURPOSE: *To ensure that these areas, typically on the periphery of existing development, allow only restricted uses and maintain parcels of large sizes to provide maximum flexibility for use and development if or when the land is used for urban development.*

1. PERMITTED USES

Accessory Building or Use up to 72.8 m² (784 ft²), not prior to the establishment of the principal building or use
Agriculture
Exploratory Excavation / Grade Alteration / Stockpiling
Home Occupation – Class 1
Private Utility – except freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Secondary Suite, Attached
Short-Term Rental / Bed & Breakfast, inside an approved dwelling unit
Sign – Types:
 Fascia or Wall
 Freestanding
 Murals
 Portable
 Projecting
Tree Felling, not within minimum yard setback

DISCRETIONARY USES

Accessory Building or Use up to 72.8 m² (784 ft²) prior to the establishment of the principal building or use
Accessory Building or Use over 72.8 m² (784 ft²)
Animal Care Service Facility, Large
Animal Care Service Facility, Small
Auction Market
Auction Market, Livestock
Canvas Covered Structure
Contractor Services, Limited
Contractor Services, General
Drive-In Theatre
Home Occupation – Class 2
Intensive Horticultural Operation
Manufactured Home
Moved-In Building
Moved-In Dwelling
Private Utility – freestanding Solar Collector and freestanding Small Wind Energy Conversion System
Recreational Vehicle Storage
Renewable Energy Operation
Resource Extraction
Resource Processing
Riding Arena / Rodeo Ground
Secondary Suite, Detached
Sign – Types:
 Roof
 Third-Party
Single-Detached Dwelling
Tourist Home, inside an approved dwelling unit
Tree Felling, within minimum yard setback
Work Camp

2. MINIMUM LOT SIZE – see Schedule 4 section 16

Contractor Services, General – 2.0 hectares (5 acres)
Other uses – 1.2 hectares (3 acres) or existing titles

3. MINIMUM YARD SETBACKS

Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Principal use including principal structures under "Agriculture"	15.2	50	15.2	50	15.2	50
Accessory buildings	15.2	50	6.1	20	3.05	10
Tree Felling	The same as Accessory Buildings					

4. MAXIMUM BUILDING HEIGHT

Principal building, up to two-storey, no walkout basement	– 10.0 m (32.8 ft)
Principal building, two-storey walk-out basement	– 13.0 m (42.6 ft)
Secondary Suite, Detached (above garage)	– 7.5 m (24.6 ft)
Secondary Suite, Detached (stand-alone structure)	– 6.1 m (20.0 ft)
Other accessory buildings	– 6.1 m (20.0 ft)
Principal Structures under "Agriculture"	– No maximum

5. MINIMUM HABITABLE FLOOR AREA OF PRINCIPAL BUILDING

Single-Detached Dwelling	– 102 m ² (1,100 ft ²) habitable floor area
--------------------------	--

6. STANDARDS OF DEVELOPMENT – See Schedule 4.

7. OFF-STREET PARKING AND LOADING – See Schedule 6.

8. RELOCATION OF BUILDINGS – See Schedule 7.

9. CRITERIA FOR HOME OCCUPATIONS – See Schedule 8.

10. MANUFACTURED HOME DEVELOPMENT STANDARDS – See Schedule 9.

11. SIGN STANDARDS – See Schedule 11.

12. STANDARDS FOR RENEWABLE ENERGY OPERATIONS – See Schedule 12.

13. ANIMAL CARE SERVICE FACILITY REGULATIONS – See Schedule 13.

14. STANDARDS FOR SECONDARY SUITES – See Schedule 15.

15. STANDARDS FOR SHORT-TERM RENTAL / BED & BREAKFAST AND TOURIST HOME – see Schedule 17.

16. DEFINITIONS – See Schedule 18.

Car Wash means a building designed for the cleansing and vacuuming of automobiles or recreational vehicles.

Cemetery means an area for the entombment or commemoration of the deceased, and may include crematoria, cineraria, columbaria, mausolea and cenotaph.

Community Facility means a facility owned or operated by a government or quasi-government entity established primarily for the benefit and service of residents of the Municipality or the province. Typical examples of a Community Facility include a community centre, a library, a municipal government building, a post office, a public works yard or facility, a public utility and a school.

Compact Home Community means a grouping of twenty or more Single-Detached Dwellings, each with a maximum habitable floor area of 74m² (800 ft²) for a permitted use or 102m² (1,100 ft²) for a discretionary use, with no variances allowed. Each dwelling unit in a Compact Home Community is designed for the occupancy of a single household. A Compact Home Community is comprehensively planned to reduce the impact of development by providing to the Development Authority's satisfaction:

- a) reduced impact residential stalls (for rental) or reduced impact bareland condominium units (for rental or purchase) for compact homes;
- b) harmonious architectural design;
- c) enhanced, homogeneous landscaping and fencing;
- d) private community amenities and recreation areas; and
- e) reduced impact design standards for private roads (hard-surfaced) and private utilities.

A Single-Detached Dwelling in a Compact Home Community includes a 'Ready-to-Move' home and a home that is built using modular construction practices (CSA-A277) but does not include a Manufactured Home as defined in this Bylaw. A Compact Home Community shall not include Recreational Vehicles for the purpose of either permanent or temporary residential occupancy, including for the purposes of Schedule 4, section 23.

Contractor Services, Limited means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services and the accessory sales of goods normally associated with the contractor services where all materials and equipment are kept within an enclosed building or in a storage yard enclosed with an opaque fence (i.e. no outside storage is allowed except the parking of vehicles), and there are no primary manufacturing (except accessory manufacture) or fleet storage in excess of what the Development Authority deems appropriate in the context of the surrounding area.

Contractor Services, General means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, wastewater systems or similar services of a construction or light manufacturing nature which require on-site outside storage space for materials, construction equipment and/or vehicles normally associated with the contractor service. This may include accessory sales, display, office and/or technical support service areas.

Cultural Establishment means a development for the purpose of cultural activity and includes but is not limited to such uses as an art gallery, an auditorium, a private club, a youth centre, a museum, a convention centre, or a visitor information centre.

MUNICIPALITY OF CROWSNEST PASS

HEAVY TRUCK ROUTE BYLAW

BYLAW NO 824/2011

A BY-LAW OF THE MUNICIPALITY OF CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, TO REGULATE HEAVY VEHICLES USE WITHIN THE MUNICIPALITY OF CROWSNEST PASS.

WHEREAS the Municipal Government Act, R.S.A. 2000, c M-26 and amendments thereto allows a municipality to pass bylaws and delegate authority with respect to streets under its direction, control and management and transportation thereon;

AND WHEREAS the Traffic Safety Act, R.S.A. 2000, c T-6, authorizes a municipality to make bylaws to regulate and control vehicles;

AND WHEREAS the Traffic Safety Act, R.S.A. 2000, c T-6, provides that a municipality may regulate the maximum gross weight that may be borne by a vehicle or a combination of vehicles;

AND WHEREAS the Dangerous Goods Transportation and Handling Act, R.S.A. 2000, c. D-4, authorizes a municipality to make bylaws designating routes and the time of travel of vehicles transporting Dangerous Goods and prohibiting the carriage of Dangerous Goods on specified highways within the municipality;

AND WHEREAS the Council of the Municipality of Crowsnest Pass deems it desirable for the safety and security of its citizens and their property to regulate Heavy Vehicle traffic through and within the boundaries of the Municipality of Crowsnest Pass.

NOW THEREFORE, the Municipal Council of the Municipality of Crowsnest Pass in the Province of Alberta, duly assembled now, hereby enacts as follows:

PART 1 SHORT TITLE

This bylaw shall be cited as the "Heavy Truck Route Bylaw".

PART 2 DEFINITIONS

The definitions contained in the Traffic Safety Act, and the Dangerous Goods Transportation and Handling Act for the Province of Alberta shall apply to this Bylaw unless specifically set out herein;

In this Bylaw:

- 2.1 **"Alley"** means a narrow roadway intended primarily to provide access to the rear of buildings and parcels of land;
- 2.2 **"Carrier"** means any person, firm or corporation conveying Goods including those determined to be dangerous in, into, through or out of the Municipality by any vehicle;
- 2.3 **"Chief Administrative Officer"** means the Chief Administrative Officer of the Municipality of Crowsnest Pass, as appointed by Council and hereinafter referred to as the CAO or appointed designate;
- 2.4 **"Council"** means the Municipal Council for the Municipality of Crowsnest Pass;
- 2.5 **"Curb"** means the actual curb, or in the absence of a curb, shall mean the division point between a roadway and the sidewalk or boulevard;
- 2.6 **"Dangerous Goods Route"** means those highways located within the Municipality identified as a Dangerous Goods Route in Part 6 of this Bylaw.
- 2.7 **"Double Parking"** means the parking of any vehicle on a highway parallel to a vehicle that is parked beside the curb or to the rear of any vehicle that is angle parked at the curb;
- 2.8 **"Emergency Vehicle"** means a motor vehicle used:
- a) for police/peace officer duty
 - b) by a fire department,
 - c) as an ambulance,
 - d) for purposes relating to maintenance of a public utility and/or designated as an emergency vehicle by the R.C.M.P.;
- 2.9 **"Enforcement Services Department"** means the Bylaw Enforcement Department of the Municipality of Crowsnest Pass;
- 2.10 **"Gross Weight"** includes both:
- a) the total maximum weight transmitted to the highway road surface by all the axles of a vehicles used on the public highways aforesaid determined in accordance with the *Traffic Safety Act, R.S.A. 2000 cT-6* and the regulations thereunder.
- 2.11 **"Heavy Vehicle"** means a vehicle with or without load, exceeding any of the following:
- a) 2 axles;

- b) 6 meters in length;
 - c) a gross weight of 5450 kilograms (kg)
- 2.12 **"Heavy Truck Route"** means those highways located within the Municipality and identified as the Heavy Truck Route in Schedule "A" of this Bylaw;
- 2.13 **"Highway"** will have the same meaning as defined in the Alberta Traffic Safety Act, R.S.A 2000, Chapter T-6, and all subsequent amendments and replacements, but shall be restricted to highways within the boundaries of the Municipality of Crowsnest Pass, but not including those under Provincial jurisdiction;
- 2.14 **"Loading Zone"** means a portion of a street set aside adjacent to a curb designated for the exclusive use of vehicles for the loading or unloading of passengers or of material;
- 2.15 **"Maximum Weight"** means:
- a) the maximum weight of a vehicle as recorded on the certificate of registration for such vehicle, or
 - b) If there is no certificate of registration for the vehicle, then the combined weight of the vehicle and the heaviest load that may be carried in accordance with the Commercial Vehicle Dimension and Weight Regulation A/R 315/202 and all subsequent amendments and replacements will be utilized.
- 2.16 **"Municipality"** means the Municipality of Crowsnest Pass;
- 2.17 **"Operator"** includes, but is not limited to, a person who drives or operates a vehicle as the owner thereof or as an agent or employee of the owner;
- 2.18 **"Park"**, means to allow a vehicle (whether occupied or not) when prohibited to remain motionless in one place except;
- a) when vehicle is motionless for the purpose of and while actually engaged in loading or unloading; or
 - b) when vehicle is motionless in obedience to a Peace Officer or traffic control device;
 - c) as mechanical problems dictate;
 - d) towing service vehicles
- 2.19 **"Peace Officer"** means a member of the Royal Canadian Mounted Police or a Community Peace Officer appointed pursuant to the provisions the Police Act of Alberta R.S.A. 2000, Chapter P-17, as amended or repealed and replaced from time to time.
- 2.20 **"Permit"** means the authorization to operate trucks on municipal roadways other than those identified as a Heavy Truck Route as per Schedule "C";

- 2.21 **"Recreation Vehicle"** means a motor vehicle designed, constructed, modified or equipped as a temporary dwelling place, living abode or sleeping place;
- 2.22 **"Semi – trailer"** means a vehicle of the trailer type so designed and utilized in conjunction and coupled with a motor vehicle that some pursuant part of its own weight and that of its load rest upon, or is carried by, another vehicle;
- 2.23 **"Temporary Truck Route"** means a highway or portion thereof designated as a temporary truck route pursuant to Part 5 of this Bylaw;
- 2.24 **"Trailer"** means a vehicle that:
- a) at any time is towed on a public highway by a self propelled vehicle
 - b) is intended for the conveyance of goods and materials of any kind, and
 - c) shall be deemed to be a separate vehicle and not part of the motor vehicle by which it is being towed.
- 2.25 **"Truck "** means:
- a) a truck –type vehicle with a maximum weight in excess of 5,450 kilograms;
 - b) any self propelled vehicle not primarily intended for the conveyance of passengers, and normally referred to as a tractor unit; or
 - c) a tractor, motor grader, road building or road maintenance equipment, construction equipment, other than truck type vehicles, regardless of weight.
- 2.26 **"Unrestricted heavy truck zone"** means an area as described in Part 5 and indicated on Schedule "B" of this Bylaw;
- 2.27 **"Violation ticket"** means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, Chapter P-34, as amended and any regulations thereto;

PART 3 PROHIBITION

- 3.1 No person shall operate a semi-trailer or heavy truck on any highway except;
- a) on the heavy truck route identified in Schedule "A"
 - b) in any unrestricted truck zone as identified in Schedule "B"
 - c) on a temporary truck route designated under Part 5.
- 3.2 No person shall operate a semi-trailer or heavy truck of any kind on any highway:
- a) with a maximum weight in excess of 5,450 kgs: or
 - b) having a combined weight including the drawing vehicle of 5,450 kgs
- except:**
- a) on the route identified in Schedule "A"
 - b) in an unrestricted truck zone as identified in Schedule "B" or
 - c) on a temporary truck route designated under Part 5 of this Bylaw.

3.3 The provisions on this Bylaw shall not apply to:

- a) a house trailer, vacation trailer, or other similar mobile accommodation designed or used to provide accommodation or living quarters for one or more persons;
- b) Emergency Service Vehicles;
- c) Vehicles registered to and operated by the Municipality;
- d) Vehicles owned and operated under the authority of Provincial and federal agencies;
- e) Vehicles owned or leased by utility companies and utilized for works relating to the specific utility.
- f) Any other vehicle deemed exempt by the CAO.

PART 4 IDENTIFICATION OF TRUCK ROUTES

4.1 Heavy Truck route indicated in Schedule "A" may be signed whenever the CAO considers it necessary to indicate to drivers of trucks the highways permitted to be used as truck routes.

4.2.1 Notwithstanding any other provisions of this Bylaw, no sign or other indication need to be placed on a highway which is not a heavy truck route to indicate to or warn parties using the highway that heavy trucks are not permitted unrestricted travel thereon.

PART 5 TEMPORARY HEAVY TRUCK ROUTES

5.1 When deemed necessary the CAO may cause signs or other traffic control devices to be placed on all or any portion of a highway designating the highway or portion thereof as a temporary heavy truck route.

5.2 Where alterations or repairs to a highway or other circumstances affecting travel thereon require the designation of a temporary heavy truck route the CAO may direct the signs and other traffic control devices be erected designating the route required as a temporary heavy truck route.

5.3 The designated temporary heavy truck route shall cease to be a temporary truck route after two weeks unless an extension is provided by the CAO.

PART 6 DANGEROUS GOODS ROUTE

6.1 For the purpose of this Bylaw the Dangerous Goods Route shall be considered to be Provincial Highway #3 only.

PART 7 SPECIAL PERMITS

7.1 The CAO may under circumstances which are considered to warrant a permit, issue a Special Permit, as identified in Schedule "C", authorizing the movement of a heavy truck on highways other than a heavy truck route.

7.2 Seasonal or short term permits may be considered and provided to resource companies requesting use of the recreational road systems to haul forest products.

7.3 A person operating a heavy truck covered by a Special Permit shall produce the permit when required to do so by a Peace Officer.

PART 8 DIRECT ROUTES

- 8.1 A person operating a heavy truck may, for the purpose of making a delivery or supplying a service at a location off a heavy truck route, or for the purpose of carrying merchandise or material of whatever kind from a location off of a heavy truck route, operate the truck on the roadways for which form the most direct and accessible connection between a truck route and a delivery point, service point, or the collection point for merchandise or material, as the case may be, and shall also use such roadways when returning to the truck route.
- 8.2 Operators with subsequent delivery or provision of service may proceed to make subsequent delivery or service before proceeding by the most direct accessible connection to the nearest heavy truck route.
- 8.3 If any truck is housed at a location off a truck route, a person may operate the truck to and from the place where it is housed, and in doing so, shall drive it on a roadway forming the most direct accessible connection between the location where the truck is housed and a heavy truck route.

PART 9 REGISTRATION CERTIFICATE/WEIGH SLIP

- 9.1 An operator shall, when requested by a Peace Officer, produce for such officer's inspection the registration certificate issued showing the maximum weight of such truck bills of lading showing the origin and destination of the trip and the description of the load.
- 9.2 Particulars obtained by a Peace Officer from a registration certificate produced under Part 9.1 of the Bylaw and submitted as evidence in Court shall be prima facie proof of the particulars thereon without proof of the authenticity of the certificate and the particulars thereon.
- 9.3 In the event that a truck registration certificate cannot be produced, a Peace Officer may order the operator to take offending vehicle to the certified weigh scale to determine the weight and subsequent actions to be taken as it relates to enforcement.

PART 10 PARKING

- 10.1 No person being in charge or control of a truck shall park such truck or permit it to be parked on a roadway other than a heavy truck route or an unrestricted heavy truck zone, except during such times as the truck is being utilized in the making of a delivery or the performance of some work or service.
- 10.2 If a truck is found to be parked in violation of the provision of this bylaw, a Peace Officer may cause such truck to be removed to a location designated by the CAO. The owner or person in charge and control of the truck will be responsible for all costs associated with the removal of the truck in addition to any fine or penalty imposed due to the infraction.
- 10.3 Commercial businesses within the Municipality of which conduct businesses utilizing trucks will be allowed to park such trucks on their property. Owners and persons in charge and control of trucks are not allowed to park such trucks at their place of residence.

PART 11 PENALTIES

- 11.1 Any person who contravenes any of the provisions or requirements of this Bylaw is guilty of an offence and is liable for and subject to the penalties as set out in Schedule "D" attached to and forming this Bylaw.
- 11.2 Where a Peace Officer has reasonable grounds to believe a person has contravened any of the sections contained within this Bylaw the Peace Officer may issue and serve upon such person an offence ticket.

PART 12 EFFECTIVE DATE

Read a **first time** this 29th day of November, 2011

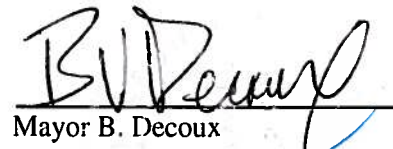
CARRIED UNANIMOUSLY

Read a **second time** this 6th day of December, 2011

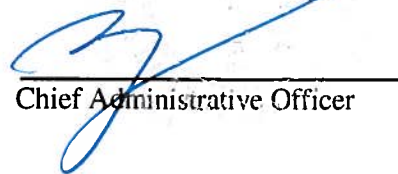
CARRIED UNANIMOUSLY

Read a **third time and finally** passed this 6th day of December, 2011

CARRIED UNANIMOUSLY



Mayor B. Decoux



Chief Administrative Officer

Municipality of Crowsnest Pass - Bylaw 824/2011

SCHEDULE "A"

HEAVY TRUCK ROUTE WITHIN THE MUNICIPALITY OF CROWSNEST PASS

THOROUGHFARE	FROM	TO
Provincial Highway #3	East Municipal Boundary	West Municipal Boundary

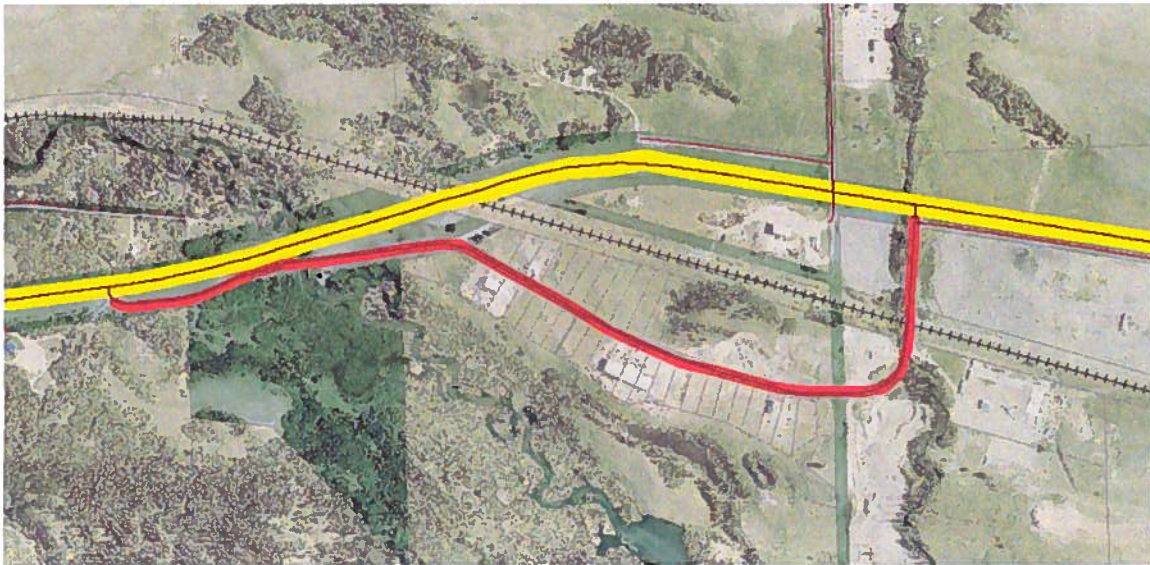
Municipality of Crowsnest Pass - Bylaw 824/2011

SCHEDULE "B"

UNRESTRICTED HEAVY TRUCK ZONE

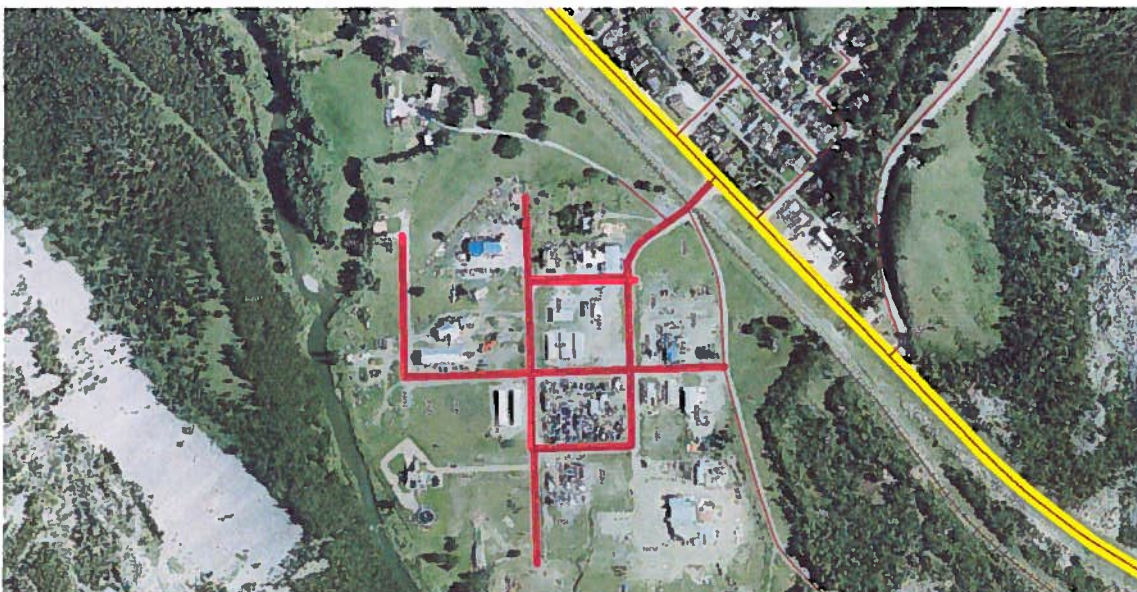
Zone 1- Sentinel Industrial Park Area

Includes all areas within the Sentinel Industrial Park Area as indicated on map (below).



Zone 2 – Frank Industrial Park Area

Includes all areas within the Frank Industrial Park Area as indicated on map (below).



Municipality of Crowsnest Pass – Bylaw 824/2011

SCHEDULE “C” - HEAVY TRUCK ROUTE – SPECIAL PERMIT

Off Route/Seasonal Permit # - _____

Permission is hereby granted to:

Name of Trucking Firm: _____

Name of Operator in charge or control of truck: _____

Vehicle Description (make/model): _____

Vehicle License Plate # _____

Address: _____

Telephone: _____

Type of Goods hauled: _____

Route

From: _____

To: _____

Roadway description (Street, Avenue, road name) _____

Permit Valid

From (date/time): _____

To (date/time): _____

- Conditions:
1. This permit number or copy of this permit number (if issued by telephone) must be carried in the vehicle or vehicles affected.
 2. The applicant shall notify the Municipality of Crowsnest Pass of any damage or loss that may arise from the operation of heavy truck on Municipal roadways.
 3. The operator must take the most direct and accessible route to the prescribed destination.

Comments: _____

Date & Time Issued: _____

Signature of Applicant: _____

Signature of Peace Officer _____

Municipality of Crowsnest Pass – Bylaw 824/2011

SCHEDULE “D”

PENALTIES

Part	Particulars	Penalty
3	Heavy Truck Travelling off Heavy Truck Route	500.00
3	Operating over the weight restriction	500.00
6, 8	Failure to produce a permit or registration documents	200.00
9	Parking contravention	300.00

12. OBSTRUCTING THE HIGHWAY

- (1) No person or persons shall stand on any street or highway within the Municipality as to obstruct or prevent any other persons using such highway, and forthwith upon request made by any peace officer, shall disperse and move away.
- (2) No person shall stand, sit or lie upon any street, highway or sidewalk in such a manner as to obstruct vehicular or pedestrian traffic.
- (3) Nothing in Subsections (1) or (2) shall be construed as prohibiting the congregation or assembly of individuals to attend and listen to public speakers so long as the proceedings thereat are peaceable and orderly and sufficient space is left on the street or highway to allow free movement of the traffic. Should any highway or street at or near such assembly become obstructed by the persons in attendance, the persons so obstructing or impeding traffic shall forthwith move away upon being requested to do so by a peace officer. Any person refusing or failing to forthwith move away upon request by a peace officer shall be guilty of an offence under this bylaw.
- (4) Nothing in Subsections (1) or (2) shall be construed as prohibiting the assembling of persons for the purpose of watching a parade or special roadway event as duly authorized by the Municipal Council.
- (5) No person shall place, or shall cause to allow to be placed upon any street within the Municipality any snow, ice, dirt or other obstruction removed from any place in the Municipality other than from a sidewalk pursuant to the provisions of this By-Law.
- (6) All persons owning or occupying premises in areas of the Municipality designated Commercial under the Municipal Land Use By-Law, shall remove and clear away all snow, ice, dirt and other obstructions from the sidewalk situated on land adjoining the property owned or occupied by them within forty eight (48) hours of the time that such snow, ice, dirt or other obstruction was deposited thereon.
- (7) The Municipality may, after the expiration of the forty-eight (48) hours aforesaid, remove and clear away all snow, dirt, and other obstruction required to be removed by subsection 6 and charge the expenses thereof to the owner or occupant. In the event of non-payment of the expenses, such expenses shall be charged against the property as a special assessment to be recovered in like manner as with other taxes.
- (8) No person shall place or shall cause, suffer, permit or allow to be placed, whether before or after this By-Law at any location in the Municipality, a light or an object that reflects light in such manner so as to distract, or interfere with the vision of, persons operating vehicles on any highway in the Municipality.
- (9) No person operating premises for the sale of new or used vehicles or for washing vehicles shall wash such vehicles so as to result in water, mud or slush flowing or being deposited upon the highway.

13. PARKING

- (1) All parking spaces in effect immediately prior to the coming into force of this Bylaw shall continue in effect until removed pursuant to this Bylaw.
- (2) The Municipal Council may:
 - (a) authorize such other or additional parking spaces as he deems necessary on any street or other Municipal owned property for use as a parking space;
 - (b) cause the spaces so authorized to be marked for this purpose;

- (i) smelly or messy compost heaps;
- (j) production of any generally offensive odours;
- (k) unkempt grass higher than fifteen (15) centimetres;
- (l) excessive weeds, including but not limited to noxious and prohibited weeds as defined in the *Weed Control Act*;
- (m) production of excessive dust, dirt or smoke;
- (n) production of any generally offensive odours;
- (o) any tree, shrub, other type of vegetation or any Structure that:
 - i. interferes or could interfere with any public work or utility;
 - ii. obstructs any Sidewalk adjacent to the land;
 - iii. impairs visibility required for safe traffic flow at any intersection adjacent to the land;
or
 - iv. has any rot or other deterioration;
- (p) any accessible excavation, ditch, drain or standing water that could pose a danger to the public;
- (q) an infestation of rodents, vermin or insects; or
- (r) failure to keep Property in a Reasonable State of Repair including but not limited to:
 - i. the significant deterioration of buildings, structures or improvements, or portions of buildings, structures or improvements;
 - ii. broken or missing windows, doors, stairs, landings, balconies, patios, fences, siding, shingles, shutters, eaves or other building material; and
 - iii. significant fading, chipping, peeling, rotting or absence of paint on areas of buildings, structures, fences, improvements or signage located on the Property.

6. Charity Collection Sites

- 6.1 No Person shall dump or deposit household garbage or other Litter at a Charity Collection Site.
- 6.2 No Person shall rummage through any material, bag or box in or at a Charity Collection Site, whether or not that material, bag or box is contained in a receptacle or resting upon the ground.

7. Noise Control

- 7.1 No Person shall cause or permit Noise that annoys or disturbs the peace of any other Person.

This Consolidation is not an Official Bylaw. It is prepared by the Chief Administrator's Office for assistance only.

Copies of the Official Bylaw(s) may be purchased from the Municipal Office.

This Consolidated Bylaw was authorized pursuant to Bylaw 1009, 2018 CAO Bylaw.

- 7.2 No Owner or Occupant of a Property shall permit their Property to be used so that Noise from the Property annoys or disturbs the peace of any other Person.
- 7.3 In determining what constitutes Noise likely to annoy or disturb the peace of any other Person, considerations may be given, but are not limited to:
- (a) type, volume, and duration of the Noise;
 - (b) time of day and day of the week;
 - (c) nature and use of the surrounding area; and
 - (d) any other relevant factor.
- 7.4 No Person shall advertise events or merchandise by ringing bells or by use of mechanical, electrical or sound amplification devices in a residential district as designated in the Land Use Bylaw between the hours of 10:00 p.m. and 10:00 a.m.
- 7.5 No Owner or Occupant of a Property in a residential district as designated in the Land Use Bylaw shall cause or permit any construction activity on the Property which creates a Noise that annoys or disturbs the peace of any other Person:
- (a) before 7:00 a.m. or after 10:00 p.m. Monday through Saturday; or
 - (b) before 10:00 a.m. or after 10:00 p.m. on a Sunday or holiday.
- 7.6 The Chief Administrative Officer may issue a permit, on whatever conditions the Chief Administrative Officer considers appropriate, authorizing the production of Noise in a manner, or of a type, that would otherwise contravene section 7.
- 7.7 Nothing in section 7 prohibits:
- (a) an employee or authorized agent of the Municipality from producing Noise while acting within the scope of their functions, duties or powers;
 - (b) the production of Noise in accordance with a permit granted pursuant to section 7.6; or
 - (c) any activity that is carried out in accordance with the conditions of a validly issued development permit issued by the Municipality or an activity that constitutes a legal non-conforming use for which no development permit is required pursuant to the provisions of the *Municipal Government Act*.

8. Water, Eavestroughs and Downspouts

- 8.1 No Owner or Occupant of a Property shall allow a flow of water from a hose or similar device on the Property to be directed towards an adjacent Property if there is a reasonable likelihood that the water from the hose or similar device will enter the adjacent Property in a manner or quantity likely to interfere with the adjacent Property.

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To the members of the Chinook Intermunicipal Subdivision and Development Appeal Board:

Re: Appeal Hearing – June 10th – Crowsnest Pass Council Chambers 10:00a.m. DP 2026-019

Just to provide some history – the Municipality of the Crowsnest Pass knew my business existed at the present location and have done work for the Municipality (making new runs on the ski hill by harvesting timber and donating all proceeds from the timber sales back to them).

The Municipality of Crowsnest Pass had previously stated I did not need a Business license as we worked in the Forestry – but have changed the rules because of one complaint from Cory Tourond and I now need a business license and a development permit (we are not developing anything) – which I believe I should be grandfathered in as we have been in business for 52 years in the same area.

There was no phone call received from Cory Tourond or the Municipality of Crowsnest Pass to address the complaint that has escalated to this point. We were not even given a chance to fix the issue.

My business has not broken any bylaws by using 11th, 12th avenue or 1301 East Hillcrest Drive to access my property and we are following the Municipal Heavy Haul truck route Bylaw 824/2011 #8.3 – **If any truck is housed at a location off a truck route, a person may operate the truck to and from the place where it is housed, and in doing so, shall drive it on a roadway forming the most direct accessible connection between the location where the truck is house and a heavy truck route.**

As for Cory Tourond appealing and complaining, I believe it is for personal reasons. We have been dealing with the Tourond family for over 20 years. For the most part, the first 10 years Cory's sister boarded horses on our property until she bought her own place. After that time Cory's daughter boarded her horses on our property for the summer months (May to October). In the early summer of 2025 her daughter had informed us that one older horse had developed stomach issues and could not eat green grass and had to be kept in a grass free pen and fed – we did not have any type of that area on our property and we agreed that it would be best for her to keep her horses where they are at over the winter and she agreed. We did get other horses to come in to eat the green grass – but Cory's daughter called later in the summer and wanted to try and put her horses back on my property, but I informed her we already had three horses grazing and that is all we can take. Maybe this decision upset Cory?

Regarding the mud on the roadway – we have purchased a sweeper attachment that sweeps and picks up the dirt to clear the road should any mud or debris get on it. In the last year we got mud on the roadway (12th ave) twice, and tried to scrape it up as good as possible with a skid-steer

bucket. Cory does not complain of the garbage truck that goes past her house 52 weeks of the year and puts mud on the road from the alley it comes out of by her house when it rains or in the Spring when the frost comes out of the ground and it could be like that for two months (see exhibit "B,C,D")

As for Cory being hypocritical and not wanting a semi-truck on her street – it is okay when it is for her own use – every year she gets soil from Bos Sod delivered with a semi-truck which unloads with a forklift (see exhibit "E,F,G").

I have no problem agreeing to the revised April 30th Municipality of Crowsnest Pass Development board decision

I think Cory Tourond's appeal should be denied.

Thank you,
Dale Linderman

"B"



← CORNS HOUSE

MARCH 20 2026

ALLEY GARBAGE TRUCK USES

L3

③

MARCH 20th 2026

"C"



ALLEY GARBAGE TRUCK USES

↗ L4
CORYS
HOUSSE (H)

"D"



ALLEY GARBAGE TRUCK USES

5

L5

"E"



CORYS HOUSE



"F"

⑦ L7



CORYS HOUSE

"G"

8