



Development Permit: Condition Expiry Time Extension Agreement Request

Electoral Division: 1

Roll: 03913077

Date:	March 12, 2024		
Presenter:	Jacqueline Targett, Senior Development Officer		
Department:	Planning		
Approved by:	<input checked="" type="checkbox"/> Executive Director / Director	and/or	<input checked="" type="checkbox"/> Chief Administrative Officer

REPORT SUMMARY

The purpose of this report is to request a time extension agreement to the expiry deadline applied under development permit application PRDP20224566, for a Mixed-Use Building, referred to as the Laskin, which included a drinking establishment, hotel, liquor sales, restaurant and specialty food and beverage facility.

The Laskin development permit was approved by Council on February 15, 2023. Within the transmittal of decision, Condition #49 required that all prior to release conditions be completed by February 7, 2024. The Applicant/Owner has submitted a written request to Administration to extend the expiry deadline one year, to February 7, 2025, to keep the development permit active and allow for the additional time to meet all conditions. This is the first extension agreement request for this application. The transmittal of decision can be found in Attachment B.

All the prior to release conditions remain outstanding. The Applicant's reasoning for the delay in the project is due to working through major complexities of the project and notes that the project is steadily moving forward towards final budget preparation, development permit condition completion, and building permit submission. The Applicant's time extension agreement request is set out in Attachment C.

In accordance with Section 1.4 of Direct Control District 169 Bylaw C-7960-2019 (DC 169), Council is the regulated Development Authority for all development permit applications on the subject lands. Per Section 1.3 of DC 169, the Applicant/Owner may request a time extension agreement in accordance with the rules and provisions of Part Two, Regulations 9.7(b) & 14.8(d) of the County's Land Use Bylaw C-4841-97 (LUB). DC 169 can be found in Attachment D.

ADMINISTRATION'S RECOMMENDATION

THAT Council approves the time extension agreement request for Development Permit application PRDP20224566 to February 7, 2025.

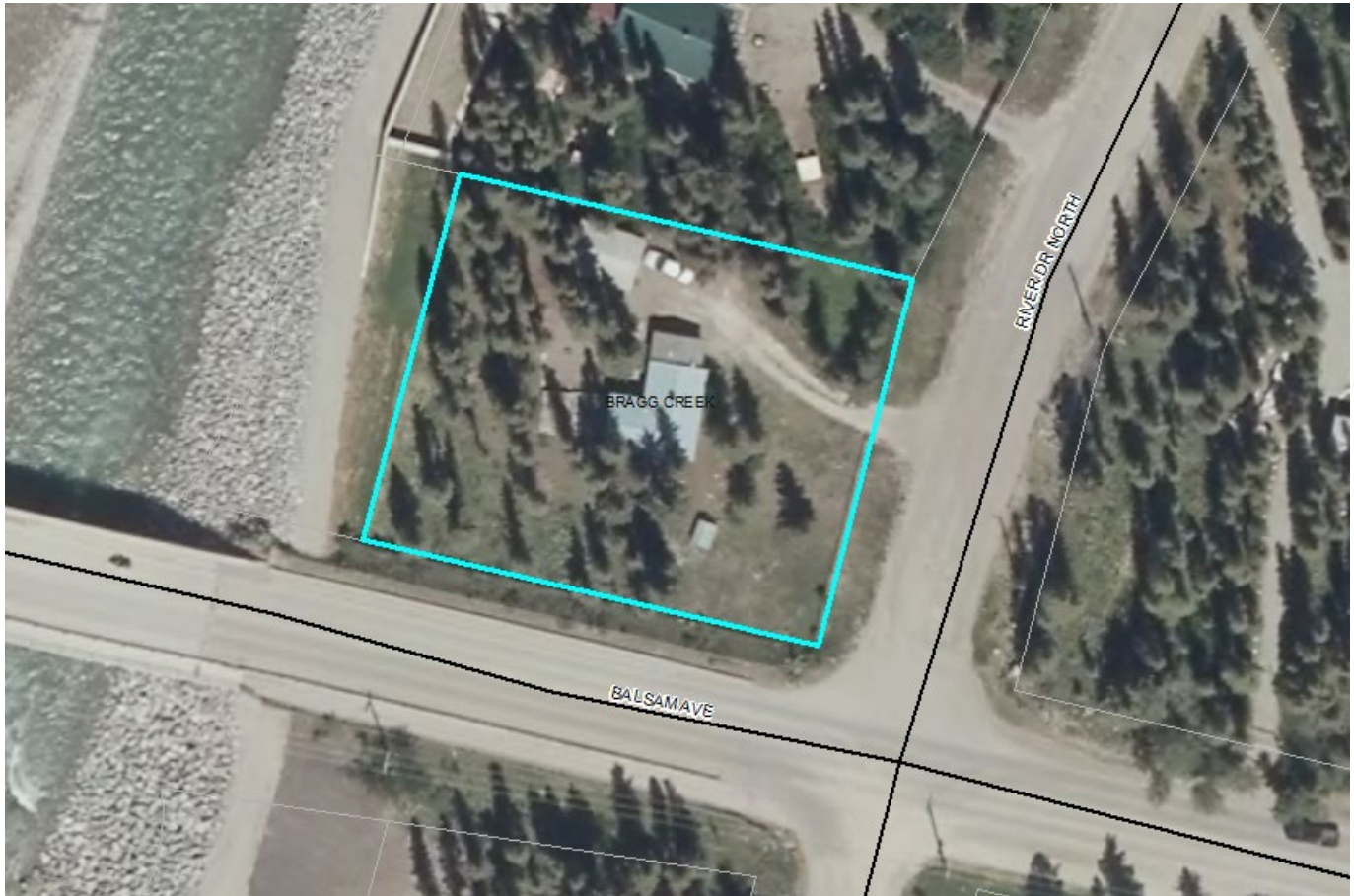
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BACKGROUND

Location (Attachment A)

Located in the hamlet of Bragg Creek within the SE-13-23-05-W5M; located northwest of the junction of Balsam Avenue and River Drive North.

Total Site Area: ± 0.172 hectares (± 0.427 acres).



Site History

The subject lands Bragg Creek Brewery Master Site Development Plan and redesignation from Hamlet Commercial District to DC 169 were approved by Council on March 3, 2020.

Development Permit PRDP20224566 for *construction of a Mixed-use Building (Drinking Establishment, Hotel, Liquor Sales, Restaurants, Signs, and Specialty Food and Beverage Facility (the Laskin, (formerly the Bragg Creek Brewery))* was approved by Council on February 15, 2023.

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Direct Control Bylaw

DC 169 notes:

1.3 Parts 1, 2, 3, and 4 of the Land Use Bylaw C-4841-97 shall apply unless otherwise specified in this Bylaw.

1.4 Pursuant to this Bylaw, Council is the Development Authority, as defined in the Land Use Bylaw, for all Development Permit applications for developments on lands in this Direct Control District.

Land Use Bylaw

The LUB notes:

*9.7 The Development Authority may:
(b) Provide a written time extension agreement, in alignment with the Bylaw*

*14.8 Time Extension Agreement:
(d) 'Time Extension Agreements' on Prior to Issuance conditions related to an approved Development Permit may be granted by the Development Authority for a period of twelve (12) months to a maximum of three (3) extensions.*

ANALYSIS

Policy Review

The written request to extend the conditional deadline with payment was received and completed by February 7, 2024, prior to development permit expiry deadline of February 7, 2024. The decision is required to be provided by Council. There would appear to be no policy or technical conflicts to consider in granting the extension as no changes in policy have been adopted by Council since the time of initial approval.

Municipal Government Act (MGA)

The MGA does not provide specific guidance on the nature of this type of application and request.

COMMUNICATIONS / ENGAGEMENT

There are no wider engagement requirements undertaken by the County.

IMPLICATIONS

Development Status

If the time extension agreement is not approved by Council, the development permit would be expired, and the file would be closed. The Laskin development would not have a valid Development Permit with the County. For the development to commence, the Applicant/Owner would need to submit a new development permit application to Administration and be presented to Council for direction.

Financial

No financial implications have been identified at this time.

STRATEGIC ALIGNMENT

This request is allowed to be considered by Council under the Direct Control District 169 Bylaw C-7960-2019 and *Land Use Bylaw C-4841-97*.

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ALTERNATE DIRECTION

THAT Council refuses the time extension agreement request for development permit application PRDP20224566d.

ATTACHMENTS

- Attachment A: Map Set
- Attachment B: Transmittal of Decision PRDP20224566
- Attachment C: Time Extension Agreement Written Request
- Attachment D: Direct Control District 169