



## Development Permit: Condition Expiry Time Extension Agreement Request

Electoral Division: 1

Application: PRDP20224566 / 03913077

Date:	March 25, 2025
Presenter:	Jacqueline Targett, Senior Development Officer
Department:	Planning

### REPORT SUMMARY

The purpose of this report is to request a time extension to the permit expiry deadline applied under development permit application PRDP20224566, for a Mixed-Use Building, referred to as *the Laskin*. The development permit would provide for 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 was issued a first extension approval by Council on April 5, 2024, to extend the time to meet all conditions to February 7, 2025. The Applicant has submitted this request to Administration to further extend the expiry deadline to February 7, 2026. This is the second extension agreement request for this application, with the County's Land Use Bylaw C-4841-97 (LUB). stating that a maximum of three extensions should be allowed for development permit decisions. The original 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 they note that the project is steadily moving forward towards final budget preparation, development permit condition completion, and building permit submission. The Applicant's time extension request and associated information is included under Attachment C.

In accordance with Section 1.4 of Direct Control District 169 Bylaw C-7960-2019 (DC 169), Council is the designated 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 in accordance with the rules and provisions of Part Two, Regulations 9.7(b) & 14.8(d) of the County's LUB. DC 169 is set out in Attachment D.

### ADMINISTRATION'S RECOMMENDATION

THAT Council approves the time extension request for Development Permit application PRDP20224566 to February 7, 2026.

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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:  $\pm 0.172$  hectares ( $\pm 0.427$  acres).



#### Site History

The Bragg Creek Brewery Master Site Development Plan and associated land 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**

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### **Policy Review**

The written request to extend the conditional deadline with payment was received and completed by February 7, 2025, prior to the development permit expiry deadline of February 7, 2025. The decision is required to be provided by Council. Administration considers that there are no policy or technical concerns 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**

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There are no wider engagement requirements undertaken by the County.

## **IMPLICATIONS**

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### **Development Status**

If the time extension agreement is not approved by Council, the development permit would be void, and the file would be closed. 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**

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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 PRDP20224566.

ATTACHMENTS

- Attachment A: Map Set
- Attachment B: Transmittal of Decision PRDP20224566
- Attachment C: Time Extension Agreement Written Request and Ancillary Information
- Attachment D: Direct Control District 169
- Attachment E: Drawing Package

APPROVALS

Manager:	Dominic Kazmierczak
Executive Director:	Dominic Kazmierczak
Chief Administrative Officer:	Reegan McCullough