

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 1

DATE: December 1, 2021
APPLICATION: PRDP20214258

FILE: 03913002

SUBJECT: Change of Use / Discretionary use, with no Variances

APPLICATION: Application is for the change of use to permit Establishment (Entertainment) on the subject parcel.

GENERAL LOCATION: Located in the hamlet of Bragg Creek.

LAND USE DESIGNATION: Commercial, Local Urban District (C-LUD) under Land Use Bylaw C-8000-2020

ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

EXECUTIVE SUMMARY: The Applicant is proposing to establish a non-profit, community musical theatre society within Units 5 and 6, on the subject parcel. The business will occupy approximately 232.26 sq. m (2,500.00 sq. ft.) and the space will be utilised for meetings, courses, rehearsals, and performances. The business is proposed to operate seven (7) days/week, from the hours of 4:00 pm to 10:00 pm. The society currently has two (2) volunteer staff and daily visits are anticipated to be 5-15 with up to 58 people attending rehearsals and performances. No outside storage is requested and one (1) fascia sign is requested.

OPTIONS:

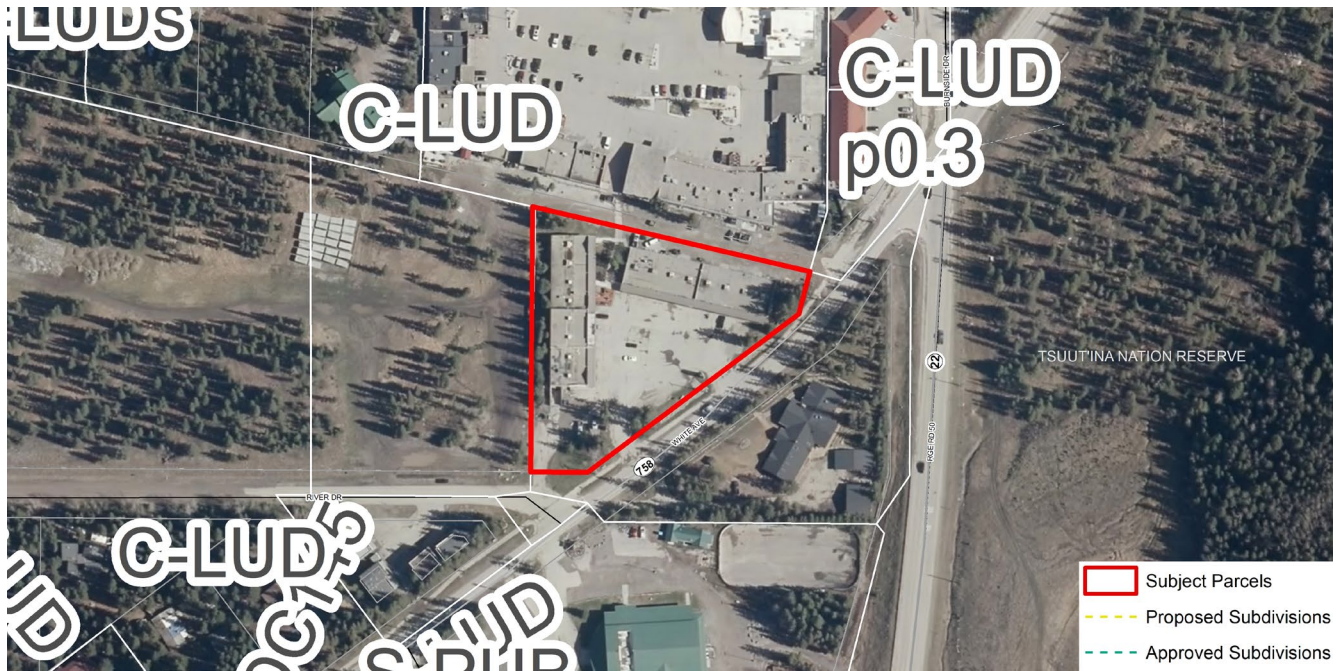
- Option #1: THAT Development Permit Application PRDP20214258 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20214258 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Greater Bragg Creek Area Structure Plan; and • Land Use Bylaw C-8000-2020. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • None
DISCRETIONARY USE: <ul style="list-style-type: none"> • Establishment (Entertainment) 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Recreation (Private), for a golf simulator business and signage, was previously permitted for Units 5 and 6 under PRDP20210711.

CONCLUSION:

Subject to the proposed Development Permit conditions, the application is recommended for approval.



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WV/lt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONSOption #1:

Approval subject to the following conditions:

Description:

1. That Recreation (private) (within an existing building) may commence on the subject site, within Units #5 and #6, in general accordance with the information and drawings submitted with the application.
 - i. Installation of one (1) fascia sign.

Permanent:

2. That all conditions of original permit 4674-1992 shall remain in effect unless otherwise specified in this permit.
3. That all staff and clientele parking shall be restricted onsite only. There shall be no parking permitted within the adjacent County road allowances at any time.
4. That all garbage and waste for the site shall be stored in weatherproof and animal-proof containers and screened from view by all adjacent properties and public thoroughfares.
5. That this permit is for tenancy/occupancy only and would not include any new construction to the site. Any changes to the building may require a Building Permit from Building Services.
6. That the minimum parking stalls for the development shall be maintained on-site at all times.
7. That the entire site shall be maintained in a neat and orderly manner at all times.
8. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 24 months of the issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.

Advisory:

9. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
10. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

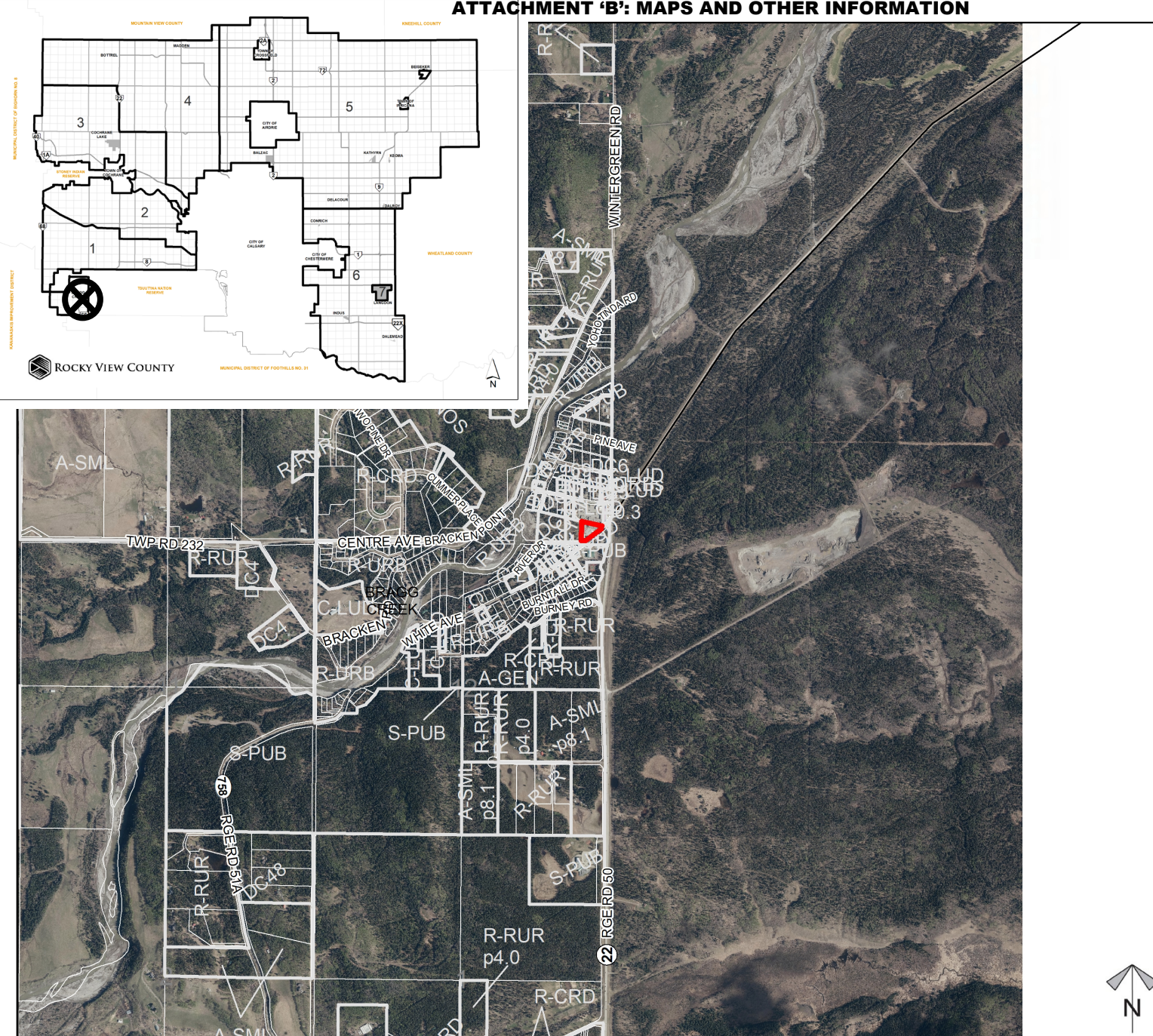
APPLICANT: Trisha Gizen (Swamp Donkey Musical Theatre Society)	OWNER: Bragg Creek Income Property Inc.
DATE APPLICATION RECEIVED: September 15, 2021	DATE DEEMED COMPLETE: November 1, 2021
GROSS AREA: ± 0.89 hectares (± 2.20 acres)	LEGAL DESCRIPTION: Lot 8, Block 1, Plan 2571 JK, SE-13-23-05-W05M (Bay 5 & 6, 16 White Ave, Bragg Creek Village Market)
APPEAL BOARD: Subdivision, Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • PRDP20210711: tenancy for recreation (private) golf simulator business • PRDP20202337: tenancy for child care facility • PRDP20190256: tenancy for warehouse store • PRDP20172401: installation of two (2) façade signs • PRDP20130933: tenancy for restaurant • 2012-DP-14865: tenancy for health care facility • 2011-DP-14606: change of use to restaurant • 2008-DP-13023: fascia sign for an existing business (bakery) 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

Location & Context

Development Proposal

Establishment
(Entertainment) and fascia
signage

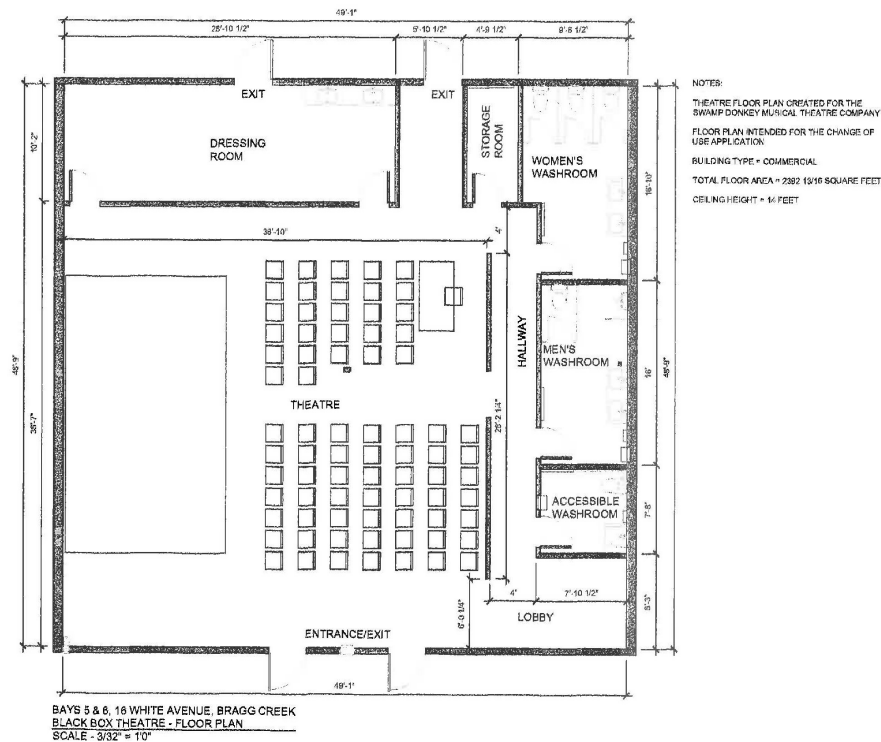
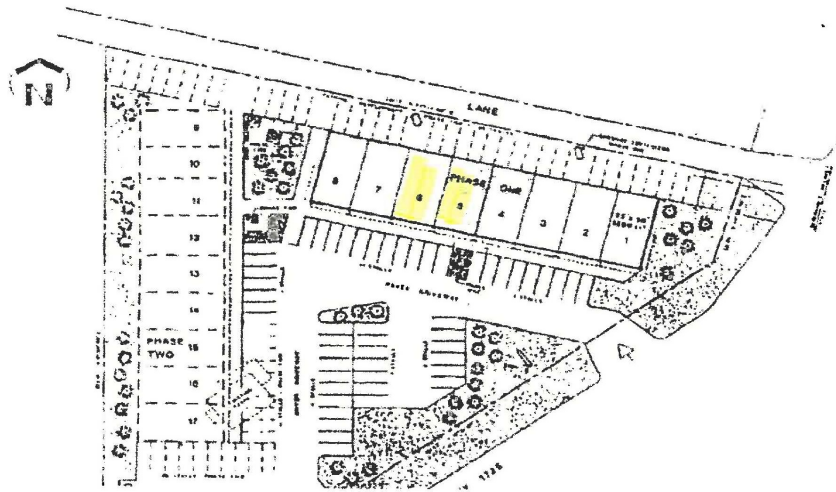
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Roll: 03913002
File: PRDP20214258
Printed: Nov 1, 2021
Legal: Lot:8 Block:1
Plan:2571 JK within SE-
13-23-05-W05M



Site Plan

Development Proposal

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Swamp Donkey Musical Theatre Society
 P.O. Box 1226 Bragg Creek, AB T0L 0K0 www.swampdonkeytheatre.ca



Cover Letter

September 13, 2021

Rocky View County
 262075 Rocky View Point
 Rock View County, AB T4A 0X2

Re: Development Permit/Change of Use Application: 16 White Avenue, Bragg Creek

To Whom It May Concern:

Introduction:

The Swamp Donkey Musical Theatre Society is a not for profit community musical theatre society in Bragg Creek, Alberta. Founded in 2018, we offer musical theatre educational and performance opportunities to youth and adults alike. Since our inception we have operated out of the Bragg Creek Centre. However, given the difficulties associated with renting space in a multi-user facility we are planning to move to our own space at 16 White Avenue, Bays 5 and 6.

Proposed Change of Use:

The location is currently zoned Commercial Local Urban District (C-LUD) and the use is Recreation (Private). It is operated as a private virtual golf business. The proposed land use is Establishment (Entertainment) and the location would be used for musical theatre workshops, courses, rehearsals, performances, and meetings.

Business Use/Operational Details:

We operate in the late afternoon and evening from Sunday through Saturday, though generally for only a few days per week. For example, our schedule for the 2021/2022 fall season is Sunday afternoons from 1:00 to 4:00 p.m., Monday evenings from 6:00 to 9:00 p.m., and Thursday evenings from 4:30 to 8:30 p.m. This schedule changes seasonally depending on our course and performance offerings.

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Vehicles and Storage:

We do not have any employees, but both our volunteer Artistic Director and/or I are generally in attendance at all of our activities. The society does not have any vehicles. Our personal vehicles would be parked in the back alley parking lot as required by the owner/landlord. We do not require an outdoor storage area as we have outdoor storage at an off-site facility.

Traffic Impact:

The location is in a “strip mall” which is located along White Avenue, a paved municipal roadway. We do not anticipate any impact on traffic. As was noted above, we previously operated out of the Bragg Creek Centre which is located at 23 White Avenue, directly across the street from the proposed location.

Parking:

The proposed location has 65 parking spaces. Our activities generally take place in the evenings when most of the other tenant businesses in the mall are closed. We anticipate five to fifteen vehicles using these parking spaces for our workshops, courses, rehearsals, and meetings. Most of these individuals would be parked briefly, for five to ten minutes, to drop off/pick up youth. We will have higher parking requirements for performances which take place approximately three weekends per year. The parking provided at the location should be more than sufficient for our parking needs. In the unlikely event that overflow parking is required, the Bragg Creek Centre has hundreds of parking stalls that are advertised as public parking by donation and traffic could be directed here.

Signage:

We propose adding a single sign at the location to provide the public with information regarding our location. The sign would be attached to the building with removable mechanical fasteners. All of the sign details can be found in the *Signage – General Information Sheet* and relevant attachments.

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Attachments:

Please find included in this application package the following supporting documents:

- Development Permit Application and Change of Use Information Sheet;
- Application Checklist;
- Current Land Titles Certificate Copy;
- Affidavit signed by the landowner;
- Site plan;
- Floor plan/elevations;
- Colour photographs of site, building, signage, and site features;
- Signage General Information Sheet;
- Sign design sample with information about sign construction and finishing;
- Photograph of proposed sign location; and
- Photographs of adjacent properties and signs.

I look forward to hearing from you with respect to this application. Please feel free to contact me at the email address set out below or by phone at 403.949.4298 should you have any questions regarding this application or require any additional information or documentation.

Kind regards,



Trisha Gizen, B.A. (Criminology), L.L.B.
Founder & President, Swamp Donkey Musical Theatre Society
swampdonkeytheatre@gmail.com

Cover Letter**Development Proposal**

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