

# SUBDIVISION AND DEVELOPMENT APPEAL BOARD AGENDA

**June 20, 2019**

**ROCKY VIEW COUNTY  
COUNCIL CHAMBERS  
262075 ROCKY VIEW POINT  
ROCKY VIEW COUNTY, AB  
T4A 0X2**

**A CALL MEETING TO ORDER**

**B DEVELOPMENT APPEALS**

## **9:00 AM APPOINTMENTS**

**1. Division 1 File: 03913077; PRDP20184945**

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The Board is continuing a hearing opened on April 24, 2019. This is an appeal against the Development Authority's decision to **CONDITIONALLY APPROVE** a Brewery (General Industry Type I and II), 21 room Hotel, Restaurant and Drinking Establishment, the construction of a multi-use commercial building, the relaxation of the minimum side yard setback requirement, and the relaxation of the maximum height requirement and signage at 19 River Drive North, SE-13-23-05-W5M, located in the Hamlet of Bragg Creek, at the northwest intersection of Balsam Avenue and River Drive.

Appellant One:	Craig Nickel, Aaron Matiushyk and Jennifer Liddle
Appellant Two / Applicant:	Adam McLane
Owner:	2127145 Alberta Ltd

**C CLOSE MEETING**

**D NEXT MEETING: June 26, 2019**



## PLANNING & DEVELOPMENT

**TO:** Subdivision and Development Appeal Board

**DATE:** June 5, 2019 **DIVISION:** 1

**FILE:** 03913077 **APPLICATION:** B-1; PRDP20184945

**SUBJECT:** General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, with relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement.

<b>PROPOSAL:</b> General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement.	<b>GENERAL LOCATION:</b> Located in the Hamlet of Bragg Creek, at the northwest intersection of Balsam Avenue and River Drive.
<b>APPLICATION DATE:</b> December 5, 2018	<b>DEVELOPMENT AUTHORITY DECISION:</b> Conditionally Approved.
<b>APPEAL DATE:</b> April 9, 2019 and April 18, 2019	<b>DEVELOPMENT AUTHORITY DECISION DATE:</b> March 19 2019
<b>APPELLANT:</b> Craig Nickel, Aaron Matushyk, Jennifer Liddle, Adam McLane	<b>APPLICANT:</b> Adam McLane
<b>LEGAL DESCRIPTION:</b> Lot 1 Block 6, Plan 1741 EW, SE-13-23-05-W05M	<b>MUNICIPAL ADDRESS:</b> 19 River Drive North
<b>LAND USE DESIGNATION:</b> Hamlet Commercial District (HC)	<b>GROSS AREA:</b> ± 0.23 hectares (± 0.57 acres)
<b>PERMITTED/DISCRETIONARY USE:</b> <i>Drinking Establishment; Hotel; General Industry Type I and II (Brewery); and Restaurants are all discretionary uses.</i>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> The Development Authority may grant up to 25% variance of the required distance or height in accordance with Section 12.2 (c) of the Land Use Bylaw.
<b>PUBLIC SUBMISSIONS:</b> The application was circulated to 99 adjacent landowners.  At the time this report was prepared, no letters were received in support or objection to the application.	<b>LAND USE POLICIES AND STATUTORY PLANS:</b> <ul style="list-style-type: none"> <li>County Plan (C-7280-2013)</li> <li>Greater Bragg Creek Area Structure Plan (C-6260-2006)</li> <li>Land Use Bylaw (C-4841-97)</li> </ul>





## EXECUTIVE SUMMARY:

The proposal is for General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, with relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement.

The two development variances are:

- 1) Relaxation of the minimum side yard setback requirement from **1.20 m (3.94 ft.) to  $\pm 0.90$  m ( $\pm 3.00$  ft.)** from the proposed Public Utility Lot (flood mitigation structure) to the west; and
- 2) Relaxation of the maximum height requirement from **10.00 m (32.81 ft.) to 12.50 m (41.01 ft.)**, (*excluding the parapet wall*);

The Applicant submitted a Parking Study prepared by Bunt & Associates, dated November 21, 2018, to justify the adequacy of the proposed parking supply and any mitigation measures that would be used to accommodate any overflow parking should one occur.

The Development Authority conditionally approved the application on March 19, 2019.

Two separate appellants appealed the decision:

- Craig Nickel, Aaron Matiushyk, and Jennifer Liddle, hence forth referred to as “the Appellants”, on April 9, 2019; and
- Adam McLane c/o 2127145 Alberta Ltd., hence forth referred to as “the Applicant/Appellant”, on April 18 2019

Both the Appellants' and Applicant/Appellant's Notice of Appeal are included in the agenda package.

The Applicant/Appellant requested an adjournment of the appeal on April 22, 2019. The Board accepted the request and adjourned the hearing to June 5, 2019.

## PROPERTY HISTORY:

April 6, 2017	Land Use application (PL20170055) to redesignate the subject property from Hamlet Residential Single Family District to Hamlet Commercial Districts was approved by Council.
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## APPEAL:

See attached report and exhibits.

Respectfully submitted,

Sean MacLean  
Supervisor, Planning & Development

JKwan/ltt

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> December 5, 2018	<b>File:</b> 03913077
<b>Application:</b> PRDP20184945	<b>Applicant/Owner:</b> Adam McLane/ 2127145 Alberta Ltd.
<b>Legal Description:</b> Lot 1 Block 6, Plan 1741 EW, SE-13-23-05-W05M	<b>General Location:</b> Located in the Hamlet of Bragg Creek, at the northwest intersection of Balsam Avenue and River Drive.
<b>Land Use Designation:</b> Hamlet Commercial District (HC)	<b>Gross Area:</b> ± 0.23 hectares (± 0.57 acres)
<b>File Manager:</b> Johnson Kwan	<b>Division:</b> 01

### PROPOSAL:

The proposal is for General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, with relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement.

### Proposed Uses

*General Industry Type I and II* (brewery) and *Hotel* are discretionary uses on Lot 1, Block 6, Plan 1741 EW (the subject land) for the purposes of a brewery in accordance with Section 63.3 (a) (i) of the Land Use Bylaw.

*Drinking Establishment* is a discretionary use listed under Section 63.3.

*Restaurant* is a discretionary use listed under Section 63.9.

The definitions for the proposed uses are as follows:

### SECTION 8 DEFINITIONS

8.1 DRINKING ESTABLISHMENT means an establishment, licensed by the Alberta Gaming and Liquor Commission, in which alcoholic beverages are served for a fee for consumption on the premises, any preparation or servicing of food is accessory thereto, and includes a licensed lunch that is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant.

GENERAL INDUSTRY TYPE I means those developments where activities and uses are primarily carried on within an enclosed building and no significant nuisance factor is created or apparent outside an enclosed building...

GENERAL INDUSTRY TYPE II means those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Any development where the risk of interfering with the amenity of adjacent or nearby sites, because of the nature of the site, materials or processes, cannot be successfully mitigated shall be considered a General Industrial Type III.



or services as a restaurant, a dining room, room services or public convention room.

RESTAURANT means an establishment where food is prepared and served on the premises for sale to the public. Ancillary activities may include entertainment and the servicing of alcoholic beverages when licensed by the Alberta Gaming and Liquor Commission.

### **Master Site Development Plan Submission**

In accordance with the Hamlet of Bragg Creek Design Standards (Section 3.2.2 f), a Master Site Development Plan (MSDP) is required in support of development with three to four storey buildings.

The Applicant submitted a MSDP which provides:

- A description of the proposed project and phasing;
- Site plans with details of development on site;
- Building elevations and placement; and
- Details such as landscaping, lighting, parking and architectural treatments.

In addition to the information above, the Applicant also provided the following information as part of the MSDP submission:

- A summary of the Applicant's community consultation and results; and
- Technical studies, including a geotechnical investigation, storm water management plan, traffic and parking assessment, and shadow analysis.

### **Public Engagement Requirement:**

In accordance with the Hamlet of Bragg Creek Design Standards (Section 1.5.1), public engagement in the form of an Open House or Public notification within 400 m radius is required as part of the Development Permit application for new construction of commercial and mixed-uses building.

The Applicant outlines the community consultation undertaken for the proposal in Section 11.0 of the MSDP. Overall, there were two stages of community consultation:

- Stage 1) Land Use Redesignation (May – October 2017):  
during this stage, an open house was advertised and held in the Hamlet of Bragg Creek to showcase the plans for development and to solicit feedback from local residents. At the end of this stage, the Applicant collected 70 letters of support for the project from local community residents and businesses.
- Stage 2) prior to submission of Development Permit (October – December 2018):  
during this stage, the Applicant initiated a public notification campaign that included all resident and business properties within 400 metres of the property. All addresses were visited initially on a door-to-door basis, concluding in hours of face-to-face interaction, with follow up via phone, email or text. A log of community interactions and collected feedback forms was provided as part of the MSDP submission.

### **Building Dimensions:**

- Site Area: 1,745.09 sq. m (18,784 sq. ft.);
  - Building footprint: 354.24 sq. m (3,813 sq. ft.);
  - Site Coverage: 354.24 sq. m / 1,745.09 sq. m = ± 20%;
- Building area:
- Ground Floor: ± 354.24 sq. m (3,813 sq. ft.);
  - Second Floor: ± 318 sq. m (3,423 sq. ft.);
  - Third Floor: ± 354.24 sq. m (3,813 sq. ft.);



- Total gross area: ± 1,026.49 sq. m (11,049 sq. ft.);
  
- Setbacks (Section 63.5):
  - Minimum Yard Front: 6.00 m (19.69 ft.);
  - Proposed Yard Front: 15.53 m (50.95 ft.) facing Balsam Avenue to the south;
  - Minimum Yard Side: 6.00 m (19.69 ft.) adjacent to a residential district;
  - Proposed Yard Side: more than 13 m (42.65 ft.) facing River Drive N. to the east;
  - Minimum Yard Side: 1.20 m (3.94 ft.) for all others;
  - Proposed Yard Side: 0.90 m (3 ft.) from proposed public utility lot to the west.
  - **Requested Yard Side variance: (1.20 m – 0.90 m)/1.20 m = 25%:**
    - In accordance with Section 12.2 (c), the Development Authority may grant up to 25% variance for the required setback, if, in the opinion of the Development Authority, the granting of the variance would not (i) unduly interfere with the amenities of the neighbourhood; and (ii) materially interfere with or affect the use, enjoyment or value of the neighbouring properties.
    - Given the fact that the proposed side yard setback variance is facing the proposed public utility lot (flood mitigation structure with berm and pathway), and that no building is anticipated on the public utility lot, the Development Authority is satisfied that the granting of this variance would meet the intent of Section 12.2 (c).
  - Minimum Yard Rear: 6.00 m (19.69 ft.);
  - Proposed Yard Rear: more than 6.00 m (19.69 ft.) to the north.
  
- Maximum Height:
  - Permitted: 10.00 m (32.81 ft.) for principal building;
  - Proposed: 12.50 m (41.01 ft.) to Peak of Roof;
  - **Requested Variance: (12.50 m – 10.0 m)/10.0 m = 25%:**
    - In accordance with Section 12.2 (c), the Development Authority may grant up to 25% variance for the maximum height, if, in the opinion of the Development Authority, the granting of the variance would not (i) unduly interfere with the amenities of the neighbourhood; and (ii) materially interfere with or affect the use, enjoyment or value of the neighbouring properties.
    - Given the fact that the surrounding area is heavily landscaped with trees as tall as 10.00 m (35.00 ft.) or more, and that the building has been designed to appear as a two storey building with darker colour materials on the upper floors contrast with lighter colour materials at the bottom floor, the Development Authority is satisfied that the granting of this variance would meet the intent of Section 12.2 (c).
    - It should be noted that the elevation drawings (A 4.1 and A 4.2, by STARK architecture, dated October 5, 2018) illustrate that a part of the building on the western portion extends beyond the maximum building height (± 1.0 m from the peak of the roof).
    - The Applicant indicated that this portion of the building serves as a parapet wall to screen off the mechanicals and add visual interests to the building.

According to Section 8.1 of the Land Use Bylaw, *Building Height* means ‘the vertical distance between average building grade and the highest point of a building; excluding an elevator housing, a mechanical skylight, ventilating fan, steeple, chimney, fire wall, parapet wall, flagpole, or similar device not structurally essential to the building’. For this reason, the proposed parapet wall is not considered as part of the building height calculation.



## **Landscaping**

Section 63.7 (a) (i): requires a minimum of 10% of the site area be landscaped

- Original Site Area:  $\pm 2,306.70$  sq. m ( $\pm 24,829.11$  sq. ft.);
- Reduced Site Area after the County acquires a portion of the site for flood mitigation purposes:  $\pm 1,745.09$  sq. m ( $\pm 18,784$  sq. ft.);
- Required landscaped area:  $\pm 174.5$  sq. m ( $\pm 1,878.4$  sq. ft.);
- The Applicant submitted a preliminary landscaping plan (L 0.1, prepared by STARK architecture, dated October 5, 2018); however, the landscaping plan does not specify the amount of landscaping being provided on site. As a prior to issuance condition, the Applicant/Owner shall submit an updated landscaping plan that confirms the amount of landscaping being provided on site;
- It is estimated that the proposed turf area is approximately  $360.37$  sq. m ( $3,878.99$  sq. ft.), with 14 x conifer trees, 14 x bushes, and 22 x deciduous trees. The Applicant also indicated that the existing trees on site will be retained as much as possible.

Section 26.5: requires that all yards and all open spaces on the site of business development (excluding parking stalls; on-site circulation, outdoor storage, display and service areas) shall be required to be landscaped with trees, shrubs, sod, or suitable hard landscaping.

The number of trees required pursuant to this section, may be determined on the basis of a minimum of one (1) tree for each  $46.00$  sq. m ( $495.14$  sq. ft.) of any required yard or setback at grade, or as required pursuant to a Landscaping Plan as a condition of a Development Permit.

- Required landscaped area:  $174.5$  sq. m ( $1,878.4$  sq. ft.);
- Required number of trees:  $(174.5 \text{ sq. m} / 46 \text{ sq. m}) \times 1 \text{ tree} = 3.79 \text{ trees} = 4 \text{ trees}$ ;
- The proposed landscaping plan illustrates 14x conifer trees, 14x bushes, and 22 x deciduous trees, which exceeds the Land Use Bylaw requirements.

Section 26.11 (d): requires that a landscaped strip of at least  $4.00$  m width shall be provided in front yards and side yards adjacent to a road. Alternative configurations that provide for equivalent area of landscaping with a minimum width of  $1.00$  m, may be allowed at the discretion of the Development Authority.

- The Applicant proposed a  $1.2$  m wide landscaping area with conifer trees facing Balsam Avenue, and a  $1.2$  m wide landscaping area with deciduous trees facing River Drive North.
- The Development Authority is satisfied with the proposed landscaping along Balsam Avenue and River Drive North, given that the surrounding area is heavily landscaped and that the proposed landscaping on site already exceeds the Land Use Bylaw requirements.

## **Screening**

Section 63.7 (b) (i): requires that all sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.

- The subject land is abutting a residential district to the north, and the Applicant proposed a minimum of  $3$  m wide landscaping buffer along the northern boundary.

Section 63.7 (b) (ii): requires all apparatus on the roof be screened to the satisfaction of the Development Authority.





- The Applicant proposed an architectural feature along the western edge of the building to screen the views of the apparatus on the roof.

Section 63.7 (b) (iii): requires that outside storage areas shall be screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority.

- The Applicant did not propose any outside storage area on site. The loading area will be located on the northern portion of the site, and will be screened by a minimum of 3 m wide landscaping buffer with various conifer and deciduous trees.

### **Lighting**

Section 27.1: requires that all outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.

- There is no freestanding outdoor lighting proposed on site. The Applicant proposed face-mount light fixtures to illuminate two individually-mounted signs ( $\pm 5.81 \text{ m} \times \pm 0.81 \text{ m}$ ), one at the front entrance facing Balsam Avenue and the other facing River Drive (see Drawing A 5.1. and A.5.2, prepared by STARK architecture, dated October 5, 2018).
- The Applicant indicated that the face-mount light fixtures combined with the beacon of light from the lower floors, shielded from above by the canopy overhang will provide adequate lighting for safety, security and pedestrian comfort, while adhering to dark skies design principles.

### **Signage**

Section 35.1: indicates that in considering a Development Permit application for signs, or advertising material, the Development Authority may consider such factors as location of the proposed signage, distance from roadway, size, height, method of illumination and such other considerations as the Development Authority may deem to be relevant.

- The Applicant proposed two individually-mounted signs ( $\pm 5.81 \text{ m} \times \pm 0.81 \text{ m}$ ), one at the front entrance facing Balsam Avenue and the other facing River Drive (see Drawing A 5.1. and A.5.2, prepared by STARK architecture, dated October 5, 2018). The Development Authority is satisfied with the proposed signage.

### **Parking**

Section 30.1 (b): The minimum number of off-street vehicle, motor parking stalls required for each use class is specified in the Parking Schedule (Schedule 5).

- Where the use is not listed in Schedule 5 of this Bylaw, the number of spaces shall be determined by the Development Authority, having regard for similar uses listed in Schedule 5 and the estimated traffic generation and attraction of the proposed use.

Extract from Schedule 5 –Parking Schedule

- **Accommodation, Hotel:**
  - 1 per sleeping unit, plus;
  - 1 per each 10 units for employees, plus;
  - 1 per 3 seats of any associated Eating Establishment, plus;
  - 1 per 2 seats of any associated Drinking Establishment.
- **General Industrial:** 1 stalls per 100 sq. m (1,076.4 sq. ft.) gross floor area.
- **Community Building, Multi-Purpose:** 12 stalls per 100 sq. m (1,076.4 sq. ft.) gross floor area.

Section 30.1 (c): if a fractional number is yielded, the required number of stalls shall be the next highest whole number.

Section 30.1 (h): Parking stall for the disabled: (i) shall be provided in accordance with the Alberta Building Code; (ii) shall be designated as parking stall for the disabled using appropriate signage in accordance with Provincial standards; and (iii) shall be included in the calculation of the applicable minimum parking requirement.

- **Number of Parking Stalls required: 55 stalls in total**
  - 22 stalls (1 per sleeping unit x 22 units), plus,
  - 2 stalls (1 per each 10 units for employee x 22 units), plus,
  - 20 stalls (1 per 3 seats of any associated Eating Establishment, plus 1 per 2 seats of any associated Drinking Establishment).
  - 2 stalls (1 per 100 sq. m gross floor area for General Industrial – Brewery x ± 177 sq. m Brewery related spaces).
  - 9 stalls (12 stalls per 100 sq. m gross floor area for Community Event Space x ± 74 sq. m).
- **Number of Parking Stalls Proposed on site: 22 stalls**
  - The original site plans (A 1.2b prepared by STARK architect, dated November 30, 2018) illustrates 23 stalls provided on site.
  - One parking stall facing River Drive North was subsequently removed to accommodate Fire Truck access as per discussion with Emergency and Fire Services.
  - The Applicant submitted a revised site plan (A 1.2b prepared by STARK architect, dated December 5, 2018), which illustrates 22 parking stalls.
- **Number of Parking Stalls Proposed off-site: 42 stalls**
  - Bragg Creek Physiotherapist, located ± 200 m from the subject land along Balsam Avenue, with 4 parking stalls available all weekend.
  - Chad Fehr Professional Corporation, located ± 300 m from the subject land along Balsam Avenue, with 4 parking stalls available between 5:00 pm and 8:30 am.
  - Kevin Onespot Site, located ± 400 m from the subject land at the east end of Balsam Avenue, with 34 parking stalls available at all times.
- **Total Number of Proposed Parking Stalls (on and off-site): 64 stalls**
  - In accordance with Section 8.1 of the Land Use Bylaw, Parking Stall means ‘a space set aside for the parking of one vehicle, motor’.
  - Unlike the parking requirements for residential uses [Section 30.1 (j)(i)], the Land Use Bylaw does not specify that business uses parking stalls have to be located on the subject

property. This implies that the Bylaw allows for parking arrangement, where the proposed parking stalls can be located on other properties (i.e. off-site) as long as the parking are off the street.

- The Applicant proposed parking arrangement that includes both parking on-site and parking offsite.

Section 30.1 (f): to facilitate the determination of parking requirements, a Parking Assessment, prepared by a qualified person, may be submitted to the Development Authority to document the parking demand and supply characteristics associated with the proposed development. The Development Authority shall not be bound by any recommendations of such as a Parking Assessment.

- The Applicant submitted a Parking Study prepared by Bunt & Associates, dated November 21, 2018, to justify the adequacy of the proposed parking

supply and any mitigation measures that would be used to accommodate any overflow parking should one occur.

Section 1 of the Parking study noted that:

- It is the traffic consultant's opinion that the site would not need 54 stalls for its operations and that the bylaw requirement is excessive for this modest development in a hamlet of approximately 600 people.
- The bylaw parking requirement would mean up to 20% of the population would be at this development, which is highly unlikely.
- As a result of the estimated bylaw deficit, Bunt & Associates completed a need analysis based on industry standard and their database, based on bigger population's parking demand (Section 2 of the Parking Study).

Summary of the consultant's parking calculation is illustrated in the following table:

**Table 3: Parking Need Based First Principles and Bunts Database**

Use	Size	Expected Parking Ratio	Parking Need
Hotel	21 Rooms (Optimistic occupancy is 72% therefore, the max that can be occupied is 15 rooms) <sup>1</sup>	1 stall/occupied room	15
Restaurant	166 m <sup>2</sup> GFA (60 seats)	10 stall/ 100 m <sup>2</sup> GFA <sup>2</sup>	17
Brewery	177 m <sup>2</sup> GFA (3 employees) <sup>3</sup>	1 stall/employee	3
Community Event Space	74 m <sup>2</sup> GFA	10 stalls/100 m <sup>2</sup> (same as restaurant) <sup>4</sup>	8
<b>TOTAL</b>			<b>43</b>
<b>SUPPLY (Onsite)</b>			<b>23</b>
<b>SURPLUS/(DEFICIT)</b>			<b>(20)</b>

The consultant stated that assuming there is no synergetic use of parking spaces between the four uses; the maximum parking that would be needed is 43 stalls (based on their methodology). This would lead to a parking need deficit of 20 stalls.

The consultant indicated that the Applicant has entered into a parking agreement with three businesses within walking distance of the proposed development (all within 200 m to 400m radius). The arrangement covers those times of the day when the proposed development's parking demand is at its peak (weekdays after 5pm and all weekends). The three offsite parking spaces with signed agreement will supply 42 overflow stalls, which is sufficient to mitigate any bylaw parking shortage.



The following figure illustrates the location of the proposed offsite parking locations relative to the location of the proposed development.

**Figure 1 - Offsite Parking Location**



The consultant concluded that the bylaw parking requirement seems excessive for the proposed site, especially given its location and its mixed-use operation. A parking need analysis and shared parking review confirm that between 35-38 stalls would be adequate to service the site under the best demand condition.

The Development Authority has reviewed the parking study and the offsite parking agreements, and is satisfied that the proposed arrangement should be able to address the parking demand for the proposed development.

As a condition of the development permit, the Applicant is required to monitor the parking situation and provide updated parking agreements on an annual basis to ensure any overflow parking are not interfering with the surrounding properties.

### **Loading**

Section 30.2 (a): The number of off-street loading spaces required for each use class is specified in the Loading Schedule (Schedule 6).

**Required:** 1 loading spaces per 1,900.00 sq. m or fraction thereof for Industrial Uses.

**Proposed:** 1 loading space

### **STATUTORY PLANS:**

#### **Interim Growth Plan**

- The Hamlet of Bragg Creek is considered as an existing settlement area under the Interim Growth Plan (IGP). Section 3.4.1 pertains to intensification and infill development in existing settlement areas.
- As noted in the IGP, this form of development and type of growth provides an opportunity to increase population and employment density in existing settlement areas, with the aim to optimize existing infrastructure and services, and contribute to the creation of strong and sustainable communities.
- Section 3.4.1.2 states that intensification and infill in existing settlement areas in hamlets and other unincorporated urban communities within rural municipalities shall be planned and developed to:
  - a. Achieve an efficient use of land;
  - b. Achieve higher density development in central core areas;
  - c. Accommodate residential and/or mixed-use development at a higher density than currently exists;



- d. Provide for a mix of uses including community services and facilities, where appropriate; and,
  - e. Make efficient and cost effective use of existing and planned infrastructure through agreements with service providers.
- The proposed development meets the intent of the IGP, with a mixed-use building that would be developed at a higher density than what currently exists in the Hamlet of Bragg Creek. The proposed development will also be tied into the County's water and wastewater servicing system, and will make efficient and cost effective use of the existing infrastructure.
  - In accordance with Section 3.3.2, development in provincially identified flood fringe areas shall include floor protection measures to mitigate risk at the 1:100-year flood event level. The subject land, along with the majority of the Hamlet of Bragg Creek is located within the flood fringe area according to the provincial flood hazard mapping.
  - The County, with the support of the Province of Alberta, is undertaking the Bragg Creek Flood Mitigation Project to protect the entire hamlet from future flooding. The project consisted of:
    - Construction of 3.4 km of earth dykes with rock erosion protection;
    - Raise the existing bracken road dyke and Bragg Creek dyke; and
    - Construction of swale drainage with gated pipes through the dykes to protect the entire hamlet.
  - The project was initiated in 2014 and is still ongoing at the time of this report being prepared. Further Flood Mitigation requirements will be addressed at the Building Permit stage in accordance with the Alberta Building Code.

#### County Plan (Bylaw C-7280-2013)

The County Plan supports the development of the Hamlet of Bragg Creek as a rural community with basic services in accordance with the associated area structure plan (Section 5.2). Section 29.1 of the County Plan states:

*'All planning or development applications, and any associated infrastructure construction should meet the technical requirements of the County Plan, Land Use Bylaw, area structure plans, subordinate plans, Servicing Standards, County Policy, and provincial and federal requirements.*

*Request for variations from County requirements must include technical justification with all relevant studies, reports, and tests. The County will make a decision to approve, approve with conditions, or deny a request to vary from County requirements as the County deems appropriate after reviewing all supporting information.'*

As discussed in the sections above, the Applicant submitted a Master Site Development Plan, geotechnical investigation, parking study, public consultation summary, storm water management plan, and detailed site plan and architectural drawings in support of this application.

#### Greater Bragg Creek Area Structure Plan (Bylaw C-6260-2006)

- The subject land is located within the Hamlet Core, as identified in Figure 10 of the Greater Bragg Creek Area Structure Plan.  
According to Section 7.3.3 of the ASP, drinking establishment, mixed-use building and developments, overnight accommodation, and restaurants are part of the desirable uses in the Hamlet Core.
- In accordance with Section 7.3 Hamlet Commercial Development Vision:

*'Commercial development within the hamlet has continued to occur in response to market demand, maintaining a concentrated commercial core with its unique character and small*





*town atmosphere. Expansion of the commercial as it was in 2005 has occurred through infilling and redevelopment of adjacent residential lands in a logical and sequential manner, guided by development standards and architectural controls that have ensured that new development harmonizes with existing development, the natural environment, and with adjacent residential areas.*

Overnight accommodation, available in either bed and breakfast homes or modestly scaled country inns, is an integral component of the viability of commercial businesses in the hamlet, providing potential for spin off business to other commercial establishments that are dependent upon walk up traffic'.

- The proposed development is in alignment with the vision of the hamlet commercial development with small scale overnight accommodation and associated restaurant and drinking establishment.

The proposed also addresses the Hamlet of Bragg Creek Design standards, which is further discussed in the following section.

#### Hamlet of Bragg Creek Design Standards

- In accordance with the Greater Bragg Creek Area Structure Plan (Policy 7.3.2 b and 7.3.5), new commercial, mixed-use, and overnight accommodation development in the hamlet shall comply with the Hamlet of Bragg Creek Design Standards.

#### *Tree Management*

Section 3.1.1 a) Trees and associated vegetation shall be retained where possible during site preparation and construction to retain the "cabin in the woods" effect that is a unique characteristic of the hamlet.

- The Applicant indicated that the existing landscape on site would be retained as much as possible. Landscaping will also be provided along the north, east and south side of the property to retain the "cabin in the woods" effect.

#### *Resilience Design*

Section 3.1.2 b) indicates that Conifer trees are highly flammable and shall not be planted within 10 metres (32.8 feet) of new development.

- The Applicant submitted a Landscaping Plan (L 0.1, prepared by STARK Architect, dated October 5, 2018), which illustrate several conifer trees to be planted on the north side and on the east side of the proposed building.
- As a prior to issuance condition, a revised landscaping plan would be required to replace the conifer trees located within 10 m of the building with other species as suggested in the provincial FireSmart vegetation guidelines. **(Condition 2)**

Section 3.1.2 d) all roofs shall be constructed of fire-resistant materials, in compliance with the Alberta Building Code, as amended. Metal, tile, asphalt, ULC-rated treated shakes, and non-combustible materials are the most fire-resistant, and remain effective under severe fire exposure. Unrated wood shakes provide no fire protection.

Section 3.1.2 e) Building exterior shall be constructed of fire-resistant materials, in compliance with the Alberta Building Code, as amended. Non-combustible siding such as stucco, brick, cement shingles, concrete block, poured concrete, and rock off superior fire resistance.

- The Applicant has been in discussion with Fire Services and Building Services in regards to the Alberta Building Code requirement. The exterior finishes of the proposed building are mainly cementitious shakes on the



upper floor, pre-finished metal façade facing the north, and corrugated metal cladding to the south.

### *Building Placement*

- Section 3.2.1 a) Building shall be oriented parallel to the street, to maximize the frontage along the street.
- The proposed building's main façade and front entrance are oriented towards Balsam Avenue, which is the main street in the hamlet of Bragg Creek. The building's design also considered frontage onto River Drive and provides a smooth transition by using curtain wall glazing on all three side of the building.
- Section 3.2.1 b) where a desirable setback pattern already exists, buildings and additions should be positioned to follow the established setback of adjacent buildings to maintain the rhythm and structure of the streetscape.
- The proposed building is located approximately 15 m from Balsam Avenue, which is similar to the existing business development on the north side of Balsam Avenue (approximately 20 to 30 m).
  - The Applicant indicated that the building is positioned in a way that provides sufficient buffering to the residential property to the north (approximately 6 metres separation, with 3 metres landscaping along the north side).
- Section 3.2.1 c) Building should be positioned close to the property edge, with windows and entrances fronting onto the street, in order to create a sense of enclosure, safety and comfort. Variance in setback may be considered, at the discretion of the development authority and in accordance with the Land Use Bylaw.
- The County and the Applicant explored the option of placing the building further south in proximity to the property edge fronting Balsam Avenue and River Drive; however, both Balsam Avenue is raised towards the west. The Applicant indicated that the higher road elevations may negatively impact the proposed hotel located at the upper floors, and therefore located the building slightly further from Balsam Avenue.
- Section 3.2.1 g) Special considerations shall be given to highly visible buildings located at major focal points, which may include, but are not limited to, major intersections, ends of streets, and corner lots. Considerations include:
- i) Inclusion of public open space, such as a small pocket-park or seating area;
  - ii) Pedestrian connections with adjacent properties;
  - iii) Building oriented to face onto multiple street, to activate the public realm;
  - iv) Slight lines for drivers; and
  - v) Inclusion of street furnishing, wayfinding features, and public art.
- The Applicant proposed a pedestrian connection to Balsam Avenue to the south and 20 bicycle parking stalls facing River Drive. The revised landscaping plan will confirm the landscaping treatment proposed at the Balsam Avenue and River Drive intersection to ensure transition and connection with adjacent properties, as well as safe slight lines for drivers.

### *Building Proportions and Scale*

- Section 3.2.2 a) Small, one-of-a kind business developments are encouraged, with a building footprint not exceeding 15% of the lot area for two-storey construction, or 20% of the lot area for single storey construction.
- The proposed site coverage is  $\pm 20\%$ . The County recognize that the increased in site coverage is partly due to the proposed Public Utility Lot



(flood mitigation structure) which took away a portion of the subject land to the west ( $\pm 526$  sq. m). Without the proposed Public Utility lot, the proposed building would result in  $\pm 15$  % site coverage.

- Section 3.2.2 b) Building larger than 1,000 sq. m ( $\pm 10,000$  sq. ft.) shall be de-emphasized by:
- i) Visually dividing the building into a minimum of three sections and/or components, through changes in materials, building projects, columns, or other vertical architectural elements; and
  - ii) Physically dividing the building into a variety of massing elements and/or shapes to help reduce the perceived scale of the structure, including horizontal and vertical elements that help add perceived separations.
    - The Applicant indicated that the three-storey building has been designed to appear as a two storey building, with an over-height lower floor, containing the restaurant/ taproom, coffee roaster, and microbrewery.
    - The full height glazing in these areas provide natural light for occupants, while allowing views from passing traffic into the operations and uses of the building. The intention is to have a beacon of activity and light from this lower floor to encourage passing traffic to stop and ensuring comfort and natural light to the patrons.
    - The canopy on the south and east side of the building provides a change in depth and secondary roofline that breaks up the building and provides visual interest while consciously providing shade and snow protection to pedestrian areas.
    - Internally, restaurant and congregation areas have been positioned to the riverside to take in the views and to shield neighbours from the activity of these spaces.
    - Large heavy timber canopies will soften the entrances and provide a rustic, human scale to the buildings lower floor. Wood beams, posts and a timber canopy as well as a tactile feature entry wall will provide warmth and a link to heritage materials used within the Hamlet.
- Section 3.2.2 d) Buildings shall be scaled so that they do not interfere with neighbouring buildings, or create a significant contrast in scale and appearance between adjacent buildings, which is visually disruptive. Development should take cues regarding height and width from surrounding high quality buildings, and achieve complementary massing form.
- The Applicant provided 3D renderings, shadow analysis, and perspective drawings as per the County's request to illustrate how the proposed development would fit into the surrounding context without interfering with the adjacent neighbours.
  - The County recognizes that the adjacent properties to the north and to the east are currently designated as Hamlet Residential Single Family District (HR-1), and is identified as part of the Hamlet Core for future development.
- Section 3.2.2 e) Building height should be limited to two storeys, and generally should not extend beyond 10 metres (32 feet). Height relaxation may be considered to accommodate desirable architectural detailing.
- The Applicant indicated that the two upper floors have been clad in a darker shingle material with minimal window openings, so as to contrast with the lower floor blending into the trees behind during the day, and disappearing during the night. (see day and night rendering for reference).
  - The Applicant stated that this contrast of a dark upper and light lower is a crucial aspect of the design and will ultimately deliver on the success of this project through providing the perception that the building is smaller and



lower and the passerby's eye is drawn to the ground floor as opposed to the mass of the building.

Section 3.2.2 f) Buildings with three to four storeys may be considered in the hamlet core, if the development is supported by a conceptual scheme or master site development plan.

- The Applicant submitted a Master Site Development Plan in support of this development permit application.

#### *Building Style*

Section 3.2.3 b) Designs incorporating rustic characteristic are encouraged. The architectural impression should give the appearance of being indigenous, natural and handcrafted in style.

- Section 3.2.3 e) Flat roofs and large unarticulated roof surfaces should be discouraged. A combination of the primary roofline with secondary roofs is encouraged, to breakdown the scale of buildings.
- The Applicant indicated that a small parapet has been added to the roofline on the west side, which in combination with the slightly rising covered patio area on the second floor, provides a visual interest reminiscent of the classic hog-back ridges in nearby Kananaskis, thus rooting an iconic design element with existing local heritage.

Section 3.2.3 h) Transparent glass shall be used for commercial, institutional, and mixed-use development to provide clear views of storefront displays, provide a pedestrian oriented environment, and allow natural surveillance of the street and adjacent outdoor spaces.

- The majority of the facade facing Balsam Avenue (south), River Drive (east) and the proposed Public Utility Lot (flood mitigation structure to the west) is made of curtain wall glazing, which provide natural light for occupants while allowing views from passing traffic into the operations and uses of the building.

#### *Building Material and Colour*

Section 3.2.4 a) Building facades shall be composed of principal 'base materials', limited to one or two materials, as well as possible secondary 'accent' materials limited to two or three materials.

- i) Base materials for cladding include logs and heavy timber, stone, and other materials as deemed appropriate by the development authority.
- ii) Accent materials may include concrete, stucco, and other materials as deemed appropriate by the development authority.
  - The Applicant stated that a contrast between traditional materials and modern materials has been used, with corrugated metal used in small areas on the lower floor to suggest an industrial past, while complimenting and softening through the use of large areas of local softwood. The fiber cement shingles on the upper floors will provide the detail and tactile look of more traditional cedar shingles, while being maintenance free and of a more modern solid colour.

Section 3.2.4 c) materials selected for a building's façade shall be of high quality, durable, easily maintained, complementary to one another, and appropriate for the building's architectural style.

Section 3.2.4 d) Building should use natural, muted shades for primary materials or colour theme. Brighter, more vibrant colours should be reserved for minor accents and highlights only. Painted surfaces should favor matte or stain finishes.



Section 3.2.4 e) The appearance of all sides of the building should be considered. Consistent exterior materials and colours should be used for all building facades.

### INSPECTOR'S COMMENTS:

January 10, 2019

- Existing Single Family Detached and detached garage
- Heavily treed property, especially to the north, south, and west.
- Corner lot on the main road (Balsam)
- No indication that development has commenced
- Surrounding residences all appear to be one storey high.

### CIRCULATIONS:

#### Alberta Health Services

##### Health Approval

- Alberta Health Services (AHS) requires that building plans specific to any food outlets in the facility be sent to us for our approval. If there will be any swimming facilities in the hotel, such as a pool or hot tubs, these plans must also be submitted to AHS for our approval. Building plans for these facilities should be forwarded to our department for approval before the building permit is granted. This will ensure that the proposed facilities will meet the requirements of the Public Health Act and its regulations.
- Please note that health approval of facilities as noted above are required after final construction, but before the facilities are operational. For more information regarding health approval and plan examination, applicants can contact the writer at (403) 851-6171.

##### Other Agency Approvals

- If the applicant has not already done so, they will need to apply for a Class E License from Alberta Gaming, Liquor and Cannabis to construct and operate the micro-brewery.

##### Water and Wastewater Services

- AHS understands that the proposed development will be serviced by the local municipal water and wastewater systems operated by the County of Rocky View. The County must ensure that their water and waste water systems will be capable of handling the expected increase in flows if this development proceeds.

##### Decommissioning Wells

- Any existing water wells on the subject site, if no longer used, must be decommissioned according to Alberta Environment & Parks standards and regulations.

##### Solid Waste Management

- AHS would like clarification on the solid waste management plan for the proposed facility. Waste materials from the brewing process, the food operations and the hotel must all be managed in a manner that will not create a nuisance either on-site or off-site.

If any evidence of contamination or other issues of public health concern are identified at any phase of development, AHS wishes to be notified.





### Alberta Transportation

- In reviewing the application, it appears that the applicant wishes to construct a multi-use commercial building at the above noted location. As this proposal falls within the referral distance of Alberta Transportation, a Roadside Development Permit will be required from this office.
- By copy of this letter, a Roadside Development Application will be forwarded to the applicant for completion and returned to this office. Therefore, we suggest delaying issuance of your permit until such time that a Roadside Development Permit has been issued by the department.
- Please note that the Roadside Development Application must identify the means of access from the highway to the proposed development as well as a detail drainage plan for the proposed work.

### Building Services, Rocky View County

- Building Permit Application to follow Commercial, Industrial and Institutional application checklist. At the preliminary review, the items below must be addressed:
  - Confirm height calculation (parapet to be included in calculation)
  - Complete Code Analysis
  - Water supply for firefighting 3.2.5.7 ABC
  - Access route to meet 3.2.5.6 ABC
  - Confirm flood elevation
  - Barrier free design, must address all requirements of 3.8 of ABC, currently barrier free parking, washrooms do not meet requirements
  - Existing does not meet ABC requirements for number of exits required, 2 exits required from public corridors.
- It is recommended that the applicant schedule pre-application meeting with building services.

### Municipal Enforcement, Rocky View County

#### Recommendations:

- Recommend that all construction debris and garbage be contained at all times during construction.
- Recommend that all garbage be stored in weather and animal proof containers.

### Fire Services & Emergency Management, Rocky View County

#### Recommendations:

- Please ensure that water supplies and hydrants for the development are sufficient for firefighting purposes.
- Dependent on the occupancies, the Fire Service recommends that the buildings be sprinklered, if applicable, as per the Alberta Building Code.
- Please ensure that access routes are compliant to the design specified in the Alberta Building Code and RVC's servicing standards. Please show that the entrance is a minimum of 6 m in width and that the access route has 12 m centerline turning radius.

### Planning & Development - Engineering, Rocky View County

#### General

- The review of this file is based upon the application submitted. These conditions/recommendations may be subject to change to ensure best practices and procedures.
- Land Use is HC. Parcel size is 0.57 acres.
- The subject lands are fully serviced by piped water and wastewater.



- The subject lands, purchased water and wastewater capacity under the Bragg Creek Local Improvement Tax – current allocation is approximately 1m<sup>3</sup>/day average day demand for water and wastewater.
- There are no instruments of concern on the Land Title of the parcel.
- Prior to the issuance, the applicant shall submit a Construction Management Plan, prepared by a qualified professional, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of storm water during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment and all other relevant construction management details.

**Geotechnical** - Section 300.0 requirements:

- The applicant submitted a Geotechnical Investigation Report (E2K Engineering Ltd. November 29, 2018), which gives recommendations for site grading, compaction, pavement structures, utilities and building construction.
- As a permanent condition, if any areas will have a fill depth greater than 1.2m, the applicant shall submit a deep fill report.
- The applicants are aware that the County will be acquiring a 15 metre wide strip of the subject lands along the bank of the Elbow River for construction of the flood mitigation berm.

**Transportation** - Section 400.0 requirements:

- In accordance with the Greater Bragg Creek Area Structure Plan (GBCASP) 6.2.5, a traffic impact assessment shall be prepared in support of subdivision and/or developments to evaluate vehicular and pedestrian traffic.
- The applicant has submitted a Trip Generation Exercise (Bunt & Associates - March 31, 2017).
- It was determined the development will generate 19 AM peak hour trips and 18 PM peak hour trips. It was concluded that this amount of traffic generation is not significant enough to reduce the level of service on the adjacent road network and does not warrant a full Transportation Impact Assessment.
- Due to the proposed developments close proximity to the Hamlet Core and Balsam Avenue pathway, pedestrian traffic can be easily accommodated.
- In accordance with the Land Use Bylaw (section 30 & schedule 5) the development requires 54 parking stalls. However, the proposed site plan only accommodates 23 parking stalls.
- The applicant submitted a Parking Study (Bunt & Associates – November 21, 2018) to justify a relaxation of the parking requirements of the Land Use Bylaw and utilize offsite parking. This study concludes that 38 stalls would be adequate for this development. However, 23 onsite stalls and 42 overflow stalls are provided.
- This study notes that the County LUB requires 54 onsite parking stalls, but provides alternative estimates of the parking requirements, based on historical data collected Bunt & Associates. The study writer concludes that 38 total parking stalls would be adequate for the proposed development, due to the mixed-use nature of the development.
- The Parking Study identifies 2 additional sites within the Hamlet Core and 1 within Tsuut'ina Nation that may be used for brewery overflow parking. These sites are:
  - Kevin Onespot Site: located at the NE corner of Balsam Ave and Burnside Drive with 34 stalls available for the Brewery at all times, subject to 24hrs notice.
  - Chad Fehr Professional Corporation: located at 16 Balsam Ave with 4 stalls available between 5:00pm and 8:30am Mon-Fri and 24hrs a day Saturday and Sunday.
    - Bragg Creek Physio Therapy: located at 24 Balsam Ave with 4 stalls available Saturday and Sunday.
- Prior to issuance, the applicant shall contact County Road Operations to determine if a Road Use Agreement is required.
- Prior to issuance, the applicant is required to provide payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval, for the



total gross acreage of the lands. This shall not include the lands that the County is purchasing for construction of the Flood Mitigation Berm.

**Sanitary/Waste Water - Section 500.0 requirements:**

- In accordance with GBCASP 6.1.1, developments within hamlet service area shall use strategies that promote efficient use of water resources. The applicants have demonstrated compliance with this policy through their plans to implement an onsite treatment system which will reduce water used for brewing operations and improve quality of wastewater discharged into the municipal system.
- Prior to issuance, the applicant shall provide a water and wastewater servicing assessment, prepared by a qualified professional to determine the water demands and wastewater generation of the proposed development. This shall be based on the full buildout of the development.
- This assessment shall include further information on the pre-treatment system that shall be provided, including details of the strength and composition of wastewater that will be discharged into the Bragg Creek Wastewater Collection System.
- It shall be demonstrated that wastewater released from the development shall not be overstrength in accordance with the terms of the Water & Wastewater Utilities Bylaw (C-7662-2017).
- The applicant has indicated that they intend to use an ECONSE Bru Clean System for onsite pretreatment for wastewater.
- As the existing water and wastewater utilities main connections and service connections to the subject lands have been sized for a residential land use, it must be determined if upgrades are required to meet the increased demands of the proposed development. If the water and wastewater servicing assessment determines that the capacities required are beyond that which can be provided by the existing connections, the applicant shall be required to construct appropriately sized & designed water and wastewater utilities main connections & service connections. All work shall be done in accordance with the County Servicing Standards and the Water & Wastewater Utilities Bylaw (C-7662-2017), including:

**Prior to issuance:**

- If an upgraded utilities main connection and service connection to sanitary sewer within the River Drive North right-of-way is required, the applicant shall submit engineered design drawings of the connections for review by the County. Written approval of the design drawings shall be obtained from the Manager of Utility Services prior to construction commencement.
- If an upgraded sanitary utilities main connection and service connection is required, the applicant will be required to provide the necessary security for the tie-in to the existing sanitary sewer, based on estimated construction costs prepared by a qualified professional.
- As a test manhole is required for wastewater sampling, the applicant is required to provide a design drawing showing the location of the sanitary sewer service connection and test manhole for the County's review and approval. The test manhole must be located in the gravity portion of the sanitary sewer service connection, as close as practically possible to the east property line, in an easily accessible area.

**Prior to occupancy:**

- After approval of the utilities main connection and service connection designs by the Manager of Utility Services, the applicant shall provide 14 days' written notice to the County prior to utility construction commencing. The applicant shall arrange to have County personnel present to supervise construction at



their expense, in accordance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).

- All utility construction shall be to the satisfaction of the County.
  - All ground disturbances shall be restored to pre-existing or superior conditions, to the satisfaction of the County.
  - All engineering and construction costs shall be borne by the applicant/owner.
- Prior to issuance, the Applicant/Owner shall enter into an access easement or utility right-of-way agreement with the County, to allow the County representatives to enter the subject lands and access the test manhole to obtain samples to verify that wastewater is in compliance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
  - Prior to issuance, the applicant shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.
  - Prior to occupancy, the applicant shall purchase additional wastewater capacity required to service the development, as determined by the water & wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended.
  - Prior to occupancy, the applicant shall submit as-built drawings of the site that are certified by a professional engineer. The as-built drawings shall include verification of as-built sanitary infrastructure and test manhole.
  - As a permanent condition, water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017). Wastewater released from the development found to be overstrength shall be subject to overstrength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.

#### **Water Supply And Waterworks - Section 600.0 & 800.0 requirements:**

- In accordance with GBCASP 6.1.1, developments within hamlet service area shall use strategies that promote efficient use of water resources. The applicants have demonstrated compliance with this policy through their plans to implement an onsite treatment system which will reduce water used for brewing operations and improve quality of wastewater discharged into the municipal system.
- Prior to issuance, the applicant shall provide a water and wastewater servicing assessment, prepared by a qualified professional to determine the water demands and wastewater generation of the proposed development. This shall be based on the full buildout of the development.
- As the existing water and wastewater utilities main connections and service connections to the subject lands have been sized for a residential land use, it must be determined if upgrades are required to meet the increased demands of the proposed development. If the water and wastewater servicing assessment determines that the capacities required are beyond that which can be provided by the existing connections, the applicant shall be required to construct appropriately sized & designed water and wastewater utilities main connections & service connections. All work shall be done in accordance with the County Servicing Standards and the Water & Wastewater Utilities Bylaw (C-7662-2017), including:

#### **Prior to issuance:**

- If an upgraded utilities main connection and service connection to the water main within the River Drive North right-of-way is required, the applicant shall submit engineered design drawings of the connections for review by the County. Written approval of the design drawings shall be obtained from the Manager of Utility Services prior to construction commencement.



- If an upgraded water utilities main connection and service connection is required, the applicant will be required to provide the necessary security for the tie-in to the existing water main, based on estimated construction costs prepared by a qualified professional.

**Prior to occupancy:**

- After approval of the utilities main connection and service connection designs by the Manager of Utility Services, the applicant shall provide 14 days' written notice to the County prior to utility construction commencing. The applicant shall arrange to have County personnel present to supervise construction at their expense, in accordance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
  - All utility construction shall be to the satisfaction of the County.
  - All ground disturbances shall be restored to pre-existing or superior conditions, to the satisfaction of the County.
  - All engineering and construction costs shall be borne by the applicant/owner.
- Prior to issuance, the applicant shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands. Prior to issuance, the applicant shall confirm the location and volume of an onsite water reservoir to be used for fire suppression.
  - The applicant has indicated that they intend to use the municipal water system for fire suppression. The applicant has been made aware in the past that the Bragg Creek Water distribution system is not capable of providing water pressures for fire suppression. Therefore, any fire suppression systems required by the building code must be accommodated with onsite storage and pressurization.
  - Prior to occupancy, the applicant shall purchase additional wastewater capacity required to service the development, as determined by the water & wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended. Prior to occupancy, the applicant shall submit as-built drawings of the site that are certified by a professional engineer. The as-built drawings shall include verification of as-built water infrastructure.
  - As a permanent condition, water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Mater Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017).

**Storm Water Management – Section 700.0 requirements:**

- The critical requirements of the Bragg Creek Master Drainage Plan are to incorporate LID practices to manage storm water onsite and limit runoff release rate to 6L/s/ha and ensure that post-development runoff volumes do not exceed pre-development runoff volumes.
- The applicant submitted a Storm Water Management Plan (Richview Engineering Inc. – February 1, 2019). A full review of this report could not be completed before issuing a Notice of Decision on this Development Permit, so a prior to issuance condition for a Storm water Management Plan remains.
- Prior to issuance, the applicant shall submit a Storm Water Management Plan (SWMP). The SWMP shall demonstrate that the site can manage storm water in accordance with the requirements of the County Servicing Standards and the Bragg Creek Master Drainage Plan (BCMDP).
- The SWMP shall comment on pre and post-development water quality, release rates, and runoff volume control targets.





- The SWMP shall demonstrate how any negative impacts to the Elbow River will be mitigated both during and post construction, in accordance with County Policy 419: Riparian Land Conservation and Management.
- The SWMP shall include a site-grading plan, and give consideration to berm construction for the Bragg Creek Flood Mitigation Project.
- Alberta Environment approvals may be required if any storm water ponds are required.
- The applicant has submitted an ESC Plan (Richview Engineering Inc. – November 18, 2018).
- As a permanent condition, the applicant shall adhere to the recommendations of the ESC Plan (Richview Engineering Inc. – November 18, 2018).
- Prior to occupancy, the applicant shall submit as-built drawings of the site that are certified by a professional engineer. The as-built drawings shall include verification of as-built storm water management infrastructure.

**Environmental** – Section 900.0 requirements:

- As a permanent condition, any approvals required through Alberta Environment shall be the sole responsibility of the Applicant/Owner.

Operational Services, Rocky View County

*Capital Project Management:*

- The County potable water infrastructure in the hamlet cannot support fire suppression. Confirm fire suppression requirements with Building Services.
- Storm water management should be prepared by a storm water professional and in accordance with the County's Servicing Standards.
- Parking – Auxiliary Parking Agreements have a 30 days' cancellation clause.
- Building on a floodplain – even though a berm will be constructed, the developed lands on the property still have to be constructed above the 1:100-year flood elevation as required in the County Land Use Bylaw.

*Transportation:*

- No comments.

*Utility Services:*

- No comments.

**OPTIONS:**

APPROVAL, subject to the following conditions:

Option #1 (This would allow the proposed General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage)

That the appeal against the decision of the Development Authority to approve a Development Permit for the General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, with relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement at Lot 1 Block 6, Plan 1741 EW, SE-13-23-05-W05M be denied, and that a Development Permit be conditionally approved, subject to the following conditions:

**Description:**

- 1) That General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking establishment, construction of a multi-use commercial building may take place on the subject site in general accordance with the Site Plan and Architectural Drawings prepared by STARK



architecture, dated October 5, 2018, subject to the amendments required in accordance with the conditions of this approval and includes:

- i. Construction of a multi-use commercial building with a footprint of  $\pm 354.24$  sq. m. (3,813 sq. ft.) and total gross building area of  $\pm 1,026.49$  sq. m (11,049 sq. ft.);
- ii. Relaxation of the minimum side yard setback requirement from **1.20 m (3.94 ft.)** to  **$\pm 0.90$  m ( $\pm 3.00$  ft.)** from the proposed Public Utility Lot (flood mitigation structure) to the west;
- iii. Relaxation of the maximum height requirement from **10.00 m (32.81 ft.)** to **12.50 m (41.01 ft.)**, (*excluding the parapet wall*); and
- iv. Signage including 2 freestanding, 2 façade and onsite/offsite parking wayfinding (as required).

#### Prior to Issuance:

##### *Developability*

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit a revised landscaping plan that identifies the proposed amount of landscaping to be incorporated/maintained onsite, to the satisfaction of Rocky View County [*"the County"*]. Note, the landscaping plan shall be in compliance with the Provincial FireSmart Guidelines and the Hamlet of Bragg Creek Design Standards.
- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised parking plan, identifying the minimum required barrier free parking stalls (two [2]), stall dimensions and associated signage for the subject site, in accordance with the Land Use Bylaw and Alberta Building Code 2014, to the satisfaction of the County.
- 4) That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.

##### *Servicing*

- 5) That prior to the issuance of this permit, the Applicant/Owner shall submit a water and wastewater servicing assessment to the satisfaction of the County. The water and wastewater servicing assessment shall be prepared by a qualified professional and determine the water demands and wastewater generation of the proposed development at full build out.
  - i. The servicing assessment shall determine if upgrades are required to meet the increased servicing demands based on the full buildout of the development;
  - ii. The servicing assessment shall include further information on the pre-treatment system that shall be provided, including details of the strength and composition of wastewater that will be discharged into the Bragg Creek Wastewater Collection System;
  - iii. The servicing assessment shall demonstrate that wastewater released from the development shall not be over strength in accordance with the terms of the Water & Wastewater Utilities Bylaw (C-7662-2017).
- 6) That prior to the issuance of this permit, the Applicant/Owner shall be required to provide the necessary security for the tie-in to the existing water main, based on estimated construction costs prepared by a qualified professional; if an upgraded water and/or sanitary utilities main connection and service connection is required.
- 7) That prior to the issuance of this permit, the Applicant/Owner shall submit engineered design drawings of the utility connections for review and acceptance by the County, if an upgraded



utilities main connection and service connection to the water main and/or the sanitary sewer within the River Drive North right-of-way is required. Written approval of the design drawings shall be obtained from the County Utility Services manager, prior to construction commencement.

- 8) That prior to the issuance of this permit, the Applicant/Owner shall submit design drawing(s) showing the location of the sanitary sewer services connection and test manhole, to the satisfaction of the County.
  - i. The test manhole shall be located in the gravity portion of the sanitary sewer service connection, as close as practically possible to the east property line, in an easily accessible area for wastewater sampling.
- 9) That prior to the issuance of this permit, the Applicant/Owner shall enter into an access easement or utility right-of-way agreement with the County and register on title, to allow the County representatives to enter the subject lands and access the test manhole to obtain samples to verify that wastewater is in compliance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
- 10) That prior to the issuance of this permit, the Applicant/Owner shall confirm the location and volume of an onsite water reservoir to be used for fire suppression, to the satisfaction of the County.

*Note: That the Bragg Creek Water distribution system is not capable of providing water pressures for fire suppression. Therefore, any fire suppression systems required by the building code must be accommodated with onsite storage and pressurization.*

#### Storm Water Management

- 11) That prior to the issuance of this permit, the Applicant/Owner shall submit a Storm Water Management Plan (SWMP), to the satisfaction of the County. The SWMP shall demonstrate that the site can manage storm water in accordance with the requirements of the County Servicing Standards and the Bragg Creek Master Drainage Plan.
  - i. The SWMP shall comment on pre and post-development water quality, release rates, and runoff volume control targets.
  - ii. The SWMP shall demonstrate how any negative impacts to the Elbow River will be mitigated both during and post construction, in accordance with *County Policy 419: Riparian Land Conservation and Management*.
  - iii. The SWMP shall include a site grading plan, and give consideration to berm construction for the Bragg Creek Flood Mitigation Project.

*Note: Any Alberta Environment approvals may be required if any storm water ponds are required.*

#### Construction Management

- 12) That prior to the issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of the County. The Plan shall be prepared by a qualified professional, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of storm water during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, and all other relevant construction management details. Road Use Agreement
- 13) That prior to the issuance of this permit, the Applicant/Owner shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization



and demobilization of any construction equipment to and from the subject site utilizing any County Roads.

- i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permit shall be obtained unless otherwise noted by County Road Operations.

#### *Fees & Levies*

- 14) That prior to the issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval (Bylaw C-7356-2014), for the total gross acreage of the lands.

*Note: The Transportation Off-site Levy shall not include the lands that the County is purchasing for construction of the Flood Mitigation Berm.*

- 15) That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County. If accepted, the contribution is calculated at \$800.00 per acre.

#### **Prior to Occupancy:**

##### *Landscaping*

- 16) That prior to occupancy of the site, all landscaping and final site surfaces shall be completed.
  - i. That should permission for occupancy of the site be requested during the months of October through May inclusive and prior to the required landscaping and site surface completion, then occupancy may be allowed provided that an Irrevocable Letter of Credit is received by the County.
  - ii. The Irrevocable Letter of Credit shall be in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces that is not yet completed. A contractor's/engineer's quote shall accompany the Letter of Credit describing the work to be carried out and shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

##### *Servicing*

- 17) That prior to the occupancy of the site, the Applicant/Owner shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.
- 18) That prior to occupancy of the site, after approval of the utilities main connection and service connection designs by the County's Utility Services manager, the Applicant/Owner shall provide 14 days' written notice to the County prior to utility construction commencing. The Applicant/Owner shall arrange to have County personnel present to supervise construction at their expense, in accordance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
  - i. All utility construction shall be to the satisfaction of the County.
  - ii. All ground disturbances shall be restored to pre-existing or superior conditions, to the satisfaction of the County.
  - iii. All engineering and construction costs shall be borne by the Applicant/Owner.
- 19) That prior to occupancy of the site, the Applicant/Owner shall purchase additional water and wastewater capacity required to service the development, as determined by the Water &



Wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended.

- 20) That prior to occupancy of the site, the Applicant/Owner shall submit as-built drawings of the site that are certified by a professional engineer. The as-built drawings shall include verification of any as-built water, sanitary, stormwater management infrastructure and the test manhole.
  - i. Following receipt of the as-built drawings from the Applicant's consulting engineer, the County shall complete an inspection of the site to verify the stormwater infrastructure has been completed as per the stamped "*examined drawings*".
- 21) That prior to occupancy of the site, the Applicant/Owner shall contact County Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole.

#### **Permanent:**

##### *Servicing*

- 22) That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017).
  - i. That if the wastewater released from the development is found to be over strength, the Applicant/Owner shall be subject to over strength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.
- 23) That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of the County's Utility Operations.

##### *Construction Management*

- 24) That the Applicant/Owner shall submit a deep fill report, with compaction results, if any areas shall have a fill depth greater than 1.2 m.
- 25) That no topsoil shall be removed from the subject property.
- 26) That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 27) That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent the blowing of dust/small rocks onto the road, and prevent issues with other vehicles on the road.
- 28) That the clean-up of any mud tracking and/or dirt that enters onto adjacent County roads during construction shall be the responsibility and cost of the Applicant/Owner.
- 29) That the entire site shall be maintained in a neat and orderly manner at all times. All waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 30) That any flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Bragg Creek Area Structure Plan.
- 31) That the Applicant/Owner shall ensure that all habitable floor levels are above the 1 in 100 flood level. Any construction below this flood level may require engineered flood proofing measures.





*Note: The required flood elevation level is 1297.63 m*

#### *Solid Waste & Recycling Management*

- 32) That the garbage containers shall be screened from view from adjacent properties and public thoroughfares. All garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

#### *Signage & Lighting*

- 33) That any future signage, not included within this application, shall require separate Development Permit approval and shall adhere to the Hamlet of Bragg Creek Design Standards and the Land Use Bylaw.
- 34) That no temporary signage shall be placed on the site at any time except any temporary signs required during development or building construction.
- 35) That all on site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.

#### *Parking*

- 36) That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.
- 37) That a minimum of 33 parking stalls shall be available at all times via the registered off-site parking arrangements and shall be maintained on title for the life of the development permit.
- 38) That no parking shall be permitted on the adjacent County road system.

#### *Landscaping*

- 39) That all landscaping shall be in accordance with the approved Landscape Plan.
- 40) That the existing trees and terrain shall be retained except as required to meet conditions of this permit and any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover.
- 41) That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within landscaped yards.
- 42) That the quality and extent of the landscaping shall be maintained over the life of the development and any deceased vegetation shall be replaced within 30 days or before June 30<sup>th</sup> of the next growing season.
- 43) That there shall be no potable water used for irrigation and landscaping purposes, and that no exterior hose bibs shall be installed.

#### *Other*

- 44) That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the proposed development located on the subject site, to facilitate accurate emergency response.
- 45) That if the facility changes commercial usage, the Owner shall submit to the County a revised description of process and subsequent water and wastewater requirements.
- 46) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy

condition, shall be implemented and adhered to in perpetuity and includes but is not limited to (as amended):

- i. Geotechnical Investigation Report, as prepared by E2K Engineering Ltd, dated November 29, 2018);
- ii. Trip Generation Exercise, as prepared by Bunt & Associates, dated March 31, 2017;
- iii. Parking Study, as prepared by Bunt & Associates, dated November 21, 2018;
- iv. Stormwater Management Plan, as prepared by Richview Engineering Inc., dated February 1, 2019;
- v. Erosion & Sediment Control Plan, as prepared by Richview Engineering Inc., dated November 18, 2018;

#### Advisory:

- 47) That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
- 48) That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 49) That the site shall remain free of restricted or noxious weeds, in accordance with the Weed Control Act.
- 50) That the Applicant/Owner shall be responsible for all required payments of third party reviews and/or inspections, as per the Master Rates Bylaw.
- 51) That a Building Permit with applicable subtrade permits, shall be obtained through Building Services, prior to any construction taking place and shall require:
  - i. The Commercial, Industrial and Institutional application checklist;
  - ii. A completed 3.2.2 Code Analysis;

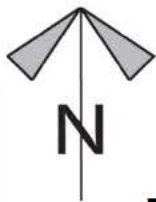
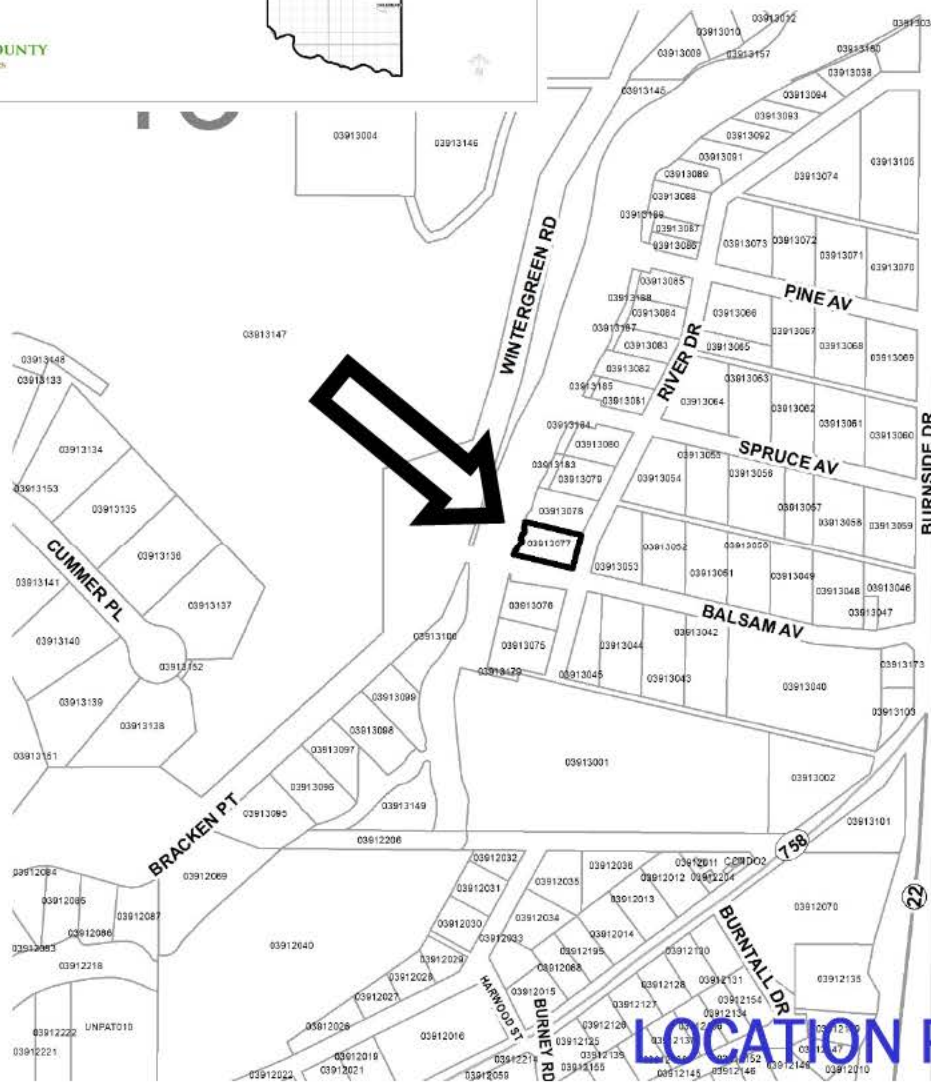
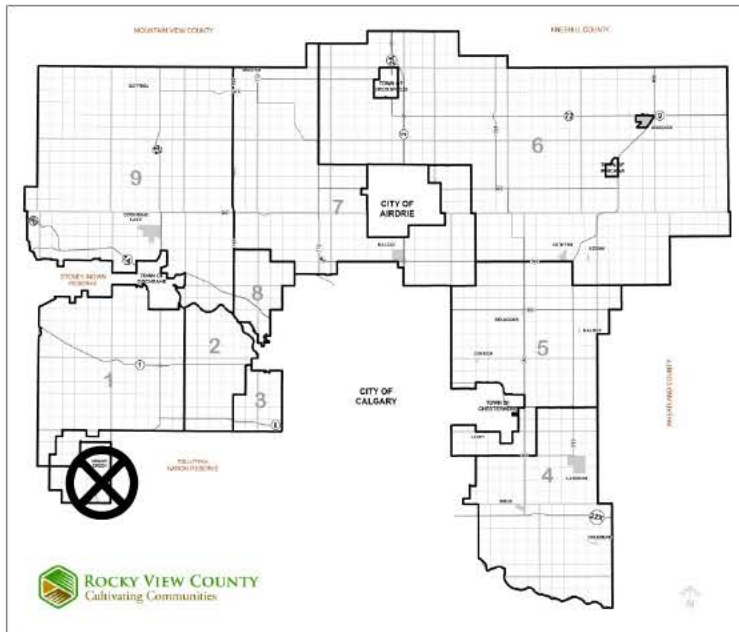
*Note: The Development shall conform to the National Energy Code 2011 and Alberta Building Code & it is recommended that the Applicant/Owner schedule a pre-application meeting with Building Services, to go over in detail, any Building Permit application requirements.*
- 52) That a Building Demolition permit shall be obtained through Building Services, prior to any demolition of any existing building onsite.
- 53) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner and include:
  - i. An issued Roadside Development Permit through Alberta Transportation;
  - ii. Any Alberta Health Services approvals.
- 54) 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 36 months of the date of issue, the permit is deemed to be null and void unless an extension to this permit shall first have been granted by the Development Authority.
- 55) That if this Development Permit is not issued by **December 31, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



***Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas or for on-site stormwater Infrastructure***

Option #2 (this would not allow the proposed General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage)

That the appeal against the decision of the Development Authority to approve a Development Permit for the General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage, with relaxation of the minimum side yard setback requirement and relaxation of the maximum height requirement at Lot 1 Block 6, Plan 1741 EW, SE-13-23-05-W05M be upheld, and that the decision of the Development Authority be revoked.



SE-13-23-05-W05M

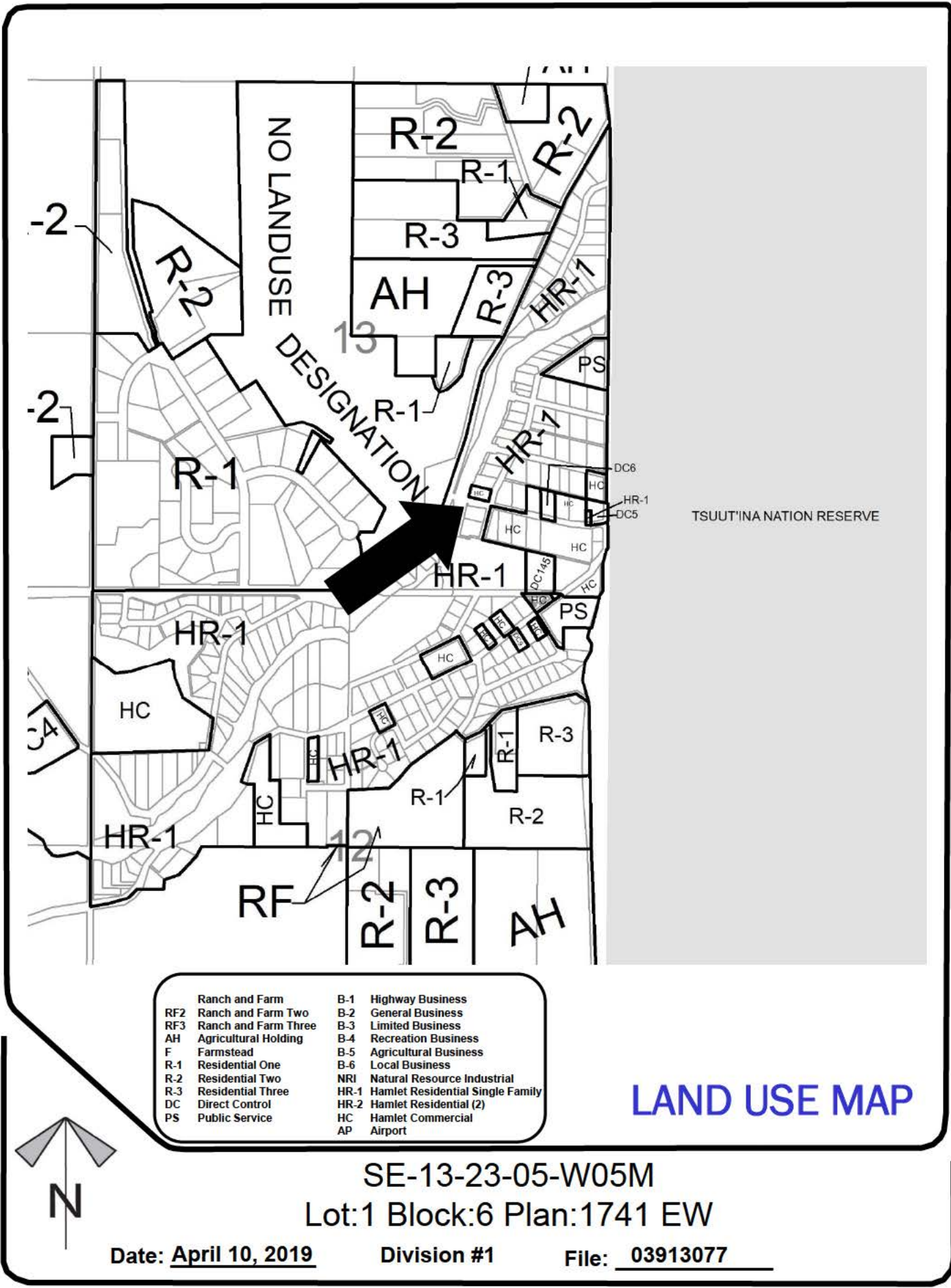
Lot:1 Block:6 Plan:1741 EW

Date: April 10, 2019

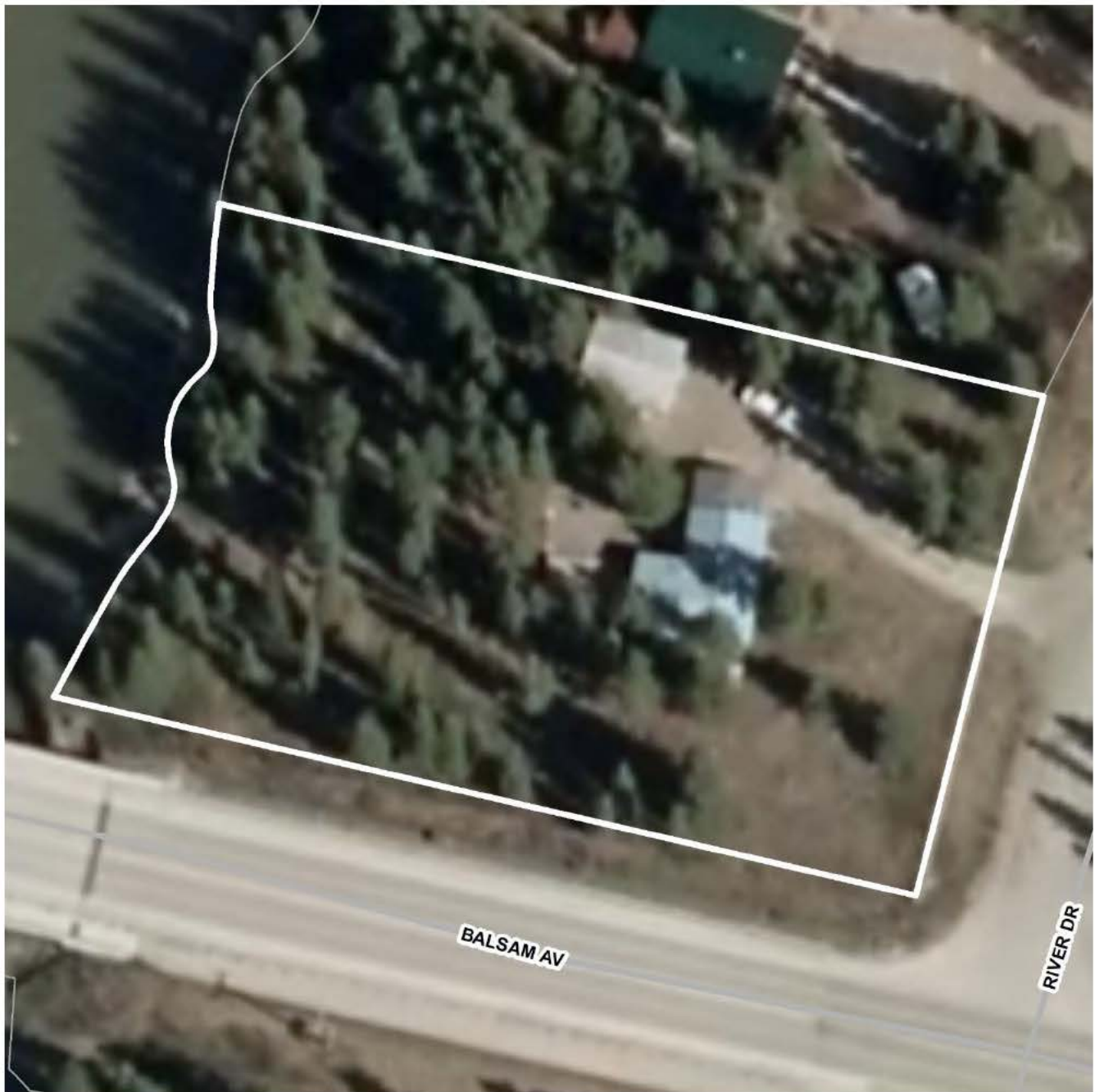
Division #1

File: 03913077

LOCATION PLAN



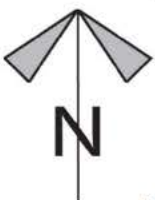




Note: Post processing of raw aerial  
photography may cause varying degrees  
of visual distortion at the local level.

**AIR PHOTO**

*Spring 2018*



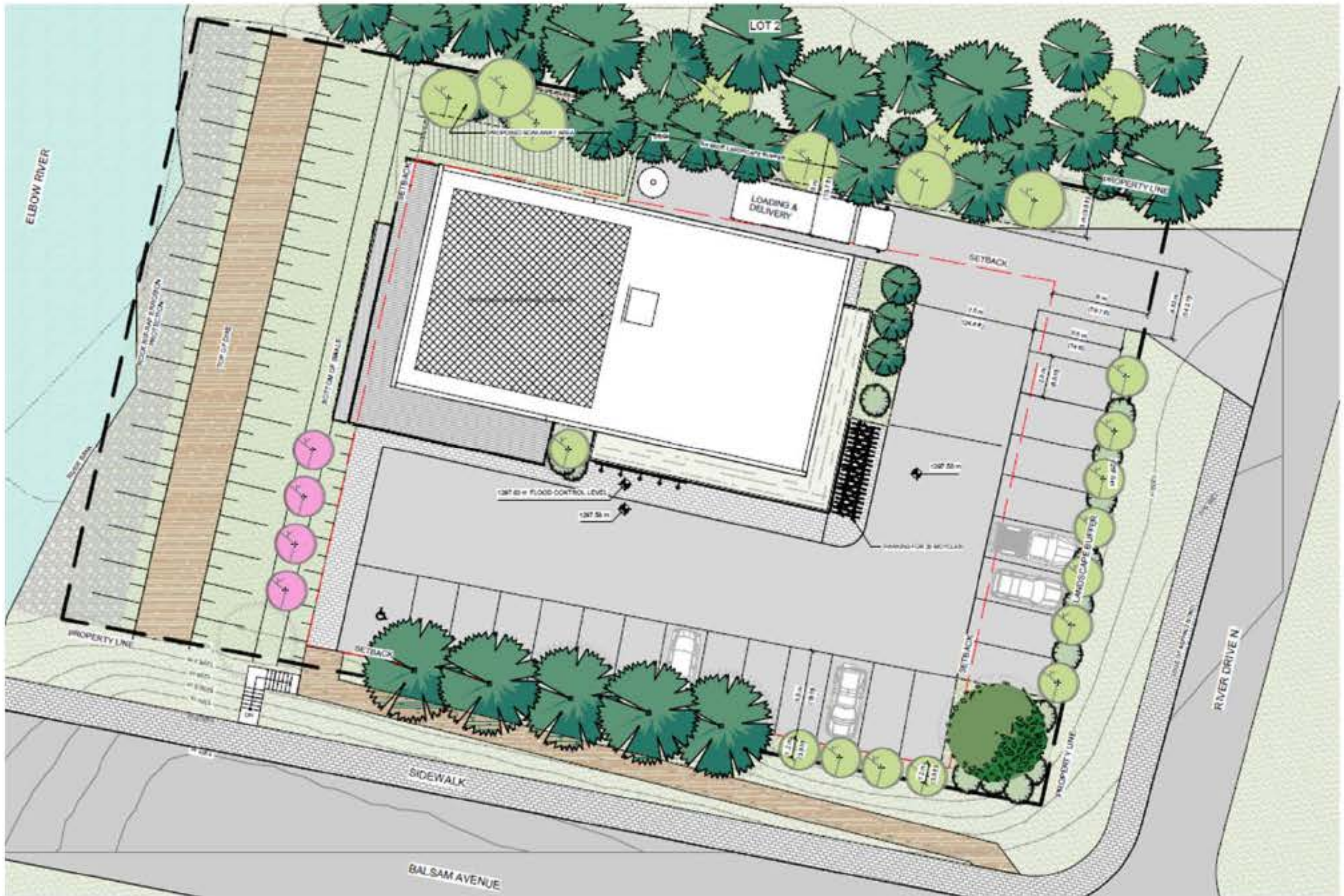
SE-13-23-05-W05M

Lot:1 Block:6 Plan:1741 EW

Date: April 10, 2019

Division #1

File: 03913077



A MASSING STUDY - SOUTHEAST LOOKING NORTH WEST



B MASSING STUDY - NORTH-EAST LOOKING SOUTH WEST

## SITE PLAN



SE-13-23-05-W05M  
Lot:1 Block:6 Plan:1741 EW

Date: April 10, 2019

Division #1

File: 03913077

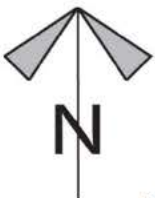




**File: 03913077**



## RENDERINGS



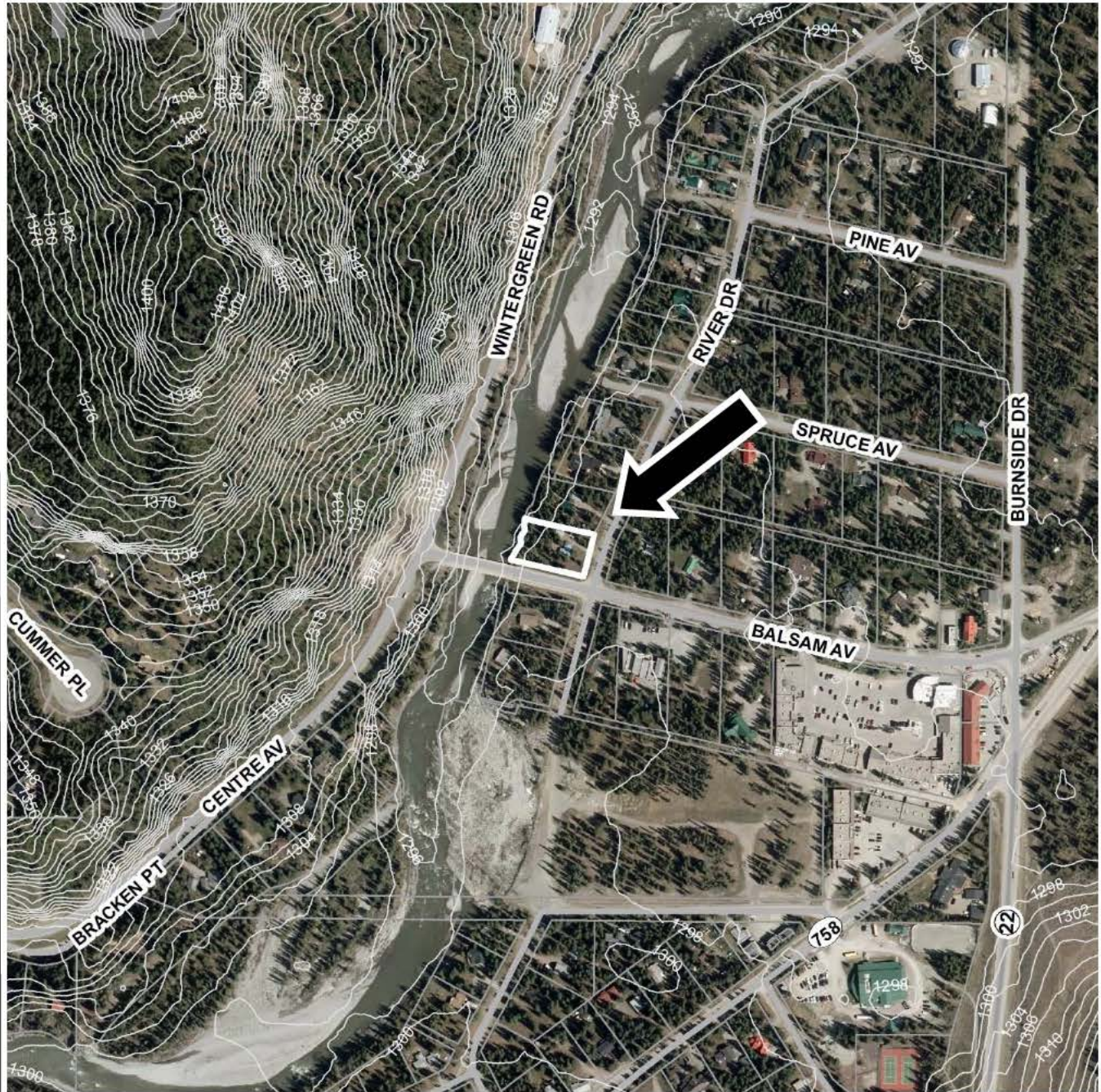
SE-13-23-05-W05M  
Lot:1 Block:6 Plan:1741 EW

Date: April 10, 2019

Division #1

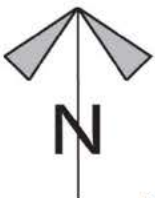
File: 03913077





Contours are generated using 10m grid points, and depict general topographic features of the area. Detail accuracy at a local scale cannot be guaranteed. They are included for reference use only.

**TOPOGRAPHY**  
Contour Interval 2 M



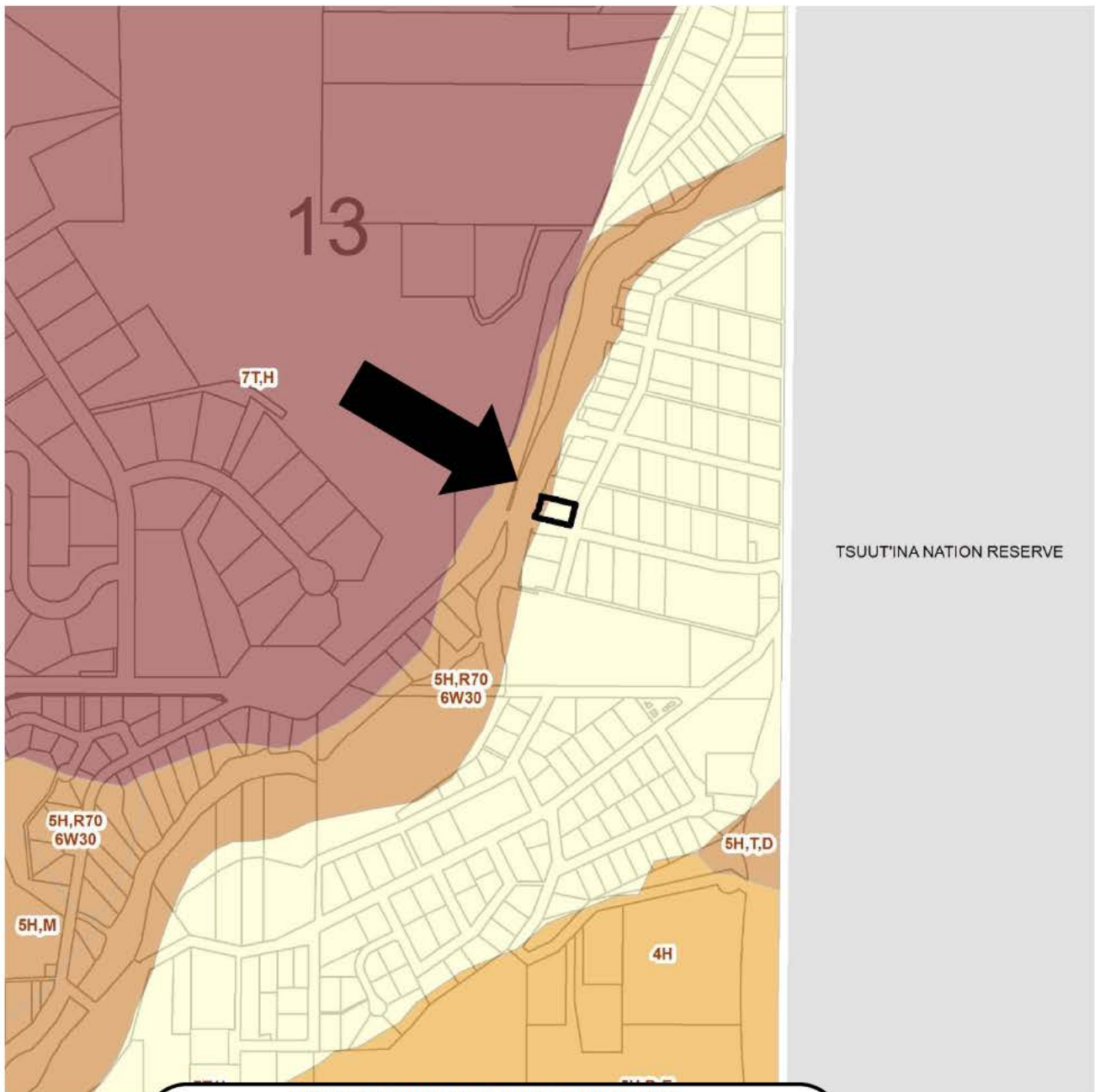
SE-13-23-05-W05M  
Lot:1 Block:6 Plan:1741 EW

Date: April 10, 2019

Division #1

File: 03913077





**LAND CAPABILITY CLASSIFICATION LEGEND**  
*Limitations refer to cereal, oilseeds and tame hay crops*

**CLI Class**

- 1 - No significant limitation
- 2 - Slight limitations
- 3 - Moderate limitations
- 4 - Severe limitations
- 5 - Very severe limitations
- 6 - Production is not feasible
- 7 - No capability

**Limitations**

- B - brush/tree cover
- C - climate
- D - low permeability
- E - erosion damage
- F - poor fertility
- G - Steep slopes
- H - temperature
- I - flooding
- J - field size/shape
- K - shallow profile development
- M - low moisture holding, adverse texture
- N - high salinity
- P - excessive surface stoniness
- R - shallowness to bedrock
- S - high sodicity
- T - adverse topography
- U - prior earth moving
- V - high acid content
- W - excessive wetness/poor drainage
- X - deep organic deposit
- Y - slowly permeable
- Z - relatively impermeable

**SOIL MAP**



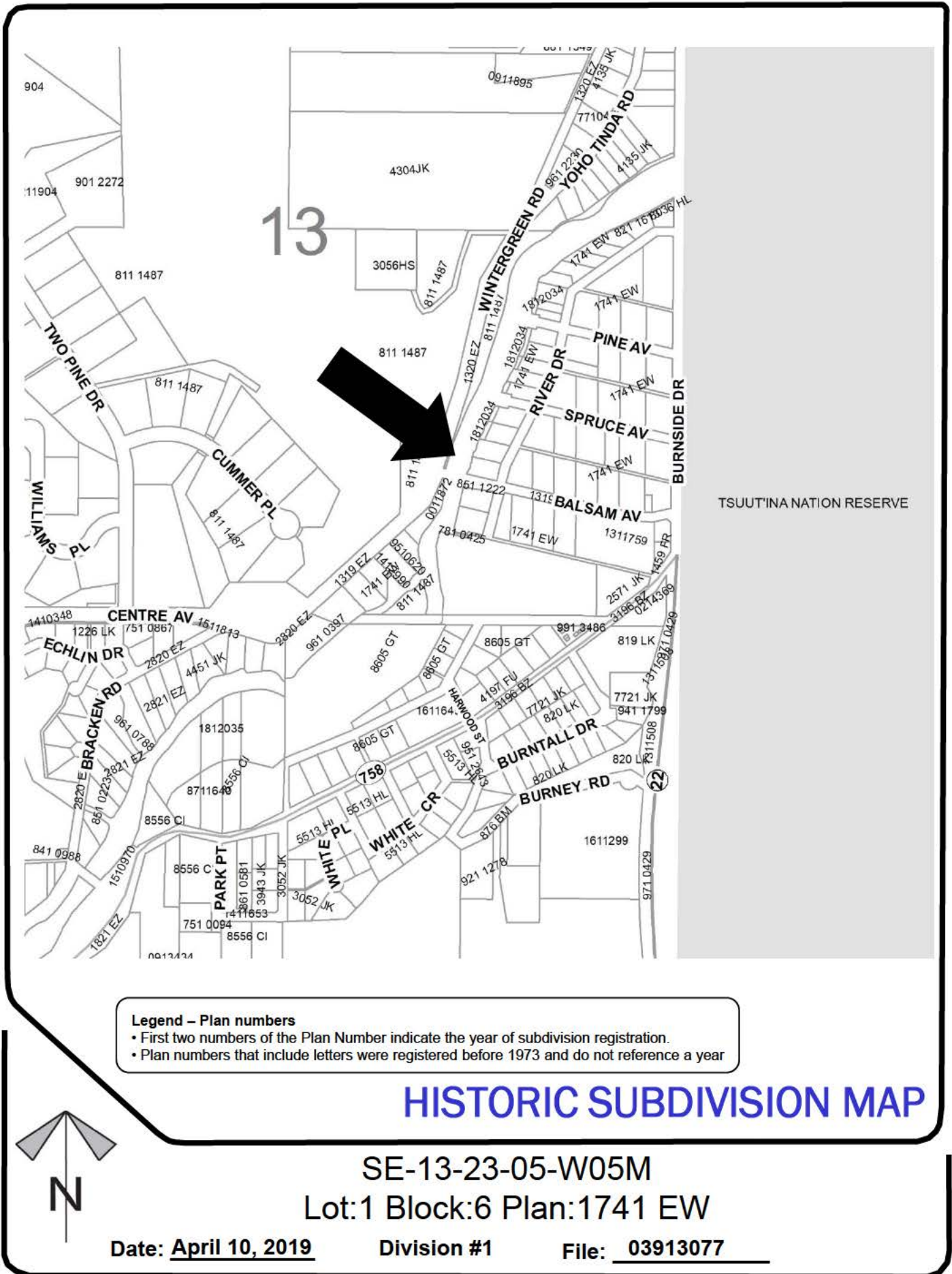
**SE-13-23-05-W05M**

**Lot:1 Block:6 Plan:1741 EW**

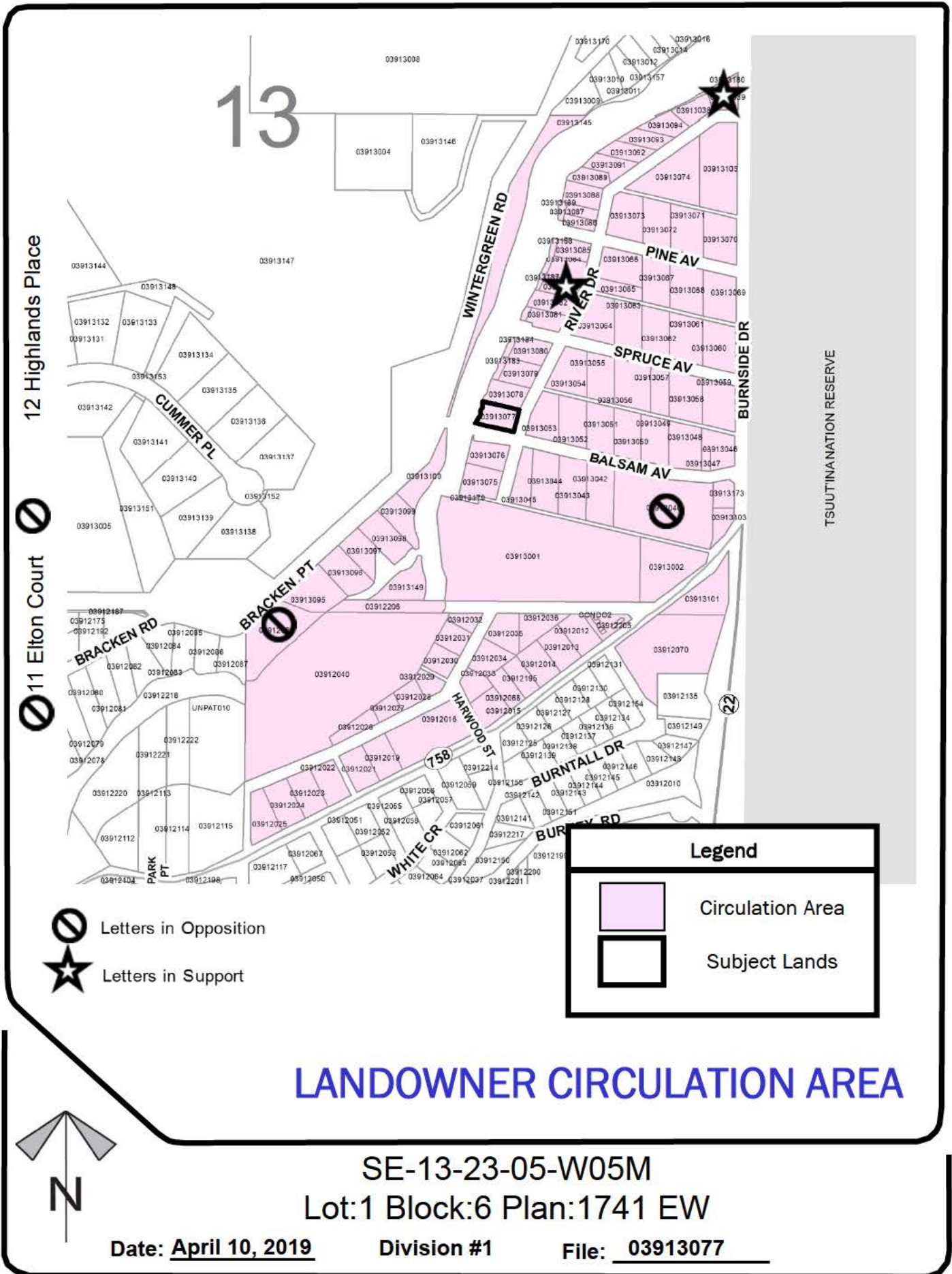
**Date: April 10, 2019**

**Division #1**

**File: 03913077**









## Notice of Appeal

Subdivision and Development Appeal Board  
Enforcement Appeal Committee

<b>Appellant Information</b>			
Name of Appellant(s) <b>Craig Nickel, Aaron Matiushyk, Jennifer Liddle</b>			
Mailing Address [REDACTED]		Municipality [REDACTED]	Province [REDACTED]
Postal Code [REDACTED]			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
<b>Site Information</b>			
Municipal Address <b>19 RIVER DRIVE NORTH</b>		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <b>Lot 1, Block 6, Plan 1741 EW</b>	
Property Roll # <b>03913077</b>		Development Permit, Subdivision Application, or Enforcement Order # <b>PRDP20184945</b>	
<b>I am appealing: (check one box only)</b>			
<b>Development Authority Decision</b> <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
<b>Reasons for Appeal (attach separate page if required)</b>			
Please see the attached Schedule "A" <div style="text-align: right; margin-top: 100px;"> </div>			

This information is collected for the Subdivision and Development Appeal Board or Enforcement Appeal Committee of Rocky View County and will be used to process your appeal and to create a public record of the appeal hearing. The information is collected in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection or use of this information, contact the Municipal Clerk at 403-238-1401.

Appellant's Signature

APRIL 9, 2019  
Date

### SCHEDULE “A”

The appellants are the owners and/or occupants of 23 River Drive North, Bragg Creek, Alberta (the “**Land**”).

The following document provides: (1) information about the appellant’s Land in relation to the proposed development at issue; (2) history of engagement with the appellants in respect of the proposed development at issue; and (3) the appellant’s concerns with the proposed development at issue.

#### The Properties

The appellants purchased the Land in June of 2015. The Land is currently improved with a log cabin, guest cabin, garage, fencing, and a deck overlooking the Elbow River. The log cabin underwent significant interior renovations following purchase, to preserve the historic aesthetic while bringing the building to code as a permanent residence. The Land is currently used as a part-time residence, and a quiet recreational retreat. It is located on River Drive North, which is a quiet residential street with minimal traffic and noise, and no on-street parking.

The site at issue, 19 River Drive North, Bragg Creek, Alberta (the “**Site**”), is located immediately adjacent to the south of the Land. The Site is improved with a house, garage, deck, and fencing. It is currently used as a residential premises occupied by tenants. It is also located on River Drive North, which is a quiet residential street with minimal traffic and noise, and no on-street parking.

#### The Proposed Development on the Site

After the Site was purchased, the appellants were approached by Mr. Baruch Laskin, who introduced himself as a representative of the group that had purchased the Site. At no point in time have the appellants been in contact with, or received any communication from the applicant / owner, Adam McLane.

- After initial discussions, Mr. Laskin advised the appellants that the intention was to build a quaint brewery and coffee roastery on the Site that would be mindful and respectful of the neighbours and neighbourhood. Mr. Laskin had no substantive details or drawings to share with the appellants at that point in time, but stressed his commitment to being a good neighbour and keeping the neighbours informed as to further plans as they became available. At this time there was no mention of a hotel or event space, and the appellants were led to believe that any development would be similar to other small restaurants in the hamlet, based on the small acreage of land available on the Site and the description provided by Mr. Laskin.
- While Mr. Laskin remained in regular contact with the appellants, he did not mention or inform the appellants of the public engagement session(s) associated with the rezoning application. The appellants then asked if the owners would be willing to provide any of the information presented in the session by email. No information was provided by email at this time. Based on conversations with Mr. Laskin, the appellants continued to operate under the premise that information and plans regarding the development of the Site would be communicated with them and feedback would be solicited prior to plans being finalized.
- When the appellants received notice of the rezoning application for the Site, they were surprised to discover the inclusion of a hotel and event space, something that had not been previously made known to the appellants. The appellants once again requested the information from any public engagement



sessions to be shared with them through email, but none was provided. The appellants were not aware of the magnitude of the development at this point in time, particularly in respect to the hotel or event space.

- No further indications, invitations or mentions of public engagement sessions were brought to the attention of the appellants by Mr. Laskin, despite requests to be informed of the scheduling of such events. No information from the public engagement session(s) associated with the development permit application were provided to the appellants.
- In March 2019, the appellants received notice of a development permit approval for the Site including a 21-room hotel, brewery, restaurant and drinking establishment, and construction of a multi-use commercial building and signage. Further requests by the appellants for Site development plans and/or drawings were not met by Mr. Laskin, so the appellants contacted Rocky View County for the drawings and plans associated with the development permit and received them from Rocky View County.

As the applicant and/or the applicant's representatives had not provided substantive details regarding the proposed development of the site prior to receipt of the permit approval notification, the appellants were not aware of the scope of the development, in terms of layout, size, intensity and impact on the Land.

#### Appellants' concerns with the Proposed Development on Site

The appellants submit that the development proposed on the Site materially interferes with or affects the use, enjoyment, or value of the Land in the following ways:

- The proposed development, as presented, would result in the construction of a 12.5 m (and higher at certain points) commercial complex adjacent to the property line of the Land, which effectively blocks out direct sunlight for large portions of the Land, impacting both enjoyment and natural vegetation on site. The proposed building height also does not comply with Section 63.6(a)(i) of the Hamlet Commercial District Zoning, which imposes a maximum height of 10 m for a principal building.
- The proposed development has inadequate screening measures for privacy, especially given that the commercial complex is proposed to be constructed as close as possible to the property line shared with the Land. The commercial complex would have a public patio partially facing the Land on Floors 1 and 2, and hotel rooms facing the Land on Floors 2 and 3. Patrons and hotel guests will be able to look directly into the Land, giving the appellants no privacy, especially when taking into account the vantage point provided by the higher floors. The site plan and proposed development do not allow for adequate screening, as the development will not be screened from the view of the adjacent residential property, under the intent and spirit of Section 63.7 (b) of the Hamlet Commercial District Zoning. The Site plan proposed simply does not properly screen the Land from a three-story building, especially from patrons and guests located in the higher vantage points of the building. Further, the rear of the complex and patios does not comply with Section 63.5 of the Hamlet Commercial District Zoning, which requires a minimum rear yard setback of 6 m. The Site plan only proposes a 0.9 m rear yard setback.
- The proposed development places a commercial loading zone and silo within 3 m of the property line shared with the Land, directly adjacent to the main cabin on the Land. The appellants will be

subjected to noise and disruption of privacy with supplier trucks utilizing this area on a regular basis. Further, this proposed area does not comply with Section 63.5(d)(i) of the Hamlet Commercial District Zoning, which has a minimum side yard requirement of 6 m when adjacent to a residential district. The Site plan contains a driveway, loading and delivery area, and silo encroaching onto the side yard area, effectively bringing the proposed development closer to the Land than the minimum requirements.

- The proposed development includes 23 parking spaces on Site. However, the Site plan itself states that the actual requirement for parking stalls to align with zoning requirements is 57 parking stalls. The appellants submit that, when the parking lot is full, the most likely scenario will be patrons and guests seeking overflow parking in the flat ditch area in front of the Land or along other parts of River Drive North, as opposed to parking off-site and walking to the Site. Presently, River Drive North is a quiet residential street with no on-street parking.
- The appellants use the Land as a quiet residential retreat, and this will be negatively impacted by a high-density drinking establishment and event space, including increased traffic and noise during the long and late hours of operation generally associated with these types of establishments.
- The appellants have heightened security concerns for the Land, given the presence of a proposed drinking establishment and event space. The density of use being requested could mean that there could be easily 50 - 100 people on an approximately 0.4 acre Site at any given time.
- Such further or other particulars as may be raised at an appeal of this matter.

The appellants respectfully request that the Subdivision and Development Appeal Board:

- (a) revoke or vary the order, decision, or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own, with the effect of refusing the development permit in full or part;
- (b) refuse to make an order or decision or issue or confirm the issue of a development permit where the proposed development does not comply with the land use bylaw because the proposed development would unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or
- (c) such further or other order or decision as the Subdivision and Development Appeal Board deems fit.



**Notice of Appeal**  
**Subdivision and Development Appeal Board**  
**Enforcement Appeal Committee**

<b>Appellant Information</b>			
Name of Appellant(s) <b>Adam McLane c/o 2127145 Alberta Ltd.</b>			
Mailing Address [REDACTED]		Municipality [REDACTED]	Province AB
Postal Code [REDACTED]			
Main Phone # [REDACTED]	Alternate Phone # [REDACTED]	Email Address [REDACTED]	
<b>Site Information</b>			
Municipal Address <b>19 River Drive N.</b>		Legal Land Description (lot, block, plan OR quarter-section-township-range-meridian) <b>Lot 1, Block 6, Plan 1741EW</b>	
Property Roll # <b>03913077</b>	Development Permit, Subdivision Application, or Enforcement Order # <b>PRDP20184945</b>		
<b>I am appealing: (check one box only)</b>			
<b>Development Authority Decision</b> <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Subdivision Authority Decision</b> <input type="checkbox"/> Approval <input type="checkbox"/> Conditions of Approval <input type="checkbox"/> Refusal	<b>Decision of Enforcement Services</b> <input type="checkbox"/> Stop Order <input type="checkbox"/> Compliance Order	
<b>Reasons for Appeal (attach separate page if required)</b>			
Please see Schedule A. <div style="text-align: right; margin-top: 100px;"> </div>			

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Adam McLane  
Appellant's Signature

April 18, 2019  
Date

### **Schedule "A"**

The appellants are the owners of 19 River Drive N. (and applicant of the subject Development Permit Application) and are appealing six of the Conditions of Approval outlined in the Notice of Decision issued by the Development Authority dated April 4, 2019. Details pertaining to the conditions we are appealing, as well as appeal rationale are described below.

#### **Parking**

The expert report provided by Bunt & Associates clearly identifies that 35-38 parking stalls would be adequate to service this development, as opposed to 55 stalls that are required by the Land Use Bylaw. We feel that based on the expert report provided by Bunt & Associates, it is reasonable to grant a relaxation of the parking requirement in the Land Use Bylaw. Further, the imposition of the berm on the property has reduced our capacity to provide all required parking on-site, which we would otherwise had been able to accomplish. It is for these reasons that we are appealing the following parking-related conditions of the development permit:

- 4) That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.
- 36) That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.
- 37) That a minimum of 33 parking stalls shall be available at all times via the registered off-site parking arrangements and shall be maintained on title for the life of the development permit.
- 38) That no parking shall be permitted on the adjacent County road system.

#### **Water/Wastewater Servicing**

The appellants have been in negotiations with Rocky View County administration regarding water/wastewater capacity and servicing. It is our understanding that Rocky View County accepted a resolution that would determine water/wastewater requirements one year after development completion with a three year term of payment thereafter. It is very difficult to assess the ultimate required demand for capacity at the time of occupancy. A more reasonable solution would be to have this assessed after a period of one year when the project is at full capacity. We were surprised at the change of position. It is for this reason that we are appealing the following water/wastewater-related conditions of the development permit:

- 17) That prior to the occupancy of the site, the Applicant/Owner shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.
- 19) That prior to occupancy of the site, the Applicant/Owner shall purchase additional water and wastewater capacity required to service the development, as determined by the Water & Wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended.
- 22) That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017).
  - I. That if the wastewater released from the development is found to be over strength, the Applicant/Owner shall be subject to over strength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.





# ROCKY VIEW COUNTY

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

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questions@rockyview.ca  
www.rockyview.ca

## THIS IS NOT A DEVELOPMENT PERMIT

Please note that the appeal period *must* end before this permit can be issued and that any  
Prior to Issuance conditions (if listed) *must* be completed.

## NOTICE OF DECISION

McLane, Adam

Page 1 of 7

Thursday, April 4, 2019

Roll: 03913077

**RE: Development Permit #PRDP20184945**

**Lot 1 Block 6 Plan 1741 EW, SE-13-23-05-05; (19 RIVER DRIVE NORTH)**

The Development Permit application for General Industry Type I and II (brewery), Hotel (21 rooms), Restaurant and Drinking Establishment, construction of a multi-use commercial building and signage has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

### Description:

- 1) That General Industry Type I and II (Brewery), Hotel (21 room), Restaurant and Drinking establishment, construction of a multi-use commercial building may take place on the subject site in general accordance with the Site Plan and Architectural Drawings prepared by STARK architecture, dated October 5, 2018, subject to the amendments required in accordance with the conditions of this approval and includes:
  - i. Construction of a multi-use commercial building with a footprint of  $\pm 354.24$  sq. m. (3,813 sq. ft.) and total gross building area of  $\pm 1,026.49$  sq. m (11,049 sq. ft.);
  - ii. Relaxation of the minimum side yard setback requirement from **1.20 m (3.94 ft.) to  $\pm 0.90$  m ( $\pm 3.00$  ft.)** from the proposed Public Utility Lot (flood mitigation structure) to the west;
  - iii. Relaxation of the maximum height requirement from **10.00 m (32.81 ft.) to 12.50 m (41.01 ft.)**, (excluding the parapet wall); and
  - iv. Signage including 2 freestanding, 2 façade and onsite/offsite parking wayfinding (as required).

### Prior to Issuance:

#### Developability

- 2) That prior to issuance of this permit, the Applicant/Owner shall submit a revised landscaping plan that identifies the proposed amount of landscaping to be incorporated/maintained onsite, to the satisfaction of Rocky View County [*"the County"*]. Note, the landscaping plan shall be in compliance with the Provincial FireSmart Guidelines and the Hamlet of Bragg Creek Design Standards.
- 3) That prior to issuance of this permit, the Applicant/Owner shall submit a revised parking plan, identifying the minimum required barrier free parking stalls (two [2]), stall dimensions and associated signage for the subject site, in accordance with the Land Use Bylaw and Alberta Building Code 2014, to the satisfaction of the County.





McLane, Adam #PRDP20184945

Page 2 of 7

- 4) That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.

## Servicing

- 5) That prior to the issuance of this permit, the Applicant/Owner shall submit a water and wastewater servicing assessment to the satisfaction of the County. The water and wastewater servicing assessment shall be prepared by a qualified professional and determine the water demands and wastewater generation of the proposed development at full build out.
  - i. The servicing assessment shall determine if upgrades are required to meet the increased servicing demands based on the full buildout of the development;
  - ii. The servicing assessment shall include further information on the pre-treatment system that shall be provided, including details of the strength and composition of wastewater that will be discharged into the Bragg Creek Wastewater Collection System;
  - iii. The servicing assessment shall demonstrate that wastewater released from the development shall not be over strength in accordance with the terms of the Water & Wastewater Utilities Bylaw (C-7662-2017).
- 6) That prior to the issuance of this permit, the Applicant/Owner shall be required to provide the necessary security for the tie-in to the existing water main, based on estimated construction costs prepared by a qualified professional, if an upgraded water and/or sanitary utilities main connection and service connection is required,.
- 7) That prior to the issuance of this permit, the Applicant/Owner shall submit engineered design drawings of the utility connections for review and acceptance by the County, if an upgraded utilities main connection and service connection to the water main and/or the sanitary sewer within the River Drive North right-of-way is required. Written approval of the design drawings shall be obtained from the County Utility Services manager, prior to construction commencement.
- 8) That prior to the issuance of this permit, the Applicant/Owner shall submit design drawing(s) showing the location of the sanitary sewer services connection and test manhole, to the satisfaction of the County.
  - i. The test manhole shall be located in the gravity portion of the sanitary sewer service connection, as close as practically possible to the east property line, in an easily accessible area for wastewater sampling.
- 9) That prior to the issuance of this permit, the Applicant/Owner shall enter into an access easement or utility right-of-way agreement with the County and register on title, to allow the County representatives to enter the subject lands and access the test manhole to obtain samples to verify that wastewater is in compliance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
- 10) That prior to the issuance of this permit, the Applicant/Owner shall confirm the location and volume of an onsite water reservoir to be used for fire suppression, to the satisfaction of the County.

*Note: That the Bragg Creek Water distribution system is not capable of providing water pressures for fire suppression. Therefore, any fire suppression systems required by the building code must be accommodated with onsite storage and pressurization.*



McLane, Adam #PRDP20184945

Page 3 of 7

## Storm Water Management

- 11) That prior to the issuance of this permit, the Applicant/Owner shall submit a Storm Water Management Plan (SWMP), to the satisfaction of the County. The SWMP shall demonstrate that the site can manage storm water in accordance with the requirements of the County Servicing Standards and the Bragg Creek Master Drainage Plan.
  - i. The SWMP shall comment on pre and post-development water quality, release rates, and runoff volume control targets.
  - ii. The SWMP shall demonstrate how any negative impacts to the Elbow River will be mitigated both during and post construction, in accordance with *County Policy 419: Riparian Land Conservation and Management*.
  - iii. The SWMP shall include a site grading plan, and give consideration to berm construction for the Bragg Creek Flood Mitigation Project.

*Note: Any Alberta Environment approvals may be required if any storm water ponds are required.*

## Construction Management

- 12) That prior to the issuance of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of the County. The Plan shall be prepared by a qualified professional, addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, management of storm water during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, and all other relevant construction management details. Road Use Agreement
- 13) That prior to the issuance of this permit, the Applicant/Owner shall contact County Road Operations to determine if a Road Use Agreement and/or any Road Data Permits are required for the importing of fill and topsoil, removal of any excess fill, and for the mobilization and demobilization of any construction equipment to and from the subject site utilizing any County Roads.
  - i. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permit shall be obtained unless otherwise noted by County Road Operations.

## Fees & Levies

- 14) That prior to the issuance of this permit, the Applicant/Owner shall submit payment of the Transportation Off-site Levy in accordance with the applicable levy at time of Development Permit approval (Bylaw C-7356-2014), for the total gross acreage of the lands.
 

*Note: The Transportation Off-site Levy shall not include the lands that the County is purchasing for construction of the Flood Mitigation Berm.*
- 15) That prior to issuance of this permit, the Applicant/Owner shall confirm acceptance or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County. If accepted, the contribution is calculated at \$800.00 per acre.

## Prior to Occupancy:

### Landscaping

- 16) That prior to occupancy of the site, all landscaping and final site surfaces shall be completed.
  - i. That should permission for occupancy of the site be requested during the months of October through May inclusive and prior to the required landscaping and site surface completion, then





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Page 4 of 7

occupancy may be allowed provided that an Irrevocable Letter of Credit is received by the County.

- ii. The Irrevocable Letter of Credit shall be in the amount of 150.00% of the total cost of completing all the landscaping and final site surfaces that is not yet completed. A contractor's/engineer's quote shall accompany the Letter of Credit describing the work to be carried out and shall be placed with Rocky View County to guarantee the works shall be completed by the 30th day of June immediately thereafter.

## Servicing

- 17) That prior to the occupancy of the site, the Applicant/Owner shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.
- 18) That prior to occupancy of the site, after approval of the utilities main connection and service connection designs by the County's Utility Services manager, the Applicant/Owner shall provide 14 days written notice to the County prior to utility construction commencing. The Applicant/Owner shall arrange to have County personnel present to supervise construction at their expense, in accordance with the County's Water & Wastewater Utilities Bylaw (C-7662-2017).
  - i. All utility construction shall be to the satisfaction of the County.
  - ii. All ground disturbances shall be restored to pre-existing or superior conditions, to the satisfaction of the County.
  - iii. All engineering and construction costs shall be borne by the Applicant/Owner.
- 19) That prior to occupancy of the site, the Applicant/Owner shall purchase additional water and wastewater capacity required to service the development, as determined by the Water & Wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended.
- 20) That prior to occupancy of the site, the Applicant/Owner shall submit as-built drawings of the site that are certified by a professional engineer. The as-built drawings shall include verification of any as-built water, sanitary, stormwater management infrastructure and the test manhole.
  - i. Following receipt of the as-built drawings from the Applicant's consulting engineer, the County shall complete an inspection of the site to verify the stormwater infrastructure has been completed as per the stamped "*examined drawings*".
- 21) That prior to occupancy of the site, the Applicant/Owner shall contact County Utility Operations for an inspection of the water meter, sanitary sewer service connection, and the sanitary test manhole.

## Permanent:

### Servicing

- 22) That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017).
  - i. That if the wastewater released from the development is found to be over strength, the Applicant/Owner shall be subject to over strength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.
- 23) That connection to existing sanitary mains, waste mains, and water mains shall not be permitted without the authorization of the County's Utility Operations.



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McLane, Adam #PRDP20184945

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## Construction Management

- 24) That the Applicant/Owner shall submit a deep fill report, with compaction results, if any areas shall have a fill depth greater than 1.2 m.
- 25) That no topsoil shall be removed from the subject property.
- 26) That during construction, dust control shall be maintained on the site and that the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing onto adjacent lands.
- 27) That any dirt removed from the site during construction shall be hauled off in a covered trailer/truck that will prevent the blowing of dust/small rocks onto the road, and prevent issues with other vehicles on the road.
- 28) That the clean-up of any mud tracking and/or dirt that enters onto adjacent County roads during construction shall be the responsibility and cost of the Applicant/Owner.
- 29) That the entire site shall be maintained in a neat and orderly manner at all times. All waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
- 30) That any flood proofing measures shall be followed in accordance with the Alberta Building Code, good engineering practice and recommendations stated in the Bragg Creek Area Structure Plan.
- 31) That the Applicant/Owner shall ensure that all habitable floor levels are above the 1 in 100 flood level. Any construction below this flood level may require engineered flood proofing measures.

*Note: The required flood elevation level is 1297.63 m*

## Solid Waste & Recycling Management

- 32) That the garbage containers shall be screened from view from adjacent properties and public thoroughfares. All garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

## Signage & Lighting

- 33) That any future signage, not included within this application, shall require separate Development Permit approval and shall adhere to the Hamlet of Bragg Creek Design Standards and the Land Use Bylaw.
- 34) That no temporary signage shall be place on the site at any time except any temporary signs required during development or building construction.
- 35) That all on site lighting shall be "dark sky" and all private lighting, including site security lighting and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplift. All development shall be required to demonstrate lighting design that reduces the extent of spill-over glare and eliminates glare as viewed from nearby residential properties.

## Parking

- 36) That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.
- 37) That a minimum of 33 parking stalls shall be available at all times via the registered off-site parking arrangements and shall be maintained on title for the life of the development permit.
- 38) That no parking shall be permitted on the adjacent County road system.

## Landscaping

- 39) That all landscaping shall be in accordance with the approved Landscape Plan.





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- 40) That the existing trees and terrain shall be retained except as required to meet conditions of this permit and any disturbed areas shall be replanted with vegetation similar to existing predevelopment ground cover.
- 41) That no outdoor display areas, storage areas, parking or marshalling yards shall be allowed within landscaped yards.
- 42) That the quality and extent of the landscaping shall be maintained over the life of the development and any deceased vegetation shall be replaced within 30 days or before June 30<sup>th</sup> of the next growing season.
- 43) That there shall be no potable water used for irrigation and landscaping purposes, and that no exterior hose bibs shall be installed.

## Other

- 44) That it is the Applicant/Owner's responsibility to obtain and display a distinct municipal address in accordance with the County Municipal Addressing Bylaw (Bylaw C-7562-2016), for the proposed development located on the subject site, to facilitate accurate emergency response.
- 45) That if the facility changes commercial usage, the Owner shall submit to the County a revised description of process and subsequent water and wastewater requirements.
- 46) That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity and includes but is not limited to (as amended):
  - i. Geotechnical Investigation Report, as prepared by E2K Engineering Ltd, dated November 29, 2018);
  - ii. Trip Generation Exercise, as prepared by Bunt & Associates, dated March 31, 2017;
  - iii. Parking Study, as prepared by Bunt & Associates, dated November 21, 2018;
  - iv. Stormwater Management Plan, as prepared by Richview Engineering Inc., dated February 1, 2019;
  - v. Erosion & Sediment Control Plan, as prepared by Richview Engineering Inc., dated November 18, 2018;

## Advisory:

- 47) That during construction, the County's Noise Control Bylaw C-5772-2003 shall be adhered to at all times.
- 48) That during construction, all construction and building materials shall be maintained onsite in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
- 49) That the site shall remain free of restricted or noxious weeds, in accordance with the Weed Control Act.
- 50) That the Applicant/Owner shall be responsible for all required payments of third party reviews and/or inspections, as per the Master Rates Bylaw.
- 51) That a Building Permit with applicable subtrade permits, shall be obtained through Building Services, prior to any construction taking place and shall require:
  - i. The Commercial, Industrial and Institutional application checklist;
  - ii. A completed 3.2.2 Code Analysis;





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*Note: The Development shall conform to the National Energy Code 2011 and Alberta Building Code & it is recommended that the Applicant/Owner schedule a pre-application meeting with Building Services, to go over in detail, any Building Permit application requirements.*

- 52) That a Building Demolition permit shall be obtained through Building Services, prior to any demolition of any existing building onsite.
- 53) That all other government compliances and approvals are the sole responsibility of the Applicant/Owner and include:
  - i. An issued Roadside Development Permit through Alberta Transportation;
  - ii. Any Alberta Health Services approvals.
- 54) That if the development authorized by this Development Permit is not commenced with reasonable diligence within 24 months from the date of issue, and completed within 36 months of the date of issue, the permit is deemed to be null and void unless an extension to this permit shall first have been granted by the Development Authority.
- 55) That if this Development Permit is not issued by **JUNE 30, 2020** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas or for on-site stormwater infrastructure**

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Thursday, April 25, 2019**, a Development Permit may be issued, unless there are specific conditions which need to be met prior to issuance. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Development Appeal Committee.

Regards,

Development Authority

Phone: 403-520-8158

E-Mail: [development@rockyview.ca](mailto:development@rockyview.ca)

**THIS IS NOT A DEVELOPMENT PERMIT**



ROCKY VIEW COUNTY  
Cultivating Communities

20184945

## APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$815.68	File Number 03913077
Date of Receipt Dec 5/18	Receipt #

Name of Applicant Adam McLane Email [REDACTED]  
 Mailing Address [REDACTED]  
 Postal Code \_\_\_\_\_  
 Telephone (B) [REDACTED] (H) \_\_\_\_\_ Fax \_\_\_\_\_  
 For Agents please supply Business/Agency/ Organization Name \_\_\_\_\_

Registered Owner (if not applicant) \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Postal Code \_\_\_\_\_  
 Telephone (B) \_\_\_\_\_ (H) \_\_\_\_\_ Fax \_\_\_\_\_

### 1. LEGAL DESCRIPTION OF LAND

- a) All / part of the \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ West of \_\_\_\_\_ Meridian  
 b) Being all / parts of Lot 1 Block 6 Registered Plan Number 1741EW  
 c) Municipal Address 19 River Drive N.  
 d) Existing Land Use Designation HC Parcel Size 0.56 acres Division \_\_\_\_\_

### 2. APPLICATION FOR

Development of multi-use commercial building housing a micro-brewery, coffee roaster, restaurant and boutique Inn.

### 3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes \_\_\_\_\_ No x  
 b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?  
 (Sour Gas facility means well, pipeline or plant) Yes \_\_\_\_\_ No x  
 c) Is there an abandoned oil or gas well or pipeline on the property? Yes \_\_\_\_\_ No x  
 d) Does the site have direct access to a developed Municipal Road? Yes x No \_\_\_\_\_

### 4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I Adam McLane hereby certify that x I am the registered owner  
 (Full Name in Block Capitals)  
 \_\_\_\_\_ I am authorized to act on the owner's behalf

and that the information given on this form  
 is full and complete and is, to the best of my knowledge, a true statement  
 of the facts relating to this application.

Affix Corporate Seal  
 here if owner is listed  
 as a named or  
 numbered company

Applicant's Signature Adam McLane  
 Date December 4, 2012

Owner's Signature Adam McLane  
 Date December 4, 2012

## 5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.

Adam McLane

Applicant's/Owner's Signature

*Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 911 – 32 Ave NE, Calgary, AB, T2E 6X6; Phone: 403-520-8199.*

I, Adam McLane, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.

Adam McLane

Signature

December 5, 2018

Date

# Bragg Creek Brewery

---

19 River Drive N., Bragg Creek, Alberta T0L0K0

**December 5, 2018**

Johnson Kwan  
Municipal Planner  
Rocky View County  
262075 Rocky View Point, Rocky View County, Alberta, T4A0X2

**Dear Johnson Kwan:**

Please accept this application and the accompanying supporting documents for consideration of development permit approval for the Bragg Creek Brewery. As requested, we have compiled our application in the form of a Master Site Development Plan (MSDP) so that we can fully explain our plans for development and our design rationale. Within this package, you will find our comprehensive development permit document, along with our architectural package printed in large format, a geotechnical investigation, a stormwater management report, a parking assessment, a public consultation summary, the application form, the certificate of title, and the development permit checklist.

Our team, along with the community of Bragg Creek are excited to move forward on this project. We would like to thank-you for your consideration on this matter and would be pleased to answer any questions you may have.

**Sincerely,**

A handwritten signature in black ink, appearing to read 'B Laskin', with a long horizontal flourish extending to the right.

**Baruch Laskin, Co-Founder**  
**Bragg Creek Brewery**

# Development Permit Application

BRAGG CREEK BREWERY  
DECEMBER 5, 2018



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## 1.0 INTRODUCTION

This document represents the compilation of information in support of the development permit application for the Bragg Creek Brewery, which will include a craft micro-brewery, small restaurant/taproom, coffee roaster and boutique Inn, within the Hamlet of Bragg Creek. The intent of the document is to establish expectations regarding how the proposed development will be implemented within the context of Rocky View County's municipal policies and development regulations. Herein, we establish our project vision and rationale; provide area context; describe how municipal policy framework applies to this project; describe the existing conditions of the subject lands; outline our development concept, architectural design and landscaping; discuss transportation and parking impacts; discuss utility servicing for the project; outline stormwater management; and describe our extensive community consultation up to this point. This document references architectural images as figures within the text which will also be provided in a supplementary full-colour package (more information is available in the Supporting Technical Information Section). There is a tremendous amount of community support for this project and we are excited to be taking this step forward in partnership with Rocky View County.

## 2.0 PROJECT VISION AND RATIONALE

Our vision for the Hamlet of Bragg Creek is one that embraces its identity as the *Gateway to Kananaskis*, where people come to recreate, socialize, and rejuvenate in a beautiful mountain setting. Although we see the potential of the Hamlet, presently it lacks connectivity, a central community hub, a diversification of business (especially accommodations) and is in need of beautification and community enhancement. We believe that there is a market opportunity to establish a world-class, multi-use commercial facility within the Hamlet that will address all of these issues and act as a catalyst for the revitalization of Bragg Creek. The project location is situated directly adjacent to the Elbow River on an under-utilized parcel right beside the Balsam Avenue Bridge, benefited by exposure to traffic heading to and from the West Bragg Creek Trail network and Wintergreen and placed perfectly to increase connectivity to the river. Rocky View County council agrees with our vision, highlighted by the unanimous decision to rezone our property from Residential to Hamlet Commercial for the purposes of building our proposed development.

We desire to become a strong corporate citizen of Bragg Creek and Rocky View County and we feel this proposed development of the Bragg Creek Brewery will help us achieve that goal.



### 3.0 AREA CONTEXT

The proposed development is located on River Drive N. within the Hamlet Core of Bragg Creek on an under-utilized property right on the Elbow River and adjacent to the Balsam Avenue Bridge that provides access to West Bragg Creek and Wintergreen (marked in Figure 1). The intersection of Balsam Avenue and River Drive N. provides access between the proposed development and the rest of the Hamlet Core. Additionally, Burnside Drive provides two opportunities for access via Spruce Drive and Pine Avenue. The Hamlet of Bragg Creek is serviced by Highway 22, which links directly to Balsam Avenue. Alberta Transportation owns and maintains Highway 22, providing convenient and efficient access to Highway 1 and Highway 66.

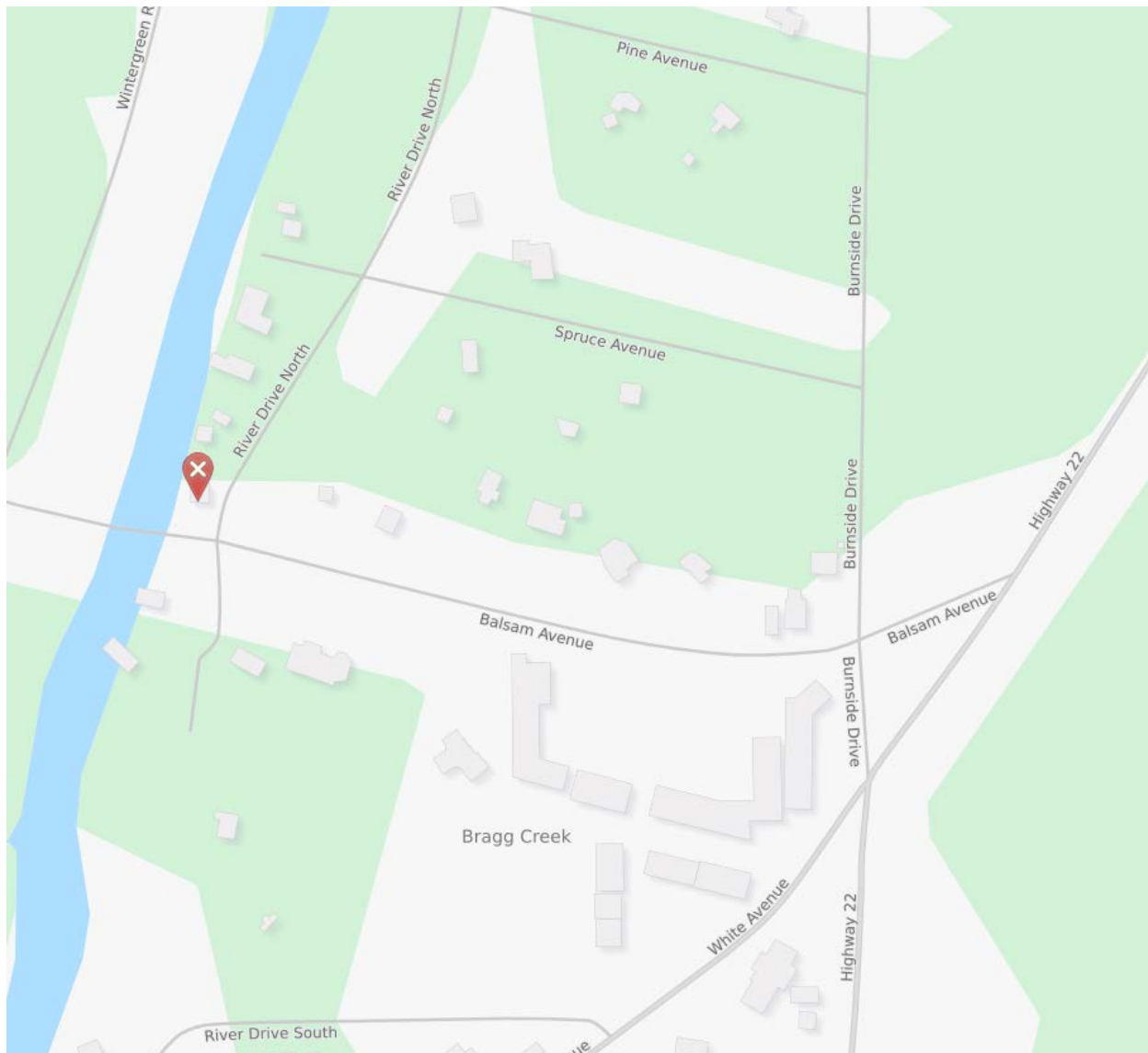


Figure 1: Area Context (Source: Open Street Map)



## 4.0 MUNICIPAL POLICY FRAMEWORK

### 4.1 Greater Bragg Creek Area Structure Plan

Commercial development within the Hamlet of Bragg Creek is subject to rules and regulations outlined in the Greater Bragg Creek Area Structure Plan (GBCASP). The GBCASP encourages commercial development within the Hamlet Commercial Core, as defined by *Figure 10: Hamlet Core* within the GBCASP. Desirable uses within the Hamlet Core include: drinking establishment, brewery, restaurant, overnight accommodation, tourism uses/facilities, and arts and cultural center. The subject lands where the Bragg Creek Brewery will reside fall within the Hamlet Core, are zoned as Hamlet Commercial and will provide all of the noted desirable uses in a compact and vibrant space.

### 4.2 Hamlet of Bragg Creek Design Standards

In addition to the GBCASP, commercial development with the Hamlet of Bragg Creek is also subject to the Hamlet of Bragg Creek Design Standards (HBCDS). A successful design is evaluated in accordance with the following criteria: building placement, building proportions and scale, building style, building material and colour, utility and service areas, parking and site access, landscaping, lighting, and business signage. The Bragg Creek Brewery development will be in alignment with the HBCDS.

### 4.3 Development Plan Requirements

At the request of Rocky View County Administration, we are preparing the supporting material for our development permit application in the form of a Master Site Development Plan (MSDP). A MSDP is usually completed in preparation for a re-zoning application, sets guidelines for long-term development of a site over a specified period of time, and typically refer to large sections of land that are proposed to facilitate limited subdivision. A traditional MSDP is expected to address:

1. a description of the proposed project and phasing;
2. site plans with details of all development on the project site;
3. building elevations and placement; and
4. details such as landscaping, lighting, parking and architectural treatments.

In addition to this information above, we are also including the following information, as requested by Rocky View County Administration:

5. a summary of the applicant's community consultation and results; and
6. technical issues identified by the County that are necessary to determine the project's viability and offsite impacts including (but not necessarily limited to): a geotechnical investigation, storm-water management plan, traffic and parking assessment and shadow analysis.

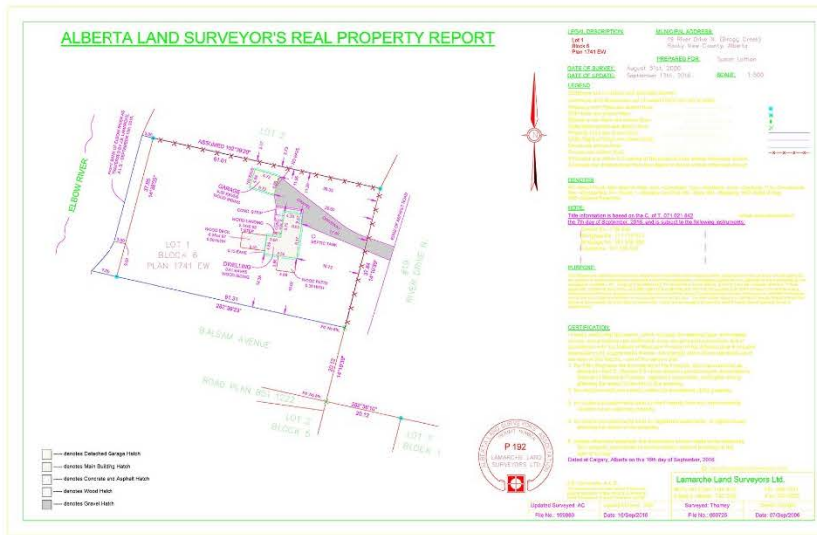
The various sections of this supporting document have been prepared in accordance with the above-references content requirements.

## 5.0 EXISTING CONDITIONS

As illustrated in the location map and survey in Figure 2, the proposed development area is located at 19 River Drive N. (Lot 1, Block 6, Subdivision Plan 1741 EW). The parcel is zoned as Hamlet Commercial (HC). The original survey on this property was completed and registered in 1937, indicating the overall area of the parcel to be 25,000 ft<sup>2</sup>.



1 Location Map  
n.t.s.



**2** Survey  
A 1.0 scale, 1,500

A 1.0 scale: 1.500

[illegible]

### 5.1 Berm Right-of-Way Considerations

Rocky View County is currently planning a proposed flood mitigation berm development within Bragg Creek. The proposed berm will traverse the subject lands from south to north and will be a 1.8 m high sloping hill structure comprised of dirt, gravel and large stone riprap material, transitioning to a 1.8 m high retaining wall structure contained within a sloping hill. The berm structure will not exceed 15m from the outer-most extent of the surveyed river bank (Figure 3). The development contemplated by this application will not negatively impact this future berm infrastructure. Rocky View County’s Land Use Bylaw (C-4841-97) section 63.5(e) dictates that the yard, side setback for buildings is 1.25 m for Hamlet Commercial properties. Through discussions with Rocky View County, we reached an agreement with the Development Authority that since the front entrance of our business and majority of our frontage is facing south on to Balsam Avenue, that this would be considered our yard, front designation. As such, the west side of the property along the river and in the future along the berm structure will be considered our yard, side designation. The Development Authority has also confirmed that we can be granted a variance of 25% on the 1.25 m, which would alter the setback to 0.9 m. Our development will not encroach on this 0.9 m setback from the new yard, side property line once the berm lands are acquired.



Figure 3: Future Berm Development in Context to Existing Infrastructure (source: Amec Foster Wheeler)



## 5.2 Geotechnical Considerations

A Geotechnical Investigation was completed within the subject lands to support our development permit application. The report's conclusions indicate that the subsurface characteristics are considered suitable for the proposed development. Groundwater was located approximately 2.6 m - 4.5 m below the existing grade surface, which may impact utility, basement and foundation design. We are currently in consultation with engineering professionals that will recommend a number of building techniques to overcome any geotechnical challenges, which will be outlined in detail at the building permit stage.

## 6.0 THE DEVELOPMENT CONCEPT

As illustrated in Figure 4, the perspectives and massing of the proposed development will include: our building containing the micro-brewery, coffee roaster, restaurant/taproom and boutique Inn; loading and delivery area on the north side; bicycle parking on the east side; on-site parking stalls; landscape buffers; and area designated for the berm on the west side along the river.

Access will be provided by an approach from River Drive N. that will be designed and constructed in accordance with Rocky View County's engineering standards. Potable water and wastewater servicing will be provided through municipal connections already existing on-site. Upgrades to connections will be completed in accordance with Rocky View County's engineering standards. Stormwater will be managed on-site via a comprehensive system of overland conveyance and infiltration areas and will be designed in accordance with the Rocky View County's Servicing Standards so as to limit the impact of the development on the downstream lands and water bodies. The project area will be professionally landscaped in accordance with Rocky View County's Land Use Bylaw requirements. Landscape buffer areas will be installed along River Drive N., Balsam Avenue, and the adjacent residential property to the north. Screening along the property line to the north will also be installed if desired. The development is expected to be constructed in a single phase and all structures and supporting infrastructure is expected to be developed in accordance with the provisions of the Rocky View County's development permit application process.



#### Figure 4: Perspectives and Massing (A 4.3)

## 7.0 ARCHITECTURAL DESIGN AND LANDSCAPING

### 7.1 Architectural Design Considerations

As illustrated in the renderings in Figure 6, the styling of our building and the improvements on the subject lands will be rich, eye-catching, and in the style of *Modern Rocky Mountain Western*, a phrase coined by the famous architect and consulting member of the Hamlet of Bragg Creek Revitalization Plan, Michael Von Hausen. Michael attributed the term to our overall design when he was consulted on this project. The architectural form of the building has been the driving principle in creating a space that is both respectful and appropriate to the Bragg Creek area, whilst being capable of drawing in visitors and increasing exposure to the Hamlet and its surrounding amenities and businesses.



Figure 5: Architectural Renderings (A 5.2)

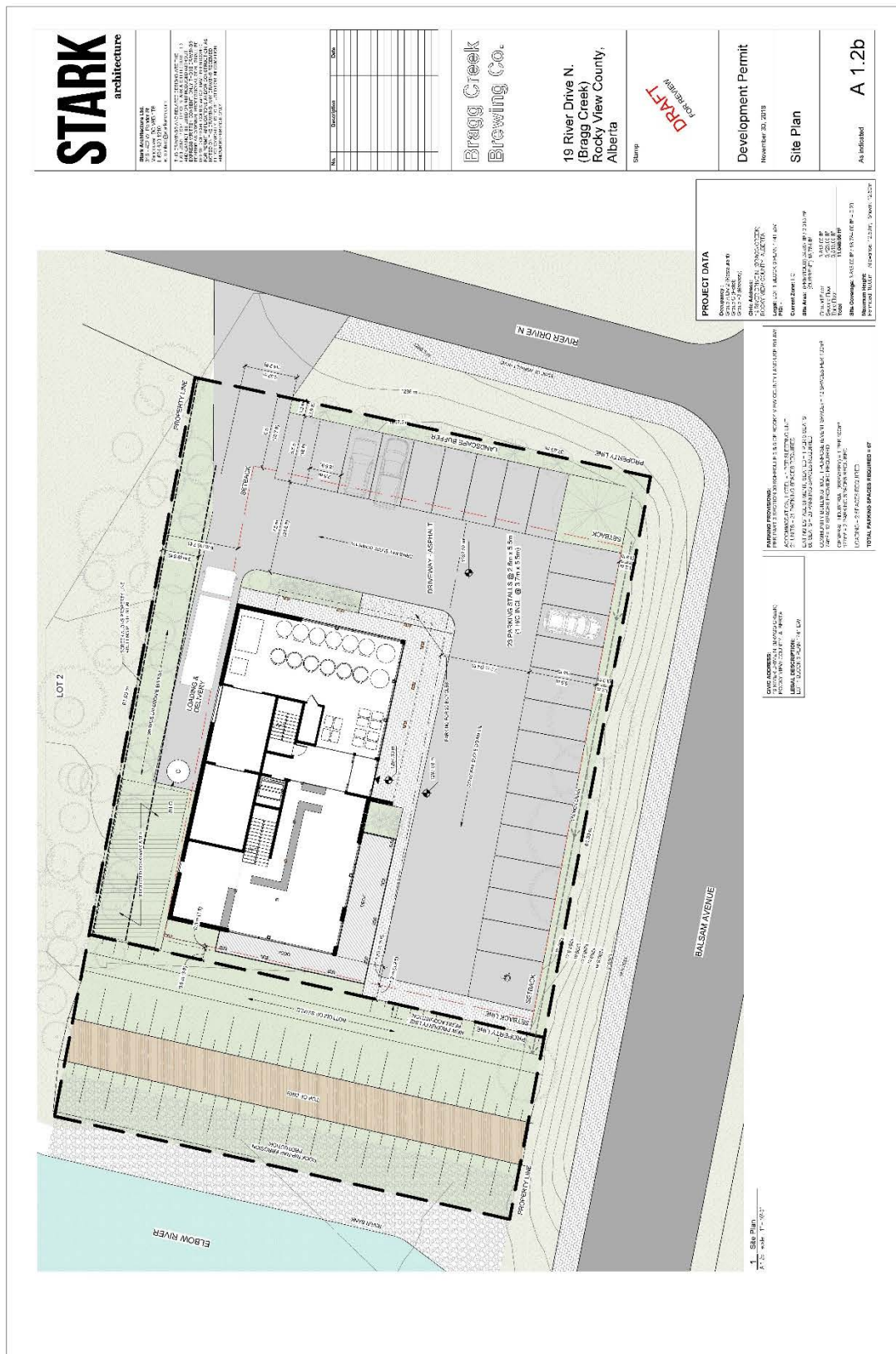


The detailed site plan in Figure 6 displays the building size, setbacks and height of the new structure, which is in accordance with the applicable requirements of Rocky View County's Land Use Bylaw (C-4841-97). The building is oriented in a logical fashion along Balsam Avenue so as to provide sufficient frontage for vehicles crossing the bridge, while also minimizing height and visibility along River Drive N., as well as provide maximum sun exposure to the building. Placing the building away from Balsam Avenue which gradually rises up to the bridge, allows the building to appear seated lower on the site.

The footprint of our main floor is 3813 ft<sup>2</sup>, which comprises 15% of the current total lot area (25,000 ft<sup>2</sup>). Assuming berm construction takes place and the future property size is reduced, the footprint will increase to 20% of the total lot area. While the HBCDS does encourage building footprint not exceed 15% of total lot area, Rocky View County Land Use Bylaw (C-4841-97) section 12.2(b)(i) empowers the Development Authority to grant a variance if it does not unduly interfere with the amenities of the neighborhood. Through discussions with Rocky View County prior to submission, we and the Development Authority are in agreement that this small increase in percentage due to changes to the property size that are outside of our control does not unduly interfere.

The overall building height will be 12.5 m from the ground elevation to the top of the roof, allowing for three stories which accommodate the multiple uses of the building and provide the critical mass necessary to make the business operations within sustainable. A parapet will extend slightly beyond the roof to add a visual element and will not contribute to the overall height calculation, as previously agreed upon in consultation with the Development Authority. While section 3.2.2 (e) of the HBCDS state that buildings generally should not extend beyond 10 m and be limited to two stories, it also states in 3.2.2 (e) that height relaxation may be considered to accommodate desirable architecture and in 3.3.3(f) that buildings with three or four stories may be considered in the hamlet core, if the development is supported by a master site development plan. As previously agreed upon with the Development Authority prior to submission, section 12.2(b) (ii) of the Rocky View County Land Use Bylaw (C-4841-97) enables us to request a variance in height of 25%, which is reflected in our desire to build to 12.5 m. Also previously agreed upon with the Development Authority prior to submission is that our development permit submission would be in the form of an MSDP, thus supporting our request to build three stories within the overall dimensions of the structure.

Detailed preliminary plans for the basement, ground floor, second level and third level can be found in the Architecture Package, referenced in the Supporting Technical Documents Information.



**Figure 6: Detailed Site Plan (A 1.2)**

As illustrated in the building elevations in Figure 7 and Figure 8, the three storey building has been designed to appear as a two storey building, with an over-height lower floor, containing the restaurant/taproom, coffee roaster and micro-brewery. This added height allows for sufficient space for these uses, and full height glazing in these areas provide natural light for occupants, whilst allowing views from passing traffic into the operations and uses of the building. The intention is to have a beacon of activity and light from this lower floor to encourage passing traffic to stop and ensuring comfort and natural light to the patrons. The canopy on the south and east side of the building provides a change in depth and secondary roofline that breaks up the building and provides visual interest while consciously providing shade and snow protection to pedestrian areas. Internally, restaurant and congregation areas have been positioned to the river-side to take in the views and to shield neighbours from the activity of these spaces. Large heavy timber canopies will soften the entrances and provide a rustic, human scale to the buildings lower floor. Wood beams, posts and a timber canopy as well as a tactile feature entry wall will provide warmth and a link to heritage materials used within the Hamlet.

The two upper floors have been clad in a darker shingle material with minimal window openings, so as to contrast with the lower floor blending into the trees behind during the day, and disappearing during the night. We believe this contrast of a dark upper and light lower is a crucial aspect of the design and will ultimately deliver on the success of this project through providing the perception that the building is smaller and lower and the passerby's eye is drawn to the ground floor as opposed to the mass of the building. A small parapet has been added to the roofline on the west side, which in combination with the slightly rising covered patio area on the second floor, provides a visual interest reminiscent of the classic hog-back ridges in nearby Kananaskis, thus rooting an iconic design element with existing local heritage.

A contrast between traditional materials and modern materials has been used, with corrugated metal used in small areas on the lower floor to suggest an industrial past, whilst complimenting and softening through the use of large areas of local softwood. The fiber cement shingles on the upper floors will provide the detail and tactile look of more traditional cedar shingles, whilst being maintenance free and of a more modern solid colour. A colour board highlighting these materials can be found in Figure 9.

Overall, careful consideration of the HBCDS has been taking into account within the design concept. According to the HBCDS, small, one-of-a-kind business developments are encouraged, which is precisely what we endeavor to provide. Ultimately, the building's design is one that wishes to *stand out quietly*, neither being too bold nor too retiring. A building that is sympathetic to its beautiful surroundings.

# STARK architecture

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No.	Description	Date

Bragg Creek  
Brewing Co.

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

Stamp



Development Permit

October 5, 2018

Elevations

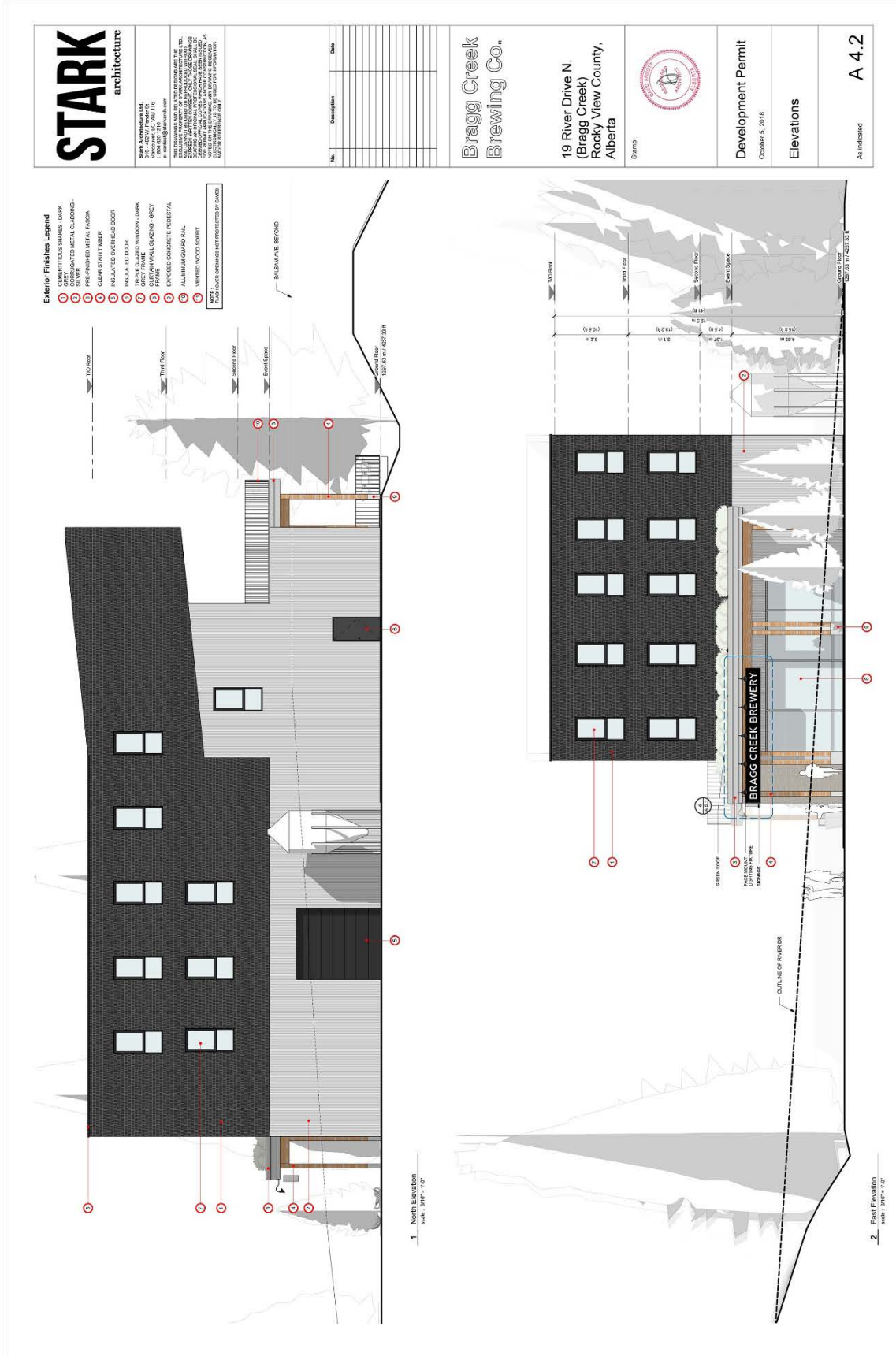
As indicated

A 4.1



Figure 7: South and West Elevations (A 4.1)





**Figure 8: North and East Elevations (A 4.2)**



Figure 9: Architectural Colour Board (A 4.4)

## 7.2 Landscaping Objectives and Criteria

According to the HBCDS and the Rocky View County Land Use Bylaw (C-4841-97), a minimum of 10% of the subject lands should be landscaped and the design goal for landscaping is to take into consideration and coordinate with the surroundings, provide adequate screening for adjacent properties and complement development on site. The standards for landscaping according to the HBCDS are as such:

- Where a commercial development abuts or lies adjacent to a residential area, a dense landscaping strip of a minimum 3 meters (10 ft.) in perpendicular width, composed of native and newly planted indigenous species, should be installed adjacent to the residential area for screening and buffering purposes.
- Plant material selected for the landscaping in parking areas shall be suitable to the growing environment. Species that are hardy, drought-and salt-tolerant, and resistant to the stresses of compacted soils and weather exposure should be used.
- A variety of deciduous and coniferous trees and shrubs shall be incorporated for year-round interest and appearance; including native grasses, wildflowers, groundcover, shrubs, and trees if possible.
- Landscaping and low-level screening should be provided around the perimeter of parking areas to soften and screen parking lot edges, create pleasant pedestrian conditions, and maximize shade and stormwater benefits.
- Rainwater and snowmelt shall be managed on-site with designs that encourage infiltration and water re-use.

As illustrated in our preliminary landscaping plan in Figure 9, the desire of the design team is to retain as much existing landscaping as possible. The site will have hardy indigenous tree species of both coniferous and deciduous varieties replanted in key areas to buffer residential areas, soften the edges of the buildings, create pleasant pedestrian conditions, and to break up any large surfaces. The large timber canopies that define the lower levels will have a native sedum roof that will attenuate rainfall and reduce outflow. In the summer months, the sedum will flower and these wildflowers will attract and support bees as well as local birds.



**Figure 10: Preliminary Landscaping Plan (L 0.1)**



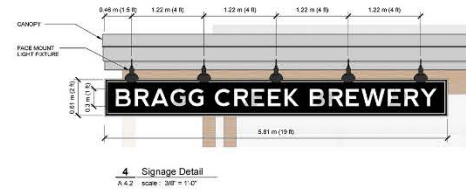
## 7.3 Lighting

According to the HBCDS, the design goal of lighting for commercial developments is such that: exterior building lighting complements the individual architecture of the building and extends the life of the streetscape into the nighttime hours; site lighting design provides a sense of safety, security, and pedestrian comfort; lighting avoids excessive lighting levels and glare; and lighting adheres to the dark skies design principles. In terms of exterior façade lighting standards, façade lighting elements shall be evaluated based on their aesthetics and their consistency with the type and style of lighting standards in the hamlet, with the scale and style of light fixtures consistent with the architectural details and the orientation in a night-sky friendly fashion. Principles of Crime Prevention Through Environmental Design (CPTED) should be incorporated to illuminate entranceways and recessed areas on a building's façade.

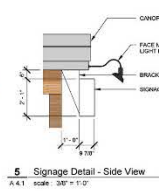
As illustrated in Figure 10, face-mount light fixtures will be used to illuminate two small, individually-mounted signs with raised letters and borders that are consistent with the design of the building and site in terms of scale, materials, finished and colours. This lighting, combined with the beacon of light from the lower floor, shielded from above by the canopy overhang will provide adequate lighting for safety, security and pedestrian comfort, while adhering to dark skies design principles.



1 View of South West Corner  
Scale: 1/8" = 1'-0"



4 Signage Detail  
Scale: 3/8" = 1'-0"



5 Signage Detail - Side View  
Scale: 3/8" = 1'-0"



6 Material Reference  
Scale: N.S.



2 View of South East Corner  
Scale: 1/8" = 1'-0"



3 View From Site Entry  
Scale: 1/8" = 1'-0"

**STARK**  
architecture

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No.	Description	Date

Bragg Creek  
Brewing Co.

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

Stamp



Development Permit

October 5, 2018

Perspectives

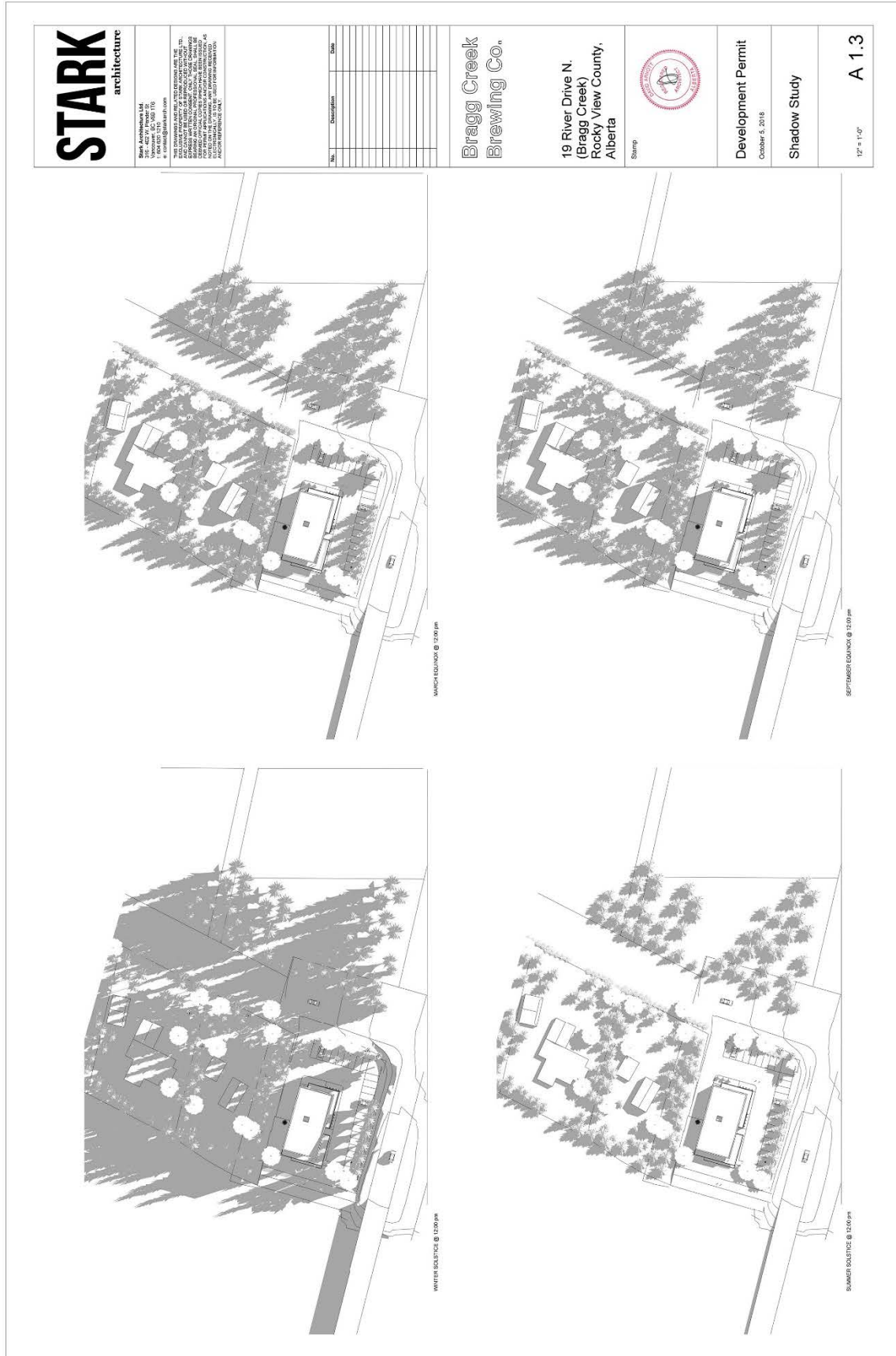
As indicated

A 5.1

Figure 11: Perspectives Highlighting Lighting and Signage Detail (A 5.1)

## 7.4 Shadow Analysis

As illustrated in Figure 11, a shadow analysis of our proposed building was completed by our Architect, Stark Architecture, as requested by Rocky View County Administration. Shadows created by the building were modeled for noon during the winter solstice, March equinox, summer solstice and September equinox. As one can see, the building does not create any additional shadowing compared to existing trees and vegetation in the area, even when the sun is at its lowest point in the sky during the winter solstice. The building will blend in nicely with the existing setting.



**Figure 12: Shadow Analysis (A 1.3)**



## 8.0 TRANSPORTATION

### 8.1 Trip Generation Exercise

As agreed upon with the Development Authority and affirmed by a qualified traffic engineer professional from Bunt & Associates, a full transportation impact assessment was not required for this development. Rather, prior to approval for re-zoning a trip generation exercise was completed, which revealed that the magnitude of traffic during the peak hour is not enough to change the operation of the intersection of River Drive N. and Balsam Avenue. Therefore, our proposed development will not appreciably alter the level of driving experience either on River Drive or Balsam Avenue in the vicinity of the site.

### 8.2 Parking Assessment

We recognize that according to the Rocky View County Land Use Bylaw (C-4841-97), we do not have adequate parking on-site to accommodate our proposed use of the building. While parking requirements are currently under review, it is our desire to be in alignment with current bylaws. As such, we have engaged in discussion with other local business owners and have secured additional overflow parking spaces within the Hamlet of Bragg Creek to accommodate peak parking demand. Further, we have retained a qualified traffic engineer professional, Bunt & Associates, to perform a Parking Assessment using our on-site spaces as well as the additional overflow spaces in order to confirm we are in alignment with the Rocky View County Land Use Bylaw (C-4841-97) and Alberta Transportation regulations. The result of that assessment is that the parking need for this development is 43 stalls, with an operating deficit of 20 stalls, since there are 23 stalls on-site. With 42 overflow stalls available with signed agreements, as well as several more available through community access, accommodation for parking is adequate to mitigate any bylaw parking shortage. The parking assessment report is referenced in the Supporting Technical Information Section and provided as a supplementary package.

## 9.0 UTILITY SERVICING

### 9.1 Potable Water, Wastewater and Fire Suppression

It is our desire to utilize existing municipal infrastructure for potable water, fire suppression and wastewater. We recognize that upgrades to municipal connections will need to be performed in order to meet future demands of our facility and will provide detailed plans for those upgrades at the building permit stage. As agreed upon with Rocky View County Administration, we will submit our development permit with a facility water and wastewater demand of 1 m<sup>3</sup>/day and will assess our actual water and wastewater usage after one year of operation, which will be used to determine the amount of water levy required. The amount of \$17,877.62 per cubic meter per day was agreed upon with Rocky View County Administration, however usage will need to be determined. A full report by a qualified mechanical engineering professional for water and wastewater demand will be completed at the building permit stage, which will be compared to actual usage at a later date. Wastewater from the facility will comply with the Rocky View County Land Use Bylaw (C-4841-97) in terms of BOD, COD and TSSs. Fire suppression will be serviced through municipal water connection and will be designed and maintained in accordance with the National Fire Protection Association (NFPA), the Alberta Building Code (ABC) and the Alberta Fire Code (AFC).

## 10.0 STORMWATER MANAGEMENT AND DRAINAGE

A stormwater management report was prepared in support of this document by a qualified civil engineering professional, Richview Engineering, to establish expectations for managing stormwater in association with the planned development (see Supporting Technical Information section and supplementary report). The report identifies a strategy to accommodate the collection, safe conveyance, storage and ultimate discharge of surface drainage. Topography within the subject lands slopes generally from southeast towards the northwest and into the Elbow River. The design of the stormwater management system is intended to respect existing topography in order to minimize the extent of site grading.

## 11.0 COMMUNITY CONSULTATION

A comprehensive community consultation was undertaken in two stages regarding this proposed development: one prior to successful re-zoning and one prior to submission of the development permit. The first stage was completed in compliance with the HBCDS and guidance from Rocky View County Administration and took place beginning in May of 2017 and extended to October 2017. During this period, an open house was advertised and held within the Hamlet of Bragg Creek in order to showcase our plans for the development of the site and solicit feedback from local residents. The open house was well attended and we received a wealth of positive feedback, including a dire need for accommodations within the Hamlet. Rocky View County also circulated our re-zoning application through a formal public notification during this

time period and collected feedback on our behalf for our vision. At the end of this period, we collected a further 70 letters of support for our project from local community residents and businesses.

The second stage of community consultation was completed in compliance with the HBCDS, whereby a public notification campaign was performed over a period of 61 days, initiated on October 5, 2018, concluding on December 5, 2018, and included all residents and businesses properties within 400 meters of the property. All addresses were visited initially on a door-to-door basis, culminating in dozens of hours of face-face interaction, with follow up via phone, email or text. Residents and business owners were presented with a public consultation package about the Bragg Creek Brewery project which included an outline of our vision, an update on project timelines, a map of the project location, a project description, a site plan, massing and placement of the building, architectural elevations, and finally a feedback form asking for their input. The results of this second stage of public consultation within the community were also overwhelmingly positive, with a common sentiment that people loved the concept, especially the boutique Inn aspect and hoped it would be built soon. A quantitative analysis of responder feedback for those who saw the design package was performed, with 90% of people liking the overall design, including the contrast between dark upper floors and lighter lower floor. The design also has the support of both the Bragg Creek Revitalization Committee and the Bragg Creek Chamber of commerce, both of whom wrote letters of support stating as such. Further, the design has the full support of the Division 1 Councilor, Mark Kamachi. A copy of the package, a log of community interactions and collected feedback forms can be found in a separate cover, referenced in the Supporting Technical Information section.

## 12.0 SUPPORTING TECHNICAL INFORMATION

All supporting technical information can be found under separate cover.

1. Architecture Package, Stark Architecture, October 2018
2. Geotechnical Investigation, e2K Engineering, November 2018
3. Stormwater Management Report, Richview Engineering, November 2018
4. Parking Assessment, Bunt & Associates, November 2018
5. Public Consultation Summary, Bragg Creek Brewing Company, November 2018



# **Bragg Creek Brewery**

## **Public Consultation Summary**

This package summarizes the latest public consultation that the directors of the Bragg Creek Brewery have performed in support of the forthcoming development permit application. Over a period of 61 days between October 5, 2018 and December 5, 2018, we went door-to-door within the Hamlet engaging with people about our project, walking them through our Public Consultation Package (included herein) and asking them for their feedback. For those that wanted them, we offered feedback forms with a series of questions they could answer in order to better understand their comments pertaining to our project. Some people also chose to provide feedback via email, as well as via text, letter form and spoken work. We logged all of these interactions (included herein) and have provided all written feedback we received (included herein). We believe this public consultation was comprehensive and provided ample opportunity for feedback from the community.

Overall, feedback was extremely positive and the vast majority of people (90%) within the community support this project, our vision, and the overall design of the space. We did have some suggestions about building design, colours, features, etc. that people thought might make the building suit their personal tastes, which we noted and considered. We love our overall design and in general, so too do the people of Bragg Creek!

Public Consultation Log						
Date	Communication Type	Name	Business	Address	Response	Design
10/05/18	text	Lowell Harder	Bragg Creek Chamber	Bragg Creek T0L 0K0	received Feedback Sheet	Y
10/05/18	text	Richard Brown	Revitalization Committee	Bragg Creek T0L 0K0	received Feedback Sheet	Y
10/06/18	in person	Tanya & Mark	AdMaki	27 Balsam Ave	both Mark and Tanya fully support the project	Y
10/06/18	in person	Uwe	Bragg Creek Family Foods	Unit 416, 15 Balsam Ave	He loves the concept and drawings and is looking forward to the addition of the accommodation	Y
10/06/18	in person	Pauline	Spirits West	Unit 414, 15 Balsam Ave	received from both Pauline and Fred	N
10/06/18	in person	Josef	Italian Farmhouse	20 Balsam Ave	He is now very excited for the project as he recognized the benefit to his business of the accommodation and how it will support him.	Y
10/06/18	in person	Reed	Cowtown Beef Shack	15 Balsam Ave	received Feedback Sheet	Y
10/06/18	in person	Emma & Ben	Rockies Tavern & Grill	Unit 404, 15 Balsam Ave	they are both in support of the Brewery and are like both the concept and building design. Especially the Boutique Inn.	Y
10/06/18	in person	Marissa	Mountain Bistro	7 Balsam Ave	she is in support of the Brewery - the design is beautiful	Y
10/06/18	in person	Julie	Sugar Shake	#4 16 White Ave	Julie and another employee really liked the design and materials as well as the accommodation option which is missing from BC.	Y
10/06/18	in person	Michelle Headon	Bragg Creek Resident	Bragg Creek T0L 0K0	she is in favour of everything we are doing	Y
10/06/18	in person	Birgit	Bragg's Korner Kitchen	#8 16 White Ave	she completely supports us and the concept - loves the accommodation	Y
10/06/18	in person	June & Sean	Creekers Bistro	20 White Ave	Sean and June both are in favour of the entire concept and design	Y
10/06/18	in person	Rick & Josee	Neighbour		verbal support of the project and they love the design	Y
10/06/18	in person	Eric Rohantinky	Bavarian Inn	75 White Ave	received Feedback Sheet	Y
10/08/18	text	John & Angela Lowry	Neighbour		had multiple texts trying to coordinate a time to meet but didn't work for either of us	
10/08/18	in person	Rose & Jeff	Powderhorn Saloon	Unit 414, 15 Balsam Ave	supportive of Brewery	N
10/06/18	text	Fred Konapaki	Spirits West	Unit 414, 15 Balsam Ave	received Feedback Sheet	Y
10/08/18	text	Mingyu	Creekers Liquor	20 White Ave	no response	?
10/08/18	in person	Zelda	the Studio & Gallery	12 Balsam Ave	In support of Project	Y
10/08/18	in person	Marina Cooke	the Studio & Gallery	12 Balsam Ave	In support of Project	Y
10/08/18	in person	Pablo and Cailen	the Heart	12 Balsam Ave	received Feedback Sheet	Y
10/08/18	in person	Mark Betts	Moose Mountain	7 Balsam Ave	received Feedback Sheet	Y
10/08/18	in person	Elizabeth Hertz	Suncatcher's Design Studio	55 Burntall Dr	supports the Brewery	Y
10/08/18	in person	Harry Singh	Esso	7 Balsam Ave	he really likes the look and feel of the Brewery	Y
10/08/18	in person	Devanee Clark	Cinnamon Spoon (employee)	1 White Ave	she loves the look of the building and knows BC needs accommodation	Y

Public Consultation Log						
Date	Communication Type	Name	Business	Address	Response	Design
10/08/18	in person	Bob & Candy Cook	Branded Visuals	1 White Ave	received Feedback Sheet	N
10/19/18	in person/email	Steve Resta	BC Physio	24 Balsam Ave	he supports our Project	Y
10/19/18	in person/email	Mike Woertman	Cinnamon Spoon	1 White Ave	supportive	N
10/18/18	phone call	Cathy and Bob Martin	Bragg Creek Resident		7 min call - very supportive	Y
10/20/18	in person	Dave Zimmerman	Bragg Creek Resident	Bragg Creek TOL 0K0	great design and vision	Y
10/20/18	in person	Derek Lee	Cycle 22x	#14, 20 White Ave	Support the entire Brewery project	Y
10/20/18	in person	Steve McNeil	Bragg Creek Resident	Bragg Creek TOL 0K0	really likes the architechual look and feel	Y
10/22/18	in person	Bryce Hleucka	Redwood Meadows	Redwood Meadows	can't wait for opening	Y
10/22/18	in person	Troy Delfs	Bragg Creek Resident	Bragg Creek TOL 0K0	awesome project and vision	Y
10/24/18	in person	Eric Lloyd	Bragg Creek Resident	Bragg Creek TOL 0K0	looking forward to opening and accommodation	Y
10/25/18	phone call	Craig & Aaron	Bragg Creek Resident		15 min call oct 25. No questions at this time and were appreciative of the iupdate	
10/26/18	phone call	Shelagh O'Neill	Bragg Creek Resident		12 min call. She is very pleased that we got our rezoning and knew that the county would not have approved it if they did not have the foresight to see how it was going to improve the community. She is definitely and support and believes Bragg Creek needs something like this that is different and not already here.	
10/27/18	phone call	Mark Bowden	BC Physio Property Owner and Resident	24 Balsam Ave	he likes the idea of our project and know it will help Bragg Creek as a community	
10/28/18	phone call	Linda Marx	Bragg Creek Resident		14 minute call and she is supportive but wanted to know if we had parking taken care of and I let her know our plan. She also asked me if I knew a good lawyer and/or accountant to help her transfer her property into her daughter's name. I told her that we would maybe be interested in her place some day in the future.	
11/20/18	phone call/inperson	James & Stacy Chisholm	Bragg Creek Resident		they still support our project and are looking forward to the day it opens.	Y
11/24/18	in person	Joe & Michelle Longo	Bragg Creek Resident		they like the fact that this project is "huge" for the community and know it will be a great addition	Y
11/24/18	in person	Victoria Fielding	Bragg Creek Animal Hospital	16 Balsam Ave	in full support	Y
11/24/18	in person	Chad Fehr	Chad Fehr Professional Corp	16 Balsam Ave	received feedback sheet	Y
11/26/18	in person	Sara Hammer	Bragg Creek Resident		very supportive	
12/4/18	phone call/email	Michael von Hausen	MVH Urban PLanning & Design Inc	Bragg Creek Consultant	great feedback	Y



To Whom it May Concern:

As a member and chair of the Bragg Creek Revitalization Committee I support the Bragg Creek Brewing Company's plans for the development of a Brewery, Restaurant and small hotel in Bragg Creek.

The Revitalization Plan's vision is "to invigorate the community and the economy of Bragg Creek for long term health and resilience". The three pillars of the plan are enhancing the Bragg Creek character, have a connected community and develop a thriving economy. The Revitalization Plan also identified a high priority to expand overnight accommodation.

Private investment, such as the plans of the Bragg Creek Brewing Company is absolutely necessary to meet some of the objectives of the plan, including;

- Attracting visitors
- Increasing tourism
- Enhancing image
- And through increased investment by private interests, increasing land and property values

By achieving some or all of the above objectives there will be spin off benefits that should drive more traffic to existing businesses, improving the local economy. In addition to the above benefits the plan objectives are also to establish the riverfront as a central feature of Bragg Creek.

A development that meets the Area Structure Guidelines such as the plan being developed by the Bragg Creek Brewing Company is consistent with the objectives of the revitalization of Bragg Creek.

Regards,

A handwritten signature in blue ink, appearing to read 'Richard Brown', with a long horizontal flourish extending to the right.

Richard Brown

Chair, Bragg Creek Revitalization Committee

Baruch

Trust this works for an email

Community Contribution

- 1 - Increases eating options for local residents
- 2 - Attracts people to the community/ encourages them to stay in the Hamlet - increasing the length of stay increases the amount of spending
- 3 - Creates joint marketing opportunities with other businesses
- 4 - Increases employment opportunities for young people in the Rockyview Area

Name of first beer

Elbow growler

This is a great project and hope that you will have tremendous success. As the local Chamber President, and owner of 2 local businesses I think that this venture will increase the overall business vitality of our community and broader area.

Sincerely,

Lowell Harder

Office: 403.949.3442



[www.exteriormaintenance.ca](http://www.exteriormaintenance.ca)

1) How do you see our project contributing to the vitality of our community?

- The plans that you showed me look very ambitious. I think that there are components of the overall project that I am more excited and optimistic about than others. The boutique hotel, and brewery are very intriguing. Just some advice regarding the cafe style eatery; you would be entering into a currently rather 'saturated' market when it comes to a food establishment (there are currently 14 eateries already in town) and take it from me, it is an extremely difficult market at the moment. So I would just caution you with regards to spending capital on the cafe portion if there is somewhere else you could allocate the funding.

2) Did we miss something? is there anything that you do not see that you think we should consider?

- I only had a preliminary look at what you had with regards to your drawings and overall vision of the entirety of the project, so there isn't much for me to comment on here. Just to be clear on my comments in #1, I am all for the continued responsible development of Bragg Creek. We need more investment!

3) What do you think the name of our first beer should be?

- Prospector Porter/ale/lager

4) Do you have any additional comments?

- I am excited to see this project break ground and open up! I think it is advantageous to develop a project that has the potential for multiple income streams, and hope that it is as successful as you envision it to be!

1. Seriously, any growth in Bragg Creek is positive. Having 12 rooms for rent is a no-brainer.
2. Don't listen to the haters.
3. Something to do with the Round House or Jake Fullerton.
4. The ESSO sucks because it looks like they dropped a box on top of it. Look around Calgary and you will see many office towers that look the same, as if the architect couldn't figure out how to finish the job-like a 5 year old playing with LEGO. Don't let your building look like that! Mix modern and progressive with classic mountain design. Don't cheap out.

Fred Konopaki  
Spirits West owner and resident



Hi Baruch,

First let me say that I'm excited about your venture and support it as a great step forward for our community.

There are just two concerns that I have based on the brief viewing of the plans/drawings.

1. Parking ... Is there adequate parking such that full capacity doesn't impact neighboring streets or the main mall parking lot. The Italian Farmhouse is a perfect example of a local restaurant that doesn't have enough on-site parking when at full capacity.
2. Building Façade ... The revitalization guidelines make it pretty clear as to what type of theme/materials should be incorporated into exterior design as per the communities input. I would like to see more evidence of this on the upper portion of your hotel. The county website has pictures to illustrate the styles I'm referring to.

Regards,

Bob Cook  
**Branded Visuals Inc.**  
**B232, Bay 4, #1 White Ave. (Trading Post Mall)**  
**Bragg Creek, Alberta - Canada**  
**T0L 0K0**  
Gallery: (403) 949-3000  
Cell: (403) 519-9958  
[www.brandedvisuals.com](http://www.brandedvisuals.com)

# WE WANT TO HEAR FROM YOU!

Your feedback is integral to this process and will continue to help shape this project. Please answer the following questions so that we can incorporate your thoughts into our design. If you think of anything else please contact Baruch via email: [baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca).

1) How do you see our project contributing to the vitality of the community?

*Hotel rooms will allow tourists to spend more time in town increasing retail and entertainment spending. Brewery will draw more tourists in.*

2) Did we miss something? Is there anything that you do not see that you think we should consider?

3) What do you think the name of our first beer should be?

*THE CHAD :-)  
GNARL*

4) Do you have any additional comments for us?

*Best wishes ! Great Idea*

## PUBLIC CONSULTATION

# WE WANT TO HEAR FROM YOU!

Your feedback is integral to this process and will continue to help shape this project. Please answer the following questions so that we can incorporate your thoughts into our design. If you think of anything else please contact Baruch via email: [baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca).

1) How do you see our project contributing to the vitality of the community?

HAVING THE BREWERY WILL ADD MORE FOR  
PEOPLE TO COME VISIT BRAGG CREEK AND  
HAVE A PLACE TO STAY.

2) Did we miss something? Is there anything that you do not see that you think we should consider?

NOT SURE IF THERE WAS A PATIO  
IN THE DRAWINGS BUT PATIO WOULD LOOK  
GREAT ON THE BUILDING

3) What do you think the name of our first beer should be?

COWBOY TRAIL PALE ALE?

4) Do you have any additional comments for us?

I THINK YOU HAVE A FANTASTIC DESIGN  
AND AM EXCITED FOR YOU GUYS TO OPEN!

8



# WE WANT TO

# HEAR FROM YOU!

Your feedback is integral to this process and will continue to help shape this project. Please answer the following questions so that we can incorporate your thoughts into our design. If you think of anything else please contact Baruch via email: [baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca).

1) How do you see our project contributing to the vitality of the community?

- ATTRACTIVE DESIGN
- ENTHUSIASTIC OWNER - OPERATORS
- LOCAL OWNER WITH A VESTED INTEREST
- WILL CREATE A DRAW & DESTINATION

2) Did we miss something? Is there anything that you do not see that you think we should consider?

- LOOKS SO GOOD
- EXCITING PROJECT BUYS!
- BEST OF LUCK!

3) What do you think the name of our first beer should be?

BEER NAMES THAT CELEBRATE THE AREA, THE ACTIVITIES AND MAYBE INSPIRED BY LOCAL BUSINESSES IE:

HAMMER & NAIL - TARP & TENT - BAKED GOODS -  
THE GIFTED ONE - BACK COUNTRY TRIAL -  
SALOON NIGHTS - MEAT ON A BUN -  
GO POSTAL - THE FAN BELT - RUN DEER RUN -  
4x4 ROLLOVER - RUMORS - STUCK IN THE  
MUD - HEAVY SNOW - SPEED CAFE .....



# WE WANT TO HEAR FROM YOU!

Your feedback is integral to this process and will continue to help shape this project. Please answer the following questions so that we can incorporate your thoughts into our design. If you think of anything else please contact Baruch via email: [baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca).

1) How do you see our project contributing to the vitality of the community?

Very Well - Destination

2) Did we miss something? Is there anything that you do not see that you think we should consider?

Building too high at 3 levels plus the elevation. Too Modern, does not fit with current style (country) or Western.  
~~Feedback~~

3) What do you think the name of our first beer should be?

Braggers / Redwood Red Ale / Gateway

4) Do you have any additional comments for us?

Good luck with project.

Here you go.

How do you see our project contributing to the vitality of the community?  
I believe Bragg Creek needs a bit of a face lift. A lot of the businesses around look the same as they did a long time ago. The town needs some re-branding and a new feel and this new wave of businesses is doing that.

Did we miss something?  
The project looks great. My concern would be the space available to fit all cars. Unfortunately there is little to no infrastructure in town, so my concern would be for those who are looking for a place to park and can't find any and neighboring areas being affected.

Name of the beer?  
Something MD related.

Good luck guys. Look forward to seeing the project kick in.

The Heart Cafe



**Pablo Torres**  
**Fraud & Risk Manager**  
[ptorres@withreach.com](mailto:ptorres@withreach.com)  
**+1 403 290 0331 + 4585**

# **Stormwater Management Report**

Bragg Creek Brewery

Provided By: E2K Engineering

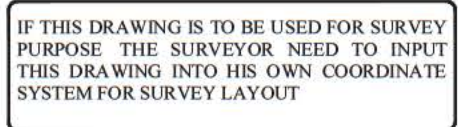
November, 2018



- | LEGEND:            | PROPOSED          | EXISTING             |
|--------------------|-------------------|----------------------|
| SITE PROPERTY LINE |                   |                      |
| EASEMENT LINE      |                   |                      |
| STORM SEWER        | <u>ST 250 PVC</u> | <u>EX ST 250 PVC</u> |
| SANITARY SEWER     | <u>S 250 PVC</u>  | <u>EX S 250 PVC</u>  |
| WATER MAIN         | <u>W 250 PVC</u>  | <u>EX W 250 PVC</u>  |
| CATCH-BASIN        | ⊖                 | ⊖                    |
| MANHOLE            | ⊙                 | ⊙                    |
| WATER VALVE        | ⊗                 | ⊗                    |
| FIRE HYDRANT       | ⊙                 | ⊙                    |
| CAPPED PIPE END    | ⊖                 | ⊖                    |
| GRADE              | ⊖                 | ⊖                    |
| WATER METER        | ⊙                 | ⊙                    |
| REDUCER            | ⊖                 | ⊖                    |
| CHECK VALVE        | ⊙                 | ⊙                    |
| LIGHT STANDARD     | ⊙                 | ⊙                    |
| ICD                | ⊙                 | ⊙                    |

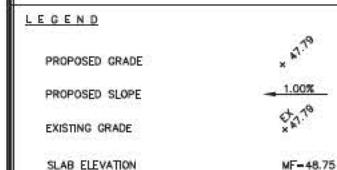
[illegible]

DESIGN:	RL	<div style="text-align: center;"> <h2>SITE SERVICING PLAN</h2> </div>			
DRAWN:	ZS				
CHECKED:	RL				
DATE:	18 NOV 12	DEVELOPMENT PERMIT No.	PROJECT No.	OWB No.	ISS/REV
		DP			
SCALE:	1:200	MECHANICAL GRG. No.	1118	02	00
		MC			



**Agenda**  
**Page 101 of 550**





**MUNICIPAL ADDRESS**  
19 RIVER DRIVE N (BRAGG CREEK)  
ROCKY VIEW COUNTY, ALBERTA  
**LEGAL ADDRESS**  
LOT 1 BLOCK 6  
PLAN 1741 EW  
SE 1/4 SEC 13 TWP 23 RGE 05 W5th M

REVISIONS							
0	18	11	12	FOR APPROVAL			ZS RL
REV.	Y.	M.	D.	ISSUE/REVISION DESCRIPTION			QRY CHK



BRAGG CREEK BREWING

BRAGG CREEK  
BREWERY

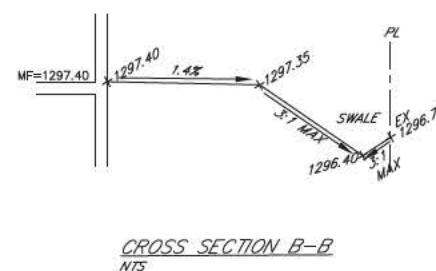
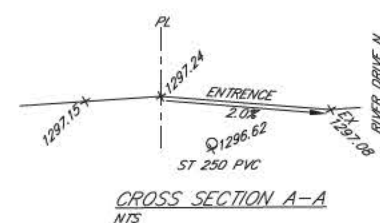
## SITE GRADING PLAN

DESIGN: RL	<div style="text-align: center;"> <h2>SITE GRADING PLAN</h2> </div>			
DRAWN: ZS				
CHECKED: RL				
DATE: 18 NOV 12	DEVELOPMENT PERMIT No. DP	PROJECT No.	QMC. No.	ISS/REV
SCALE: 1: 200	MECHANICAL, QMC. No. M.C.	1118	02	00

ALL THE SURFACE LAYOUT, INCLUDING THE CURB LAYOUT, BUILDING LAYOUT, ETC., SHOULD FOLLOW THE LATEST SITE PLAN FROM THE ARCHITECT.

IF THIS DRAWING IS TO BE USED FOR SURVEY PURPOSE THE SURVEYOR NEED TO INPUT THIS DRAWING INTO HIS OWN COORDINATE SYSTEM FOR SURVEY LAYOUT

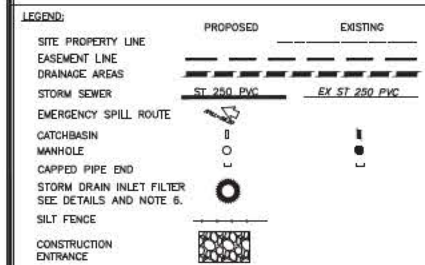
NOT FOR CONSTRUCTION  
UNTIL FINAL APPROVAL IS GRANTED  
BY THE ROCKY VIEW COUNTY







- NOTES:**
1. ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF.
  2. ALL ELEVATIONS REFERENCED TO 0 GEODETIC DATUM.
  3. ALL WORK TO BE DONE TO ROCKY VIEW COUNTY SPECIFICATIONS.
  4. WATER STRIPPED AREAS WHEN EQUIPMENT WORKING ON-SITE AND DURING DRY WINDY PERIODS AS REQUIRED.
  5. DURING CONSTRUCTION TEMPORARY EROSION CONTROL DEVICES TO BE USED AS SHOWN IN THIS PLAN TO KEEP ALL DIRT AND SILT ON SITE.
  6. ALL CATCHBASINS AND OPEN GRATE STORM MANHOLES SHALL BE PROTECTED WITH CATCHBASIN DONUT OR DAM BY BMP SUPPLIES INC. OR EQUIVALENT UNTIL ANY OPPORTUNITY OF SEDIMENT ENTERING THE STORM INLETS EXIST.
  7. TEMPORARY GRAVEL CONSTRUCTION ENTRANCE TO BE BUILT TO PREVENT DIRT HAULED OFF-SITE.
  8. OFF-SITE ROAD TO BE CLEANED FROM ANY DIRT GENERATED BY THE TRUCK-TRAFFIC FROM SITE.
  9. THE MAINTENANCE SCHEDULE AND A COPY OF THIS PLAN SHOULD BE KEPT ON SITE.



**MUNICIPAL ADDRESS**  
19 RIVER DRIVE N (BRAGG CREEK)  
ROCKY VIEW COUNTY, ALBERTA

**LEGAL ADDRESS**  
LOT 1 BLOCK 6  
PLAN 1741 EW  
SE 1/4 SEC 13 TWP 23 RGE 05 W5th M

**REVISIONS**

REV.	Y	M	D	ISSUE/REVISION DESCRIPTION	DESIGNED	CHECKED	DATE
0	18	11	12	FOR APPROVAL	ZS	RL	

ENGINEER

**RICHVIEW ENGINEERING INC.**  
REGISTERED PROFESSIONAL ENGINEER  
ALBERTA  
PERMIT NUMBER: P09809  
29 Nov 18

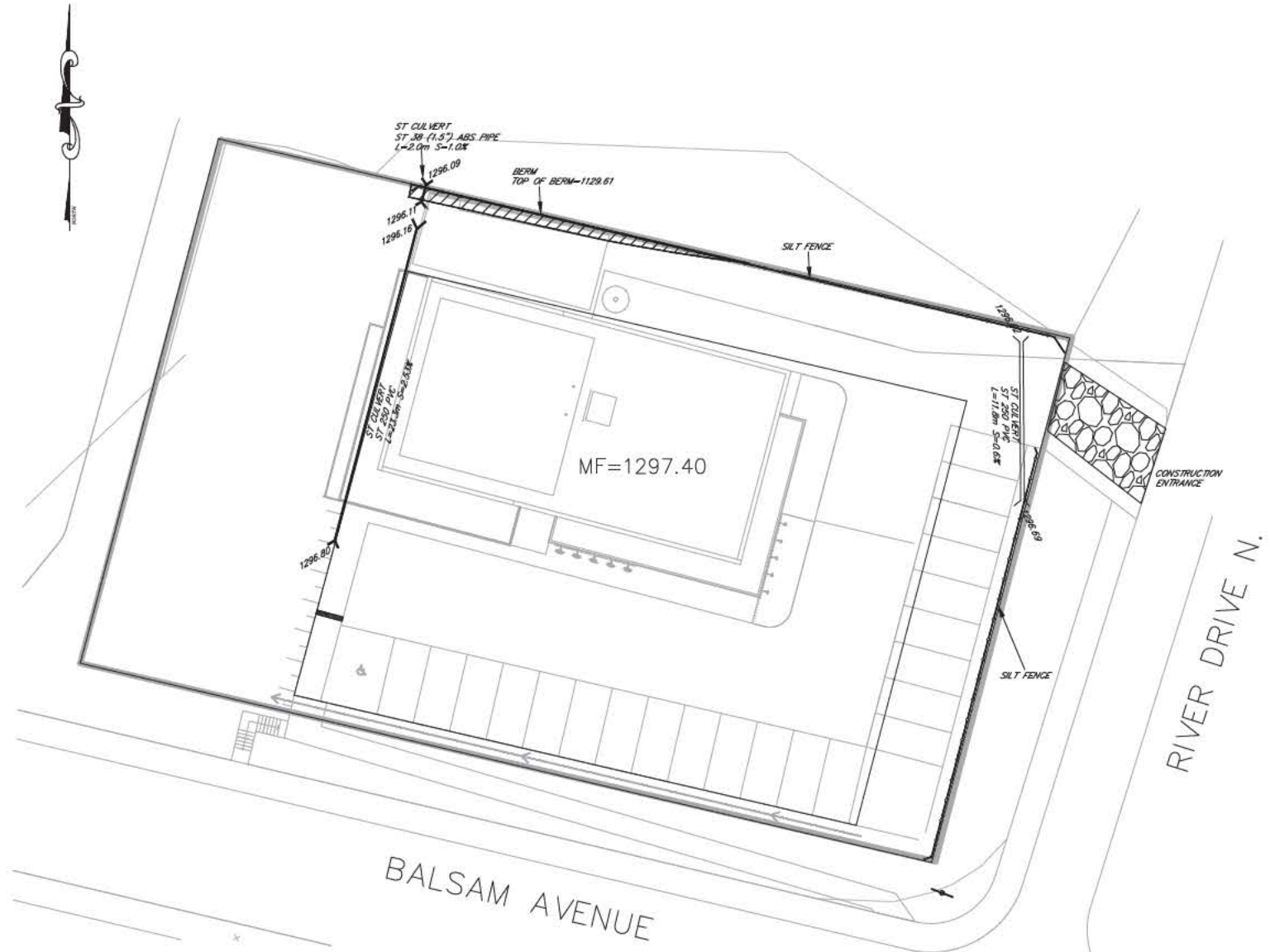
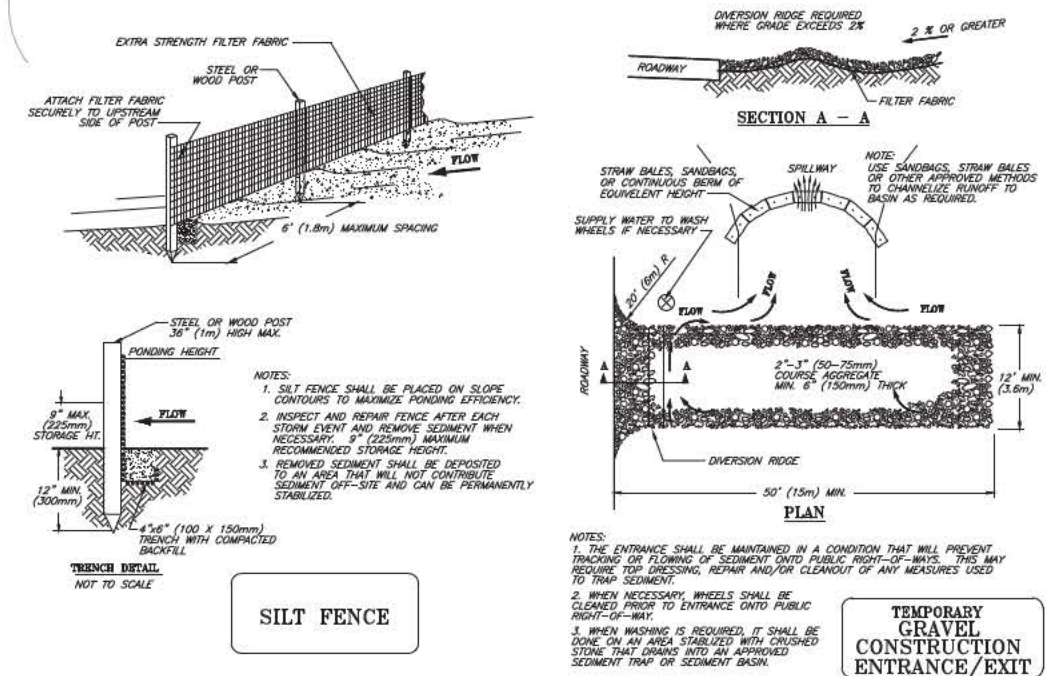
**CLIENT**

**BRAGG CREEK BREWING**

PROJECT

BRAGG CREEK BREWERY					
DESIGN:	RL	EROSION CONTROL PLAN			
DRAWN:	ZS				
CHECKED:	RL				
DATE:	18 NOV 12	DEVELOPMENT PERMIT No. DP	PROJECT No.	DWG. No.	ISS/REV
SCALE:	1:200	MECHANICAL ENG. No. MC	1118	04	00

- Good Housekeeping Practices Items:**
- 1) Proper placement and protection of stockpile soils and materials. Placement of materials on a County Street or where wind/water could transport material off-site is prohibited under the Rocky View County Street Bylaw. Stockpiles are to be properly placed and protected on site so material will not be eroded to off-site areas, including storm inlets.
  - 2) Control of mud track out during construction, usually by means of a well maintained construction entrance/exit on all access locations, supplemented with periodic street sweeping if required.
  - 3) Dust control must be implemented on site, when required.
  - 4) Down-gradient perimeter protection (such as silt fence, compost socks or fibre rolls) to protect off-site areas from storm water runoff and sedimentation during construction.
  - 5) Inspections are required every 7 days and after rainfall or snowmelt events.
  - 6) Temporary sediment control at any storm inlet not located directly on your property requires prior written approval. For most sites, the only location where inlet protection would be approved is directly adjacent to a gravel pad or stockpile. Failure to obtain approval can lead to fines under the Drainage Bylaw. Please contact our office for more information if you wish to use inlet protection on public property near your good housekeeping site.
  - 7) Please note that future Erosion and Sediment Control Report and Drawing submissions should come in using the new Erosion and Sediment Control Report and Drawing Template.
  - 8) This should be considered when preparing the construction schedule.
    - a) The stockpile should be stabilized against erosion immediately following stripping operations.
    - b) All construction vehicles should leave the site at a designated point.
    - c) When sewers have been installed, measures should be undertaken to ensure sediment and debris does not get into the municipal sewer system. Both catchbasins and manholes should be protected.
    - d) All temporary and permanent detention facilities must be constructed prior to the installation of any services on the commencement of earth-moving operations.
    - e) Dust control measures should be implemented to prevent wind transport of dust from disturbed soil surfaces.
    - f) All accumulated sediment and debris should be removed. Once construction activities are complete, all related materials and temporary structures should be removed and properly disposed of.
  - 9) A pre-construction meeting must be called with the Rocky View County ESC Inspector after controls have been put in place but prior to the commencement of construction. Provide at least two business days notice when scheduling your meeting.
  - 10) The following information must be on site and available upon request, and filed for a minimum of two years following final site stabilization:
    - The Erosion and Sediment Control Report and/or Drawing(s), including all amendments;
    - Documentation (including photos and up-to-date written records) detailing implementation, inspection and maintenance of ESC practices;
    - Inspections of all ESC practices must be completed and documented at least every 7 days and at critical times when erosion or sediment releases could occur. Inspections must be completed and documented during, or within 24 hours of, heavy snow melt and heavy and/or prolonged rainfall (defined as >12 mm precipitation within any 24 hour period, or precipitation or snow melt on wet or thawing soils);
    - Inspection must be done by a qualified person who has training in ESC or by someone who is directly under the supervision of a qualified person whom they have received assistance from in understanding the purpose and requirements of the required ESC inspections;
    - The approved Erosion and Sediment Control Report and/or Drawing(s) must be updated when there are changes to the erosion and sediment control practices or implementation. The County ESC Inspector responsible for approving the original Erosion and Sediment Control Report and/or Drawing(s) must be notified by submitting an addendum letter and updated drawing(s);
    - Deficiencies documented during inspection of ESC practices must be corrected promptly, and maintenance documented. Any off-site releases of sediment-laden water or other contaminants to a storm drainage system or the environment must be immediately reported by calling Rocky View County Inspector notified.
    - Prior Authorization (a Drainage or Dewatering Permit) is required from The Rocky View County prior to pumping or directing impounded surface water and/or groundwater into a storm sewer. More information on permits is available at [www.calgary.ca/water-services/esc/](http://www.calgary.ca/water-services/esc/) or by contacting Rocky View County.
    - Long term stockpiles (in place more than 30 days) must be covered or stabilized with mulch and tackifier, vegetation cover or other suitable measures. Stockpiles in place less than 30 days must have functional sediment control practices on the down-gradient side of the pile that will contain sediment (silt fence, fibre rolls, compost socks, etc.). Soil windrowed during utility excavations should be placed up-gradient of the trench, in the absence of other specific regulatory or project requirements, maximum length of open excavation prior to backfilling and stabilization is 150 m.
    - Should all or part of the site be left in a state where active construction is not occurring for a period greater than six months the following conditions must be met:
      - a) The inspection frequency listed in #3 must be maintained unless you have written approval from the Water Resources (County) ESC Inspector or that states otherwise;
      - b) Documentation associated with the site must be maintained but these may be kept at an alternate specified location via an amendment;
      - c) The area of land that is to remain inactive is capable of passing RUSLE calculations, and
      - d) Both the request to keep documents at an alternate location and the new RUSLE calculations must be submitted to The County ESC Reviewer responsible for approving the original Erosion and Sediment Control Report and/or Drawing(s).
    - Where the developer transfers ownership of a piece of property it must be properly stabilized, from an ESC perspective.
    - Thirty days notification to the Manager of Urban Development is required to obtain a stockpile extension for stripping and grading Development Permits or Development Agreements if you wish to extend the stockpile beyond the length of time noted in the permanent conditions.
    - All inlet protection must be removed at Final Acceptance Certificate. Any inlet protection that remains in place after this point must have a separate authorization, other than this report and drawing, under the Drainage Bylaw, or the responsible party will be subject to fines.
    - Inlet protection associated with phases on engineered drawings will be authorized on those circulations. Only socks and donuts associated with the initial stripping and grading phase will be authorized in this report and/or drawing.
- General Items**



ALL THE SURFACE LAYOUT, INCLUDING THE CURB LAYOUT, BUILDING LAYOUT, ETC. SHOULD FOLLOW THE LATEST SITE PLAN FROM THE ARCHITECT.

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NOT FOR CONSTRUCTION  
UNTIL FINAL APPROVAL IS GRANTED  
BY THE ROCKY VIEW COUNTY

# WBSCC

Water Balance Spreadsheet for the City of Calgary  
Version 1.2

PROJECT SUMMARY SHEET

Project Name:	BRAGG CREEK BREWERY
Project Description:	EXISTING CONDITION
Location:	19 RIVER DRIVE N, BRAGG CREEK
Date:	2018-11-29
Designed by:	Jacky Wang
Company Name:	Richview Engineering Inc.
Reviewed by:	Robin Li



**WBSCC - PROJECT DATA SHEET - Environmental Information**

Minimum Temperature to Trigger Runoff (°C)	0
Sublimation Losses (%)	0
Precipitation Multiplication Factor (% Decrease)	0

Month	Is Winter or Summer?	Crop Water Requirement (mm/month)			
		KENTUCKY BLUE GRASS	SAGE BRUSH	Unnamed 1	Unnamed 2
January	Winter	0	0	0	0
February	Winter	0	0	0	0
March	Winter	0	0	0	0
April	Summer	0	0	0	0
May	Summer	110	50	0	0
June	Summer	110	50	0	0
July	Summer	110	60	0	0
August	Summer	110	50	0	0
September	Summer	110	50	0	0
October	Summer	0	20	0	0
November	Winter	0	0	0	0
December	Winter	0	0	0	0

**Catchment Area Data**

Sub-Catchment	Description of Sub-catchment Use	Area (ha)
Sub-Catchment 1		0.2028
Sub-Catchment 2		0
Sub-Catchment 3		
Sub-Catchment 4		
Sub-Catchment 5		
Total		0.2028

**Pond Area Data**

Pond	Description of Pond	Pond Area (m <sup>2</sup> )
Pond 1		0
Pond 2		0

WBSCC - PROJECT DATA SHEET - Environmental Information (Cont'd.)

Actual to Potential Evapotranspiration Modification Factors

Sand		Silt		Clay		Customized Media	
AW/AWC	F	AW/AWC	F	AW/AWC	F	AW/AWC	F
0	0	0	0	0	0	0	0
0.2	1	0.2	0.1	0.2	0.05	0.2	0.1
0.4	1	0.4	0.8	0.4	0.3	0.4	0.5
0.6	1	0.6	1	0.6	0.6	0.6	0.7
0.8	1	0.8	1	0.8	0.95	0.8	0.9
1	1	1	1	1	1	1	1
50	1	50	1	50	1	50	1
100	1	100	1	100	1	100	1

AW: Available Water Content (mm)  
AWC: Available Water Capacity (mm)

**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Parameters, Runoff Allocation**

Usage:

Sub-catchment Parameters		Cover Type					
		Impervious Surface	Pervious Surface	Absorbent Landscaping	Green Roof Media	Bioretention/ Bioswale Medium	Unassigned Area
Area (Total: 0.2028)	(ha)	0.0189	0.1839	0	0	0	0
Depression Loss	(mm)	1.6					
Soil Type: Sand					100	90	
Silt			100	100	0	10	
Clay			0	0			
Custom				0			
Unassigned			0	0	0	0	
Soil or Media Depth	(mm)		150	600	200	1000	
Porosity			0.46	0.46	0.512	0.469	
Field Capacity			0.271	0.271	0.132	0.092	
Wilting Point			0.126	0.126	0.057	0.038	
Saturated Hydraulic Conductivity	(m/s)		1.00E-07	5.00E-06	2.50E-05	3.50E-05	
Sub-soil Hydraulic Conductivity	(m/s)		1.00E-08	1.00E-08		1.00E-06	
Ponding Depth	(mm)		0	0	0	300	
Inv. Slope of Log. Tension Moisture Curve			4.98	4.98	4.55	4.32	
Subdrain Invert (above bottom of media)	(mm)					0	
Subdrain Capacity	(m <sup>3</sup> /s)					0	

% of Runoff Allocated To:	Runoff Allocated from Cover Type/ Facility:						
	Impervious Surface	Pervious Surface	Absorbent Landscaping	Green Roof Media	Bioretention/ Bioswale Media	Storage/ Reuse Tank	Discharge
Pervious Surface	100			0			
Absorbent Landscaping	0	0		0			
Green Roof Media	0						
Storage/ Reuse Tank	0	0	0	0			
Bioretention/Bioswale Media	0	0	0	0			
Discharge	0	100	100	100	100	100	
Pond 1/Pond 2							POND #1

**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Crops, Irrigation, Storage/Reuse Tank**

Storage/ Reuse Tank Parameters		Values
Tank Water Surface Area (assumed bath tub)	(m <sup>2</sup> )	
Spill Crest Elevation, above Tank Floor	(m)	
Starting Water Level	(m)	
Minimum Tank Water Elevation for Recharge	(m)	
Maximum Tank Water Elevation for Recharge	(m)	
Use Recharge from Storm Ponds		No
Recharge Source		POND #1
Additional Non-Potable Demand	(l/s)	0
Municipal Supply Available		No

**Ground Cover Crop-Mix Profiles (Mix as %)**

Crops	Profile #1	Profile #2	Profile #3
KENTUCKY BLUE GRASS	90	100	50
SAGE BRUSH	10	0	50
Unnamed 1	0	0	0
Unnamed 2	0	0	0
Unassigned	0	0	0

**Irrigation Crop Profile or Scheduling Assignment:**

Pervious Surface Cover Type			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1
Absorbent Landscaping Cover Type			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1
Green Roof Media			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1



**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Weekly Watering Schedule**

**Weekly Watering Schedule #1 (Depth of Irrigation) (mm)**

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Jan							
Feb							
Mar							
Apr							
May						10	
Jun			10			15	
Jul		10		10		15	
Aug		10		10		15	
Sep			10			15	
Oct							
Nov							
Dec							

**Weekly Watering Schedule #2 (Depth of Irrigation) (mm)**

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Jan							
Feb							
Mar							
Apr							
May							30
Jun							30
Jul							30
Aug							30
Sep							30
Oct							
Nov							
Dec							

Precipitation treshold (mm) during irrigation day and preceding two days

10

SUBCATCHMENT 1	(mm)	(m3)
TOTAL MSC PRECIPITATION	20897.0	42379.1
AVERAGE PRECIPITATION	409.7	
MEDIAN PRECIPITATION	404.7	
TOTAL RUNOFF (INCLUDING SUBDRAIN)	1012.1	2052.5
% OF RAINFALL AS RUNOFF	4.8	
AVERAGE RUNOFF (INCLUDING SUBDRAIN)	19.8	40.2
MEDIAN RUNOFF (INCLUDING SUBDRAIN)	15.6	31.6
TOTAL IRRIGATION DEMAND	0.0	0.0
MAXIMUM RUNOFF (ANY TIMESTEP)	52.8	107.0
AVERAGE EVAPORATION	373.2	756.8
AVERAGE PERCOLATION	7.2	14.5
TOTAL RUNOFF + EVAP + PERCOLATION	400.2	811.6

SC1: IMPERVIOUS AREA	(mm)	(m3)
TOTAL MSC PRECIPITATION	20897.0	3949.5
TOTAL RUNOFF	15856.8	2996.9
% OF RAINFALL AS RUNOFF	75.9	
AVERAGE RUNOFF	310.9	58.8
MEDIAN RUNOFF	307.0	58.0
MAXIMUM RUNOFF (ANY TIMESTEP)	91.0	17.2
TOTAL RUNON	0.0	0.0
TOTAL DEP STORAGE (EVAPORATION LOSS)	5033.6	951.4
TOTAL SUBLIMATION LOSS	0.0	0.0
SNOW PACK AT THE END OF SIMULATION	6.6	1.2
WATER BALANCE (OVER PERIOD OF RECORD)	0.0	0.0

#### ANNUAL SUMMARIES

##### IMPERVIOUS SURFACE

YEAR	MSC PRECIP	TOTAL RUNOFF	% RUNOFF	MAX RUNOFF
	(mm)	(mm)	(-)	(mm)
1960	373.0	277.4	74.4	34.1
1961	392.1	305.6	77.9	35.7
1962	285.3	187.2	65.6	27.4
1963	425.0	341.6	80.4	41.1
1964	392.4	283.1	72.1	38.5
1965	590.2	491.5	83.3	49.2
1966	403.7	322.4	79.9	53.3
1967	256.4	181.2	70.7	20.6
1968	358.6	253.0	70.6	38.3

# WBSCC

Water Balance Spreadsheet for the City of Calgary  
Version 1.2

PROJECT SUMMARY SHEET

Project Name:	BRAGG CREEK BREWERY
Project Description:	PROPOSED CONDITION
Location:	19 RIVER DRIVE N, BRAGG CREEK
Date:	2018-11-29
Designed by:	Jacky Wang
Company Name:	Richview Engineering Inc.
Reviewed by:	Robin Li

**WBSCC - PROJECT DATA SHEET - Environmental Information**

Minimum Temperature to Trigger Runoff (°C)	0
Sublimation Losses (%)	0
Precipitation Multiplication Factor (% Decrease)	0

Month	Is Winter or Summer?	Crop Water Requirement (mm/month)			
		KENTUCKY BLUE GRASS	SAGE BRUSH	Unnamed 1	Unnamed 2
January	Winter	0	0	0	0
February	Winter	0	0	0	0
March	Winter	0	0	0	0
April	Summer	0	0	0	0
May	Summer	110	50	0	0
June	Summer	110	50	0	0
July	Summer	110	60	0	0
August	Summer	110	50	0	0
September	Summer	110	50	0	0
October	Summer	0	20	0	0
November	Winter	0	0	0	0
December	Winter	0	0	0	0

**Catchment Area Data**

Sub-Catchment	Description of Sub-catchment Use	Area (ha)
Sub-Catchment 1		0.2028
Sub-Catchment 2		0
Sub-Catchment 3		
Sub-Catchment 4		
Sub-Catchment 5		
Total		0.2028

**Pond Area Data**

Pond	Description of Pond	Pond Area (m <sup>2</sup> )
Pond 1		53
Pond 2		0



WBSCC - PROJECT DATA SHEET - Environmental Information (Cont'd.)

Actual to Potential Evapotranspiration Modification Factors

Sand		Silt		Clay		Customized Media	
AW/AWC	F	AW/AWC	F	AW/AWC	F	AW/AWC	F
0	0	0	0	0	0	0	0
0.2	1	0.2	0.1	0.2	0.05	0.2	0.1
0.4	1	0.4	0.8	0.4	0.3	0.4	0.5
0.6	1	0.6	1	0.6	0.6	0.6	0.7
0.8	1	0.8	1	0.8	0.95	0.8	0.9
1	1	1	1	1	1	1	1
50	1	50	1	50	1	50	1
100	1	100	1	100	1	100	1

AW: Available Water Content (mm)  
AWC: Available Water Capacity (mm)

**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Parameters, Runoff Allocation**

Usage:

Sub-catchment Parameters		Cover Type					
		Impervious Surface	Pervious Surface	Absorbent Landscaping	Green Roof Media	Bioretention/ Bioswale Medium	Unassigned Area
Area (Total: 0.2028)	(ha)	0.0491	0.0983	0.0554	0	0	0
Depression Loss	(mm)	1.6					
Soil Type: Sand					100	90	
Silt			100	100	0	10	
Clay			0	0			
Custom				0			
Unassigned			0	0	0	0	
Soil or Media Depth	(mm)		150	300	200	1000	
Porosity			0.46	0.46	0.512	0.469	
Field Capacity			0.271	0.271	0.132	0.092	
Wilting Point			0.126	0.126	0.057	0.038	
Saturated Hydraulic Conductivity	(m/s)		1.00E-07	5.00E-06	2.50E-05	3.50E-05	
Sub-soil Hydraulic Conductivity	(m/s)		1.00E-08	1.00E-08		1.00E-06	
Ponding Depth	(mm)		0	0	0	300	
Inv. Slope of Log. Tension Moisture Curve			4.98	4.98	4.55	4.32	
Subdrain Invert (above bottom of media)	(mm)					0	
Subdrain Capacity	(m <sup>3</sup> /s)					0	

% of Runoff Allocated To:	Runoff Allocated from Cover Type/ Facility:						
	Impervious Surface	Pervious Surface	Absorbent Landscaping	Green Roof Media	Bioretention/ Bioswale Media	Storage/ Reuse Tank	Discharge
Pervious Surface	50			0			
Absorbent Landscaping	50	100		0			
Green Roof Media	0						
Storage/ Reuse Tank	0	0	0	0			
Bioretention/Bioswale Media	0	0	0	0			
Discharge	0	0	100	100	100	100	
Pond 1/Pond 2							POND #1

**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Crops, Irrigation, Storage/Reuse Tank**

Storage/ Reuse Tank Parameters		Values
Tank Water Surface Area (assumed bath tub)	(m <sup>2</sup> )	
Spill Crest Elevation, above Tank Floor	(m)	
Starting Water Level	(m)	
Minimum Tank Water Elevation for Recharge	(m)	
Maximum Tank Water Elevation for Recharge	(m)	
Use Recharge from Storm Ponds		No
Recharge Source		POND #1
Additional Non-Potable Demand	(l/s)	0
Municipal Supply Available		No

**Ground Cover Crop-Mix Profiles (Mix as %)**

Crops	Profile #1	Profile #2	Profile #3
KENTUCKY BLUE GRASS	90	100	50
SAGE BRUSH	10	0	50
Unnamed 1	0	0	0
Unnamed 2	0	0	0
Unassigned	0	0	0

**Irrigation Crop Profile or Scheduling Assignment:**

Pervious Surface Cover Type			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1
Absorbent Landscaping Cover Type			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1
Green Roof Media			
Use Irrigation Schedule	No	Schedule Number	1
Use Crop Demand Profile	No	Profile Number	1

**WBSCC - PROJECT DATA SHEET - Sub-Catchment 1: Weekly Watering Schedule**

**Weekly Watering Schedule #1 (Depth of Irrigation) (mm)**

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Jan							
Feb							
Mar							
Apr							
May						10	
Jun			10			15	
Jul		10		10		15	
Aug		10		10		15	
Sep			10			15	
Oct							
Nov							
Dec							

**Weekly Watering Schedule #2 (Depth of Irrigation) (mm)**

	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Jan							
Feb							
Mar							
Apr							
May							30
Jun							30
Jul							30
Aug							30
Sep							30
Oct							
Nov							
Dec							

Precipitation treshold (mm) during irrigation day and preceding two days

10



### Consultant

[illegible][illegible][illegible]

SUBCATCHMENT 1	(mm)	(m3)
TOTAL MSC PRECIPITATION	20897.0	42379.1
AVERAGE PRECIPITATION	409.7	
MEDIAN PRECIPITATION	404.7	
TOTAL RUNOFF (INCLUDING SUBDRAIN)	900.5	1826.3
% OF RAINFALL AS RUNOFF	4.3	
AVERAGE RUNOFF (INCLUDING SUBDRAIN)	17.7	35.8
MEDIAN RUNOFF (INCLUDING SUBDRAIN)	9.1	18.4
TOTAL IRRIGATION DEMAND	0.0	0.0
MAXIMUM RUNOFF (ANY TIMESTEP)	48.5	98.4
AVERAGE EVAPORATION	356.3	722.5
AVERAGE PERCOLATION	11.6	23.5
TOTAL RUNOFF + EVAP + PERCOLATION	385.5	781.8

SC1: IMPERVIOUS AREA	(mm)	(m3)
TOTAL MSC PRECIPITATION	20897.0	10260.4
TOTAL RUNOFF	15856.8	7785.7
% OF RAINFALL AS RUNOFF	75.9	
AVERAGE RUNOFF	310.9	152.7
MEDIAN RUNOFF	307.0	150.7
MAXIMUM RUNOFF (ANY TIMESTEP)	91.0	44.7
TOTAL RUNON	0.0	0.0
TOTAL DEP STORAGE (EVAPORATION LOSS)	5033.6	2471.5
TOTAL SUBLIMATION LOSS	0.0	0.0
SNOW PACK AT THE END OF SIMULATION	6.6	3.2
WATER BALANCE (OVER PERIOD OF RECORD)	0.0	0.0

#### ANNUAL SUMMARIES

##### IMPERVIOUS SURFACE

YEAR	MSC PRECIP	TOTAL RUNOFF	% RUNOFF	MAX RUNOFF
	(mm)	(mm)	(-)	(mm)
1960	373.0	277.4	74.4	34.1
1961	392.1	305.6	77.9	35.7
1962	285.3	187.2	65.6	27.4
1963	425.0	341.6	80.4	41.1
1964	392.4	283.1	72.1	38.5
1965	590.2	491.5	83.3	49.2
1966	403.7	322.4	79.9	53.3
1967	256.4	181.2	70.7	20.6
1968	358.6	253.0	70.6	38.3

POND #1 DISCHARGES TO	POND #1 OUTFALL	CATCHMENT AREA SIZE			UNIT AREA RESULTS BASED ON TOTAL CATCHMENT SIZE				
		0.2 ha - DIRECT		0.2 ha - TOTAL	MEDIAN		AVG		MEDIAN
VOLUME (m3)	MAX	0.0	0.0	0.0					
	LEVEL (m)	1296.1	1296.1	1296.0	1296.1				
INFLOW (m3)	MAX	211.0	TOTAL	AVG	MEDIAN	MAX	TOTAL	AVG	MEDIAN
	DIRECT PRECIPITATION (m3)	0.1	1865.0	36.6	18.7 (mm)	104.0	919.6	18.0	9.2
	EVAPORATION LOSS (m3)	0.1	2.1	0.0	0.0 (mm)	0.0	1.0	0.0	0.0
	SEEPAGE LOSS (m3)	0.0	3.9	0.1	0.1 (mm)	0.0	1.9	0.0	0.0
	DISCHARGE (m3)	211.0	0.0	0.0	0.0 (mm)	0.0	0.0	0.0	0.0
	OVERFLOW (m3)	0.0	1866.3	36.6	18.7 (mm)	104.0	920.3	18.0	9.2
	MAKE-UP WATER (m3)	0.0	0.0	0.0	0.0 (mm)	0.0	0.0	0.0	0.0
WATER BALANCE (m3)	DEMAND (m3)	0.0	0.0	0.0	0.0 (mm)	0.0	0.0	0.0	0.0
			-3.0		0.0 (mm)	0.0	0.0	0.0	0.0

## ANNUAL SUMMARIES

YEAR	POND #1		LEVEL MAX (m)	LEVEL MIN (m)	Inflow (m3)	Direct Precipitation (m3)	Evaporation (m3)	Seepage (m3)	Discharge (m3)
	VOLUME MAX (m3)	VOLUME MIN (m3)							
1960	0.0	0.0	1296.1	1296.1	0.0	0.0	0.1	0.0	0.0
1961	0.0	0.0	1296.1	1296.1	55.4	0.0	0.1	0.0	55.4
1962	0.0	0.0	1296.1	1296.1	0.0	0.0	0.1	0.0	0.0
1963	0.0	0.0	1296.1	1296.1	11.8	0.0	0.1	0.0	11.8
1964	0.0	0.0	1296.1	1296.1	48.4	0.0	0.1	0.0	48.4

OUTFALL	0.2 ha - TOTAL				Pond #1		0.0 ha		Pond #2		0.0 ha		0.2 ha - Including Ponds							
	MAX	TOTAL	AVG	MEDIAN																
													UNIT AREA RESULTS BASED ON TOTAL CATCHMENT SIZE				UNIT AREA RESULTS BASED ON TOTAL CATCHMENT + POND SIZE			
					MAX	TOTAL	AVG	MEDIAN		MAX	TOTAL	AVG	MEDIAN		MAX	TOTAL	AVG	MEDIAN		
PRECIPITATION (m3)				(mm)		20897.0	409.7	404.7	(mm)		20897.0	409.7	404.7							
DISCHARGE (m3)				(mm)	104.0	920.3	18.0	9.2	(mm)	101.4	896.8	17.6	9.0							
RATIO (%)						4.4	4.4	2.3			4.3	4.3	2.2							





November 21, 2018  
02-18-0199

Baruch Laskin  
Bragg Creek Brewing Company  
24 Sleigh Drive  
Redwood Meadows, AB T3Z 1A1

Dear Baruch,

**Re: 19 River Drive N. Bragg Creek  
Parking Study**

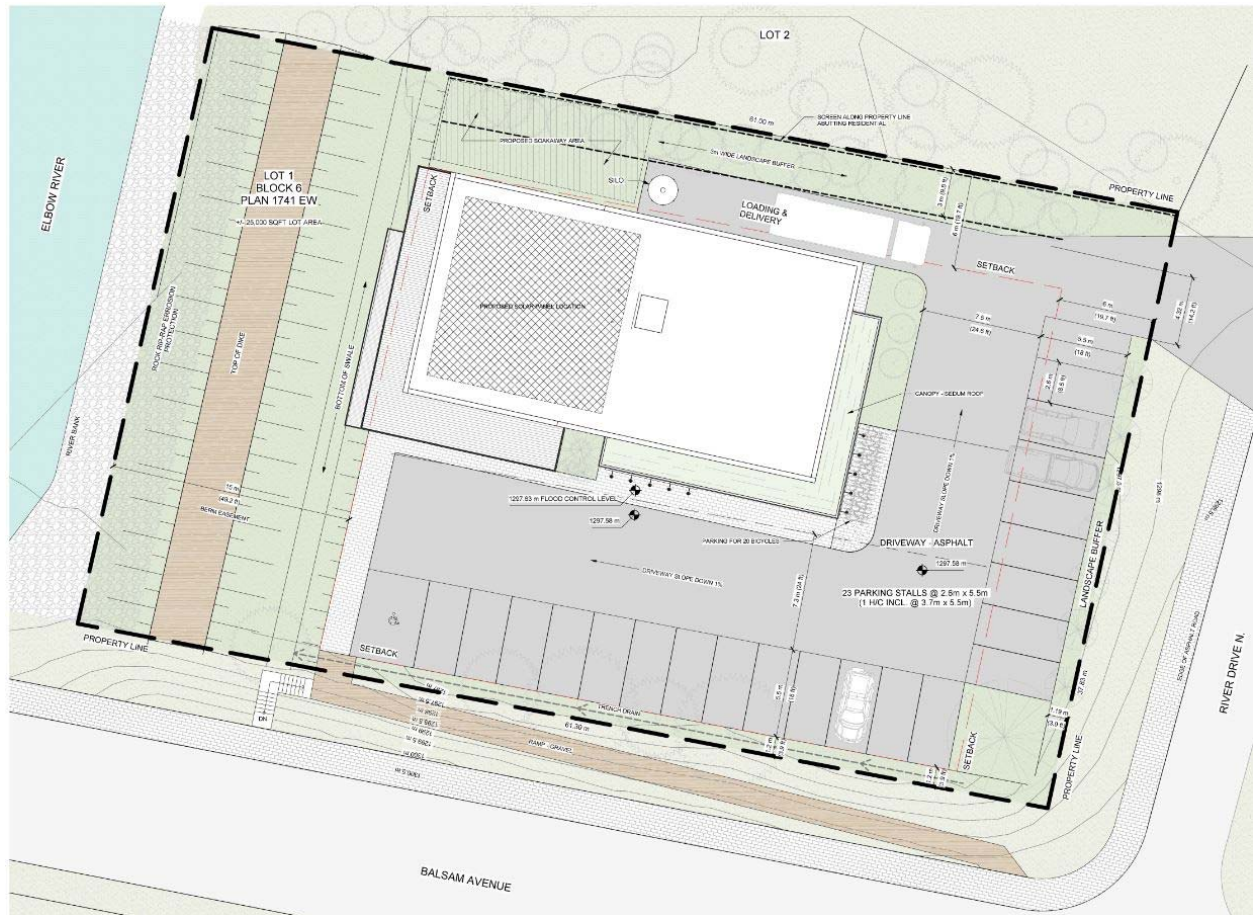
Bunt & Associates was retained by Bragg Creek Brewing Company to complete a parking study in support of their development permit application for a proposed development at 19 River Drive N in Bragg Creek, Alberta. The site is zoned Hamlet Commercial HC. The proposed land use densities for the site are presented in **Table 1**. The site is proposing 23 parking stalls, which was understood to be less than bylaw requirement for the uses at the site. The County has requested a parking study to justify the adequacy of the proposed parking supply and any mitigation measures that would be used to accommodate any overflow should one occur.

**Table 1: Proposed Land Use Densities**

Land Use	Size
Hotel	21 Rooms
Restaurant	166 m <sup>2</sup> GFA (60 seats)
Brewery	177 m <sup>2</sup> GFA
Community Event Space	74 m <sup>2</sup> GFA

The proposed site plan is illustrated in **Figure 1**.

**Figure 1: Site Plan**



## 1. BYLAW PARKING CALCULATION

The Bylaw parking calculation is based on Rocky View County Land Use Bylaw C4841-97, Part 3 Section 30, Schedule 5. Summary of the Bylaw requirement is presented in **Table 2**.



**Table 2: Summary of Bylaw Calculation (LUB C-4841-97, Part 3, Sec 30, Schedule 5)**

Use	Size	Bylaw Parking Ratio	Bylaw Parking
Hotel	21 Rooms	1 stall/room +1 stall/10 units for employees	23.1
Restaurant	166 m <sup>2</sup> GFA (60 seats)	1 stall/3 seats	20
Brewery	177 m <sup>2</sup> GFA	1 stall/100 m <sup>2</sup>	1.77
Community Event Space	74 m <sup>2</sup> GFA	12 stalls/100 m <sup>2</sup>	8.88
<b>TOTAL</b>			<b>53.75 = 54</b>
<b>SUPPLY (Onsite)</b>			<b>23</b>
<b>SURPLUS/(DEFICIT)</b>			<b>(31)</b>

As can be seen from Table 2, the bylaw requires 54 stalls, with 23 stalls on the, there will be a bylaw deficit of 31 stalls. It is Bunt's opinion that the site would not need 54 stalls for its operations and that the bylaw requirement is excessive for this modest development in a hamlet of approximately 600 people. The bylaw parking requirement would mean up to 20% of the population would be at this development, which is highly unlikely. We recognize though that Highway 22 nearby could be a conduit for out of town patrons if the site is marketed as a destination to visit.

As a result of the estimated bylaw deficit, we completed a need analysis based on industry standard and our database, which in themselves are not based on small towns' parking demand but on bigger populations' parking demand.

## 2. PARKING NEED BASED BUNT'S DATABASE AND FIRST PRINCIPLES

### 2.1 Hotel

The parking need of a hotel is based on occupancy and staff needs. Hotels' occupancy is typically 70%, that is all rooms are hardly ever occupied, whereas service estimates are based on occupancy. With 21 rooms proposed, only about 14 to 15 rooms can be reasonably occupied and planned for. If a parking space is assigned to each occupied room, then only about 15 spaces would be needed at night. Since janitorial staff would work during the day, and hotel parking is lowest during the day, there would be a synergetic use of space between employees and guests, meaning, the 15 spaces estimated would be adequate for the hotel.

### 2.2 Restaurant

The County's bylaw prescribes 1 stall for each 3 seats restaurant, which produces a minimum of 20 stalls for 60 seats. However, the restaurant area is small and unless there is a special occasion, it would be difficult to have 60 customers at a restaurant in Bragg Creek.

The City of Calgary requires 1.7 stalls per 10 m<sup>2</sup> of public space for neighbourhood restaurant. If we assume public space is 50 percent of the 166 m<sup>2</sup> restaurant, only 14 spaces would be needed.

Bunt's counts at 3 big suburban restaurants in Calgary confirm a demand parking ratio of approximately 10 stalls per 100 m<sup>2</sup> of gross floor area. If this ratio were applied, the restaurant would need 17 stalls.

### 2.3 Brewery

The assumption is there would be maximum of 3 employees during a shift. If these 3 employees drive, they will need 3 parking spaces.

### 2.4 Community Event Space

The community event space is an extension of the restaurant and it is only 74 m<sup>2</sup>. A safe assumption would be to apply the restaurant's parking ratio to this space so that in the best case, the two uses would be one continuous space. By doing so, the event space would require 8 spaces.

### 2.5 Shared Parking Opportunity

Since all the 4 uses are at the same site, it is expected that there would be synergetic use of parking space. Bunt's previous study has shown that up to 30% of patrons at a restaurant attached to a hotel comes from the hotel. It is therefore possible that up to 5 rooms would be patrons at the restaurant. This could reduce demand for parking by up to 5 spaces. As well, the brewery staff may have gone home by 7PM when demand for parking at the restaurant is highest. If this were so, there is opportunity for 2 to 3 extra spaces that could be used by the restaurant's guests. Therefore, under shared use scenario, the site would need only 35 to 38 stalls during peak demand period.

### 2.6 Summary of Parking Needs

This methodology produces a parking need of 43 spaces if all the uses were stand alone. Since this is a mixed used site, the expected parking need could be as low as 35 stalls. The summary is shown in **Table 3**.



**Table 3: Parking Need Based First Principles and Bunts Database**

Use	Size	Expected Parking Ratio	Parking Need
Hotel	21 Rooms (Optimistic occupancy is 72% therefore, the max that can be occupied is 15 rooms) <sup>1</sup>	1 stall/occupied room	15
Restaurant	166 m <sup>2</sup> GFA (60 seats)	10 stall/ 100 m <sup>2</sup> GFA <sup>2</sup>	17
Brewery	177 m <sup>2</sup> GFA (3 employees) <sup>3</sup>	1 stall/employee	3
Community Event Space	74 m <sup>2</sup> GFA	10 stalls/100 m <sup>2</sup> (same as restaurant) <sup>4</sup>	8
<b>TOTAL</b>			<b>43</b>
<b>SUPPLY (Onsite)</b>			<b>23</b>
<b>SURPLUS/(DEFICIT)</b>			<b>(20)</b>

As can be seen from Table 3, and assuming there is no synergetic use of parking spaces between these 4 uses, the maximum parking that would be needed is 43 stalls, which would theoretically lead to a parking need deficit of 20 stalls.

It is known that up to 30%<sup>5</sup> of restaurant guests could be from adjoining hotels. In which case, the restaurant's parking demand can be reduced by up to 5 stalls. Therefore, the actual need could be as low as 38 (43-5=38) and the on-site deficit could be as low as 15 stalls. The task therefore is to find between 15 and 20 stalls within walking distance of the proposed development.

### 3. OVERFLOW PARKING ARRANGEMENT

BCBC has entered into parking agreement with 3 businesses within walking distance of the proposed development. The arrangement covers those times of the day when the proposed development's parking demand is at its peak. The signed agreements and the location of the over flow parking are attached. The 3 locations are:

**Kevin Onespot Site:** This offsite parking is located on Burnside Drive approximately 400 metres from the proposed development. This site will be available at all times but with at least 24 hours prior notice to Kevin Onespot. This site will make 34 parking spaces out of its approximately 100 spaces available to BCBC and there will be signage to direct patrons to this location.

<sup>1</sup> ITE Parking Generation Manual 4<sup>th</sup> Edition, 2010. LUC 310 - Hotel

<sup>2</sup> Bunt & Associates database- Counts conducted at suburban Moxie's, Boston Pizza and Black Swan Ale House

<sup>3</sup> Assumed

<sup>4</sup> This space is part of the restaurant's space and will demand just as the restaurant

<sup>5</sup> Study conducted by Bunt & Associates in Edmonton for Sandman's Hotel and Denny's.

**Chad Fehr Professional Corporation:** This site is located at 16 Balsam Avenue, which is approximately 300 metres from the proposed development. This site will be available between 5PM and 8:30 AM on weekdays and 24 hours on Saturdays and Sundays. This site will make 4 out of its 8 parking spaces available to the patrons of BCBC at the aforementioned times and these 4 spaces will be clearly signed so they remain available when they are needed.

**Bragg Creek Physiotherapist:** This site is located at 24 Balsam Avenue which is approximately 200 metres to the proposed development. There will be 4 stalls out of 22 spaces available all weekend. These stalls will be signed to ensure they remain available to BCBC customers.

#### Summary of Parking Supply at Offsite (Overflow) lots

The 3 offsite parking spaces with signed agreement will supply 42 stalls overflow stalls. As noted earlier, the bylaw parking deficit is 31 stalls. Therefore, the proposed offsite stalls are adequate to mitigate any bylaw parking shortage. As well, the expected parking need was estimated to be 43 stalls and operational deficit of 20 stalls can clearly be accommodated at the offsite lots.

#### 4. PARKING AVAILABILITY AT OFFSITE LOTS

Bunt & Associates completed hourly parking counts at the 3 locations to confirm that there are indeed enough spaces to accommodate any overflow parking from the proposed development. Counts were conducted on Friday November 9, 2018 from 4PM to 8PM. The summary of the counts is presented in **Table 4**.

**Table 4: Summary of Offsite (Overflow) Parking Availability**

Time	Off-Site Parking Locations				Total
	Kevin One Spot	Chad Fehr Prof Corp (16 Balsam Av)	Bragg Creek Physiotherapy (24 Balsam Av)	Bragg Creek Community Centre	
Supply	100	8	22	80	210
16:00	2	1	1	8	12
17:00	2	0	0	6	8
18:00	2	0	0	4	6
19:00	2	0	0	2	4
20:00	2	0	0	2	4
Unused Supply	98	7	21	72	198
Proposed Usage	34	4	4	0	42

As can be seen from Table 4, each of the offsite locations has enough vacancy to accommodate the overflow parking agreement signed with BCBC.

## 5. CONCLUSION

Based on the analysis completed, the bylaw parking requirement of 57 stalls seems excessive for the proposed site, especially given its location and its mixed-use operation. A parking need analysis and shared parking review confirm that between 35 and 38 stalls would be adequate to service the site under the best demand condition.

The developer has secured agreements with 3 neighbouring businesses that allow a combined parking overflow capacity of 42 stalls. In addition to the 23 stalls provided on site, these overflow lots, which are within reasonable walking distance of the site, will provide enough parking spaces to meet the parking need of the site.

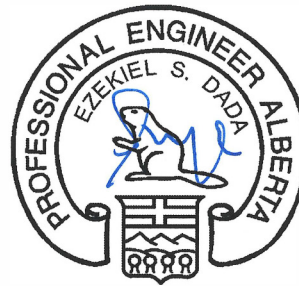
Bunt & Associates therefore respectfully urges the County to grant the parking relaxation sought for this development.

Yours truly,

**Bunt & Associates**

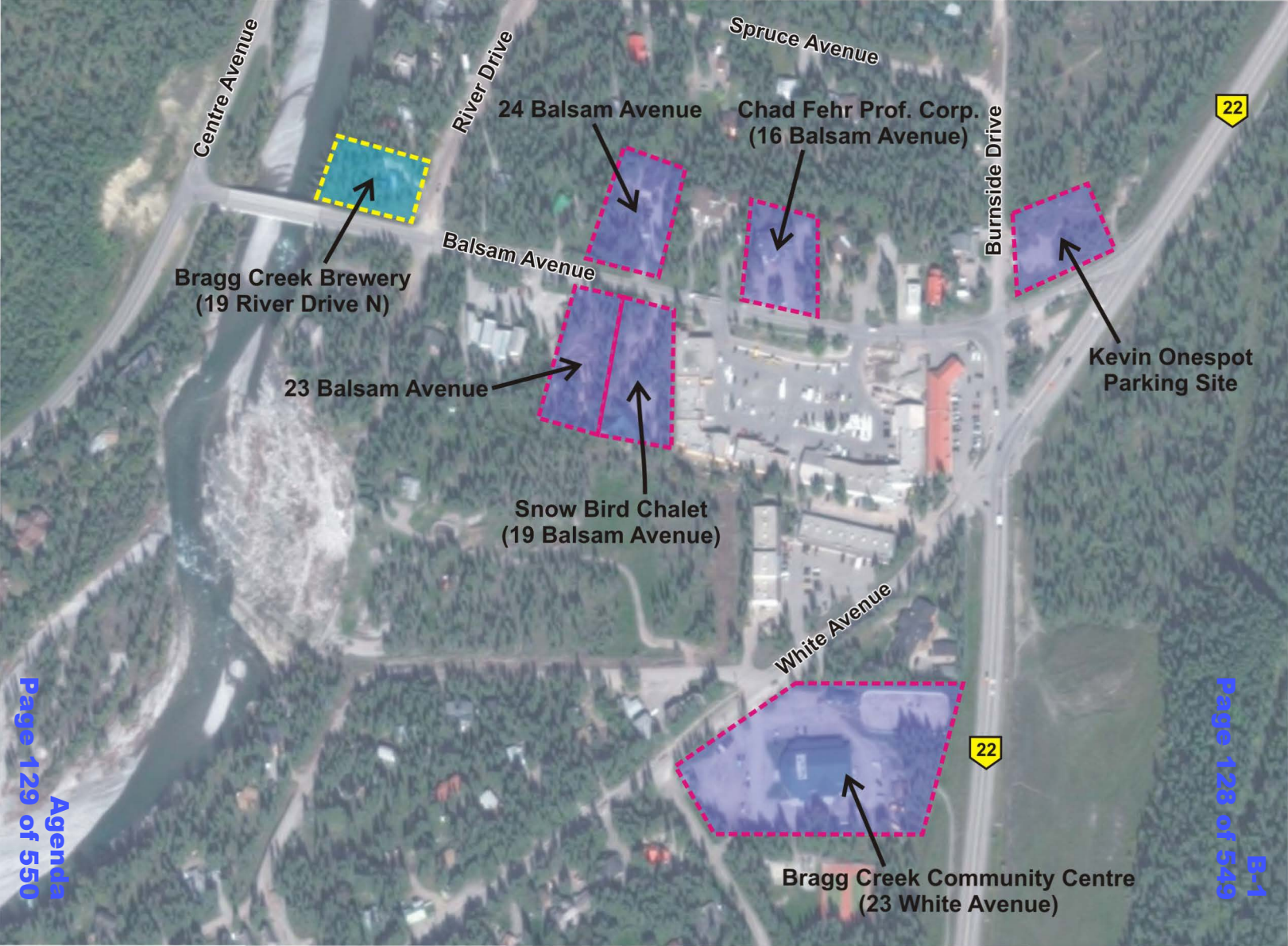


Ezekiel Dada, Ph.D., P.Eng.  
Principal



November 21/2018





Centre Avenue

River Drive

Spruce Avenue

24 Balsam Avenue

Chad Fehr Prof. Corp.  
(16 Balsam Avenue)

22

Bragg Creek Brewery  
(19 River Drive N)

Balsam Avenue

Burnside Drive

23 Balsam Avenue

Kevin Onespot  
Parking Site

Snow Bird Chalet  
(19 Balsam Avenue)

White Avenue

22

Bragg Creek Community Centre  
(23 White Avenue)



Mark BOWDEN

24 Balsam Avenue

Bragg Creek, AB

TOL OKO

November 04, 2018

Baruch LASKIN

19 River Drive

Bragg Creek, AB

TOL OKO

**Re: Bragg Creek Brewing Co – Parking at 24 Balsam Avenue**

Dear Baruch,

Further to recent discussions regarding the potential for Brewery overflow parking, I attach a plan to identify four (4) spaces that could be utilized by your business for parking on weekends. These spaces are closest to Balsam Avenue and would avoid any conflicts with exterior property maintenance activities that are generally undertaken on weekends and out of normal physiotherapy business operating hours.

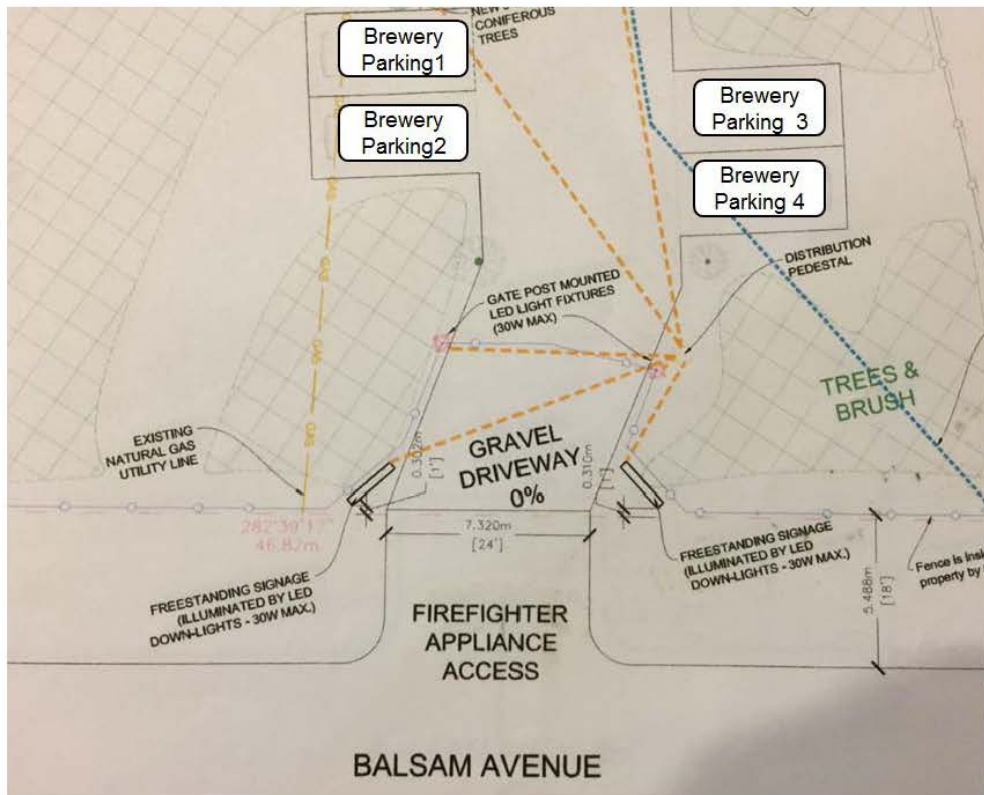
Parking spaces at 24 Balsam Avenue have been underutilized since the business opened so there may be opportunities for additional parking during the week. We can certainly discuss the matter further as plans for your development and business requirements evolve.

Sincerely,



Mark BOWDEN

## 24 Balsam Avenue – Bragg Creek Brewing Co. Parking Spaces



## Auxiliary Parking Agreement

This is an agreement between

**Bragg Creek Brewing Company Ltd. (Brewery)**

and

CHAD FEHR PROF. CORP. (Parking Partner).

Under this agreement, the Brewery is granted auxiliary parking access to 4 parking stalls located on business property of the Parking Partner within the Hamlet of Bragg Creek. The purpose of these stalls are to supplement the existing stalls the Brewery has on site and will be used only with prior notice given. Notice will not occur less than 24 hours from time of use. The specific location of the parking stalls are outlined in the schematic (Schedule A). The Brewery agrees to pay the Parking Partner \$10 per usage for each stall, paid quarterly. The Brewery will include the Parking Partner as an *additional insured* on its business insurance to cover any damages caused by auxiliary parking usage. This agreement can be cancelled at any time by either party with 30 days written notice.



Bragg Creek Brewing Company Ltd. (Brewery)

Oct 25/18

Date



Parking Partner

OCT 25/18

Date

CONSENT PROVIDED BY CHAD FEHR PROF CORP.'s LESSOR  
to sign agreement.

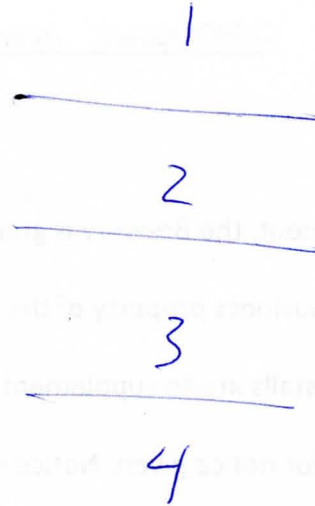
Schedule A

M-F AVAILABILITY

5pm - 8:30am

S-S + STATS

24 HOURS



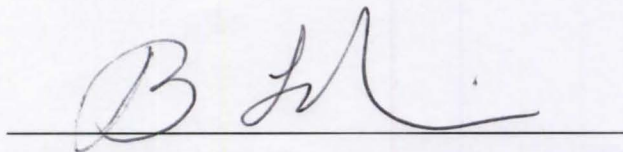
PROOF OF INSURANCE covering parking stall users  
Required so I can provide to my insurance company.



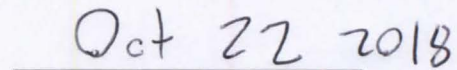
## Auxiliary Parking Agreement

This is an agreement between  
**Bragg Creek Brewing Company Ltd. (Brewery)**  
and  
**Kevin Onespot (Parking Partner)**

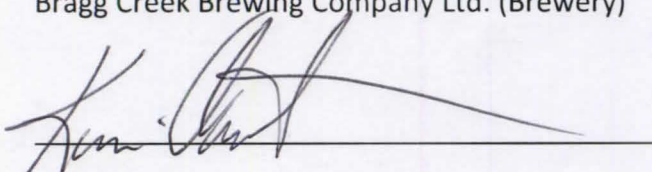
Under this agreement, the Brewery is granted auxiliary parking access to 34 parking stalls located on business property of the Parking Partner within the Hamlet of Bragg Creek. The purpose of these stalls are to supplement the existing stalls the Brewery has on site and will be used only with prior notice given. Notice will not occur less than 24 hours from time of use. The specific location of the parking stalls are outlined in the schematic (Schedule A). The Brewery agrees to pay the Parking Partner \$10 per usage for each stall, paid quarterly. The Brewery will include the Parking Partner as an *additional insured* on its business insurance to cover any damages caused by auxiliary parking usage. This agreement can be cancelled at any time by either party with 30 days written notice.



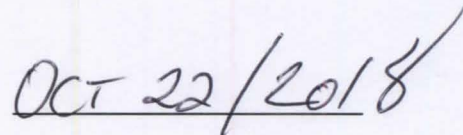
Bragg Creek Brewing Company Ltd. (Brewery)



Date



Parking Partner



Date





November 29, 2018

File: 2018-4135

Opus  
#500, 5119 Elbow Drive S.W.  
Calgary, AB T2V 1H2

Attention: Mr. Andrew Wallace

**Re: Geotechnical Investigation - Revised**  
**Bragg Creek Brewing Co.**  
**19 River Drive N.**  
**Bragg Creek, Alberta**

As requested, E2K Engineering Ltd. (E2K) has completed a geotechnical investigation for the proposed commercial development located at the above noted address in Bragg Creek, Alberta. It is understood that the proposed development will include a Brew Pub/ Hotel with one level of basement level.

The objective of this geotechnical investigation is to evaluate the site soil and groundwater conditions within the proposed buildings and parking lot areas to provide recommendations related to the geotechnical aspects of the proposed development.

This report provides recommendations regarding site preparation, shallow foundations, slab-on-grade, groundwater considerations, concrete requirements, preliminary pavement design, and excavation and backfill.

## **1.0 SITE DESCRIPTION**

The project site is located east of River Drive N in Bragg Creek, Alberta and backs onto the Elbow River. The site is currently partially occupied by an existing building and surface parking lot. The boreholes were positioned in the grassed areas around the existing building and the driveway for easy access. Borehole and test pit locations are shown on Figure 1 in the Appendix of this report.

The site is relatively flat and was covered with grass and trees at the time our investigation. The drainage pattern is towards the Elbow River.

## **2.0 DETAILS OF THE INVESTIGATION**

The geotechnical investigation performed at this site consisted of excavating two (2) test pits, drilling two (2) boreholes, and installing two (2) 25 mm PVC standpipes. The Boreholes BH-01 and BH-02 were advanced to depths of 3.3 m and 4.4 m below the existing grade, respectively. Test Pits TP-01 and TP-02 were advanced to a depth of 1.5 m below grade. Standpipes were installed in each borehole to allow for groundwater monitoring.

The investigation was conducted using a backhoe for excavation of the test pits and a percussion drill rig to drill the boreholes due to the expected gravelly conditions. The test pitting was completed on October 29, 2018 using a Backhoe by B&M Trenching Company of Calgary, Alberta and the drilling was completed on November 13, 2018 using a Becker Hammer drill rig supplied by Earth Drilling Co. Ltd. of Calgary, Alberta. Hammer blows per foot of penetration with the Becker Hammer were recorded in order to assess the density of the soils.

The subsurface soil conditions were continuously logged using the Modified Unified Soil Classification System which includes soil types, depths, moisture conditions, and descriptions. Disturbed soil samples were obtained from the test pits and the Becker Hammer cyclone at regular intervals.

Samples were tested in the E2K geotechnical laboratory for moisture content, and soluble sulphate content.

Following drilling, the boreholes were backfilled with the drill cuttings and then sealed with bentonite.

### **3.0 SUBSURFACE CONDITIONS**

The stratigraphy at the subject site generally consisted of sand and gravel deposits. Topsoil was also encountered at the surface of the test pits. Detailed soil descriptions are provided on the borehole logs in the Appendix, and are discussed in the following sections. Variations in the thickness and condition of materials observed in the boreholes and test pits could be encountered in areas of the site not investigated.

It should be noted that the site has likely been previously disturbed during construction of buildings, parking lot construction, and utility installations. Therefore, non-engineered fill soils are likely present within the site.

#### **3.1 Topsoil**

Approximately 100 mm of topsoil was present at the surface of the test pits. The topsoil was described as sandy silt, containing trace clay, brown to dark brown in colour, and damp to moist.

#### **3.2 Sand and Gravel**

Underlying the topsoil at the test pit locations and at the surface of Boreholes BH-01 and BH-02, a layer of sand and gravel was encountered and extended to the termination depth of the drilling. The sand and gravel was described as poorly graded, fine to coarse grained, sub-rounded, containing trace to some silt, dense to very dense, brown in color, and dry. It should



be noted that due to variations in the sand and gravel contents, this material was classified as sand or gravel as shown on the borehole and test pit logs.

Becker Hammer blow counts within the sand and gravel materials ranged from 23 to 600, indicative of the dense to very dense in-situ condition.

Moisture content tests performed on samples of the gravel resulted in values ranging from 1.3% to 5.0%.

### **3.4 Groundwater**

Groundwater was encountered during the drilling program at an approximate depth of 4.3 m below grade in Borehole BH-02. A 25 mm PVC standpipe was installed in each borehole for future groundwater measurement. On November 22, 2018, the water level was measured at 2.6 m in BH-02 and Borehole BH-01 was dry. It is recommended to complete additional groundwater readings prior to construction.

It should be noted that the groundwater level appears to be hydraulically connected to the Elbow River due to its proximity to the site. During the spring months and times of heavy precipitation, the long term groundwater table elevation is anticipated to fluctuate. It should be noted that the groundwater elevation varies with seasonal conditions including precipitation, temperature, site drainage characteristics, etc.

### **3.5 Frost Susceptibility**

Frost susceptibility refers to the degree to which a soil is prone to frost heaving and subsequent thaw weakening. Based on the frost susceptibility classification system outlined in Table 13.1 of the Canadian Foundation Engineering Manual (CFEM), the subgrade soils at this site are considered to have an "F4" classification, which indicates a very high degree of susceptibility to frost heave.

### **3.6 Frost Depth Prediction**

The design frost penetration depth can be estimated based on the thermal conductivity method outlined in the CFEM. A freezing index of 995 degree days freezing based on the 25 years period records was taken for Bragg Creek Area. Typical moisture contents were assumed. Based on these assumptions, a design frost depth of 3.2 m was calculated for this site.

## **4.0 COMMENTS AND RECOMMENDATIONS**

Based on the results of the investigation, the testing carried out, and our understanding of the proposed development, we submit the following comments and recommendations related to geotechnical aspects of the development. A basement level has been proposed for the site. The proposed basement level will extend below the measured groundwater level and, as such,

construction dewatering and basement tanking measures are to be taken. The worst-case water levels of the Elbow River must be considered in the design.

#### **4.1 Site Preparation**

It is anticipated that substantial increases to the existing grade will not be necessary. In areas requiring subgrade support such as beneath slabs and footings it is recommended to remove non-engineered fill soils and any soils containing organics, frost, construction debris or other deleterious materials.

It is recommended that the exposed subgrade in parking areas requiring subgrade support be proof rolled in order to identify soft or loose areas, particularly for large areas. Where soft or loose soils are identified, specific remediation measures for the encountered conditions should be recommended by a qualified geotechnical engineer.

#### **4.2 Site Grading and Drainage**

It is understood that the proposed development will contain a basement. The basement walls will therefore be constructed within the sand and gravel materials. The seasonal groundwater elevation is anticipated to be above the basement elevation, but it is understood that the basement structure is to be tanked and the installation of weeping tile will not be necessary.

The finished grades in the vicinity of the proposed building should be sloped away from the foundation elements of the buildings. Concrete sidewalks or pathways adjacent to the proposed buildings should also be sloped away from the foundation elements of the buildings. A minimum slope of 2% is recommended to promote drainage away from the foundation, and minimize potential saturation and degradation of subgrade soils.

Site grading should be provided in paved areas, both during and following construction such that water is rapidly shed from the surface of the parking area to a positive drainage system. Water should not be allowed to pond on, or adjacent to, the proposed pavement areas. A minimum slope of 2% is recommended.

If possible, the upper 0.5 m of backfill around the structure should consist of a locally available low permeability material. Alternatively, a low permeability surfacing or other synthetic barrier may be used. The low permeability barrier should extend a minimum of 3.0 m away from the structure in all directions.

#### **4.3 Fill Recommendations**

This section provides information regarding backfill material, placement and compaction, and settlement of backfilled areas.

#### **4.3.1 Backfill Material**

Fill material should consist of a well graded crushed gravel with a maximum particle size of 20 mm to 80 mm. The fill should contain little to no fines. Alternatively, low to medium plastic clay materials can be used for backfilling. Proposed fill materials should be reviewed and approved by a geotechnical engineer.

Fill materials must not contain organics, frozen soils, construction debris, concrete, or any other deleterious materials.

#### **4.3.2 Placement and Compaction**

It is recommended to place and compact fill to a minimum of 98% of the Standard Proctor Maximum Dry Density (SPMDD) for the full thickness and extents of the lift, in uniform lifts not exceeding 200mm loose thickness. Thicker lifts may be accepted provided that it can be demonstrated that the compaction equipment available on site can achieve compaction requirements for the full thickness of the lift. Uniformity of compaction and uniformity of fill materials will be critical to minimizing differential settlement.

Fill must not be placed on frozen ground. Where clay fill is used, clods or lumps should be broken up as much as possible prior to placement. Where cohesionless backfill is used, compaction with vibratory methods is recommended. Where clay backfill is used, sheepfoot rollers are recommended.

It is recommended to perform compaction testing at a minimum of once per lift of placed fill.

#### **4.3.3 Settlement**

For gravel fills placed and compacted to 98% SPMDD, settlement of up to 0.5% of the lift thickness is anticipated. For clays compacted to 98% SPMDD, settlement of up to 1.0% of the lift thickness is anticipated. It is anticipated that the majority of the settlement would occur during the first freeze-thaw cycle.

#### **4.4 Excavation Recommendations**

It is anticipated that excavations will be required at this site for utility service installations, and constructions of footings, basement and frost walls. Excavations with cut slopes are considered feasible.

For the typical excavations at this site, cut slopes of 1H:1V are anticipated to be suitable subject to a site inspection approval by a qualified geotechnical engineer upon commencement of the excavation works. Shoring would be required for steeper excavations.

The degree of stability of excavated trench walls typically decreases with time. Therefore, it is recommended that excavation work be planned such that the length of time excavations remain

open is minimized. If signs of instability such as surficial cracking, tension cracks, or sloughing are observed, it is recommended that the trench be cut back or shored based on the recommendations of a qualified geotechnical engineer.

Stockpiles of material and excavated soil should be placed away from the slope crest by a distance equal to the depth of the excavation. Similarly, wheel loads should be kept back at least 1m from the crest of the excavation. The applicable sections of the Occupational Health and Safety Act must be followed.

#### **4.5 Underground Services**

The burial depths for water lines should be established on the basis of the 25-year return period with an added embedment depth as a safety. Where the water lines will be covered with primarily clay backfill, the minimum burial depth should be taken as 2.8 m and increased to 3.3 m where granular backfill is used. The local burial depth requirements should be met. It is also recommended to use proper insulation to protect the underground utilities against frost-related effects.

Pipe support using conventional bedding methods is anticipated to be suitable for this site. To prevent the migration of fines into the bedding gravel, the installation of plugs consisting of compacted clay or lean concrete is recommended at frequent intervals around the pipe and manholes. In addition, weepers should be connected into the storm system upstream of the plugs. This will reduce water flow through the bedding gravel and minimize migration of fine grained soils. In some cases, a non-woven geotextile filter fabric may be required to separate fine grained silt and sand from bedding gravel. E2K can provide further recommendations for plug frequency and filter fabric requirements upon request.

#### **4.6 Shallow Foundations**

Based on the investigation performed by E2K, shallow foundations consisting of strip footings and pads would be suitable for the proposed development.

##### **4.6.1 Ultimate Limit States Parameters**

For shallow foundations founded at a minimum depth of 1.5 m in native gravel and sand material, a factored bearing capacity of 200 kPa may be utilized for design.

##### **4.6.2 Serviceability Limit States Parameters**

In addition to the assessment of Ultimate Limit States (ULS) foundation bearing resistance, Serviceability Limit States (SLS) must be addressed. SLS is an assessment of settlement experienced under unfactored structural loading conditions.



The exact calculation of settlement is complex and difficult without significant laboratory soil testing and a complete understanding of foundation loading conditions. The following expression can be used to estimate the settlement of shallow foundations under SLS conditions.

$$S = KP / LE$$

Where:

S	=	Foundation settlement (m)
K	=	$[0.453 \times \ln (L / B)] + 0.788$
L	=	Footing length (m)
B	=	Footing width (m)
P	=	Unfactored load at the base of the footing (kN)
E	=	Elastic Modulus of the foundation soil, use 16,000 kPa

An elastic modulus, E of 16,000 kPa should be used for footings placed upon the native sand and gravel materials found on this site.

Based on the above equation, and maximum acceptable settlement of 25 mm, the maximum spread footing size for an SLS pressure of 170 kPa would be 3m x 3m.

The maximum width for a strip footing for an SLS pressure of 100 kPa would be 1.2 m. The minimum footing width should be 0.45 m.

The footings must not be founded on un-compacted fill, loosened or disturbed native or fill soils, or organic soils. The base of the footing excavations should be thoroughly cleaned of all loosened or disturbed soil prior to pouring concrete. Soft or weak areas should be removed and replaced with a more suitable material.

#### **4.6.3 Construction Considerations**

The footings must not be founded on un-compacted fill, loosened or disturbed native or fill soil, frozen soil, or soils containing organics. The base of the footing excavation should be thoroughly cleaned of all loosened or disturbed soil prior to pouring concrete. A smooth bucket could be used to clean the base of the footing excavation.

Foundation excavations should not be exposed to rain, snow, freezing temperatures and/or ponded water prior to footing construction. In the instance where seepage is encountered within the footing excavation, construction dewatering is required prior to pouring concrete.

If the construction of the foundations is taking place during winter conditions, steps should be taken to insulate and heat the foundation elements, as well as protect them from the elements to prevent frost from developing underneath the footings. If frost develops underneath the footings, foundation movement and poor performance of the structure is to be expected.

#### 4.6.4 Inspection

It is recommended that a bearing inspection be completed by a qualified geotechnical engineer prior to pouring of concrete. The purpose of the bearing inspection is to confirm that the base conditions and bearing capacity are consistent with initial geotechnical findings presented in this report. If the bearing capacity is insufficient, remediation options could include sub-excavation and replacement of the soil with well graded crush gravel, installation of reinforcement such as geogrid or geosynthetic combined with gravel, or enlarging the footings. Specific remediation options should be provided based on the encountered conditions during construction. Given the possible presence of fill soils and disturbed soils from prior construction disturbance, remediation work should be anticipated.

#### 4.7 Slab-on-Grade

All organic material, pavements, un-compacted fill, and loose or soft areas should be removed from beneath slab areas. A 150 mm thick course of 20 mm crush gravel compacted to 98% SPMDD should be placed beneath any floor slab. The gravel should be well graded to promote lateral drainage.

The potential of any heave movements can be reduced by implementing dewatering or tanking measures.

Small vertical movements are inevitable for a grade supported floor slab due to settlement of fill and shrink-swell cycles. Slabs should be allowed to float on the subgrade and tied into the foundation walls or grade beams only at doorways. To further reduce the potential effects of vertical slab movement, the following design provisions should be implemented to allow the slab to move independently of the structural components of the building:

- Partition and non-bearing walls should **not** be rigidly connected to bearing walls or columns.
- Slabs should be allowed to float on the subgrade and be tied into the foundation walls or grade beams only at doorways.
- Concrete slabs should be reinforced and articulated at regular intervals to provide for controlled cracking.
- The installation of buried water supply lines beneath the floor slab should be avoided wherever possible. Waste water lines beneath the floor slabs should consist of PVC pressure pipe with welded joints.
- Positive site drainage should be provided away from the proposed building footprint.

- Frost should not be allowed to penetrate beneath the floor slab just prior to, during or after construction.

#### 4.8 Modulus of Subgrade Reaction

The modulus of subgrade reaction is a difficult number to estimate as there are many variables that come into play. One method for calculating the modulus would be performing a plate load test where a pressure is exerted on a plate of specific dimensions until a certain deflection of the subgrade soils is reached. Therefore the modulus depends on the compressibility of the underlying soils to a depth of approximately 2 to 3 meters. As no plate load test was conducted at this site, calculation of an accurate modulus value is not possible. However, based on modulus values published by others for different soils types, the following values can be used for the soils on this site:

**Table 1: Modulus of Subgrade Reaction**

Depth (m)	Soil Type	Modulus of Subgrade Reaction (MN/m <sup>3</sup> )
0.8 -2.2	Sand and Gravel	50

#### 4.9 Requirements for Foundation Concrete

To determine the potential of sulphate attack on any concrete in contact with soils at the site, three (3) soil samples were taken from boreholes to test for water-soluble sulphate concentrations. The results of the chemical tests are summarized in the following table.

**Table 2: Summary of Water-Soluble Sulphate Concentration**

Borehole No.	Depth (m)	Sulphate Concentration (%)	Degree of Exposure
BH-01	1.5	0.05	Negligible
BH-02	3.0	0.05	Negligible
TP-01	1.2	0.09	Negligible

The sulphate content revealed a “negligible” potential for sulphate attack. Therefore as per CSA guidelines, all concrete in contact with soils on this site may be made using CSA Type GU (General Use) Portland cement. Any imported soils should be tested to determine water soluble sulphate concentration and associated sulphate exposure classification. An air entrainment agent is recommended for improved workability and durability.

#### 4.10 Preliminary Pavement Sections

Subgrade preparation for paved driveways and roads should be carried out as recommended in Section 4.1. The pavement design recommendations are provided based on the assumption that the traffic conditions will consist primarily of cars and light trucks.



The completed subgrade for pavement areas should be proof rolled to confirm that the surface deflections are minimal under the influence of construction traffic and to verify that an acceptable degree of compaction has been obtained. Any weak subgrade soils should be removed and replaced with engineered fill. The degree of compaction in the upper 150 mm of the engineered backfill beneath pavement should be increased to 100% of SPMDD to minimize pavement deformation, and to extend the design life.

Pavement design should be performed according to relevant requirements and specifications. The required minimum pavement section is provided in the following table. This pavement section is based on an adequately prepared subgrade, an assumed California Bearing Ratio (CBR) of 5, maximum axle loads of 80 kN (18 kips), and traffic loading conditions consisting of  $5 \times 10^4$  repetitions of an Equivalent Single Axle Load (ESAL).

**Table 3: Minimum Pavement Section – Light Duty**

<b>Pavement Component</b>	<b>Minimum Thickness (mm)</b>
Asphalt Concrete Thickness	75
Granular Base Thickness (20mm)	100
Crushed Granular Sub-base Thickness (80mm)	200

In areas subject to heavy truck traffic (entrances, access ways, warehouse area), the loading conditions were assumed to consist of  $4.0 \times 10^5$  ESAL. For these loading conditions, the pavement section listed in the table below may be used.

**Table 4: Minimum Pavement Section – Heavy Duty**

<b>Pavement Component</b>	<b>Minimum Thickness (mm)</b>
Asphalt Concrete Thickness	100
Granular Base Thickness (20mm)	150
Crushed Granular Sub-base Thickness (80mm)	300

The pavement materials should be provided and constructed in accordance with the applicable specifications of the City of Calgary. Surface runoff should not be allowed to accumulate on or adjacent to the proposed roadway alignment.

If the traffic loading conditions for the light or heavy-duty pavement areas differ from the values assumed above, the above recommendations may require adjustment.

#### **4.11 Seismic Classification**

Seismic design for various structures is based on the 2014 Alberta Building Code (ABC). The primary objective of the ABC earthquake resistant design requirements is to protect the life and safety of the public in response to strong ground shaking. Structures designed in conformance to the code may undergo structural damage but should not collapse as a result of the ground shaking.



The 2014 ABC seismic design procedures are based on the ground motion parameters (e.g. peak ground acceleration, (PGA) and spectral acceleration,  $S_a$  values) having a 2% probability of exceedance in 50 years; i.e. the 2475 year return period earthquake event. Based on the results of the E2K field investigation, it is appropriate to classify the ground conditions at the subject site as a Class D site, in accordance with the 2014 ABC.

## **5.0 LIMITATIONS**

Recommendations made within this report are based on the interpreted findings encountered within the two (2) excavated test pits and the two (2) boreholes drilled. It should be noted that natural conditions are innately variable particularly in glacial deposits and glacially modified areas. Should conditions other than those reported herein, be identified at any stage of development, E2K should be notified and given the opportunity to re-evaluate current information, if required.

The recommendations presented herein, are subject to an adequate level of inspection during construction. Levels of inspection are generally set out by the Alberta Building Code (ABC) and therefore should be followed to not contravene relevant code requirements. The ABC Schedules are an integral part of the development process and stipulates that a “Geotechnical Engineer of Record” shall be assigned to each project falling under code jurisdiction. This title shall not infer any overall responsibility for geotechnical aspects of this construction project, without prior consent of E2K and written clarification of project responsibility.

This report has been prepared with accepted soil and foundation engineering practices for the project specified in Section 1.0 of this report. No third party may rely on the information contained within this report without the express written permission of E2K. No other warranty is expressed or implied.

*Geotechnical Investigation (Revised)*  
*Bragg Creek Brewery Co.*  
*Bragg Creek, Alberta*

*E2K File:2018-4135*

*November 2018*

*Page | 12*

## 6.0 CLOSURE

We trust the information contained herein meets your present requirements. Should you require inspection services, or further information regarding the geotechnical aspects of this project, please do not hesitate to contact our office.

Yours truly,

**E2K Engineering Ltd.**

APEGA Permit to Practice: P9582



Peyman Tabatabaei, P.Eng.  
Project Geotechnical Engineer

Attachments:    Figure 1: Site Plan  
                         Borehole Logs  
                         Explanation of Terms and Symbols

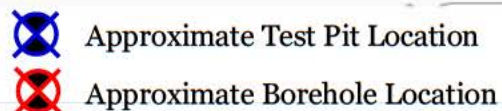
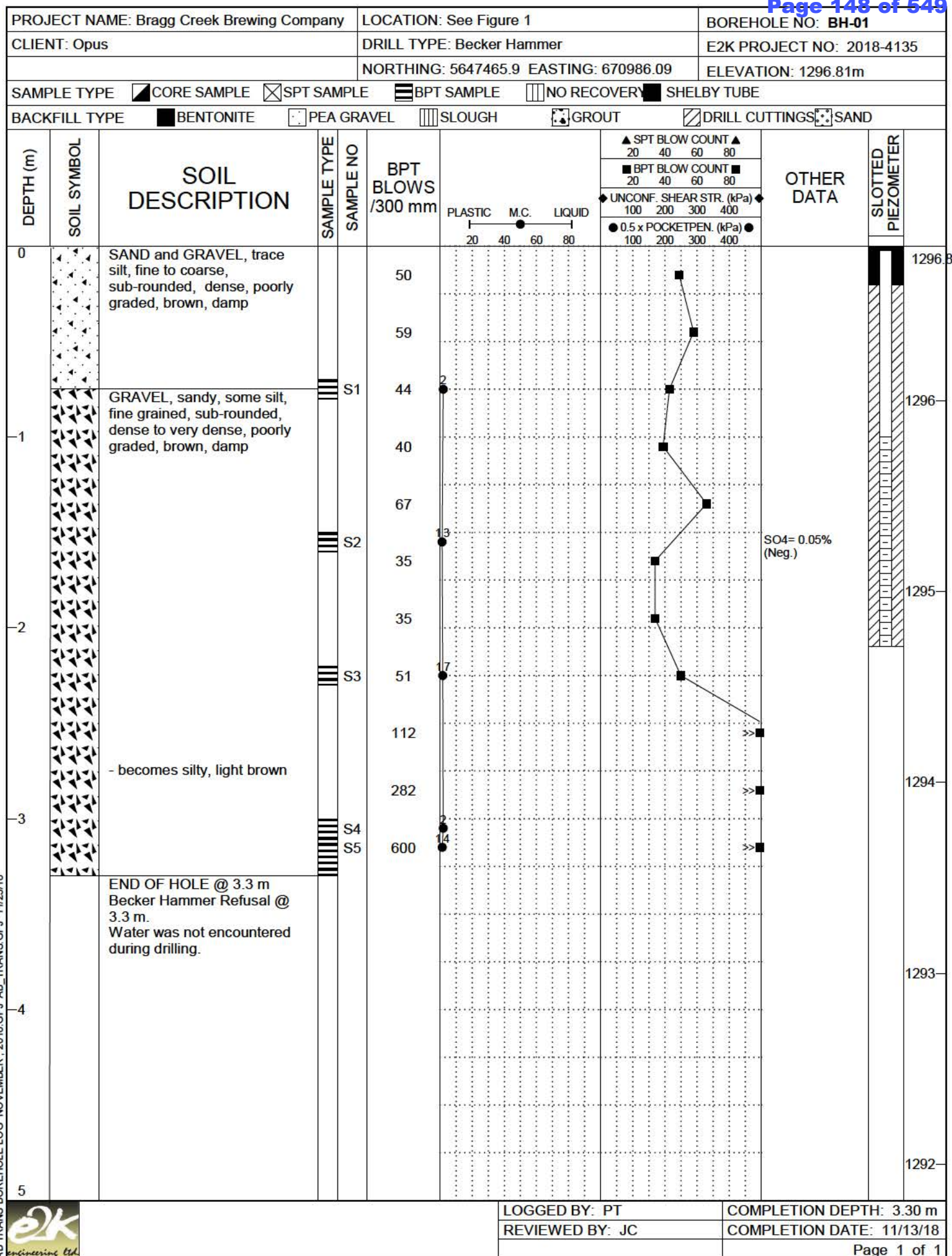
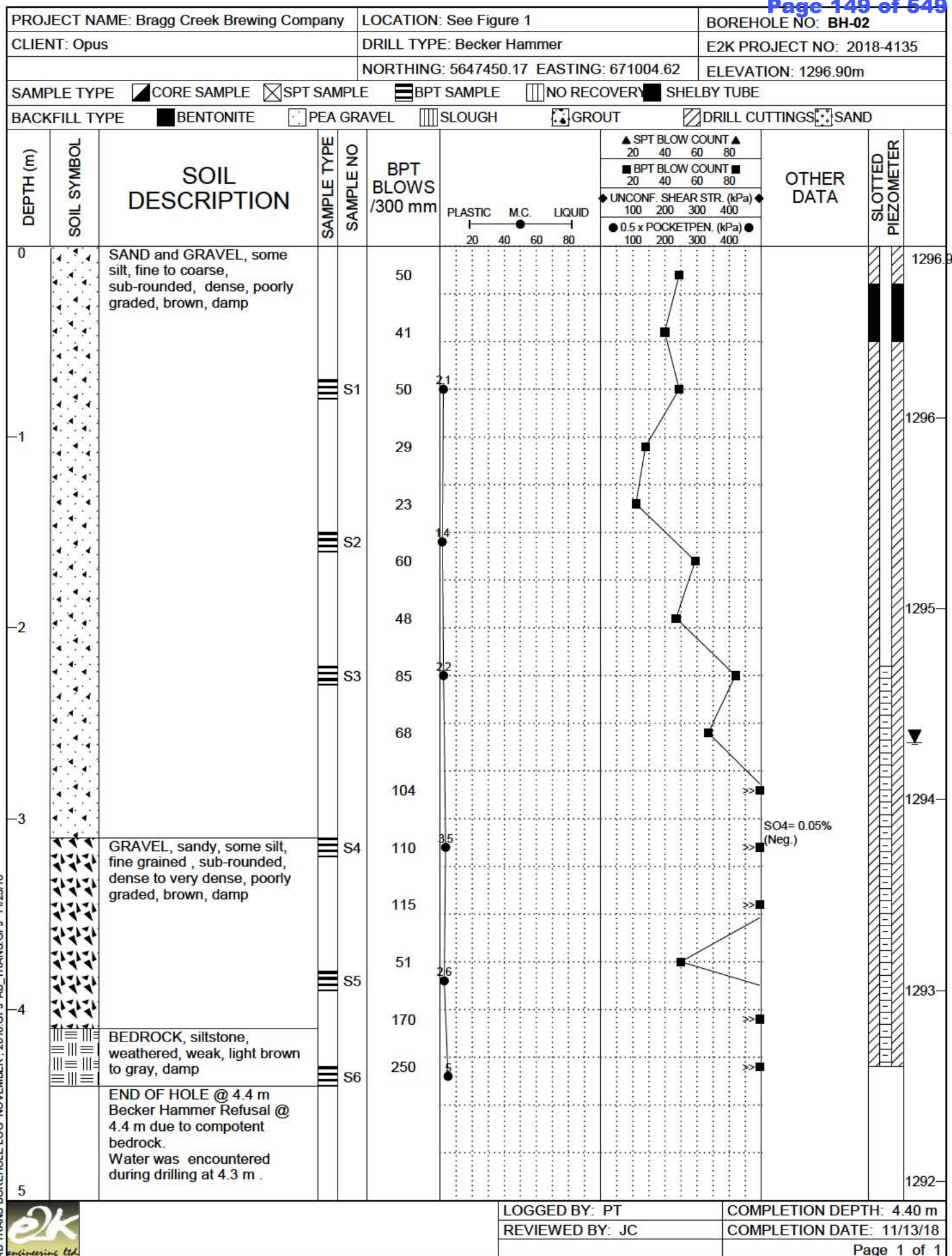


Figure 1









AB TRANS BOREHOLE LOG NOVEMBER, 2018.GPJ AB\_TRANS.GPJ 11/23/18



LOGGED BY: PT

REVIEWED BY: JC

COMPLETION DEPTH: 4.40 m

COMPLETION DATE: 11/13/18

Page 1 of 1

AB TRANS BOREHOLE LOG NOVEMBER, 2018.GPJ AB TRANS.GPJ 11/23/18



AB TRANS BOREHOLE LOG NOVEMBER, 2018.GPJ AB TRANS.GPJ 11/23/18

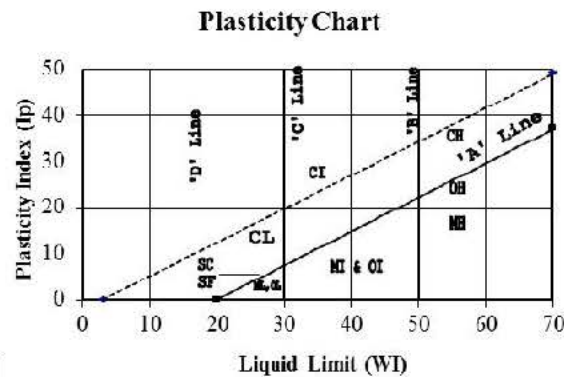
### EXPLANATION OF TERMS AND SYMBOLS

The terms and symbols used on the borehole logs to summarize the results of the field investigation and subsequent laboratory testing are described below. It should be noted that materials, boundaries, and conditions have been established only at the borehole locations at the time of investigation and are not necessarily representative of subsurface conditions elsewhere across the site.

#### SOIL DESCRIPTIONS

The soils in the borehole logs have been described using the Modified Unified Soil Classification System in conjunction with description guidelines from the Canadian Foundation Engineering Manual 4<sup>th</sup> Edition.

Secondary Constituents	
Descriptor	Percentage by Weight
And	> 35%
y/ey	20 – 35%
Some	10 – 20%
Trace	< 10%



Consistency of Cohesive Soils		
Classification	Undrained Shear Strength (kPa)	"N" Blow Count
Very Soft	< 12	< 2
Soft	12 – 25	2 – 4
Firm	25 – 50	4 – 8
Stiff	50 – 100	8 – 15
Very Stiff	100 – 200	15 – 30
Hard	> 200	> 30

Relative Density of Non-Cohesive Soils	
Classification	SPT – N
Very Loose	0 – 4
Loose	4 – 10
Compact	10 – 30
Dense	30 – 50
Very Dense	> 50

#### SYMBOLS

Asphalt	High Plasticity Clay	Intermediate Plasticity Clay	Low Plasticity Clay	Fill	Poorly Graded Gravel	Well Graded Gravel	High Plasticity Silt	Intermediate Plasticity Silt
Low Plasticity Silt	Low Plasticity Organics	Clayey Sand	Silty Sand	Poorly Graded Sand	Well Graded Sand	Shale	Sandstone	Measured water level



### MODIFIED UNIFIED SOIL CLASSIFICATION SYSTEM

Major Division			Symbol	Description	Criteria	
Coarse Grained Soils	Gravel (More than half coarse grains larger than 4.75 mm)	Clean Gravel (little or no fines)	GW	Well graded gravels, little or no fines	$C_u = \frac{D_{60}}{D_{10}} > 4$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1 \text{ to } 3$	
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines	Not meeting above criteria	
		Gravel with fines	GM	Silty gravels, gravel-sand-silt mixtures	Fines content > 12%	Atterberg Limit below "A" Line, $w_p < 4$
			GC	Clayey gravels, gravel-sand-clay mixtures		Atterberg Limit above "A" Line, $w_p > 7$
	Sand (More than half of coarse grains smaller than 4.75 mm)	Clean Sand (little or no fines)	SW	Well graded sands, gravelly sands, little or no fines	$C_u = \frac{D_{60}}{D_{10}} > 6$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1 \text{ to } 3$	
			SP	Poorly graded sands, little or no fines	Not meeting above criteria	
		Sand with fines	SM	Silty sand, sand-silt mixtures	Fines content > 12%	Atterberg Limit below "A" Line, $w_p < 4$
			SC	Clayey sand, sand-clay mixtures		Atterberg Limit above "A" Line, $w_p > 7$
Fine Grained Soils	Silts (Below "A" line, negligible organic content)	$W_L < 50$	ML	Inorganic silts and very fine sands, rock flour, silty sands with low plasticity	See plasticity chart	
		$W_L > 50$	MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils		
	Clays (Above "A" line, negligible organic content)	$W_L < 30$	CL	Inorganic clays of low plasticity, gravelly, sandy, or silty clays, lean clays		
		$30 < W_L < 50$	CI	Inorganic clays of medium plasticity, silty clays		
		$W_L > 50$	CH	Inorganic clays of high plasticity, fat clays		
	Organic silts and clays (Below "A" line)	$W_L < 50$	OL	Organic silts and organic silty clays of low plasticity		
		$W_L > 50$	OH	Organic clays of high plasticity		
	Highly Organic Soils		Pt	Peat and other highly organic soils	Strong colour or odour, often fibrous texture	

- The soil of each stratum is described using the Unified Soil Classification System modified slightly so that an inorganic clay of "medium plasticity" is recognized
- "REC" denotes percentage sample recovery
- SPT "N" values represent the number of blows by a 63.6 kg hammer dropped 760 mm to drive a 50 mm diameter open sampler a distance of 300 mm after an initial penetration of 150 mm

# Bragg Creek Brewing Co.

19 River Drive N. (Bragg Creek)  
Rocky View County, Alberta

## Development Permit

October 5, 2018

# STARK

architecture

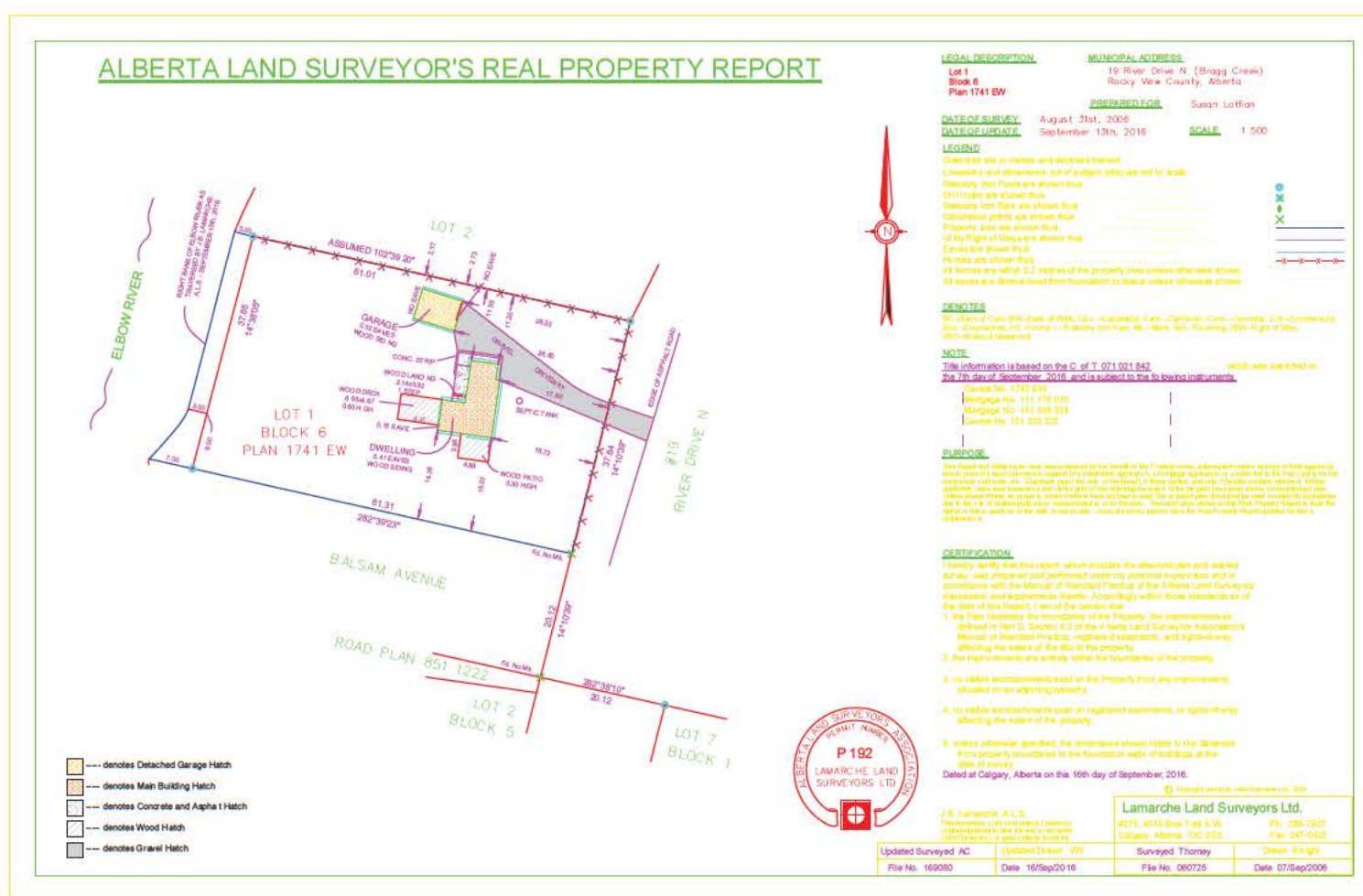
Stark Architecture Ltd.  
316 - 402 W. Pender St  
Vancouver, BC V6B 1T6  
t: 604 620 7210  
e: contact@starkarch.com

### ARCHITECTURAL DRAWING INDEX

- A 1.0 Location Map & Survey
- A 1.1 Site Plan - Existing
- A 1.2 Site Plan - Proposed
- A 1.3 Shadow Study
- A 2.1 Basement
- A 2.2 Ground Floor
- A 2.3 Second Level
- A 2.4 Third Floor
- A 3.1 Sections
- A 3.2 Sections
- A 4.1 Elevations
- A 4.2 Elevations
- A 4.3 Perspectives and Massing
- A 4.4 Colour Board
- A 5.1 Perspectives
- A 5.2 Renderings
- L 0.1 Landscape







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**LEGAL DESCRIPTION:**  
LOT 1 BLOCK 6 PLAN 1741 EW

Bragg Creek  
Brewing Co.

Stamp



### Location Map & Survey







[illegible]

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

**DRAFT**  
FOR REVIEW

As indicated

A 1.2b



**Maximum Height:**  
Permitted: 10.00m; Allowance: 12.50m; Shown: 12.50m





# architecture

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t: 604 620 1210  
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[illegible]

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Brewing Co.

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(Bragg Creek)  
Rocky View County,  
Alberta



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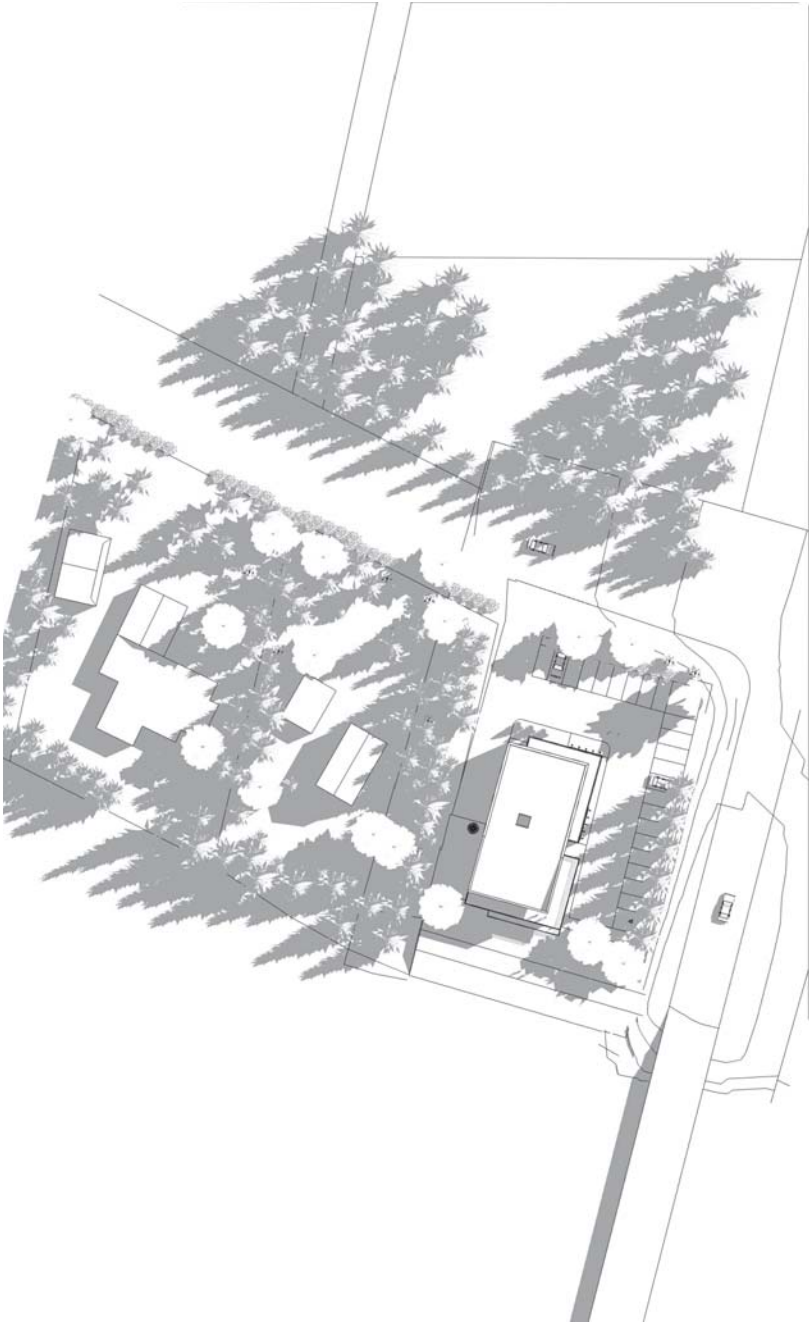
## Development Permit

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# Shadow Study

12" = 1'-0"

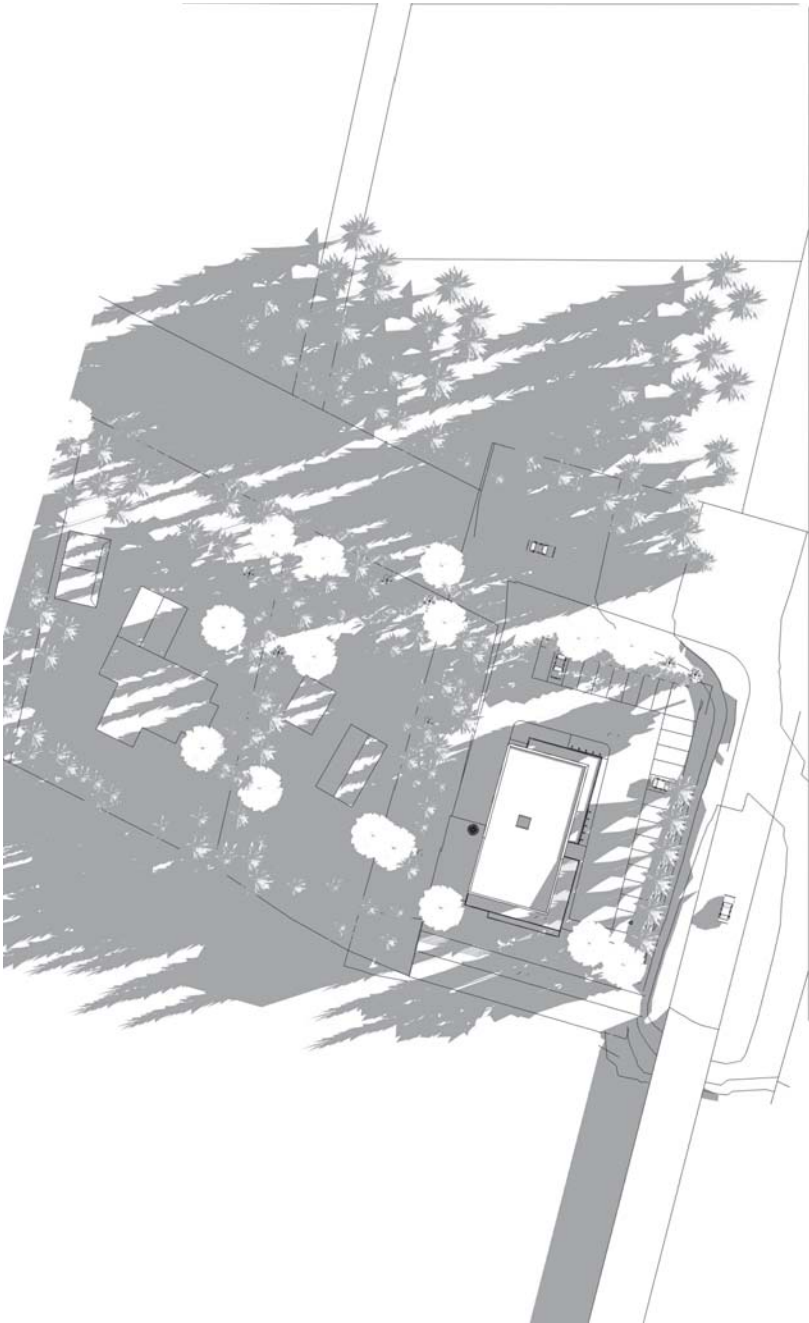
A1.3



MARCH EQUINOX @ 12:00 pm



SEPTEMBER EQUINOX @ 12:00 pm



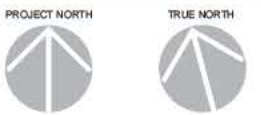
WINTER SOLSTICE @ 12:00 pm



SUMMER SOLSTICE @ 12:00 pm



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[illegible]

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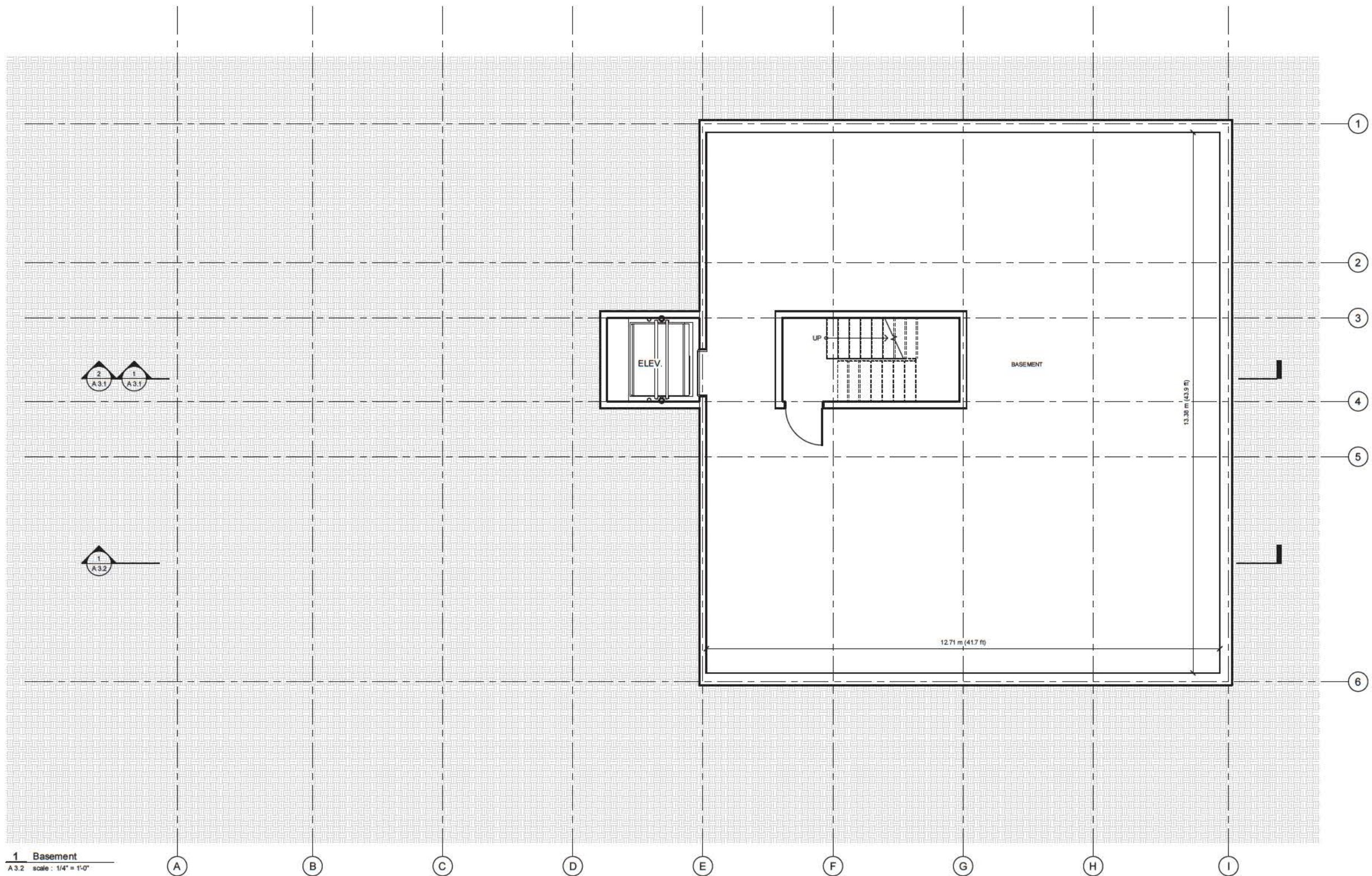
Development Permit

October 5, 2018

Basement

$$1/4'' = 1'-0''$$

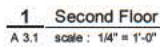
## A 2.1















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[illegible]

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19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

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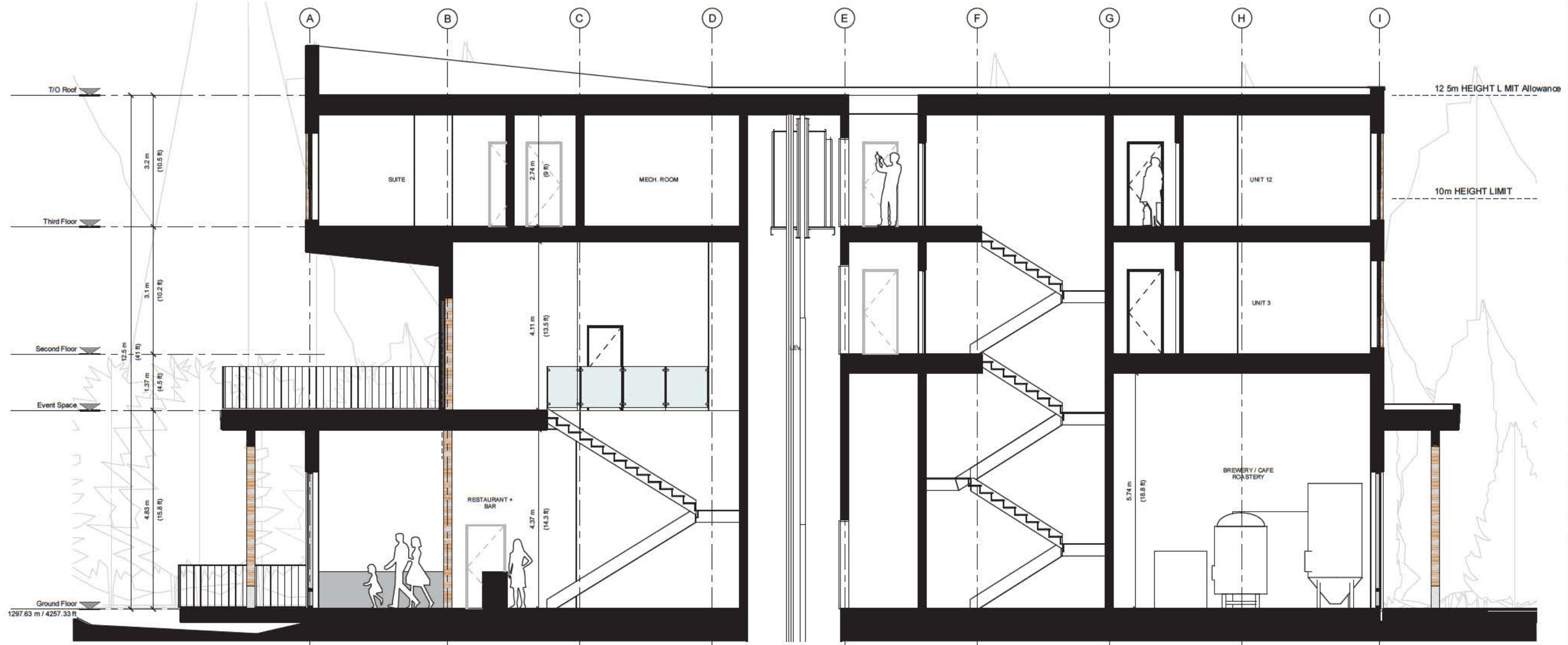
Development Permit

October 5, 2018

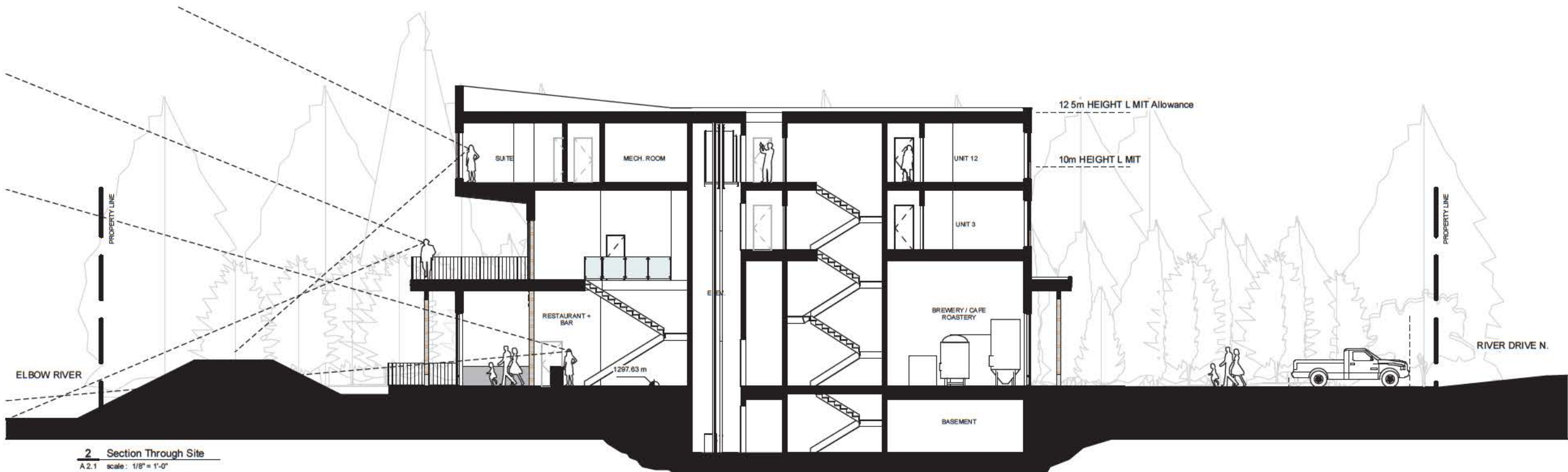
## Sections

As indicated

### A 3.1



**1 Longitudinal Section 1**  
A 2.1 scale : 1/4" = 1'-0"



**2** Section Through Site  
A 2.1 scale: 1/8" = 1'-0"

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[illegible]

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(Bragg Creek)  
Rocky View County,  
Alberta

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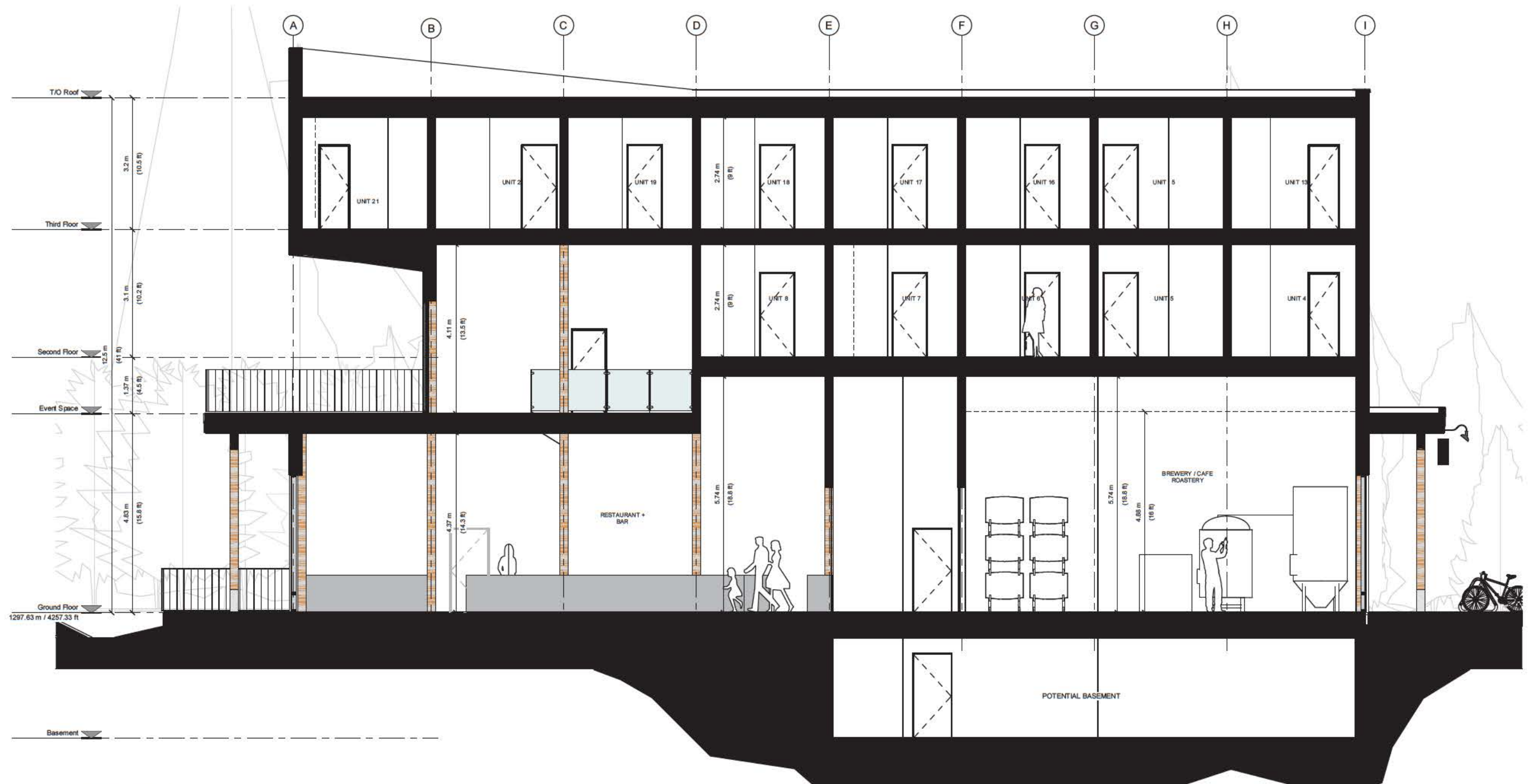
Development Permit

October 5, 2018

## Sections

$$1/4'' = 1'-0''$$

### A 3.2



**1** Longitudinal Section 2  
A 2.1 scale: 1/4" = 1'-0"



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[illegible]

Bragg Creek  
Brewing Co.

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

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Development Permit

October 5, 2018

## Elevations

As indicated

### A 4.1











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[illegible]

Bragg Creek  
Brewing Co.

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

Stamp



Development Permit

October 5, 2018

## Perspectives and Massing

 $12'' = 1'-0''$ 

A 4.3



1. VIEW FROM BRIDGE TOWARDS BUILDING



2. VIEW AT INTERSECTION OF BALSAM AVE. AND RIVER DRI. LOOKING TOWARDS RIVER DR.



3. VIEW FROM RIVER DR. LOOKING TOWARDS BALSAM AVE.



#### 4. MASSING STUDY - SOUTH EAST LOOKING NORTH WEST



5. MASSING STUDY - NORTH EAST LOOKING SOUTH WEST



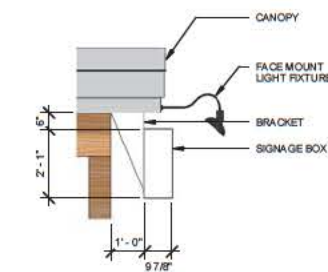
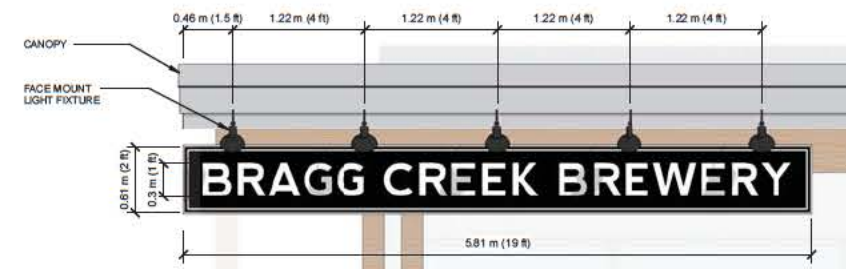


1 South Elevation Copy 1  
A 4.4 scale : 3/16" = 1'-0"



2 East Elevation Copy 1  
A 4.4 scale : 3/16" = 1'-0"





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[illegible]

Bragg Creek  
Brewing Co.

19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

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Development Permit

October 5, 2018

## Perspectives

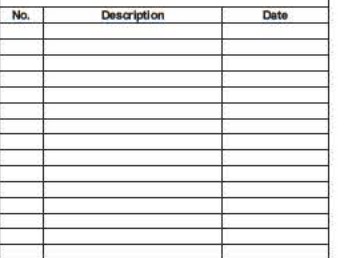
As indicated

## A 5.1



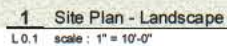






19 River Drive N.  
(Bragg Creek)  
Rocky View County,  
Alberta

0.1

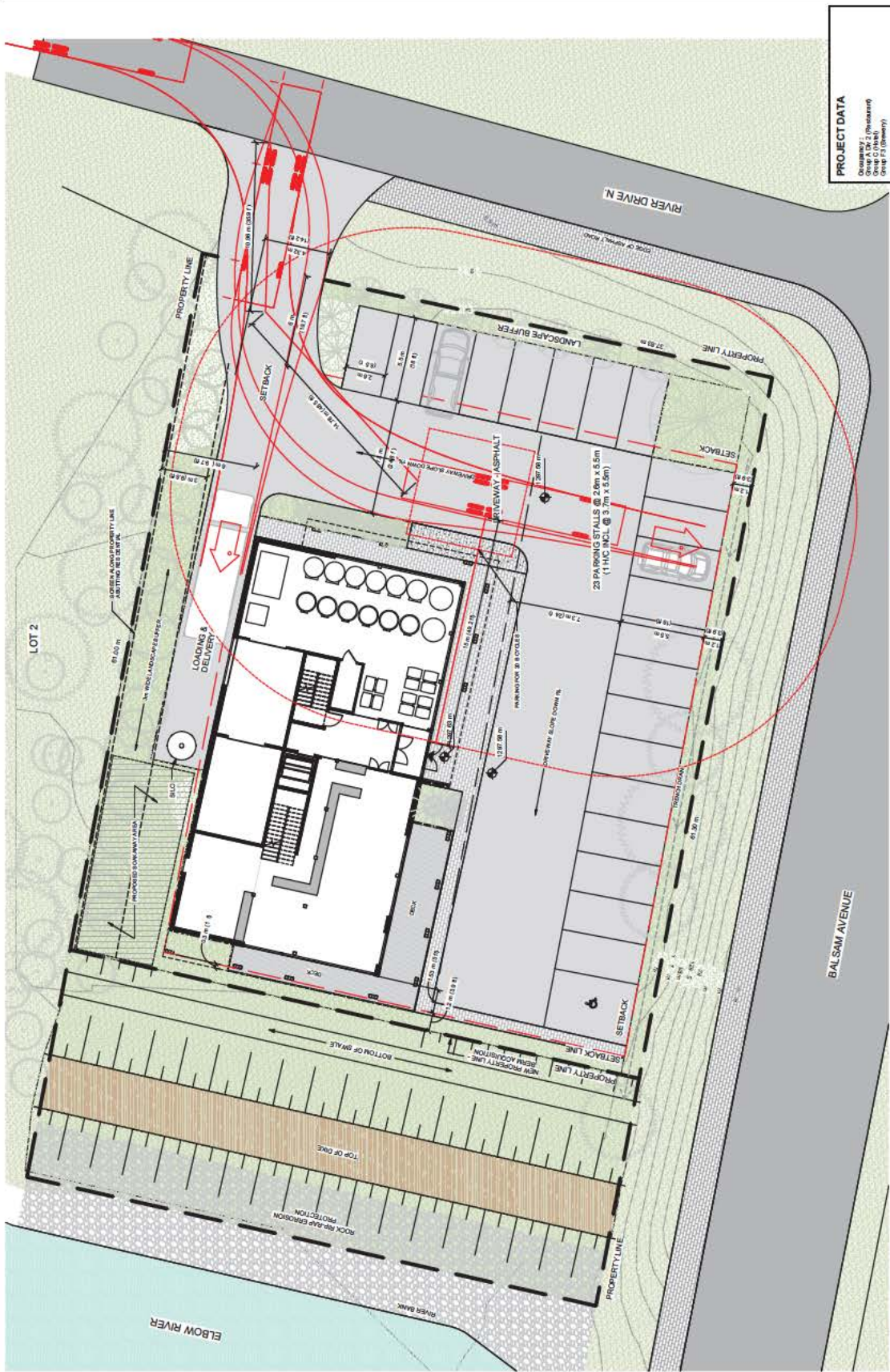


### Landscape Legend

**PROPERTY**

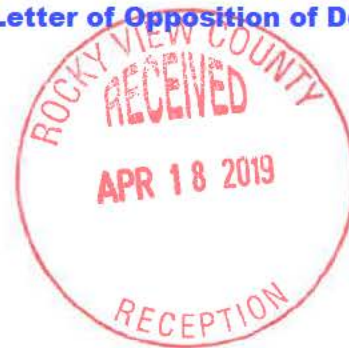
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[illegible][illegible]



[REDACTED]  
April 16, 2019



Subdivision and Development Appeal Board  
Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

Dear Sir or Madam:

**RE: File 03913077; PRDP 20184945 Appeal against Decision to Approve  
Brewery/Hotel/Restaurant/Drinking Establishment/Coffee Roaster at 19 River  
Drive N., Bragg Creek SE-13-23-05-W5M**

I support this appeal for the following reasons:

1. Although Bragg Creek needs overnight accommodation, the scope of this proposal is much too large for this lot which is adjacent to a residential neighbourhood, Balsam Ave. Bridge, and Elbow River floodway and riparian areas. From the start, this project appears to keep growing and becoming more intrusive on the River Drive North community residents. With the riparian areas bylaws and the flood mitigation measures, the lot will become even smaller for development.
2. The relaxation of side yard minimum setback and maximum height and signage requirements makes it very obvious that this development is too large for the lot size. Those maximum heights and minimum setbacks were the result of many community consultations that went into development of the Hamlet Plan and the Bragg Creek Area Structure and Revitalization Plans. These plans were put in place by the community to prevent such developments as this – oversized and over-height developments that do impinge on the beauty and character of the area that we came here to enjoy. Exempting these requirements for this development sets a dangerous precedent for future developments and makes a mockery of the community time and effort put into the Hamlet, Area Structure, and Revitalization Plans to set these standards.
3. Increased traffic that this project will generate will cause difficulty getting onto Balsam Avenue or result in more traffic through the residential areas on Pine and Spruce Avenues, thereby disrupting the lifestyle of the residents who moved to beautiful Bragg Creek to get away from traffic and noise. It will also cause more issues with traffic coming from West Bragg Creek over the bridge because of the project's too close proximity to said bridge.
4. Parking will be a huge problem with this development. At capacity, a 21- room hotel, brewery, drinking establishment, coffee roaster, and restaurant would generate upwards of 40 vehicles including employees and patrons. Where are they going to park? On the roads throughout the northern residential end of the community, blocking driveways and causing disruption to the peaceful lives of the residents? Not having full on-site parking leads to trespass on private property and potential for crime.



## Letter of Opposition of Development

5. Light pollution continues to be a concern. Increased street and commercial lighting plus signage lighting does not fit in with the dark skies policies that we moved here to enjoy. This will be another disruption to the residents' lives.
6. With the goal for more people to come and live in Bragg Creek, this flies in the face of that goal. The loss of another rental accommodation discourages new, young residents from coming to Bragg Creek.

I continue to maintain that this is a project that is best suited to another larger area in the commercial core, perhaps down White Avenue's Heritage Mile. As I have stated in previous letters regarding this development, this mega-project does not fit into the residential neighbourhood on River Drive North nor does it fit on the lot as proposed without becoming oversized and over-height. I urge you to support the appeal for the reasons given.

Thank you for your consideration in this matter which will negatively affect the lives of area residents if it goes through as planned.

Yours truly,



Joan MacKenzie  
91 River Drive N.



**AFFECTED PARTY**  
**Letter of Opposition of Development**

  
May 23, 2019



Subdivision & Development Appeal Board  
Rocky View County  
262075 Rocky View Point  
Rocky View County, Alta.  
T4A 0X2

Dear Sir or Madam:

**RE: Appeal Against Decision to Conditionally Approve**  
**Brewery/Hotel/Restaurant/Drinking Establishment at 19 River Drive North,**  
**Bragg Creek SE-13-23-05-W5M**

I **support** this appeal for the reasons stated in my April 16 letter which I shall summarize here as follows:

1. This proposal is much too large for the lot adjacent to a residential neighbourhood, Balsam Avenue Bridge, and the Elbow River floodway and riparian areas. Riparian area regulations and flood mitigation measures will make the lot even smaller than it already is for this development.
2. Relaxation of side yard minimum setbacks and height restrictions further prove that this is a project too big for the size of the lot. Those setbacks and restrictions were put in place through extensive Area Structure Plan public consultations in order to preserve the skylines and the distances between properties in the hamlet, thus helping to ensure the lifestyle that residents moved here to enjoy and pay dearly for through our taxes.
3. Increased traffic will cause difficulties exiting onto Balsam Ave. at the bridge and will result in people shortcutting through the residential neighbourhoods. This will disrupt the lifestyle that residents moved out here to enjoy – away from excess noise and traffic. It will also cause traffic problems for residents from West Bragg and Wintergreen coming across the bridge due to this project's close proximity to the bridge. During the Wintergreen golf season and with large numbers of year-round recreationists and cyclists coming and going over the bridge pursuing adventures in our area, traffic problems at that intersection will increase dramatically.
4. There needs to be full on-site parking to prevent the need for parking on roadways, blocking driveways, and disruption to residents by trespassers. With the possibility of at least 40 vehicles including patrons and employees, this is a big concern.
5. Relaxation of signage requirements is also a concern. Light pollution through increased commercial lighting and signage lighting does not fit with our dark skies policies and further disrupts residents' lives.

6. This development also results in the loss of another residential/rental property which goes against the revitalization goal of encouraging more young residents to come to Bragg Creek.

I continue to maintain that, although we do need overnight accommodation in Bragg Creek, this project is best suited to a larger area elsewhere in the commercial core. Any mega-project that requires relaxations for over-size, over-height, and signage should not be allowed in a residential neighbourhood. Therefore, I **support** this appeal for the reasons given above.

Thank you for your consideration in this matter which will negatively impact residents, tourists accessing recreational opportunities, and golfers in our community.

Yours truly,

A handwritten signature in blue ink, reading "Joan F. MacKenzie". The signature is fluid and cursive, with the first name "Joan" and last name "MacKenzie" clearly legible.

Joan F. MacKenzie  
91 River Drive North

Joni and Duane Peperkorn  
[REDACTED]  
Lot 3, Block 7, Plan 1741 EW  
[REDACTED]  
[REDACTED]

April 23, 2019

Rocky View County Council  
c/o Johnson Kwon  
Rocky View County Planning Services  
911- 32 Avenue NE  
Calgary, Alberta  
T2E 6X6

**Re: Support of Appeal to Development Permit Conditionally Issued for File no.: 03913077**

Dear Mr. Kwan,

I received notification of hearing based on an appeal from Craig Nickel, Aaron Matiushyk and Jennifer Liddle. I would like to add my support to their appeal.

I have reviewed the hearing agenda and the conditional development permit and I have the following concerns:

- Application defines Balsam Avenue as “Front” Property boundary (south property line).
  - Current front property boundary is River Drive N (east property line), and all vehicle access will be from River Drive N.
  - Application proposes a sidewalk be constructed along Balsam Avenue to allow pedestrian access which would change front from the East of the property to the South.
  - There is no space along the road for access here.
  - A sidewalk for safe access would require a retaining wall along the road allowance and a railing on both sides for safe access to the property from the south side.

I request that the County add the construction of safe access to the property from the South side as a condition to the development permit **OR** Consider the “front” of the property the current East Boundary, and revise the spacing requirements for the West Boundary to 6m rather than 1.2m.

- The building drawings show part of the building protruding over the drainage swale that will be constructed as part of the flood mitigation plan.
  - The easement for the swale stipulates no permanent structures allowed for swale maintenance.
  - The building plans compromise the flood mitigation system in Bragg Creek.

I request the County add the condition that the building does not interfere with the flood mitigation plan.

- The agenda documents state that this property requires to access points for vehicles. The parking plan and site drawings only show one access point.

I request that the County have the Applicant revise the drawings and parking plan to show two (2) vehicle access points per the requirements and adjust the parking numbers accordingly.



- There is no storage shown on the property at this time
  - The agenda documents state that this property requires a water tank and pressurized fire suppression system.
  - There are no garbage bins shown in the drawings.

I request that the County adds the condition that the applicant account for outdoor storage as part of their footprint and landscape plans.
---

Finally, I fully support and applaud the County for the following condition on the permit. Thank you for taking protective measures like this for residents like me.

*That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.*

Sincerely,



Joni Peperkorn



**Bhavani Food (Canada) Corporation**  
**Unit No. 102, 7 Balsam Avenue,**  
**Bragg Creek, T0L 0K0**  
**Calgary, Alberta**

April 22, 2019

To

**Rocky view County Subdivision and Development Appeal Board**

**262075 Rocky view point,**

**Rocky view county, Alberta T4A 0X2**

**RE: Letter of Support for Development of Brewery (Industry type 1 & 2), 21 rooms Hotel Restaurant  
and Drinking Establishment**

Please consider this letter is to **Support** for new development of **Brewery (Industry type 1 & 2), 21 rooms  
Hotel Restaurant and Drinking Establishment – File no. 03913077, PRDP20184945.**

We need new community development in Bragg creek area to support the local businesses. Local businesses are already struggle so much due to economy as well as there is no new development in the community, which attract tourists and support local people requirement. It is also note that Bragg creek Revitalization plan (Published December 2015) support the new development in the community and local businesses still waiting for years to implement this plan and any new development in the Bragg creek.

Please consider this letter of support as a vote and feel free to contact me if you required any additional information and/or any further action to support this development.

Sincerely,

Reshma Patel

(Owner of Braggcreek Carl's Jr.)



**Bhavani (Canada) Corporation**  
**Unit No. 100, 7 Balsam Avenue,**  
**Bragg Creek, T0L 0K0**  
**Calgary, Alberta**

April 22, 2019

**To**  
**Rocky view County Subdivision and Development Appeal Board**  
**262075 Rocky view point,**  
**Rocky view county, Alberta T4A 0X2**

**RE: Letter of Support for Development of Brewery (Industry type 1 & 2) , 21 rooms**  
**Hotel Restaurant and Drinking Establishment**

Please consider this letter is to **Support** for new development of **Brewery (Industry type 1 & 2), 21 rooms Hotel Restaurant and Drinking Establishment – File no. 03913077, PRDP20184945.**

We need new community development in Bragg creek area to support the local businesses. Local businesses are already struggle so much due to economy as well as there is no new development in the community, which attract tourists and support local people requirement. It is also note that Bragg creek Revitalization plan (Published December 2015) support the new development in the community and local businesses still waiting for years to implement this plan and any new development in the Bragg creek.

Please consider this letter of support as a vote and feel free to contact me if you required any additional information and/or any further action to support this development.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. Patel".

**Pramod Patel**  
**(Owner of Bragg creek ESSO)**



**Michelle Mitton**

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**From:** Bragg's Korner Kitchen <braggskornerkitchen@gmail.com>  
**Sent:** Monday, June 03, 2019 9:45 AM  
**To:** Michelle Mitton  
**Subject:** Development of the Bragg Creek Brewery

To: Rocky view Subdivision and Appeal Board

Re: Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, AB. T0L 0K0  
May 30, 2019

I, Birgit Schmitt, owner of Bragg's Korner Kitchen and resident of Bragg Creek am writing this letter in FULL support of the proposed Bragg Creek Brewery.

I believe the Brewery will be a huge asset to our community, it will provide more jobs, bring in more revenue for the surrounding businesses and it will help revitalize our little town and invigorate new growth.

This is a great project that supports the Bragg Creek Revitalization Plan, by enhancing our community and providing a new and exciting service for the Bragg Creek residents and our many visitors.

I believe it is well suited to the new Hamlet Core Commercial district, it has a well thought out parking plan, a Rocky Mountain Modern Western design and it will contribute to the water infrastructure.

In closing, I see absolutely no down side to developing the Bragg Creek Brewery and I am excited for the possibilities it will bring to my business and to Bragg Creek.

Thank you,

Birgit Schmitt

Bragg's Korner Kitchen  
PO Box 97  
8-16 White Avenue  
Bragg Creek  
T0L 0K0

403-949-2528  
[braggskornerkitchen@gmail.com](mailto:braggskornerkitchen@gmail.com)

**Letter of Support of Development**



Harder & Sons Exterior Maintenance  
Services Inc.  
5, 27 Balsam Ave  
Bragg Creek, AB T0L 0K0  
Phone: 403.949.3442  
E-Mail: info@exteriormaintenance.ca  
Web: www.exteriormaintenance.ca

May 31, 2019

Attention: Rocky View County Subdivision and Appeal Board

Re: Bragg Creek Brewery

To Whom It May Concern:,

The Harder and Sons is in full support of the new Bragg Creek Brewery. We believe it supports the vision of the Bragg Creek Revitalization Plan, and is well suited to the new Hamlet Core Commercial district. For services businesses like ourselves to survive operating in this community, we need a vibrant commercial district that is prepared to invest in the aesthetic beautification of the lands around them.

As my office is in close proximity to their location, we have no concerns with their parking plan, and believe it will only enhance the property values in the area. We also believe their presence will encourage other properties in close proximity to develop and beautify their grounds.

Sincerely,

A handwritten signature in black ink, appearing to read "Lowell Harder", written over a horizontal line.

Lowell Harder  
Owner  
Harder and Sons Exterior Maintenance Services Inc.

71/ 75 River Dr. North  
Bragg Creek, AB  
T0L 0K0

May 30 / 2019

Rocky View County  
911 32 Ave. NE.  
Calgary, AB  
T2E 6X6

Re: Bragg Creek Brewery  
19 River Dr. North  
Bragg Creek, AB  
T0L 0K0

Dear Sir/ Madam,

My name is Karl Teghtmeyer, I currently reside at [REDACTED], on property that my family has owned for many years. This is a couple of blocks north of the proposed brewery location. We also own the lot at 28 Balsam avenue which is 2 lots east of brewery and one of three remaining residential lots on that side of Balsam, as that is all slated to be commercial one day.

As a neighbour and long time resident of Bragg Creek I fully support the Bragg Creek brewery and its proposed location. I firmly believe this is exactly the type of development Bragg Creek needs going forward. It will be a benefit to the community and the existing business's within. The location is great, and as stated above my understanding is that entire stretch of Balsam is meant to be commercial. They're confident they can do it, they're plans prove that, help the community of Bragg Creek become more than just a place to get ice cream on the weekend.

Thank you for your time, I hope all the concerns can be addressed and the permit can be approved and we can finally look forward to having a great brewery in Bragg Creek.

Sincerely,

Karl Teghtmeyer



**Michelle Mitton**

---

**From:** Michele Longo [REDACTED]  
**Sent:** Monday, June 03, 2019 2:34 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery - letter of support

Attn: Subdivision and Development Appeal Board

We are writing to show our continued support for the Bragg Creek Brewery project. We live on the same street as this future brewery, although we are at the far end of the street.

We think the location is ideal for this kind of business and offers a new venue for visitors and locals to come together and enjoy the beauty of Bragg Creek. A brewery is an ideal business for a tourism driven town and seems well suited to our visitor demographics. It would increase property values and go a long way towards the revitalization of Bragg Creek.

A business of this size establishing themselves here sends a positive message about the future of Bragg Creek. This project would certainly contribute significantly to the vitality of the community and their presence would likely invigorate future growth.

We like the modern Rocky Mountain design as it's a welcome departure from dated western design that can make Bragg Creek seem stuck in the past. I understand those living in closer proximity to this new brewery/hotel may have issues with the size or perhaps parking and I would hope those issues are addressed. We don't want to see our neighbours down the road negatively impacted by this project. Personally we would expect traffic to increase on our street however we believe the benefits of this new business outweigh this negative.

Sincerely,

Michele & Joe Longo

[REDACTED]

**Michelle Mitton**

**From:** Cathy and Bob Martin [REDACTED]  
**Sent:** Monday, June 03, 2019 5:31 PM  
**To:** shope@rockyview.ca; Michelle Mitton  
**Subject:** Re: Bragg Creek Brewery, 19 River Drive N., Bragg Creek

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

As property owners of [REDACTED], my husband and I are in full support of the Bragg Creek Brewery at this location. We think it would be an excellent place to develop a combination boutique hotel, restaurant and microbrewery, being on the corner of Balsam Avenue, just before the bridge.

Although we are well aware of having to “be careful what we wish for”, we think a tastefully done commercial venture such as what’s being proposed could do a great deal to liven up our sleepy little hamlet. Imagine a place people wanted to drop into on a somewhat regular basis (not just on special occasions) – good food and drink, good service, pleasant surroundings... Although there are already a couple of businesses in Bragg Creek which meet those criteria, we could do with more. Hotel rooms would give people the opportunity to stay in the area a bit longer than for just the usual day trip – which would surely serve other businesses well.

We think generally that this proposal would help to revitalize the community. It would increase land values, it would provide more jobs and it would invigorate new growth. It is well suited to the hamlet commercial district.

With the attention that has been paid to hamlet Design Guidelines - re building materials, building height, architectural style, etc., this venture will be a great fit with the Area Revitalization Plan. We like the thoughtful approach of the applicants’ public engagement. We are happy with their parking plan.

All in all, we believe this proposal can only enhance the community, and is compatible with the future plans for development in Bragg Creek.

Sincerely,  
Cathy Martin

**Michelle Mitton**

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**From:** Brett Schönekeess <brett@twopineventures.com>  
**Sent:** Friday, May 31, 2019 10:20 AM  
**To:** Sonya Hope; Michelle Mitton  
**Cc:** Baruch Laskin  
**Subject:** Bragg Creek Brewery Letter of Support

Hello,

I am writing in support of the Bragg Creek Brewery's successful Development Permit. Bragg Creek is in desperate need of new development and the brewery is a good first step in enhancing the economic position of Bragg Creek and will lead to other ventures taking the leap in developing opportunities in the Hamlet.

I believe that this proposed operation supports the Bragg Creek Revitalization Plan, fits within the new Hamlet Core Commercial district, will create additional tourism opportunities, employment and economic activity in Bragg Creek and make use of an underutilized and under-capacity water and wastewater infrastructure.

By all accounts, the applicants have submitted a plan that meets the requirements of RockyView County bylaws and guidelines and have engaged the community with their project receiving generally positive and supportive feedback. As a resident of West Bragg Creek and an entrepreneur working to develop a tourism related opportunity as well, the Bragg Creek Brewery will be a great addition to our community and is without reservation a business that I would patronize and recommend to other visitors, friends and family to experience when their operations commence.

Dr. Brett Schönekeess  
Co-founder, Director, CFO, Two Pine Ventures Inc.  
Business address: Unit 1, 27 Balsam Ave, Bragg Creek AB  
Residentail address: [REDACTED]



**Michelle Mitton**

**From:** Cailen Van Tighem [REDACTED]  
**Sent:** Monday, June 03, 2019 10:47 PM  
**To:** Michelle Mitton; Sonya Hope  
**Subject:** Letter of support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To whom it may concern,

Bragg Creek has been our home for over 20 years. As local Bragg Creek business owners and residents we support the Bragg Creek Brewery.

This letter is intended to address our opinion regarding Bragg Creek Brewery as a business. Since 2013 our town has been static in many ways. Alberta's economy has been a barrier for many things to happen and has affected not only the larger populations, but also our hamlet. Both are imperative for the survival of this community and its growth.

New business translates into new jobs, new options for those who live here as well as a reactivation of the economy. While we understand the concern from many, it is important we embrace change and welcome new options into the current business portfolio. A business like Bragg Creek Brewery will inject new money into the economy of this town and generate new jobs. We have seen the blue print of the building and agree it meets the guidelines of the Municipality, it fits with the towns image and provides options currently not available.

We believe this business will enhance the community and is compatible with the future vision of Bragg Creek.

Regards,  
Pablo & Cailen --

**Cailen Van Tighem**

[THE HEART OF BRAGG CREEK](#)

12 Balsam Ave . Bragg Creek AB

T0L0K0



**Michelle Mitton**

**From:** Baruch Laskin <baruch@braggcreekbrewing.ca>  
**Sent:** Tuesday, June 04, 2019 9:38 AM  
**To:** Michelle Mitton; Sonya Hope  
**Subject:** Fwd: Bragg Creek Brewery Letter of Support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI I just saw that this was not sent directly to you - thanks, Baruch

----- Forwarded message -----

**From:** Rick Woods [REDACTED]  
**Date:** Sun, Jun 2, 2019 at 1:59 PM  
**Subject:** Bragg Creek Brewery Letter of Support  
**To:** Baruch Laskin <[baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca)>

Bragg Creek Brewery  
Attn Baruch Laskin

I believe that this project of a hotel/restaurant would be a great establishment for Bragg Creek. Since the flood Bragg Creek has struggled. A project like this will encourage others to also start businesses and invigorate the whole area. I believe this will bring in visitors on a year round basis as with its' location it will serve not only the summer cyclists but as well the users of the winter recreation facilities that have been built in area. I live just down the street from the proposed development and will be excited to have this go ahead.

Please pass this on the proper authorities with the county.

Sincerely,

Rick Woods  
63 River Dr N  
Bragg Creek

[REDACTED]

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**From:** Baruch Laskin <[baruch@braggcreekbrewing.ca](mailto:baruch@braggcreekbrewing.ca)>  
**Sent:** May 31, 2019 8:00 AM  
**To:** Rick Woods  
**Subject:** Bragg Creek Brewery Letter of Support

Hi Rick,

**Letter of Support of Development**

**We need your support and every letter to the County will make a difference! It must be submitted by Monday June 3 by 4:30pm.**

Our project has reached another milestone, receiving our Development Permit earlier this spring. The permit was appealed, however, we now have an appeal board hearing on June 5, 2019 @ 9 am. We need your help showing Rocky View County that our community supports this project and thus we are asking for letters of support to be sent directly to the Subdivision and Appeal Board.

In terms of content for the letter, some of the following points are desirable:

Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, AB. T0L 0K0  
May 30, 2019

- I/we are in full support of the Bragg Creek Brewery
- It will revitalize the community
- It will be an asset to the community
- It will increase land values
- It is well suited to the new Hamlet Core Commercial district
- It will improve the quality of life
- It will provide more jobs
- It will invigorate new growth
- It supports the Bragg Creek Revitalization Plan
- We are happy with their parking plan
- We like how the team are going to contribute to the water infrastructure
- We like the thoughtful approach of their public engagement
- We feel that the project is in the design of the building is Rocky Mountain Modern Western design.
- It will enhance the community and is compatible with the future pattern of development in Bragg Creek

Please also include your address, and if you do not live in the community, please indicate why you visit Bragg Creek and how this project will increase the frequency with which you visit. Letters should be submitted by Monday June 3 by 4:30pm and can be sent via email to both:



[shope@rockyview.ca](mailto:shope@rockyview.ca) and [mmitton@rockyview.ca](mailto:mmitton@rockyview.ca). If you are able to attend the hearing we would be very grateful and can make arrangements for travel if need be.

We appreciate your support!

Sincerely,



Baruch Laskin, Co-Founder  
Bragg Creek Brewery  
403.836.7629



May 31, 2019

Attention: Rocky View County Subdivision and Appeal Board

Re: Bragg Creek Brewery

To Whom It May Concern:,

The Bragg Creek Chamber of Commerce is in full support of the new Bragg Creek Brewery. We believe it supports the vision of the Bragg Creek Revitalization Plan and is well suited to the new Hamlet Core Commercial district. Bragg Creek's economy relies heavily on tourism. We believe the Brewery will be a draw for tourists and will help us retain them in our community longer contributing to further tourism spend.

This business will provide jobs, increase property values, and send a message that Bragg Creek is open for investment. The Brewery has a high-profile location, clearly visible to all the visitors who travel to West Bragg Creek and will help us build a positive perception of growth and vitality for the entire community.

The owners of this business have come to several Chamber meetings to listen to concerns and we've been impressed by how they've engaged community members in their project.

Sincerely,

Lowell Harder  
President  
Bragg Creek and Area Chamber of Commerce



May 31 2019

**UNAFFECTED PARTY**  
**Letter of Support of Development**

Rocky View County  
Subdivision and Appeal Board  
Bragg Creek, AB

Via email:

shope@rockyview.ca  
mmitton@rockyview.ca

**To Whom It May Concern:**

**Re: Bragg Creek Brewery - 19 River Drive N. - Bragg Creek, AB - T0L 0K0**

As a frequent visitor to Bragg Creek (I reside in Calgary West Springs), I am in full support of the Bragg Creek Brewery; I feel that it will revitalize the community and will be an added asset.

The land the Brewery is built on, will increase the land value and the establishment is well suited to the new Hamlet Core Commercial District. Bragg Creek Brewery will invigorate new growth and contribute to the creation of more jobs, hence improving the quality of life for the local residents.

Some positive key points to note are:

- Parking plan;
- Contribution to the water infrastructure;
- Thoughtful approach to public engagement;
- The building design is Rocky Mountain Modern Western design, and
- The Brewery will enhance the community and is compatible with the future pattern of development in Bragg Creek.

Calgary Municipal Land Corporation and Charcut/Charbar owner John Jackson have enjoyed a fruitful business relationship over the last few years and we look forward to many more years to come.

Should you have any questions, please do not hesitate to contact me directly via email at [mbrown@calgarymlc.ca](mailto:mbrown@calgarymlc.ca) or by phone at 403-604-9096.

Regards,

  
Michael Brown  
President & CEO  
Calgary Municipal Land Corporation

/sp

cc: John Jackson – Charcut – [John.jackson@charcut.com](mailto:John.jackson@charcut.com)

O 403.718.0300  
F 403.718.0500  
[info@calgarymlc.ca](mailto:info@calgarymlc.ca)  
[calgarymlc.ca](http://calgarymlc.ca)

Calgary Municipal Land Corporation  
430 - 8 Avenue SE  
Calgary, Alberta, T2G 0L7



June 1, 2019

Subdivision & Development Appeal Board  
c/o S. Hope, Appeals and Policy Coordinator, Municipal Clerk's Office and  
M. Mitton, Administrative Coordinator, Municipal Clerk's Office  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

**VIA E-MAIL**

**Re: Support for Bragg Creek Brewery**

To Whom It May Concern:

On behalf of Travel Alberta, I am pleased to offer our support for the Bragg Creek Brewery.

As the destination promotion organization for the Government of Alberta, we know that a strong tourism industry creates jobs and economic growth in Alberta. The ongoing development of new tourism experiences is a critical factor in the continued growth of Alberta's visitor economy.

In fact, Travel Alberta works with industry partners around the province to support the enhancement and development of new tourism experiences that can accommodate international demand. Our strategy focuses on the cultivation of tourism experience clusters in lesser known areas of the province, to encourage Alberta residents and global visitors to explore places they are not as familiar with, bringing more jobs, revenue and investment to local communities.

Connie DeSousa and John Jackson's investment in three successful businesses, CHARCUT, charbar, and Rooftop Bar @ Simmons, has supported the revitalization of Calgary's East Village neighbourhood and earned them the prestigious [2018 Alto Award for "Service Excellence"](#). These awards annually recognize individuals and organizations that are committed to enriching the province's tourism industry.

If approved, the Bragg Creek Brewery presents the opportunity to invigorate new growth in the community and become another community hub; a gathering place for the citizens of Bragg Creek and visitors alike. It promises to be a welcoming space to share stories, form connections and become part of the fabric of the community.

This new business is in alignment with the Bragg Creek Revitalization Plan, is well suited to the new Hamlet Core Commercial District, and the parking plan makes sense for patrons.

The business will create local jobs and I appreciate their thoughtful approach to public engagement. Even the building's Rocky Mountain Modern Western design is a perfect complement to Bragg Creek's unique character and beautiful surroundings.

In conclusion, we fully support this investment in the local Bragg Creek community, and can vouch for Connie's and John's expertise, entrepreneurial spirit, commitment to collaboration and passion for building community.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Royce Chwin', with a stylized, flowing script.

Royce Chwin  
Chief Executive Officer, Travel Alberta

Cc: Connie DeSousa, John Jackson

**Michelle Mitton**

**From:** David Farran <farrand@eauclairedistillery.ca>  
**Sent:** Friday, May 31, 2019 9:22 AM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewing

Dear Sir or Madam,

I am writing regarding the proposed Bragg Creek Brewery at 19 River Drive N. Bragg Creek, AB. T0L 0K0  
May 30, 2019

I am the President of Eau Claire Distillery, a spirits manufacturer and tourism operation south of Bragg Creek. In addition, I am on the Board of Directors for the Foothills Tourism Association, which includes Bragg Creek in its area of responsibility.

We strongly support the Bragg Creek Brewery project. We believe it will be a huge asset to the community, will create much needed Alberta jobs and will contribute to the revitalization of Bragg Creek as a contributing member of the business community. For Bragg Creek residents, it creates a much needed relaxing dining a community venue, contributes to local quality of life and is perfectly suited to the new Hamlet Core Commercial district. As a new piece of infrastructure, it will be an invaluable asset in building the tourism sector of Southern Alberta.

We wholly support the accompanied parking plan, the water infrastructure plan and how the project team has thoughtfully engaged with the community at large.

It is our opinion that this project is perfectly suited for the goals of the community, the Rocky View MD and for the revitalization of the Hamlet of Bragg Creek.

Sincerely,

*David Farran*

David Farran, President Eau Claire Distillery; Treasurer & Board Member, Foothills Tourism Association.





DAVID R. FARRAN, MBA  
PRESIDENT

EAU CLAIRE DISTILLERY LTD.  
PO Box 1539  
113 SUNSET BOULEVARD NW  
TURNER VALLEY, AB, T0L 2A0  
T 403 933 5404  
C 403 519 0641

FARRAND@EAUCLAIREDISTILLERY.CA

EAUCLAIREDISTILLERY.CA

**Michelle Mitton**

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**From:** Laureen Harper [REDACTED]  
**Sent:** Sunday, April 14, 2019 8:56 PM  
**To:** PAA\_ SDAB  
**Subject:** File no: 03913077, PRDP20184945 (Bragg Creek Development)

Regarding the Notice of Hearing on the 19 River Drive North Development Permit.

I would like to be on notice that my husband and I, Stephen Harper, are FOR this development. (we are 55 Bracken Poiint)

It will affect us as we will be passing by this address every single day.

We think it is a good development for Bragg Creek.

We do not know the people involved in this business.

Laureen Harper

**Michelle Mitton**

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**From:** John Heerema [REDACTED]  
**Sent:** Monday, June 03, 2019 4:24 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery permit appeal

I am writing to support the development permit for:  
Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, Alberta  
TOL OKO

As a long term Bragg Creek area resident, I believe that the proposed project will be an asset to our community, and is aesthetically well suited to the hamlet. The proposed development appears to add value to the land parcel, and the hamlet as a whole.

I have asked the permit holders to review their parking plan with me, and do not see issues with their proposal.

I am optimistic that the development will improve the appearance of this land parcel, and that the project will contribute positively to the quality of life in the community.

Thanks for your consideration,

Dr. John Heerema  
[REDACTED]  
Redwood Meadows, Alberta  
[REDACTED]



**Michelle Mitton**

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**From:** Elizabeth [REDACTED]  
**Sent:** Monday, June 03, 2019 7:59 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Support for Bragg Creek Brewery

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please accept this letter in support of the Bragg Creek Brewery.

We believe it will revitalize the community and will be a physical and financial asset. It will increase land values and is well suited to the new Hamlet Core Commercial district. It will attract more high end development and will invigorate new growth in the Hamlet. It will provide more jobs and help to broaden the current tax base. We feel that the project in the design of the building is Rocky Mountain Modern Western design, which is most appropriate to this area.

It will enhance the community and is compatible with the future pattern of development in Bragg Creek

Bragg Creek has suffered the development doldrums for long enough.

Respectfully,

Rod Burns  
Elizabeth Hertz  
[REDACTED]

Rocky View Subdivision and Appeal Board  
Rocky View County  
262075 RockyView Point  
Rocky View County, AB  
T4A 0X2

Re: Review of Bragg Creek Brewery Development Permit

To Whom It May Concern:

I understand there is yet another objection over the plans to establish Bragg Creek Brewery at 19 River Drive N in Bragg Creek Alberta. I am writing to express my continued support for the development of Bragg Creek Brewery for numerous reasons.

The community of Bragg Creek needs new businesses and more people willing to wade through the bureaucracy of the Rocky View County administration that seems to have forgotten Bragg Creek. Having to revisit a Development Permit repetitively deters the enthusiasm and undermines the creativity required to develop assets into a business. In the past 15 years of living in this community I have seen more businesses fail than currently exist. Bragg Creek is lagging well behind others communities in Rocky View such as Cochrane, Airdrie, and Langdon and is in need of revitalization the brewery will provide.

Breweries in the small communities of Cochrane, Airdrie, Black Diamond, Strathmore and many others in Alberta have become valued assets for their communities, not only revitalizing the communities but creating jobs and developing renowned beer enjoyed across the province. They also assist in the development of tourism for Calgarians and international travelers. The track record has been established elsewhere and Bragg Creek Brewery will help to increase land values and stimulate activity at other businesses in Bragg Creek making it well suited to the new Hamlet Core Commercial district.

Bragg Creek Brewery will improve the quality of life for many in the community by providing jobs and creating a space for members of the community to gather as well as offering visitors a place to stay. The proposed Bragg Creek Brewery development is consistent with the Bragg Creek Revitalization Plan and they have successfully developed a plan to address concerns over parking and contribution to the water infrastructure.

The proposed development of Bragg Creek Brewery will enhance the community and is compatible with the future pattern of development in Bragg Creek. It is my sincere hope that the Rocky View County will stop creating road blocks for a development that is so consistent with the character of the community.

Yours truly,

Bryce Hleucka, CA

Redwood Meadows, AB

**Michelle Mitton**

**From:** Greg Hoffart <greg@treeconstruction.ca>  
**Sent:** Friday, May 31, 2019 12:03 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery

Hello fine folks of Bragg Creek,

I have been following the Bragg Creek Brewery for a couple of years and thought I would send a letter to highlight some finer points of this project!

As we are all aware, the province of Alberta is in need of some energized economies and given the state of the wildfires in the north, it would be a prudent time to start looking inward at our communities to see where positive examples of climate protection and community development can dovetail. As a build and design company solely focused on conservation and performance with holistic community development in mind, the Bragg Creek Brewery is a shining example of a project that has considered a myriad of components for community initiatives. Some of these initiatives include: Providing employment, while invigorating new development, contributions to water infrastructure and a beneficial parking plan.

When looking at the public process and how transparent Bragg Creek Brewery's approach has been, it would definitely become an asset for the community to facilitate this project. In our experience, communities trying to attract investors with new initiatives can be difficult, and while we try to get everything right, there is always someone chiming in on the things done wrong. This is where a community can engage with their potential developers to create synergies with visions and building relationships that work towards a common goal.

We need examples of communities driving the change we want to see in the world - a sustainable future for our children children. While the next developer throws up a new gas station, a box store moves in and with mega complexes in place, another community is lost and the public at large continue to feed a world based on relentless growth opportunities and growing crisis of waste accumulation while providing little to no fibre for communities. Sidewalk labs in Toronto is working with Google and its parent company Alphabet to develop a property on Lake Ontario, and forge through the complicated process of transparent community engagement. Using sophisticated software and full exposure of public discussion the project is on full display. The public response has been huge and polarized in multiple directions which is cumbersome to building and creating new ideas. The goal, ultimately is to crush through 200 years of doing the same thing. 200 years of public infrastructure being delivered in the same format - gridlines of streets, grids of utilities from centralized systems and with it the complicated and expensive infrastructure problems growth brings. By challenging our ideas of growth, with the benefits of development through work groups made up of public and private entities, we can build a better future.

While Bragg Creek is not Toronto, the individual problems our communities have are unique, and the solutions different as well. The Bragg Creek Brewery has sparked the community to engage, and now is the time to open the doors for inclusion rather than meeting with the stick. Entrepreneurs being agents of change, will always be under the scrutiny of the public eye. Let us not lose the positive vision by creating road blocks. While a municipal government can stall out the entrepreneurial fire by endless requests for documentation and report, a less complicated negotiation could be approached. For example, instead of adding more policy, ask the Brewery for a community night where locals old and new can come to congregate and discuss the big problems of today. Or look at asking existing citizens to donate a paving stone with their name on it to provide a sense of place and ownership. Cut the preverbal ribbon and have a tree planting ceremony along the banks of the Elbow



River and name the trees to build an interactive map for residents and tourists to follow. The Tamarack institute has developed tools for community engagement - use these tools to work together!!

(<http://www.tamarackcommunity.ca/library?filter1=collective-impact&filter2=tools>)

Reading through the Bragg Creek Revitalization Plan, a central hub that gives a sense of place to existing citizens, along with attracting new citizens to come and discover Bragg Creek is just the right fit. To connect the disconnected, a transformational space that safeguards the community is precisely what this development would provide. While the struggles of the local economy are critically important, a headlining building with a diverse offering couldn't be more appropriate and timely. With the floods of 2013, still being a careful consideration, the architecture and design of this building provide a refreshing Rocky Mountain Modern design with a western touch will strengthen the Bragg Creek brand. Flood resilient features, and a high-performance building envelope will ensure a building that will age elegantly and become a natural addition the community.

We need to foster integrated teams, and I would encourage the municipality of Bragg Creek to take a close look at what is on the current table. An enhancement to the area, and a gathering place to build stronger community ties, hold events, while being in a state of the art building is just the tip of the iceberg to energize the community. I am writing from the mindset to help support this community make decisions for positive development. I am so looking forward to ordering coffee on my next trip through the gateway of the Kananaskis while reserving a table to sip a cold one and spin yarns about my adventure!

My name is Greg Hoffart. I am the owner principle of Tree Construction. We are advocating for change, and encouraging our municipal governments to take action such that developers are encouraged rather than battled. Building requirements are more focused on incentives for conservation and reducing their demand on infrastructure. Build passive certified so the demand is known, and quality is ensured. This is why I chose to write my support for the Bragg Creek Brewery, and I hope you will consider my remarks during this fragile process.

Support the Bragg Creek Brewery and be the change we need to see in the world. Support the culture of learning and let us make this project a success.

Sincerely,

**Greg Hoffart**



Tree Construction

PO Box 3292  
Revelstoke, BC  
Canada • V0E2S0

250 837 3817  
greg@treeconstruction.ca  
www.treeconstruction.ca

**Michelle Mitton**

**From:** jonn teghtmeyer [REDACTED]  
**Sent:** Friday, May 31, 2019 9:56 AM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Letter of Support Bragg Creek Brewing

Hi

I am writing a letter of support for Bragg Creek Brewery located an 19 River Drive N.

I am a third generation Bragg Creek resident and hamlet property owner. I live in the hamlet and look forward to more businesses in the core.

I believe Bragg Creek needs more business development in the hamlet to keep it sustainable in the future. It will create jobs, attract visitors and generally have a positive effect on other businesses.

It will enhance the community and the future pattern of development in Bragg Creek, including the Bragg Creek Revitalization Plan.

If you have any questions feel free to contact me. [REDACTED]

Thanks  
Jonn Teghtmeyer  
[REDACTED]  
Bragg Creek

jonn teghtmeyer

**Michelle Mitton**

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**Subject:** FW: Bragg Creek Brewery

**From:** William Kokotylo [REDACTED]  
**Sent:** Monday, June 3, 2019 10:56 AM  
**To:** Sonya Hope <[SHope@rockyview.ca](mailto:SHope@rockyview.ca)>  
**Subject:** Bragg Creek Brewery

Dear Sir or Madame,

I have recently found out that the development permit for the Bragg Creek Brewery has been appealed. I do not live in your jurisdiction, but I frequent it often because I am an avid mountain biker. I would like to state that I am in full support of this project. Accommodation is one of the problems we face when coming to enjoy the area. It is the belief of my group of friends that this project will greatly improve our experience. We enjoy the raw wilderness, but good food, drink, and sleep should come afterwards. Baruch Laskin has been a good friend of mine for many years. I have watched him pour his heart and soul into this project, like most of his interests. The thoughtful planning he and the team have done will produce a vibrant addition to your community. It will be enjoyed by tourists as well as locals, bringing jobs and growth to the area.

Hopefully my letter can help push this project towards completion,

William Kokotylo  
Edmonton, AB



RE: NOTICE OF HEARING, BRAGG CREEK BREWERY/HOTEL  
FROM: FRED KONOPAKI, 12 HIGHLANDS PLACE, BRAGG CREEK.

I am a resident of Bragg Creek; I am also a business owner in Bragg Creek.

I solidly **SUPPORT THE APPROVAL** of this project:

1. This project meets the criteria set out in the Bragg Creek Revitalization Plan
2. Since the flooding of 2013 businesses in the area have seen steadily declining sales. This project is a much needed influx of investment in a dying community
3. I am asked weekly why there is no hotel in the area, a sorely needed addition that would definitely boost the economy of Bragg Creek
4. I have reviewed both the Business Plan and the proposed design of this venture. In my opinion, both fit with local values and cultural identity
5. I firmly believe this project-and a proposed local distillery-will improve the local economy while causing minimal negative consequences for residents.
6. This project will drive further positive investment in the area

Regards,

Fred Konopaki  
Bragg Creek

**Michelle Mitton**

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**From:** Brad Krusky [REDACTED]  
**Sent:** Monday, June 03, 2019 2:46 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery

To whom it may concern,

I understand that progress has been made with respect to the application for permit and licensure for Bragg creek to finally have it's own brewery!

I must say, as a resident of Bragg Creek, I am in support of the application. Although I dont live right near the hamlet (West Bragg) I think the concept is great it will be a part of the revitalization of the area... another reason for people to enjoy our town, spend a little money... stay a while.... I don't know the details around the plan but I do know it's a creative one and has some unique elements. I also am excited that the area around is slated for development and I'm sure this concept will be a beautiful focal point. We have such amazing features in the area around the hamlet and for us to not take advantage of sharing the riverfront beauty with tourists and guests, is a shame. It will create more local jobs, increase value of the proximate area, and I think reinvigorate interest - I know those involved have put a lot of effort into public engagement and my hope Is that the concept will be approved and they will continue to develop the plan, so soon we will be able to enjoy a fresh pint of a crafty variety in our own back yard.

Thank you for your review of the proposal and I hope that common ground will be found. Having been in the craft beer business for 23 years, I know the value of the product and how it simply brings people together and creates an environment of socializing and community.

Thanks for your time,  
Brad Krusky  
West Bragg Creek resident

still rockin' the BlackBerry ... I bet you wish you still had yours!

**Michelle Mitton**

**From:** Charles Lawrence [REDACTED]  
**Sent:** Monday, June 03, 2019 8:55 AM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery Letter of Support

Dear County,

I am writing in support of the Bragg Creek Brewery project at 19 River Drive N. A brewery and tap room in Bragg Creek is a great idea for our community. It will help draw more attention and more people to our hamlet. We are in full support of the Bragg Creek Brewery as we feel it will be an asset to the community. It will provide jobs and invigorate new growth. It is in line with the Bragg Creek Revitalization Plan, and the parking plan has been thoughtfully developed.

We appreciate the considerate approach of Bragg Creek Brewing's public engagement. We believe that it will enhance the community and is compatible with the future pattern of development in Bragg Creek.

Charles Lawrence & Family

[REDACTED]  
Bragg Creek, AB  
TOL OK0



CHARLES LAWRENCE, P.Eng.  
Manager, Facilities Projects

[REDACTED]

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Bragg Creek Brewing Company  
19 River Drive N  
Bragg Creek, Alberta, T0L 2K0

June 2, 2019

Dear Baruch Laskin,

This is a letter of support for the Bragg Creek Brewing Company approved development in the Hamlet of Bragg Creek.

I have been a resident and taxpayer in Rocky View County for over 26 years and live in West Bragg Creek.

I think the construction of the Bragg Creek Brewing Company approved facility would be a great addition to the community.

The Hamlet is in need of economic revitalization and this brew restaurant will bring an increase in tourist visitation, an increase in commerce and more jobs to the community;

- A brew restaurant was already listed as part of the revitalization plan approved by council in 2015 to enable the hamlet to develop into a sustainable and inviting place for residents and visitors;
- The property proposed for the Bragg Creek Brewing Company rests against the bridge on Balsam Avenue where heavy traffic continuously passes by, which makes it more suitable for commercial purposes as opposed to residential purposes. This property is already listed within the proposed "Hamlet Core" in the amended ASP;
- The parking plan appears to be quite satisfactory;
- Brew restaurants are woven into the fabric of the communities within which they reside. Examples include places like Bend and Portland (Oregon), Yakima (Washington) and Jasper (Alberta). The proponents intend for this project to be woven into the cultural fabric of Bragg Creek and carry forward its heritage through a hyper-local focus;
- The Hamlet needs a 'third space', a place to connect with family and friends and have great conversation while being away from your private home and your work; and
- There are limited options for family dining in Bragg Creek and this project will help take the pressure off existing restaurants at peak times.

Thanks you for your consideration.

Sincerely,



Eric Lloyd

██████ Bragg Creek AB, ██████

████████████████████

**Michelle Mitton**

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**From:** Neil Macdonald [REDACTED]  
**Sent:** Monday, June 03, 2019 2:01 PM  
**Subject:** Bragg Creek Brewery Letter of Support

To whom it may concern,

I am writing this letter of support for the Bragg Creek Brewery and their current plan. As someone who frequents the Bragg Creek area with friends and family for mountain biking, hiking, and snowshoeing I strongly believe a business of this nature will be embraced by the community and has the chance to become a strong community hub for new and existing events. With this business, I will choose to spend my money with them knowing that it will stay in the community and invigorate growth with the new jobs that will be created.

Thank you for taking the time to read my email and hear my support for this development.

Neil MacDonald  
[REDACTED]

[REDACTED] Edmonton, AB [REDACTED]

**Michelle Mitton**

**From:** Terry Neufeld [REDACTED]  
**Sent:** Friday, May 31, 2019 8:43 AM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Bragg Creek Brewery

Dear RV County Subdivision and Appeal board.

I am in full support of the Bragg Creek Brewery. I believe it will contribute to revitalizing our community and add some life and character to Bragg Creek (BC). I think it will add to the property value and be a draw for people to contribute financially to businesses in the community, rather than going to or returning to the city of Calgary to spend their money. The plan is to provide better quality of life in the form of entertainment in BC and provide business growth and provide employment for locals and youth. This sort of business falls under the BC Revitalization Plan and how the team plans on contributing to the water infrastructure is very beneficial. I am happy with their plan for parking and traffic control too.

I feel that they have been engaged in public engagement especially in their building design in the Rocky Mountain Western design. Not like the Esso building. I'm not sure how a building design like that can get approved in an area like ours. Same with the massive house in RVC by the traffic circle of #8 and #22 highways. **Those 2 permits/buildings are a permanent eye sore on the architectural theme of our community.**

I live at [REDACTED]. I entertain customers locally and do my best to show patronage to local BC businesses and would use Bragg Creek Brewing as a venue.

**Terry Neufeld**  
Territory Manager

**Bob Dale Gloves & Imports Ltd.**

[REDACTED]

#4504-82 Avenue  
Edmonton, Alberta, T6B 2S4  
[www.bobdalegloves.com](http://www.bobdalegloves.com)





**Michelle Mitton**

**From:** Dr. Jason Pearce [REDACTED]  
**Sent:** Monday, June 03, 2019 12:41 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** Letter of Support for Bragg Creek Brewery

To Subdivision and Development Appeal Board members:

**RE: Bragg Creek Brewery**  
**19 River Drive N.**  
**Bragg Creek, AB. T0L 0K0**

Thank-you for the opportunity to provide a letter for support for the proposed Bragg Creek Brewery development. I am a local Bragg Creek resident and a supporter of the Bragg Creek Revitalization Plan.

Although I recognize that there are challenges and opposition to any proposed change in a traditional hamlet such as Bragg Creek, I believe the Bragg Creek Brewery will help to provide some of the necessary revitalization that is so important to our continued growth as a community. It will help to support jobs locally for residents, increase the desirability of the community and boost tourism into our community. It will also be an opportunity for visitors that come out to enjoy our beautiful community to stay beyond the biking/hiking/skiing. Culture and community involvement is such an important part of a thriving community. Bragg Creek is often challenged in this regard being such a commuting community. Projects such as this will help to get people together in the hamlet and keep our residents engaged in their local growth and identity.

Being familiar with the plans, it appears that the design and planning is completed in a responsible manor in alignment with necessary designations and policies.

I hope this is of help for you in support of this project.

Jason Pearce  
[REDACTED]  
Bragg Creek, Alberta. T0L0K0

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**Michelle Mitton**

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**From:** Robb and Barbara Teghtmeyer [REDACTED]  
**Sent:** Monday, June 03, 2019 3:58 PM  
**To:** Michelle Mitton; PAA\_ Development  
**Subject:** PRDP20184945

Planning Department:

As land and business owners in the hamlet of Bragg Creek we support thoughtful and unique development, providing it meets the architectural and design criteria, parking and signage guidelines appropriate to Bragg Creek.

This project seems to have addressed those points so we feel comfortable supporting it.

Thank you,

Robb & Barbara Teghtmeyer  
[REDACTED]  
Bragg Creek, AB T0L0K0

Warren Saunders

██████████  
Bragg Creek, AB. T0L-0K0

**Ref: Bragg Brewery Development Application**

19 River Drive N.

Bragg Creek, AB. T0L 0K0

June 1, 2019

Dear Rocky View County,

We operate a Bed and Breakfast with and RVC B&B permit. Our household and business support Bragg Creek Brewery to bring culture, revenue and further enhance Bragg Creek as a place of destination to visit and stay overnight in accommodation, eat locally and enjoy all that Bragg Creek has to offer so that citizens of Bragg Creek can prosper, and the business contributes to the operating costs of the county. A win – win for visitors, residents, and county. I lived in Fernie when Fernie Brewing started, and most people in Western Canada know of Fernie Brewing Co, & the Brewery has contributed positively to the image and economically to Fernie.

Bragg Creek doesn't want to be know for the town that flooded, or the town that burnt down in a wildfire. We want to know for the town that produces awesome beer and get behind our name and drink the beer from our town, assuming the beer tastes good. And if it doesn't, us Bragg Creekers will form a committee and sub-committees, as we do, and partition the Brewery and set them straight!

There is lots of discussion over the last 5 years on revitalization, but very little on **Vitalization**. This Brewery application is one of the first **Vitalization** requests I've seen for Bragg Creek. It isn't focused on recovering from a past disaster and its egoic footprint on our minds. The brewery is focused on growing the community in a forward direction to enrich our culture and put our name further on the map, t-shirts, caps, beer mugs, etc. You don't even have to like beer to sport a Bragg Creek Brewery Canada T-shirt or cap. It makes a great souvenir, discussion point and destination advertising to the world.

- I believe the development permit change request is in alignment with the majority of the local community, the Greater Bragg Creek, and residents of Rocky View County.

I understand that some people may object to the business, change can be overwhelming. Humans typically only like change unless it aligns to our values. However, without change the people opposing would not own in their current properties, as the land they own would remain in its previous unchanged form. To progress we must change.



My concerns are:

1. **Compliance:** Baruch and the team have taken compliant path making applications with all governing jurisdictions of municipal, federal and provincial government. In making the application to Rocky View County meets my compliance concerns at a municipal level. I ask the county holds those same standards to all properties within the county, no two sets of rules, or holding some properties to bylaws whilst not enforcing bylaws on other properties competing with the brewery. Otherwise why do we have permits and bylaws if compliance is not upheld?
2. **Safety:** A safe place to work, a safe place to stay, a safe place to visit. I trust RVC will uphold building codes. As a new business being constructed in a high fire risk area, I ask that RVC add FireSmart conditions to the application and every new application for new or modified buildings in alignment with FireSmart Canada recommendations:
  - a. No evergreen trees within 10m of buildings (deciduous trees permitted),
  - b. No combustibles items allowed within 1.5m of the outside of the building, and
  - c. A manual dry (no water in pipes whilst not in use) rooftop sprinkler system be installed to be manually turned on by owners, operators, employees or firefighters during a wildfire risk, and can be left operating during an evacuation.
3. **Parking:** My concerns regarding Parking have been satisfied. The home opposite the brewery site runs a garage sale almost all summer long for the last 4 years which I visit frequently, and street parking works just fine and better than bumper to bumper parking in France, Spain, Portugal or United Kingdom. Having lived that experience there is ample street parking.

I have found over the 3 years of knowing Baruch to be a man of integrity, doing the right thing when no one is looking, and a contributing member of community. I hope for his success in this application so we can all enjoy the success of the Brewery.

Warren Saunders

1<sup>st</sup> June 2019

**Michelle Mitton**

**From:** Clay Swerdelian [REDACTED]  
**Sent:** Monday, June 03, 2019 2:34 PM  
**To:** Michelle Mitton; Sonya Hope  
**Subject:** Note of Support

Hi Baruch, as an avid Craft Beer guy whom is a huge fan of your brand, I wanted to send a quick note to advise that I support you and Bragg Creek Brewery in your expansion in Bragg Creek for a number of reasons; I like beer, Bragg is my home away from home and I visit there often especially after mountain biking with friends, it will bring more tourism and will be an asset to the community, it will bring in more jobs to that area, and overall I like your approach to public engagement and feel that your plans are compatible with the community's.

I wish you luck in your future endeavors!

Regards,  
Clay Swerdelian

[REDACTED] Calgary, AB [REDACTED]  
[REDACTED]

**Michelle Mitton**

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**From:** [REDACTED]  
**Sent:** Monday, June 03, 2019 4:22 PM  
**To:** Sonya Hope  
**Cc:** Michelle Mitton  
**Subject:** Bragg Creek Brewery

To whom it may concern,

I am writing to voice my support for the Bragg Creek Brewery. We have lived in this community for just over 10 years, and we have witnessed the changes in the business community in that time. We are in need of revitalization, and we support those who have put the proper steps in place and completed a comprehensive planning process.

New businesses will attract more visitors to our community and have a positive impact on home/land values, as well as provide employment opportunities for those wanting to work in the community and not travel to Calgary or other centres.

I have viewed the design proposals and feel that it will fit very well with the community and its development goals, and will provide something new and exciting that is currently missing.

Please consider the positive impact this will have, and the potential it has to spur further growth and development to support the community.

Regards,

Bas & Amy van Lankvelt  
[REDACTED]  
Bragg Creek, AB  
TOL OKO



**Michelle Mitton**

**From:** Andrew Watts [REDACTED]  
**Sent:** Monday, June 03, 2019 9:15 PM  
**To:** Sonya Hope; Michelle Mitton  
**Cc:** Andrew Watts; baruch@braggcreekbrewing.ca  
**Subject:** Bragg Creek Brewery support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear RV Subdivision and Appeal Board,

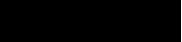
We are a family in the area and feel having a microbrewery is a very positive business to have in Bragg Creek for the following reason and many more:

- We are in full support of the Bragg Creek Brewery
- It will revitalize the community
- It will be an asset to the community
- It will increase land values
- It is well suited to the new Hamlet Core Commercial district
- It will improve the quality of life
- It will provide more jobs
- It will invigorate new growth
- It supports the Bragg Creek Revitalization Plan
- We are happy with their parking plan
- We like how the team are going to contribute to the water infrastructure
- We like the thoughtful approach of their public engagement
- We feel that the project is in the design of the building is Rocky Mountain Modern Western design.
- It will enhance the community and is compatible with the future pattern of development in Bragg Creek

Our home address:

[REDACTED]

Take care,

Andrew Watts  


**Michelle Mitton**

**Subject:** FW: Bragg Creek Brewery,19 River Drive N, Bragg Creek, AB. T0L 0K0.

**From:** David Zimmerman [REDACTED]

**Sent:** Monday, June 3, 2019 12:27 PM

**To:** Sonya Hope <[SHope@rockyview.ca](mailto:SHope@rockyview.ca)>

**Subject:** Bragg Creek Brewery,19 River Drive N, Bragg Creek, AB. T0L 0K0.

To Whom It May Concern:

I'm David Zimmerman and have been a resident of Bragg Creek for almost 18 years. Im writing to voice my support for Bragg Creek Brewery,19 River Drive N, Bragg Creek, AB. T0L 0K0. I love my community and long for it to be able to shine like I know it can by being more of a destination for visitors as well as a sustainable support base for its residence. We are always looking for more ways we can do this and I feel Bragg Creek Brewery will be a wonderful part in moving us toward these values. It will improve the overall life in Bragg Creek experiences by providing another reason for visitors to stop (not just pass through). It will also improve life for residence by providing a fantastic community gathering space (in a fantastic location) and provide much needed extra jobs for our residence, encouraging more people to make Bragg Creek their home.

I feel very comfortable with Brewery's team around issues of sustainable good practices and their commitment to the environment and wider community needs. They seem to have given appropriate care and thought to all the minor concerns around parking, noise etc. and Im certain they will continue to be committed to integrity going forward. I am looking forward to it opening its doors and support this project fully. Please feel free to call or write if you have any clarifying questions.

David Zimmerman

[REDACTED]

Bragg Creek

[REDACTED]



June 3, 2019

To: Rocky View County Subdivision and Appeal Board  
From: Sharon Bayer,  
Re: Bragg Creek Brewery Project

To whom it may concern:

I am writing this letter as a 28 year Bragg Creek resident and local businesswoman to express my support for the Bragg Creek Brewery project.

I feel Bragg Creek is at a critical stage in our sustainability and future development potential .... either we move forward with new projects and housing initiatives or we continue the dismal, economic downturn trajectory we've been experiencing for the last 3 decades. I really feel it is that black and white at this point in time.

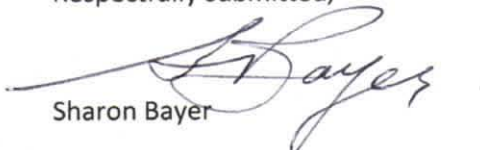
Hence, I am in full support of the Bragg Creek Brewery for a number of reasons:

- It's consistent with our revitalization initiative
- It's driven by local residents/entrepreneurs – the backbone of our communities!
- The team's approach to public engagement has been outstanding
- It's well-suited to the new Hamlet Core Commercial district
- It will provide jobs for local residents
- It will have a family and fun orientation
- I like how the team is going to contribute to the water infrastructure
- It could be a catalyst to other entrepreneurs who are hesitant to step forward for fear of opposition and failure.

I respect the fear of change that is causing opposition to this project but I would submit that change is inevitable. If we take the initiative to steward and direct the changes we wish to see, this will be a win-win solution for all residents.

Thank-you for your consideration and approval of this project.

Respectfully submitted,

  
Sharon Bayer

204 Saddle Road, Box 336

Bragg Creek

**Michelle Mitton**

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**From:** Kathleen Burk RE/MAX West [REDACTED]  
**Sent:** Tuesday, June 04, 2019 10:49 AM  
**To:** Michelle Mitton  
**Subject:** Support for the Bragg Creek Brewery

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attention: The Subdivision and Development Appeal Board

I am in complete support of the Bragg Creek Brewery and it's amenities.

As Calgary and the surrounding areas grow exponentially Bragg Creek faces business closures and decreasing population. Years of economic and development stagnation have created investor fear and trepidation resulting in a cannibalistic community that without new growth, could become unsustainable.

The Bragg Creek Brewery, along with the opportunities and possibilities it brings with it will create hope, jobs and tourism dollars; and those assets will translate into further community business opportunities.

Change is never without adversity and although I do not expect the approval of the Bragg Creek Brewery to be acquiescent, I trust the checks and balances that the county has implemented to be sufficient in regards the matter of this project and it's approval. It is now time to see growth in Bragg Creek so that our economic health can improve.

Although the County's uncensored help, support and provisions have been monumental in the wake of the flooding I want to see our community be empowered to help ourselves and the Bragg Creek Brewery is an example of this and of our community's commitment to be profitable through growth and development.

As a 12 year resident, local business person and 19 year licensed commercial and residential Realtor, I ask you to allow us the opportunity, through the

approval of the Bragg Creek Brewery and it's amenities, to show you what we can do for our own community and for the county as a whole. Through initiatives like the Bragg Creek Brewery we can create a world class destination that will be both an economic and a recreational asset to Rockyview county, to our residents, and our global visitors.

Sincerely,

Kathleen Burk (laplante)  
19 Bracken Road  
Bragg Creek Alberta  
T0L0K0

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Kathleen LaPlante  
RE/MAX West

KATHLEEN BURK (LAPLANTE)

C | 403-818-8049 E | kathleenlaplante@remax.net

Bragg Creek | Cochrane | Redwood Meadows

braggcreekredwoodmeadows.com



**Michelle Mitton**

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**From:** [REDACTED]  
**Sent:** Tuesday, June 04, 2019 12:03 PM  
**To:** shope@rockyview.ca; Michelle Mitton  
**Subject:** Bragg Creek Brewery

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I hope that this letter reaches you in time. I am writing regarding the upcoming appeal meeting for Bragg Creek Brewery's permit.

Ever since I first heard about Bragg Creek Brewery, I have been eagerly waiting for it to open. I am really excited about this addition to the community.

In Calgary we have been spoiled with a wide range of local craft breweries. Friends and I have enjoyed taking long bike rides and rewarding ourselves with a pint at the end. These breweries have ended up being great supporters of the local cycling scene, encouraging their patrons to leave their cars at home when visiting and advocating for safe routes for their customers that do.

I would love to be able to venture further afield in these rides and join with friends who are regularly cycling to and around Bragg Creek. The brewery would be the perfect destination for a pint after the ride from Calgary. I would love to take this opportunity to visit your community more often.

There is a huge overlap in the cycling community with those that enjoy craft beer. People who are coming out to enjoy the beautiful natural area of Bragg Creek and its surroundings might be more inclined to stay longer (and spend more money throughout) if there were such a place as Bragg Creek Brewery.

From my understanding of the development so far, they appear to be taking great care to integrate with the natural/western feel of the community and commercial district and would be a worthy addition. The breweries here in Calgary have been tourist and local destinations, adding jobs and interest to the areas they've opened. I would anticipate the same for Bragg Creek.

Please accept this letter of support for the brewery's further development. Let me know if you have any questions about myself or this support. I hope to be able to enjoy this addition to the Bragg Creek scene in the near future.

Thank you,

Rebecca Cleaver Burke  
1728 13 Ave SW  
Calgary Alberta  
T3C0T9  
[REDACTED]

To whom it may concern:

As a long time resident of the Calgary area, myself, friends and family have thought that a need has persisted in Bragg Creek; a local establishment that is community based and focused that serves good food, coffee and drinks. A place where one can head to after a day of rafting, mountain biking, hiking skiing or any other adventure. I was an adventure guide for 7 years in the area and have been biking here for 25 years, after most days we would head back into the city to grab food and drinks always wishing there was a better option in Bragg Creek. My wife and I design and build homes and feel that the Bragg Creek Brewery will supply to local residents and tourists alike, a sustainable, beautiful building that will compliment the community, as well as, provide the area with excellent food, drinks and a wonderful atmosphere.

This development will bring people into the town rather than through the town, it will provide good stable jobs, and increase the desire of the town. I have always thought of Bragg Creek as a wonderful area, developments as collaboratively planned as the Bragg Creek Brewery will help establish Bragg Creek as a desirable destination to visit independently of the Kananaskis region.

Thank you for taking a moment to listen to my thoughts, I hope to visit your town again soon, sit, and relax at the Bragg Creek Brewery.

Trevor Hassel

Cycles Construction



**Michelle Mitton**

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**From:** [REDACTED]  
**Sent:** Tuesday, June 04, 2019 8:18 PM  
**To:** Michelle Mitton  
**Subject:** Bragg Creek Brewery

Hi there,

I am fully in support of this business, and feel it will add vibrance and economic benefits to the community.

Please call me if you'd like more details.

Fern Maas  
Redwood Meadows  
[REDACTED]



**Michelle Mitton**

**From:** Tele Skier [REDACTED]  
**Sent:** Wednesday, June 05, 2019 2:35 PM  
**To:** Sonya Hope; Michelle Mitton  
**Subject:** in support the development permit for: Bragg Creek Brewery

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I am writing to support the development permit for:  
Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, Alberta  
TOL OKO

As a long term Bragg Creek/ Cochrane area resident, I believe that the proposed project will be an asset to our community, and is aesthetically well suited to the hamlet.  
The proposed development appears to add value to the adjacent properties and commercial ventures. I am an avid mountain biker and Nordic ski instructor that recognizes the economic increase in traffic through the Bragg Creek Hamlet to access the trails. To provide a service that aligns with the interest of cyclists, hikers and skiers, like a craft brewery with wholesome food offerings will certainly increase the local economic vibrancy to all.

The architectural plans are commensurate with the "Rocky Mountain" look that would contribute to the future pattern of development of the Bragg Creek area.

As a note of interest: In 2016, "The total net economic activity (GDP) generated by the **mountain biking** in **Whistler** was \$46.8 million for Canada as a whole, \$39.3 million for British Columbia and \$25.2 million in Resort Municipality of **Whistler**. We could see significant financial stimulus generated by offering further food and beverage options that further associate with the interests of cyclists, hikers and skiers.

I am optimistic that the development will improve the appearance of this land parcel, and that the project will contribute positively to the quality of life in the community.

Thanks for your consideration,

**Mike Reece**

Photographer/ Sports Marketing Media/ 写真家  
26 Kerfoot Place  
Cochrane, Alberta, Canada

403-801-5316

Website: [Reece Media](#)

[www.instagram.com/teleskier/](http://www.instagram.com/teleskier/)





Date: June 1/19

**To:** Rocky View County Subdivision and Appeal Board.

**RE:** Bragg Creek Brewery Development Permit – Letter of Support

The Greater Bragg Creek Trail Association (GBCTA) prides itself as being a driver of economic development and revitalization in the Bragg Creek Community. The trail system that has been built over the past 14 years in Rocky View County and in the West Bragg Creek Region of East Kananaskis now brings over 200,000 visitors into the area. Our vision has always included helping to transform the Hamlet into a "Trail Head Community" and to develop a trail culture similar to many other communities who have had to re-invent themselves out of economic necessity. That list is long but includes epic outdoor recreation destinations like Squamish, BC and Boulder, CO. These places now boast a variety of tourism experiences including boutique accommodations paired with unique food and beverage experiences.

At this time, Bragg Creek is ready to begin revitalization work that has been designed to protect the community after the devastation of the 2013 flood. It is our sincere hope that we can finally begin to lay the foundation for growth and prosperity in our community as well. After recently linking into the Trans Canada Trail (The Great Trail), Bragg Creek is now in the spotlight nationally as a trail enthusiast's destination as we work to connect the trail through Kananaskis Country to Canmore.

Projects like the one proposed by Bragg Creek Brewery dovetails well with the vision the GBCTA has of embracing a recreation/tourism based economy. With local business' struggling to survive, fresh business ideas that encourage trail users to stop in the Hamlet or those that offer a unique destination experience need to be encouraged and supported. This proposed new establishment has the potential to rekindle much needed development and investment in our community which can now only offer very limited business, employment and housing opportunities.

Sincerely,

Conrad Schiebel (President, The Greater Bragg Creek Trails Association)

The Greater Bragg Creek Trails Association  
Box 1379, Bragg Creek, AB T0L 0K0  
[info@braggcreektrails.org](mailto:info@braggcreektrails.org)

<http://braggcreektrails.org>



**Michelle Mitton**

**From:** Troy Delfs <troy@momentumcycling.ca>  
**Sent:** Tuesday, June 04, 2019 8:41 AM  
**To:** Sonya Hope; Michelle Mitton  
**Cc:** Momentum Cycling  
**Subject:** Letter of Support for Bragg Creek Brewery

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To Members of Rockyview County Council,

This letter is in support of the Bragg Creek Brewery proposed for 19 River Drive N in Bragg Creek Alberta.

I have been a resident of Bragg Creek for the past 17 years and the owner/operator of Momentum Cycling that runs cycling tours, clinics and camps in nearby Kananaskis Country.

I can think of no better addition to the community of Bragg Creek than a Brewery/Restaurant/Inn. I have traveled much of North America and in every city that I visit I make a point of stopping by the local breweries, as these are the best locations to get a true taste of the local community and culture in a friendly and hospitable environment. Breweries are great for attracting tourists and with this location having hotel rooms on offer, it will accommodate people from across Canada and around the world.

These tourists will then visit other local businesses in Bragg Creek and around Rockyview County. With more tourists drawn to Bragg it will also help to revitalize business growth and employment in this wonderful community that is still suffering from the recent flood.

I have been very impressed with how engaging the Bragg Creek Brewery founders have been. They have been very open to discuss the plans in detail and are very friendly.

I also believe that this facility will improve the physical and social quality of life for local residents by having easy access for local residents to walk, ride or ski to the brewery via the great local trail system that has been implemented by Rockyview County and the Greater Bragg Creek Trails Association over the past number of years. I truly believe that the Bragg Creek Brewery is a vital key in making Bragg Creek a world renowned Trail Head Community.

Thank-you,

Troy Delfs

403-990-8454  
PO Box 1306  
Bragg Creek, Ab  
T0L 0K0

- Let's Ride -

Troy Delfs  
Momentum Cycling  
403-990-8454  
[www.momentumcycling.ca](http://www.momentumcycling.ca)



6/3/2019

Jennifer Jurkowski  
South Bragg Creek Resident

Subdivision and Development Appeal Board  
Rocky View County

**Dear Sir/Madame**

I am writing in full support of the Bragg Creek Brewery Project. This project will aid in the revitalization of Bragg Creek and provide much needed accommodation in the community. This business will add charm, and be in line with the trends of small towns across the province. The project will bring economic growth to the community to all the shops, restaurants, gas stations and grocery store. The support of responsible economic growth in Bragg Creek is imperative or the community will die. This is not a big box store but proud local Bragg Creekers wanting to build a greater Community.

In closing this letter to the County, I am sure you are well aware of Doug Griffiths' Speech on "13 Ways to Kill a Community". Business attraction is key to the success of a community, second to water quality. The more businesses and business competition the more sustainable it is. With variety follows interest. Successful communities attract and retain businesses to the community knowing they offer jobs and expand the tax base. It's a ripple effect, the more attractive the community is the more visitors to the community, with visitors come future residents, future residents then support the local service industry and so on, and so on.

*"If death of your community is the ultimate goal, don't bother doing anything about attracting new people and new businesses to your community; don't change your bylaws or do anything to entice business development"* – Doug Griffith.

Jennifer Jurkowski  
South Bragg Creek Resident

**UNMAPPABLE**  
**Letter of Support of Development**

11 Elton Court  
Bragg Creek, AB  
TOL OKO

To whom it may concern,

I have been a resident of Bragg Creek since 2014. I have worked for local businesses within the food and beverage/ liquor industry for 4 years. I fully support the addition of a new business which would provide another great destination in Bragg Creek. This community is in dire need of more accommodation. From time to time I am asked about what accommodation is available while I am work. I will call local B & B's and 9 times out of 10 will not be able to get in touch with anyone. I will then send people to Cochrane or Calgary. It is fairly absurd that we don't currently have a hotel/lodge as Bragg Creek is an incredibly popular destination for hiking, biking, horse-back riding, skiing, snow-shoeing as well as reunions, weddings and stag/stagettes. As far as the addition of a brewery I think this will be very positive. We will then be competitive with every other community in this province with a brewery.

Best regards,

Alison Kippen



**UNMAPPABLE**  
**Letter of Support of Development**

Darren Kroeker



June 2, 2019

To Whom It May Concern:

Recently I have had the pleasure to get to know Baruch Laskin through mutual long-term friends of the community. We went for a mountain bike ride on Moose Mountain and Baruch introduced me to his ideas about the Bragg Creek Brewery. Instantly I was so excited about the concept, I found that I needed to know more.

Since my family moved to the area in 1988 I have had the chance to see many businesses come and go in the Bragg Creek hamlet. I think that Baruch's vision is different than so many because he has also seen what it takes to make things work. A revolutionary concept of combining coffee, restaurant, beer, and hospitality is so intriguing that most visitors will be rushing to catch a part of the experience that the Bragg Creek Brewery will offer.

I am excited to be a part of a growing market that loves to be outdoors, capturing the beauty of the hamlet, and exploring the marketplace that Bragg Creek has to offer. Why go to Banff or Canmore when Bragg Creek can potentially provide all of that ambiance? And its only minutes from my house! Nothing sounds better than grabbing a coffee on my way to the trails, and then stopping in again for a burger and beer after a full day of riding!

Bragg Creek Brewery will add value to the hamlet by further reaching out to a growing segment of the market that currently may choose to go elsewhere for their overall recreational enjoyment.

Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'DK'.

Darren Kroeker



H. J. (Rick) Grol, LLB, LLM  
315A – 39 Avenue SE  
Calgary, AB T2G 1X5  
T: 403-922-8269  
E-mail: [rgrol@shaw.ca](mailto:rgrol@shaw.ca)

April 22, 2019

Via Email: [sdab@rockyview.ca](mailto:sdab@rockyview.ca)

Subdivision & Development Appeal Board  
Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta T4A 0X2

Dear Chair and Board Members:

**RE: SDAB Hearing April 24, 2019  
Appeal File 03913077; Application B-4, PRDP20184945; Proposal: General Industry  
Type I and II (Brewery), Hotel (21 rooms), Restaurant and Drinking Establishment,  
construction of multi-use commercial building and signage with relaxation of the  
minimum side yard setback requirement and relaxation of the maximum height  
requirement. Application for Bragg Creek Brewery at the property: 19 River Drive  
North, Hamlet of Bragg Creek**

I have been retained by the Applicant Mr. Adam McLane and 2127145 Alberta Ltd., the registered property owner of 19 River Drive N., Bragg Creek, with respect to the aforementioned appeal and development permit application.

Respectfully our client is requesting an adjournment of the hearing. Several circumstances have transpired which have put my client's team in a position of being ill-prepared for the scheduled hearing on April 24, 2019:

- Key members of the client's team, including the Architect and Mr. McLane, have prior commitments and are unavailable to attend the hearing;
- The Easter weekend meant that people were away, which limited the client's team ability to adequately prepare for the hearing;
- The delay in receiving notice from the municipality of the Development Authority's approval of the development permit and conditions of approval;

- The Applicant filed a Notice of Appeal (April 18, 2019) against some of the conditions of approval of the development permit;
- The Applicant is reaching out to the municipality seeking to resolve parking and water-related permit conditions of approval;
- My client is reaching out to the Appellants to resolve the appeal issues of the adjacent property owners as much as possible; and
- I would need more time to prepare for the hearing of these appeals.

I will be in attendance at the hearing on April 24 to speak to the adjournment request.

Respectfully,



Rick Grol, Agent for the Applicant & 2127145 Alberta Ltd.

Cc: Client (c/o Adam McLane and Baruch Laskin)  
Appellants  
Sean MacLean, Development Authority's Representative

# Rocky View County Subdivision and Development Appeal Board Hearing

**Hearing Dates:** April 22, 2019 and June 5, 2019  
**Item:** B-4  
**File:** 03913077 / PRDP20184945  
**Address:** 19 River Drive North

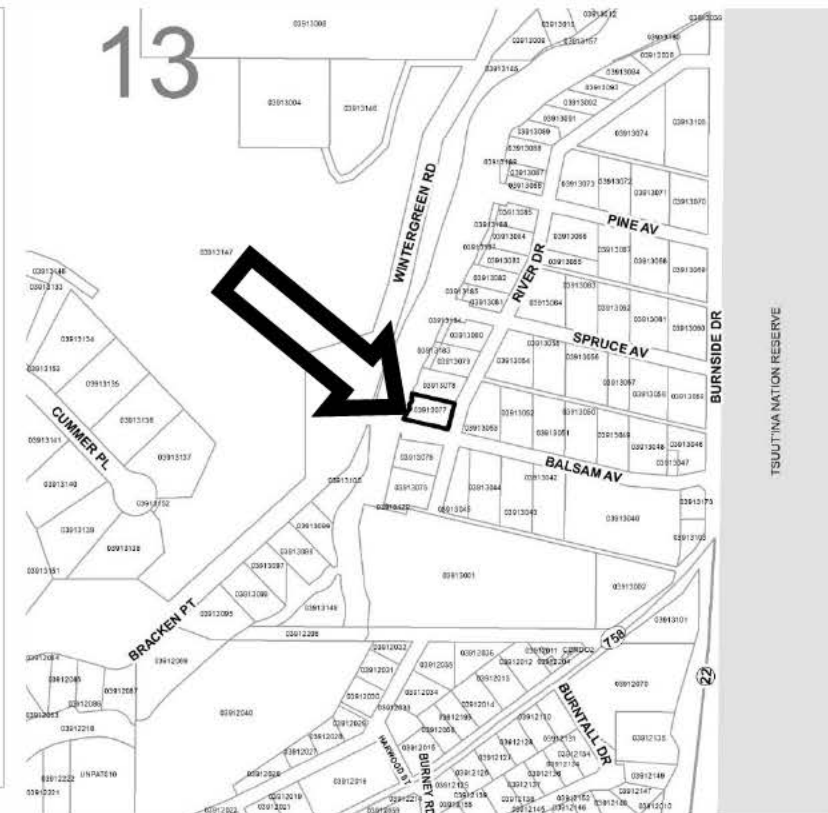
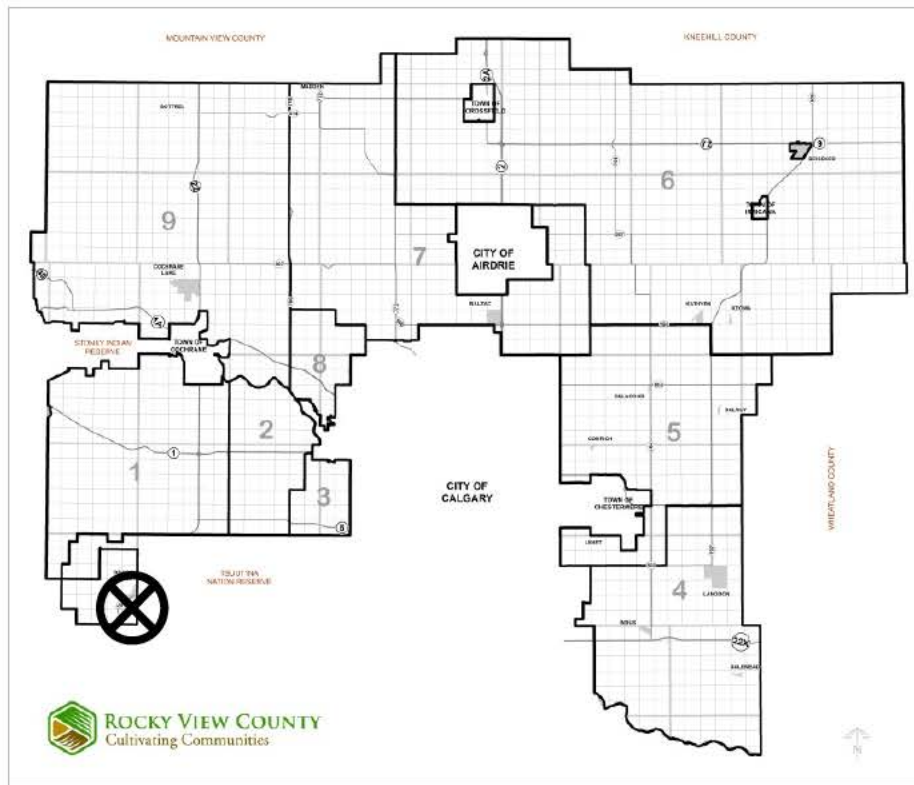
**Applicant/Appellant:** Adam McLane c/o 2127145 Alberta Ltd.  
**Appellants:** Craig Nickel, Aaron Matushyk, Jennifer Liddle



ROCKY VIEW COUNTY



# Location Plan



Hamlet of Bragg Creek  
NW intersection of Balsam Avenue and River Drive



ROCKY VIEW COUNTY

# Appellants

- Applicant/Appellant
  - Adam McLane c/o 2127145 Alberta Ltd.
- Appellants ✕
  - Craig Nickel, Aaron Matiushyk, Jennifer Liddle



# Reasons for Appeal

## **Applicant/Appellant – In Support of the Development**

- Conditions listed in Notice of Appeal
  - Parking Conditions: 4, 36, 37, 38
  - Water/Wastewater Servicing Conditions: 17, 19, 22
    - Applicant/Appellant no longer appealing conditions 17, 36, and 38.

## **Appellants – In Opposition of the Development**

- Reasons listed in Notice of Appeal
  - Engagement
  - Neighbourhood Character
    - Noise, Security, Hours of Operation, Density, Privacy, etc.
  - Height
  - Screening/Setback
  - Parking



# Land Use



Oct 10, 2017

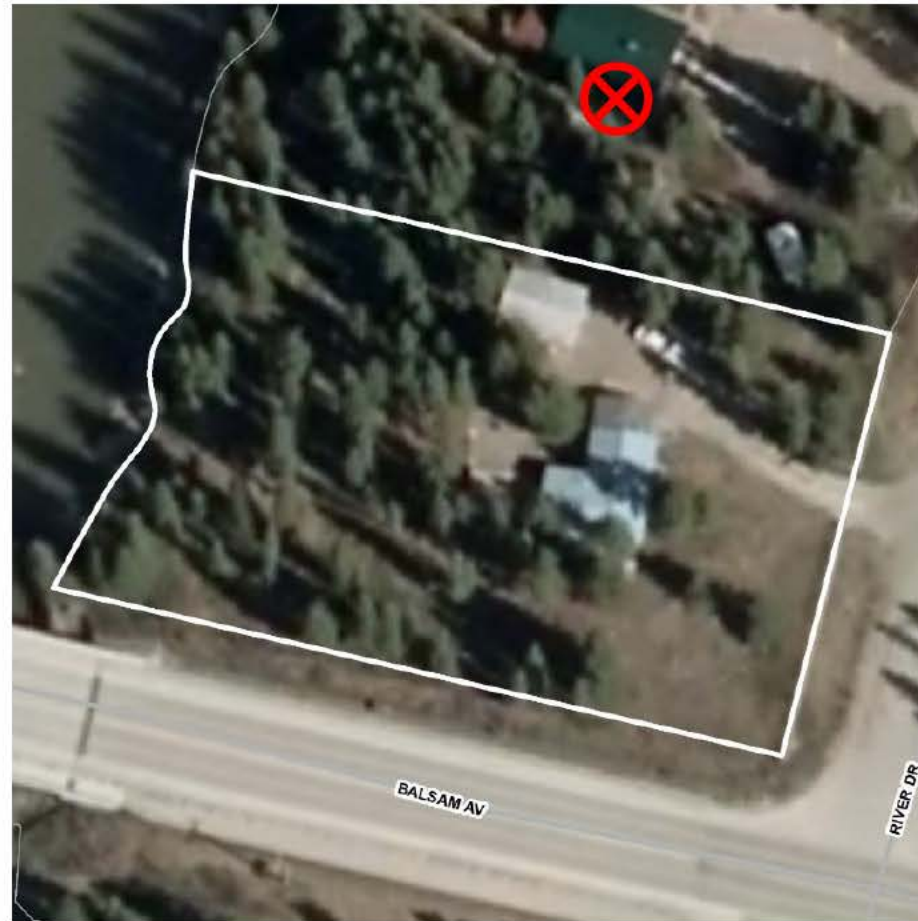
Lands redesignated HR-1 to HC and added two site specific discretionary uses: Hotel and General Industry Type I and Type II (brewery).



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# Air Photo



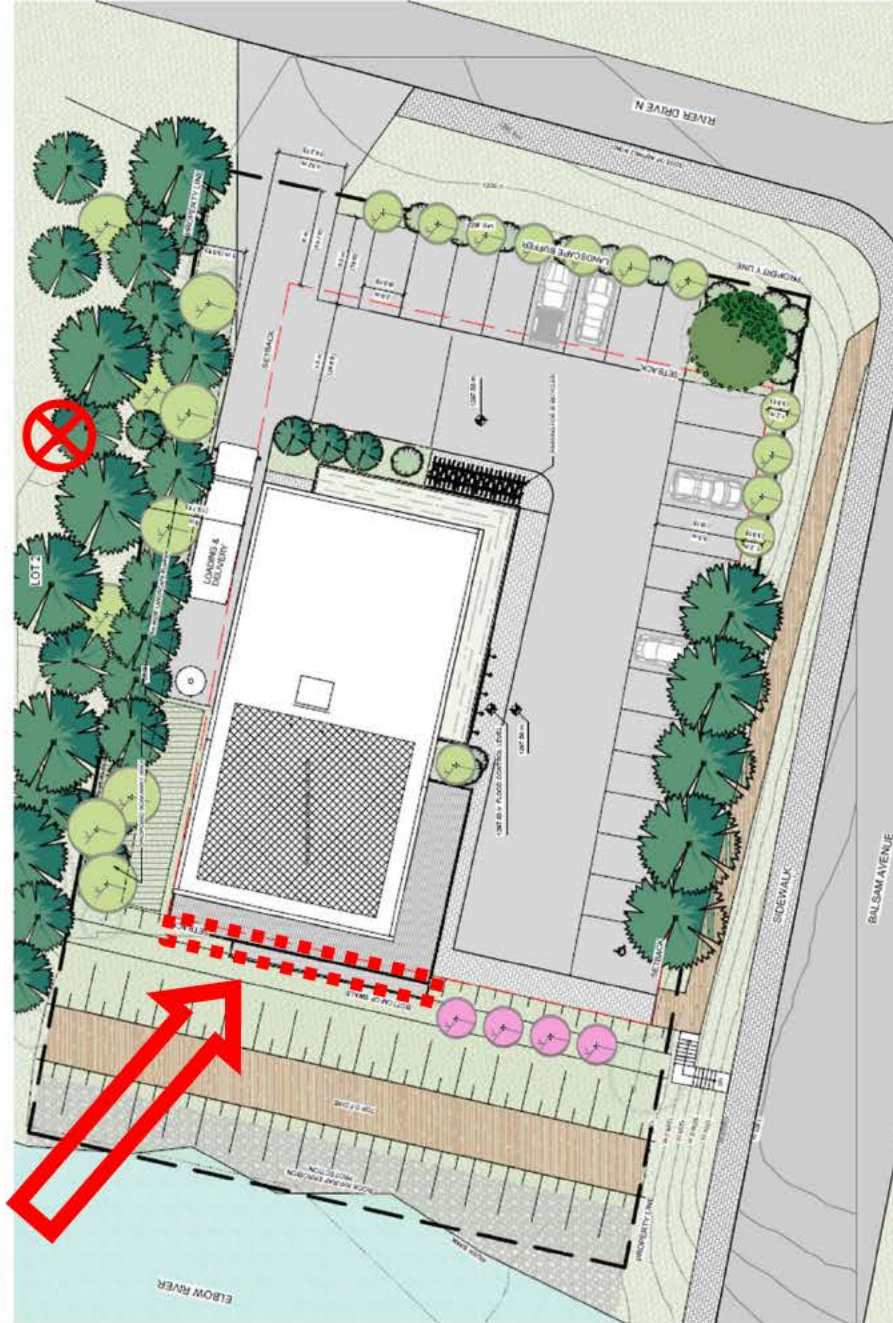
Note: Post processing of raw aerial photography may cause varying degrees of visual distortion at the local level.



ROCKY VIEW COUNTY

# Site Plan

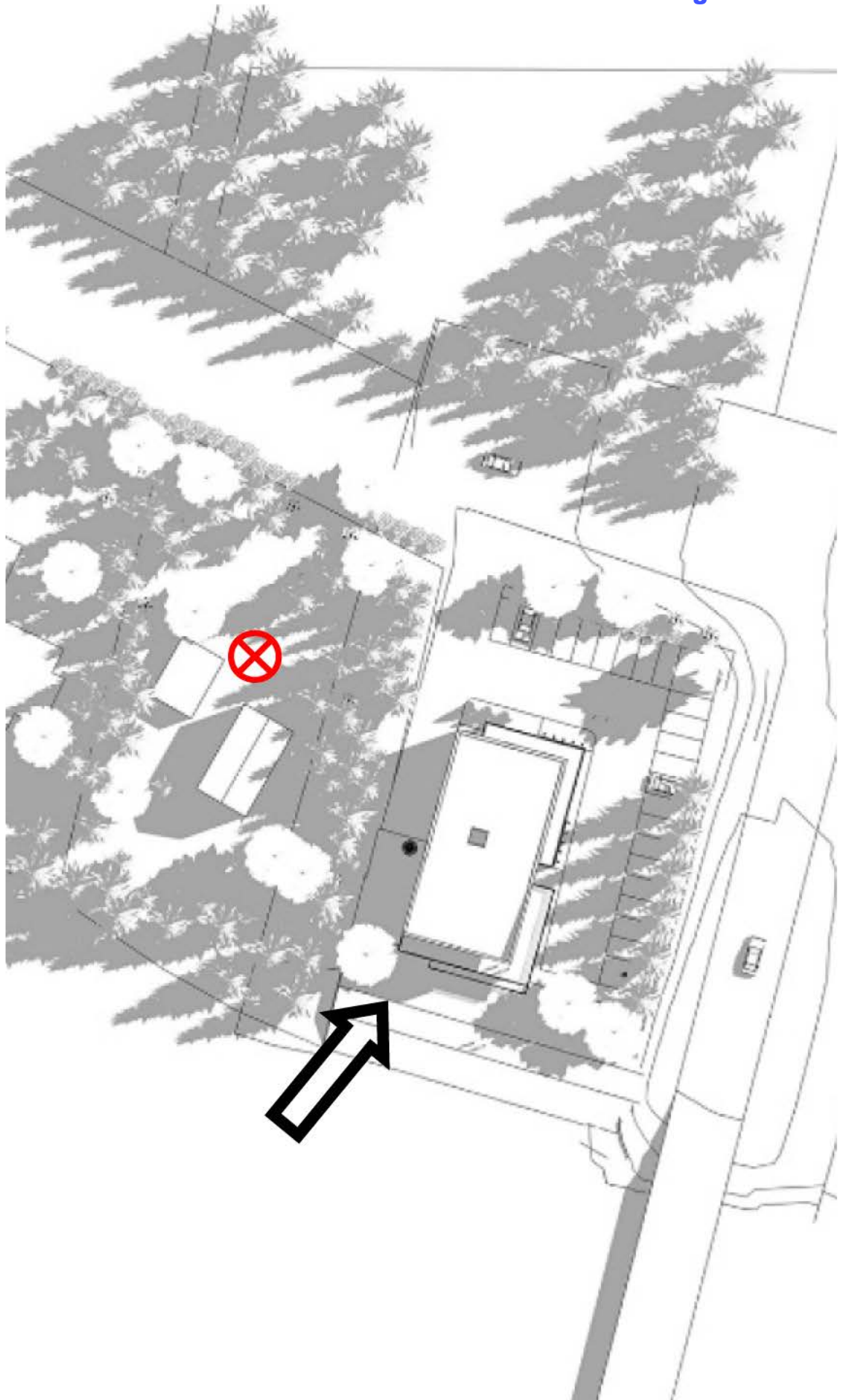
Relaxed Side Yard  
Setback Area



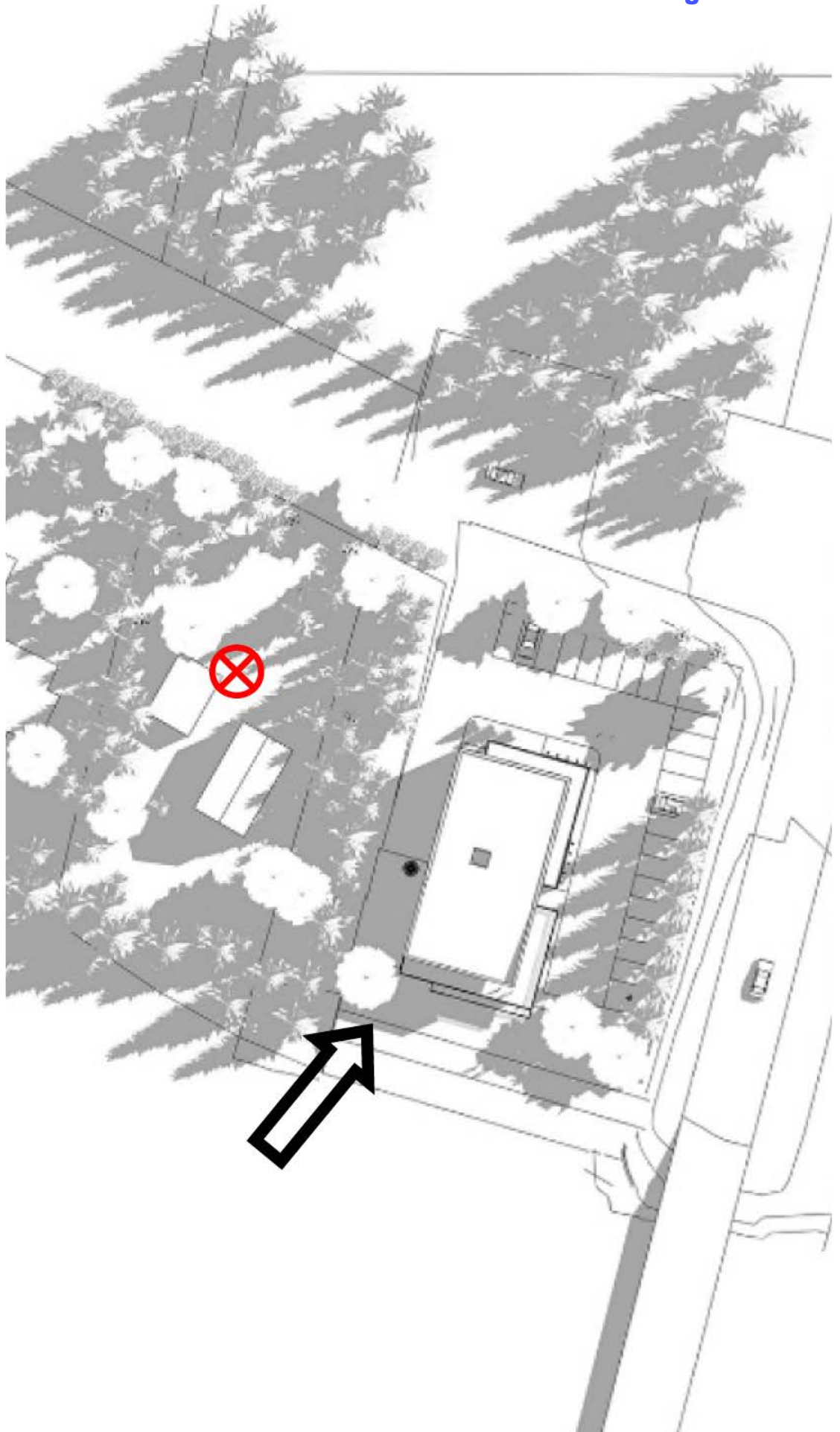
Relaxation to the west side yard setback: 1.20 m to 0.90 m



# Shadow Study – September Equinox

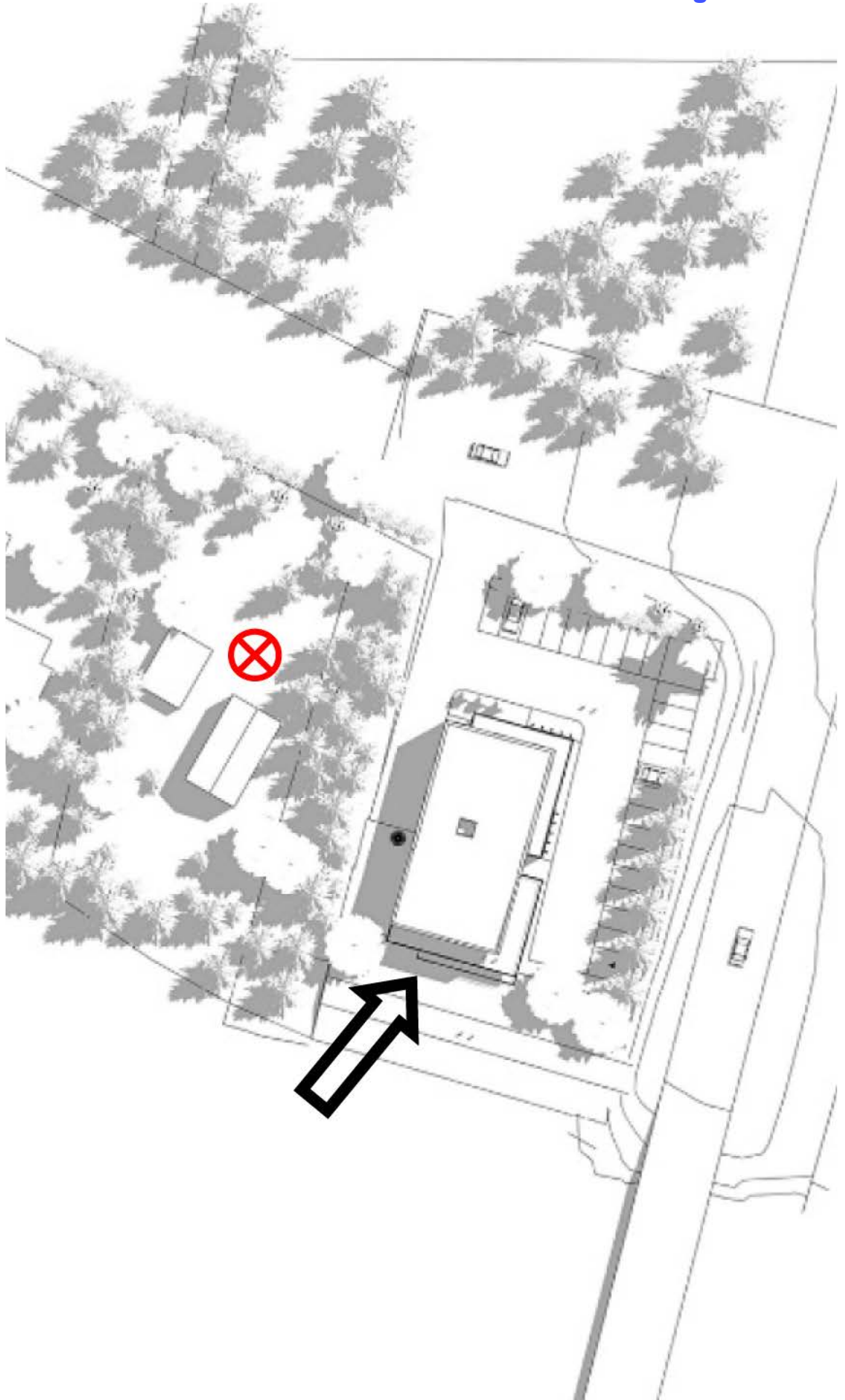


# Shadow Study – March Equinox

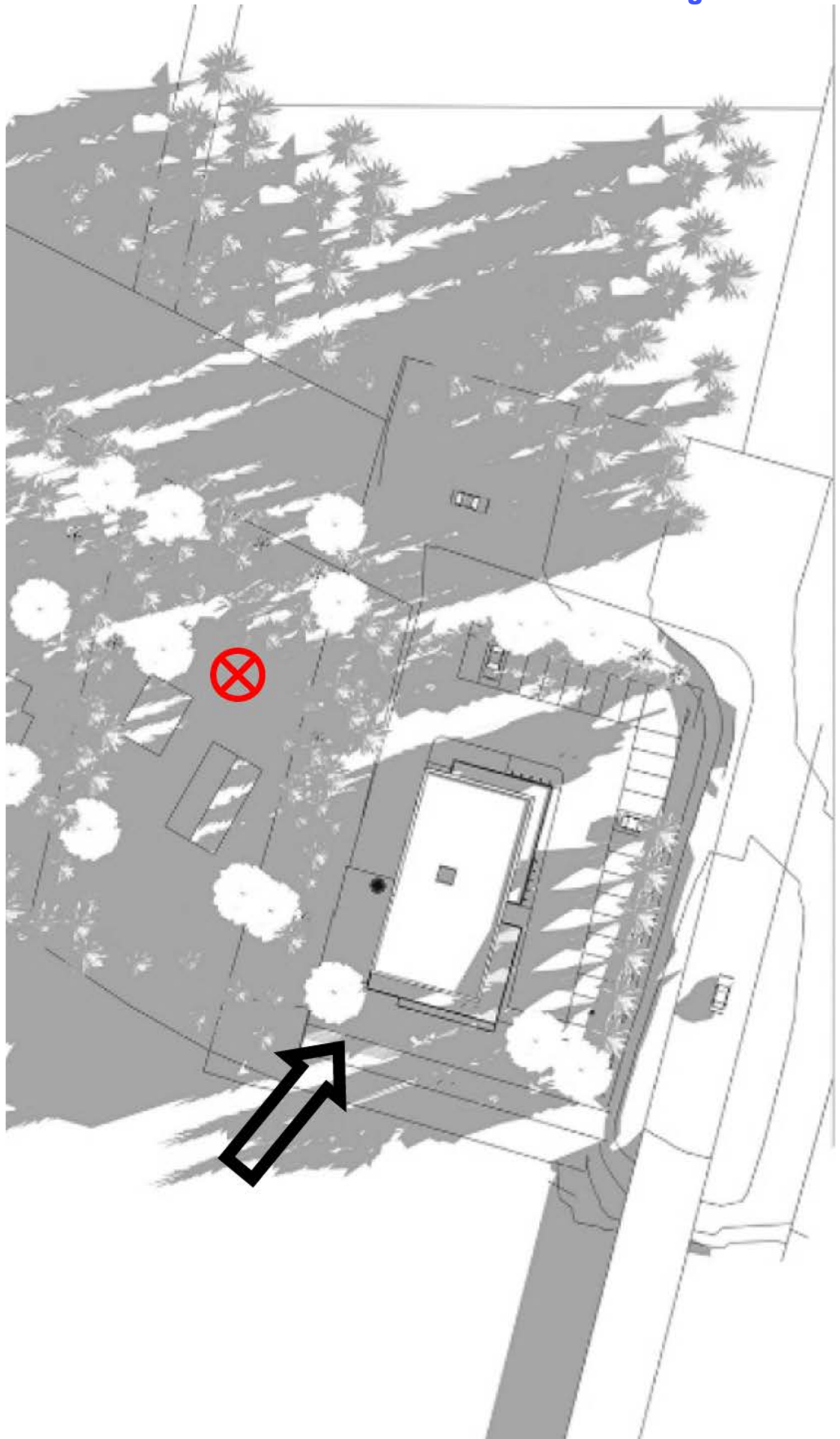




# Shadow Study – Summer Solstice (June)



# Shadow Study – Winter Solstice (Dec)







4. MASSING STUDY - SOUTH EAST LOOKING NORTH WEST







5. MASSING STUDY - NORTH EAST LOOKING SOUTH WEST



Screening of  
mechanical equipment  
Exempt from Height  
Calculation (LUB 8.1)

# Elevations



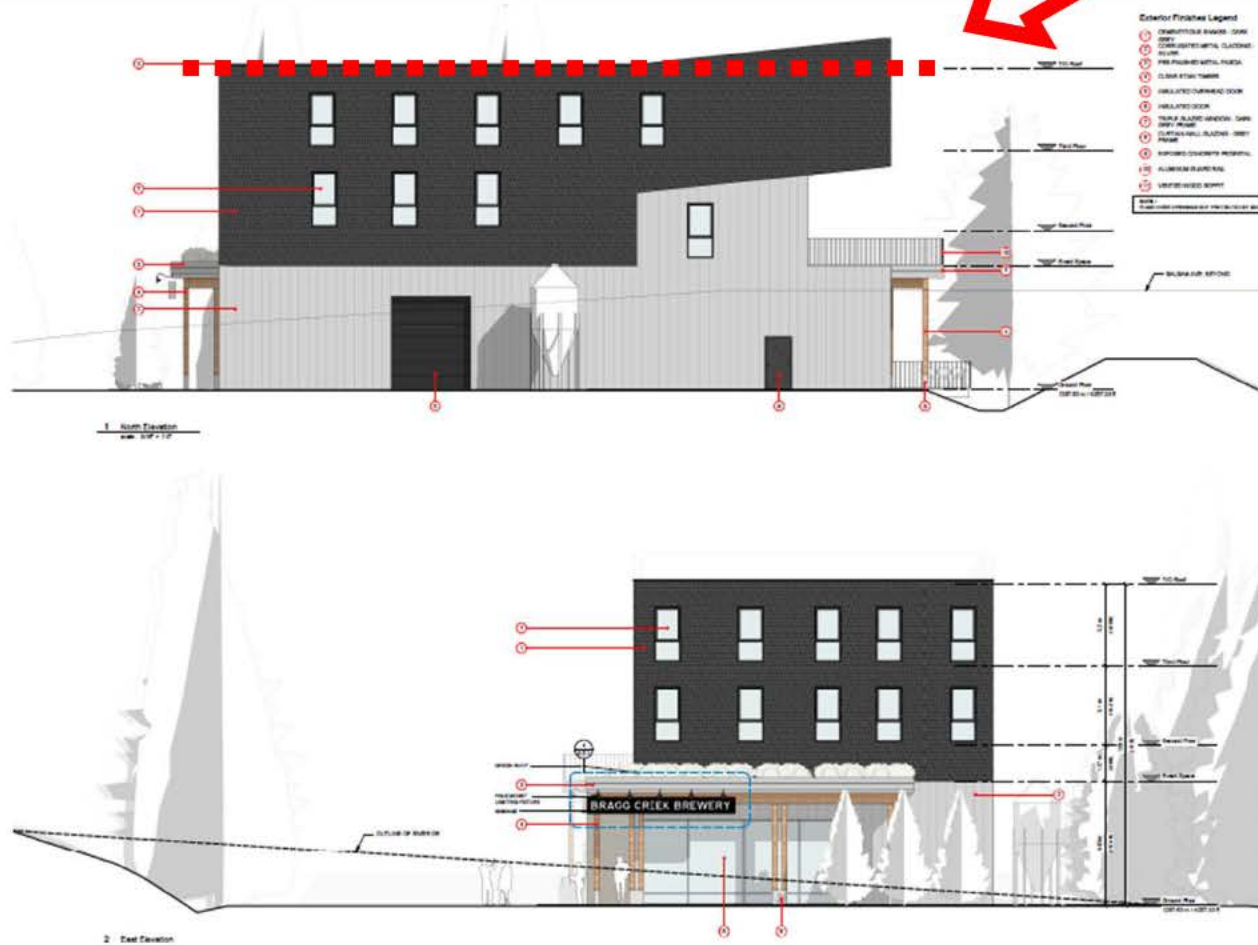
Relaxation of maximum height: **10.00 m to 12.50 m**



ROCKY VIEW COUNTY

# Elevations

Screening of  
mechanical equipment  
Exempt from Height  
Calculation (LUB 8.1)



Relaxation of maximum height from 10.00 m to 12.50 m



ROCKY VIEW COUNTY



# Rendering

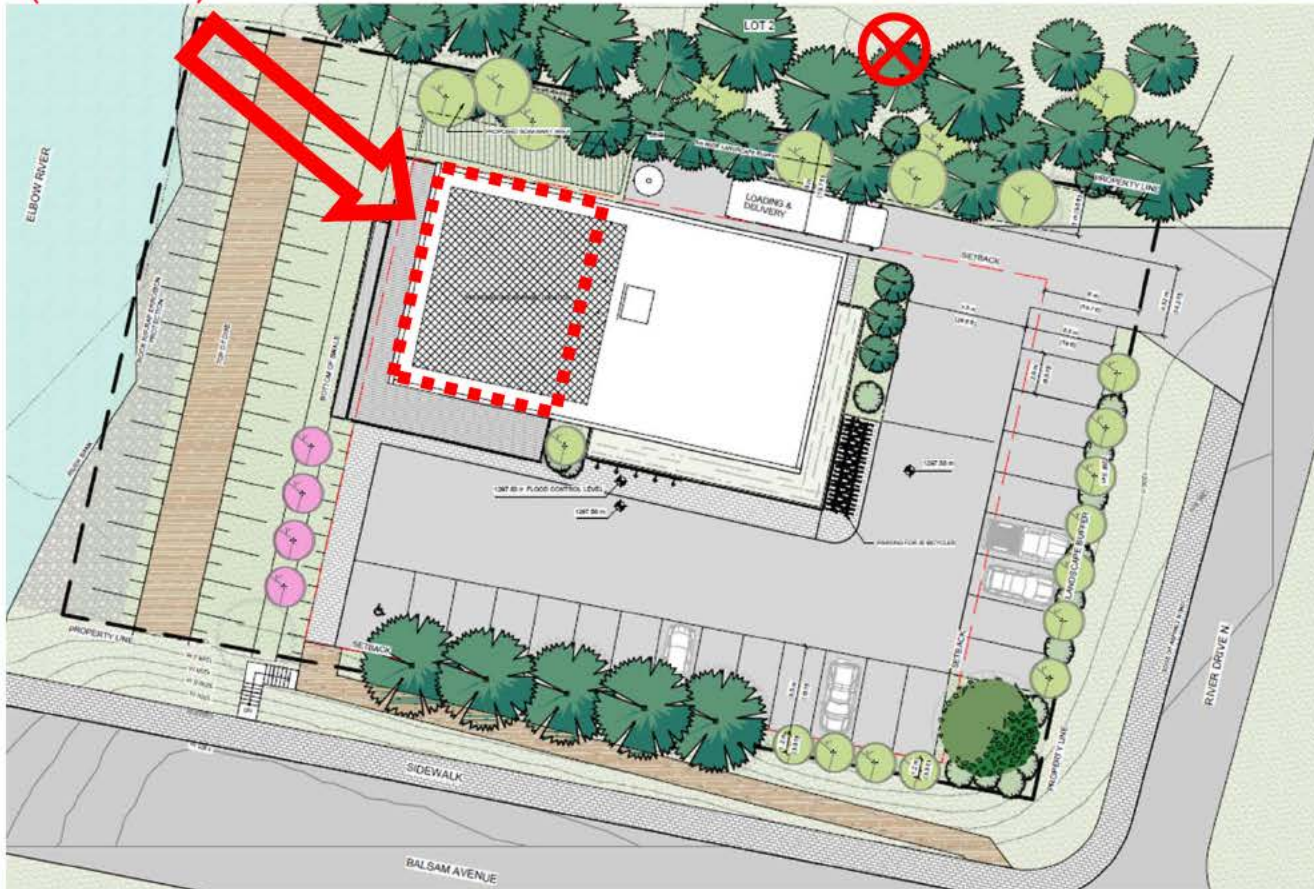
Screening of  
mechanical equipment  
Exempt from Height  
Calculation (LUB 8.1)





Approx. Area of  
Screening for  
mechanical equipment  
Exempt from Height  
Calculation (LUB 8.1)

# Site Plan



Relaxation to the west side yard setback: **1.20 m to 0.90 m**



ROCKY VIEW COUNTY

# Façade Example



Example building with similar façade treatment (submitted by the Applicant/Appellant)



ROCKY VIEW COUNTY



# LUB Section 30 Excerpts

## SECTION 30 PARKING AND LOADING

### 30.1 Off-Street Vehicle, Motor Parking

- (a) Where residential, *business*, and institutional development is proposed, off-street vehicle, motor parking, shall be provided and maintained by the property Owner in accordance with the requirements of this *Bylaw*.

#### Number of Spaces

- (e) Where the Parking Schedule does not clearly define requirements for a particular development, the single use class or combination of use classes most representative of the proposed development shall be used to determine the parking requirement.
- (f) To facilitate the determination of parking requirements, a Parking Assessment, prepared by a qualified person, *may* be submitted to the *Development Authority* to document the parking demand and supply characteristics associated with the proposed development. The Development Authority shall not be bound by any recommendations of such a Parking Assessment.





# Parking

• Accommodation, Hotel:	42 Stalls
• General Industrial:	02 Stalls
• Community Building, Multi-Purpose:	+ 09 Stalls
• <b>Total LUB Requirement:</b>	<b>55 Stalls</b>

# Submitted Parking Study

Table 3: Parking Need Based First Principles and Bunts Database

Use	Size	Expected Parking Ratio	Parking Need
Hotel	21 Rooms (Optimistic occupancy is 72% therefore, the max that can be occupied is 15 rooms) <sup>1</sup>	1 stall/occupied room	15
Restaurant	166 m <sup>2</sup> GFA (60 seats)	10 stall/ 100 m <sup>2</sup> GFA <sup>2</sup>	17
Brewery	177 m <sup>2</sup> GFA (3 employees) <sup>3</sup>	1 stall/employee	3
Community Event Space	74 m <sup>2</sup> GFA	10 stalls/100 m <sup>2</sup> (same as restaurant) <sup>4</sup>	8
TOTAL			43
SUPPLY (Onsite)			23 22
SURPLUS/(DEFICIT)			(20) 21

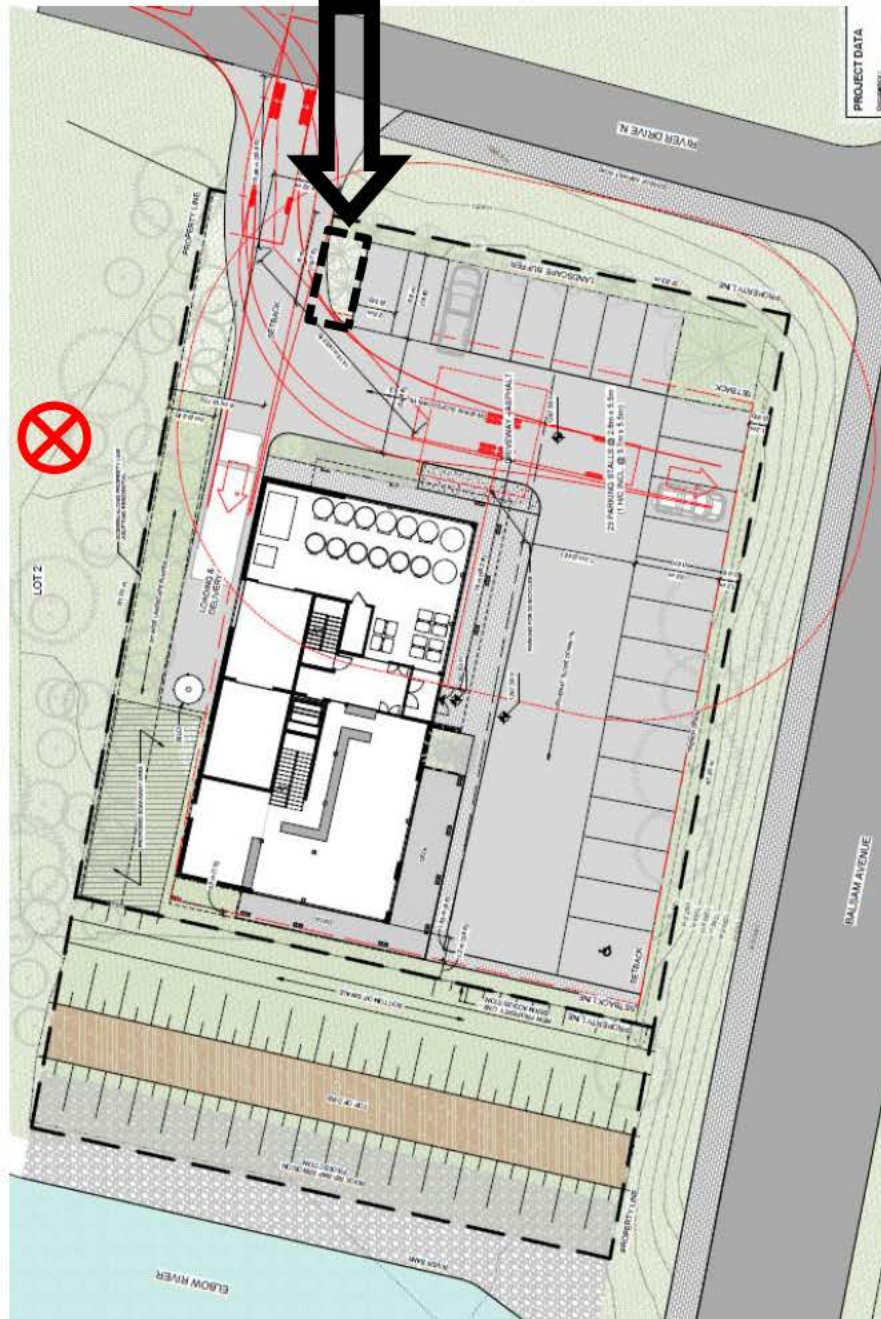








# Site Plan



Stall area  
needed for  
truck turning  
radius

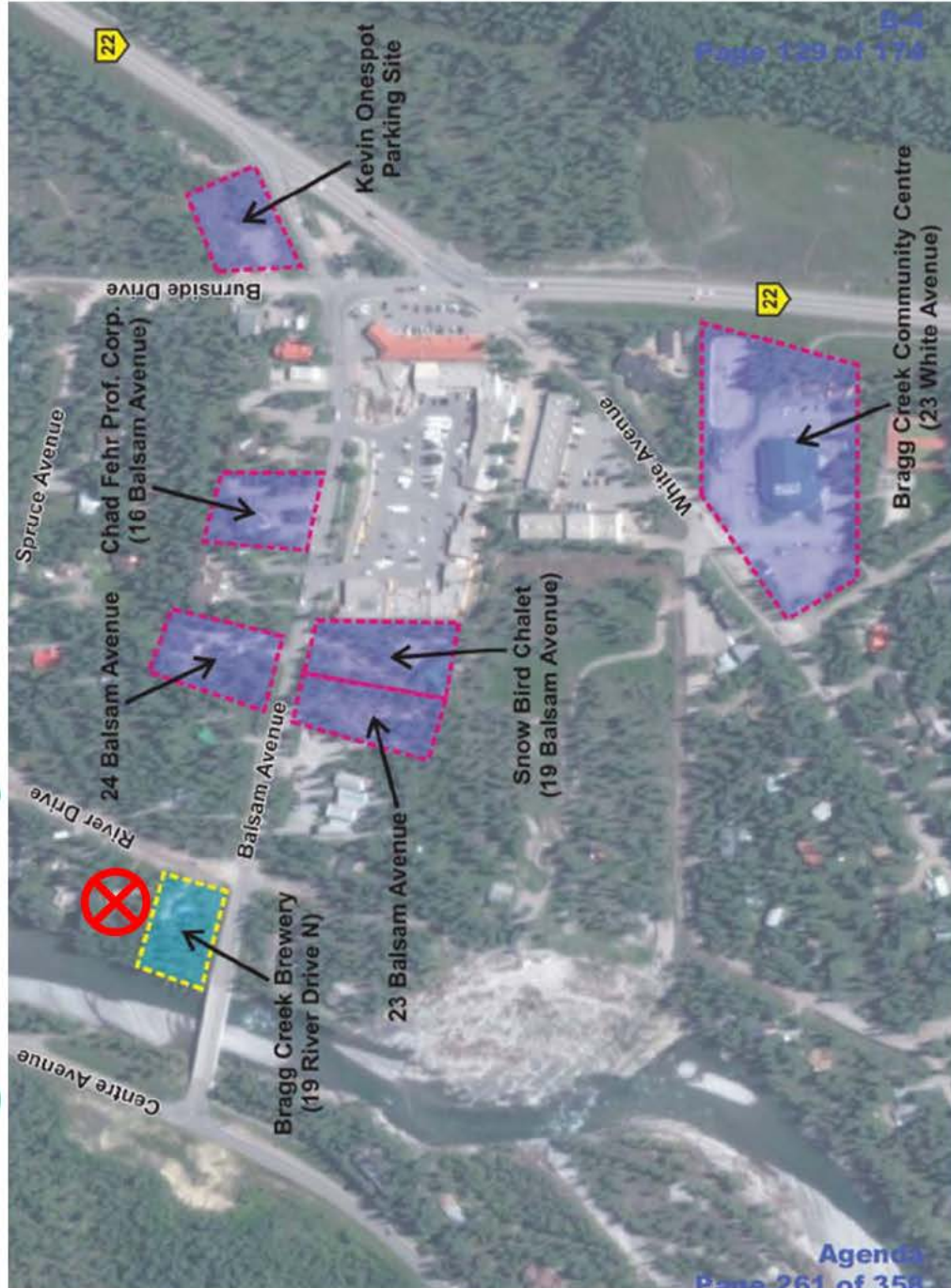
# Proposed Parking

<b>Total LUB Requirement:</b>	<b>55 Stalls</b>
<b>Parking Study (individual uses)</b>	<b>43 Stalls</b>
<b>Parking Study (shared parking):</b>	<b>35-38 Stalls</b>
• Accepted Proposed Stalls (On Site):	22 Stalls
• Proposed Stalls (Off Site):	+ 42 Stalls
	<hr/>
• <b>Total Proposed Stalls:</b>	<b>64 Stalls</b>



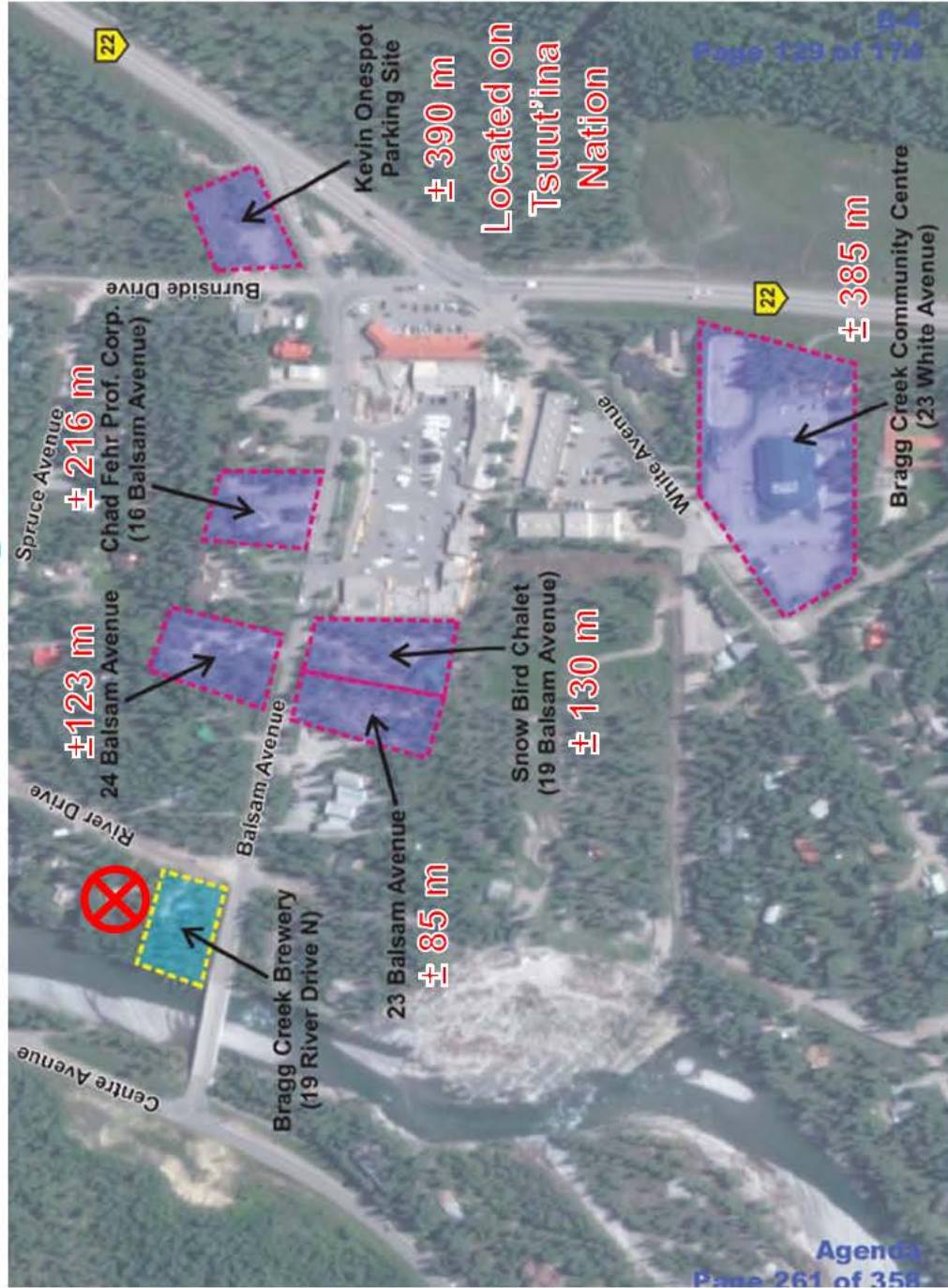


# Parking Study Off Site Locations





# Off Site Parking Distances



# Submitted Off Site Agreements

- Can be cancelled by either the Applicant/Appellant or off site provider with 30 days notice.
  - County would not be notified if agreements are cancelled by either party.
- LUB 30.1 requires parking “*shall be provided and maintained*” .
- Parking is required for the life of a development.

# Parking Conditions Under Appeal

## Condition #4

That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.

## Condition Rationale

- Ensures that the required parking is provided and maintained for the life of the development.
- Agreement(s) can be removed if replaced with agreements with alternative parking location(s).



# Parking Conditions Under Appeal

## Condition #36

That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.

- May 27, 2019 email from the Applicant/Appellant indicates this condition is no longer being appealed.

## Condition Rationale

- Ensures that the required parking is provided and maintained for the life of the development.
- Site Plan identifies 23 stalls, however 1 stall falls within required turning radius, therefore 22 stalls meet requirements.

# Parking Conditions Under Appeal

## Condition #37

That a minimum of 33 parking stalls shall be available at all times via the registered off-site parking arrangements and shall be maintained on title for the life of the development permit.

## Condition Rationale

- Ensures that the required parking is provided and maintained for the life of the development.
- Works with conditions 4 and 37 to ensures LUB requirement of 55 stalls is provided.

# Parking Conditions Under Appeal

## Condition #38

That no parking shall be permitted on the adjacent County road system.

- May 27, 2019 email from the Applicant/Appellant indicates this condition is no longer being appealed.

## Condition Rationale

- Aligns with LUB 30.1, which requires parking be located “Off Street”.



ROCKY VIEW COUNTY



# Applicant/Appellant Requested Parking Condition Changes

4. That prior to issuance of this permit, the Applicant/Owner shall **submit to the satisfaction of the Development Authority, register on title, the appropriate parking agreements for the proposed development, as referenced in permanent conditions numbers 37 to 37.1. The sum of the parking stalls within the offsite parking stalls shall be no less than 12 stalls.** ~~between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.~~
36. That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.

**Note:** The above condition wording is proposed by the Applicant/Appellant, not a recommendation by administration.



ROCKY VIEW COUNTY

# Applicant/Appellant Requested Parking Condition Changes

37. That a minimum of ~~33~~**12** parking stalls shall be available at all times ~~via the registered~~ **at off-site locations in accordance with parking agreements between the Applicant/Owner and the Owners of the parcels on which the offsite parking stalls are available for the proposed development. The required offsite parking stalls parking arrangements and** shall be maintained on title for the life of the development permit.
- 1. If any of the offsite parking stalls cease to be available for the development, the Applicant/Owner must notify the Development Authority and immediate alternate parking stalls must be secured to the satisfaction of the Development Authority.**
  - 2. Staff of the development must park their motor vehicles at offsite parking locations.**
  - 3. All customers/patrons of the development must be advised of the locations of the offsite parking stalls.**
38. That no parking shall be permitted on the adjacent County road system.

**Note:** The above condition wording is proposed by the Applicant/Appellant, not a recommendation by administration.



ROCKY VIEW COUNTY

# Servicing

- Conditions 17, 19, and 22 fall under the purview of the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw, not the LUB.
- In accordance with the Municipal Government Act the scope of the appeal regarding whether the Master Rates Bylaw was applied correctly.



# Servicing Conditions Under Appeal

## Condition #17

That prior to the occupancy of the site, the Applicant/Owner shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.

- May 27, 2019 email from the Applicant/Appellant indicates this condition is no longer being appealed.

## Condition #19

That prior to occupancy of the site, the Applicant/Owner shall purchase additional water and wastewater capacity required to service the development, as determined by the Water & Wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C-7751-2018), as amended.

# Servicing Conditions Under Appeal

## Condition #22

That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Mater Rates Bylaw (C-7751-2018) and the Water & Wastewater Utilities Bylaw (C-7662-2017).

- i. That if the wastewater released from the development is found to be over strength, the Applicant/Owner shall be subject to over strength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.

# Applicant/Appellant Requested Servicing Condition Changes

17. That prior to the occupancy of the site, the Applicant/Owner shall enter into a Customer Servicing Agreement with the County, for the water and wastewater utility services provided to the subject lands.
- ~~19. That prior to occupancy of the site, the Applicant/Owner shall purchase additional water and wastewater capacity required to service the development, as determined by the Water & Wastewater servicing assessment, in accordance with the County's Master Rates Bylaw (C 7751-2018), as amended.~~
22. That water and wastewater volumes used by the development shall be within the amounts allocated to the subject lands, and all overages shall be billed in accordance with the Master Rates Bylaw (C 7751-2018) and the Water & Wastewater Utilities Bylaw (C 7662-2017).
  - i. That if the wastewater released from the development is found to be over strength, the Applicant/Owner shall be subject to over strength wastewater surcharge specified within the Master Rates Bylaw and the Water & Wastewater Utilities Bylaw.





**Note:** The above condition wording is proposed by the Applicant/Appellant, not a recommendation by administration.



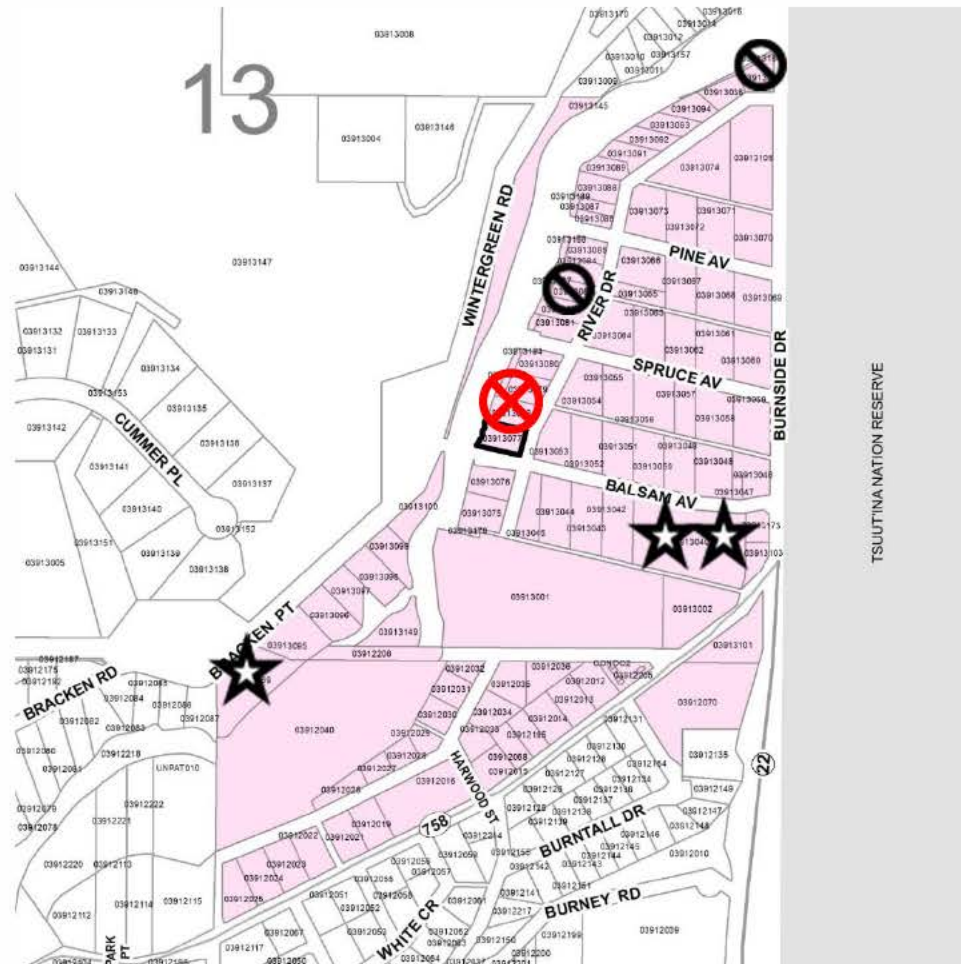
ROCKY VIEW COUNTY



# Letters Received

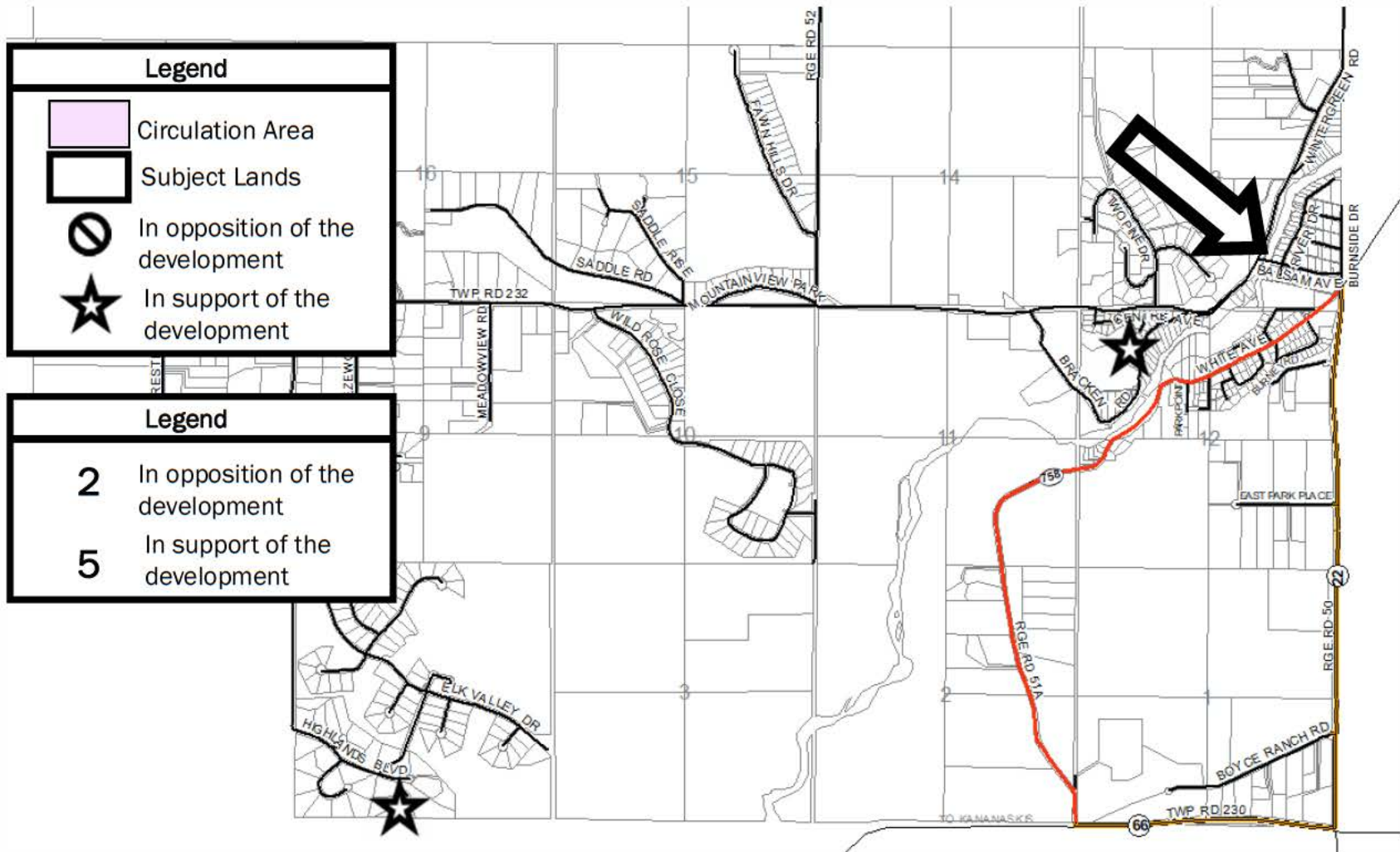
Legend	
	Circulation Area
	Subject Lands
	In opposition of the development
	In support of the development

Legend	
2	In opposition of the development
5	In support of the development



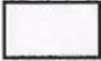



ROCKY VIEW COUNTY

# Letters Received

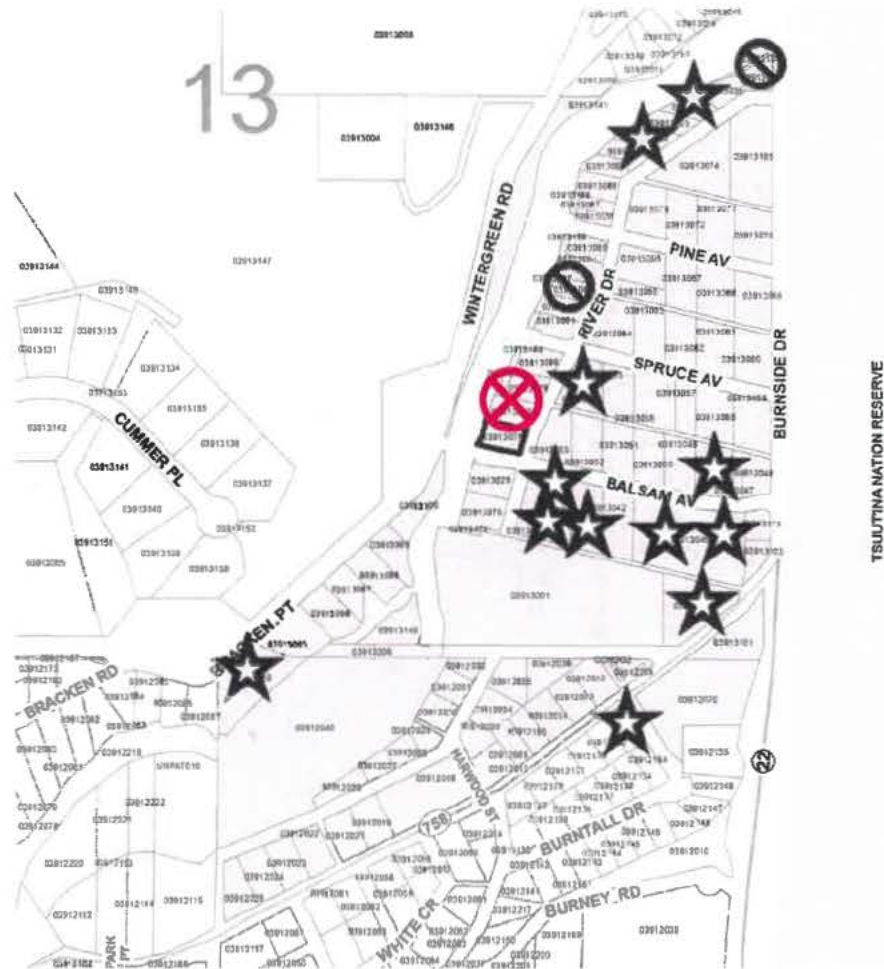




# Letters Received

Legend	
	Circulation Area
	Subject Lands
	In opposition of the development
	In support of the development





Legend	
2	In opposition of the development
39	In support of the development
<ul style="list-style-type: none"> <li>• 11 within circulation area</li> <li>• 12 outside circulation area</li> <li>• 13 not in RVC</li> <li>• 3 without mappable addresses</li> </ul>	



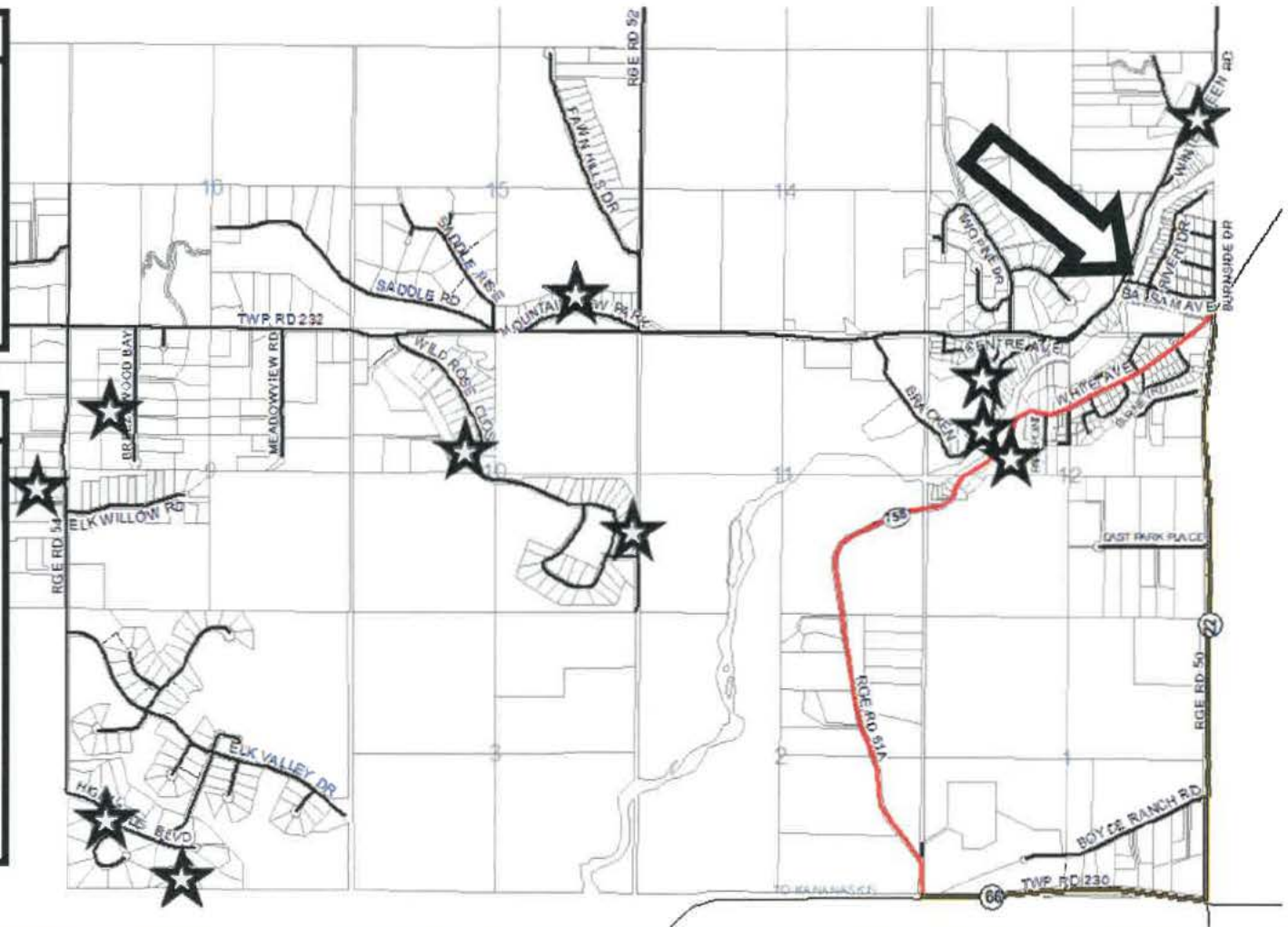
ROCKY VIEW COUNTY



# Letters Received

Legend	
	Circulation Area
	Subject Lands
	In opposition of the development
	In support of the development

Legend	
<b>2</b>	In opposition of the development
<b>39</b>	In support of the development
<ul style="list-style-type: none"> <li>• 11 within circulation area</li> <li>• 12 outside circulation area</li> <li>• 13 not in RVC</li> <li>• 3 without mappable addresses</li> </ul>	



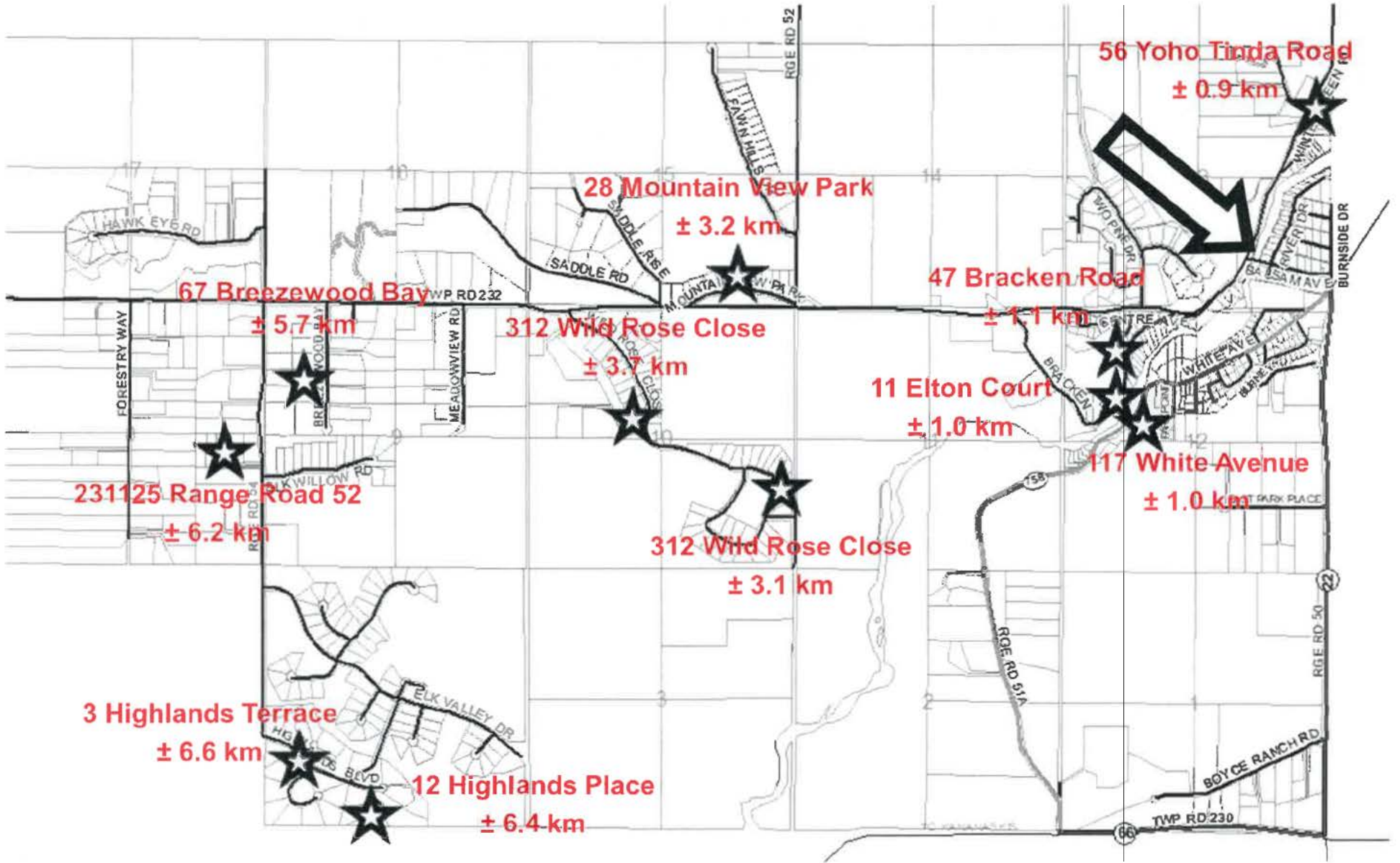
ROCKY VIEW COUNTY

# Affected Party Status

- Relevant Cases determining affected party status:
  - Re Actus Management and City of Calgary (1975)
  - Pension Fund Properties Limited v. Calgary (1981)
- An affected party needs to:
  - Be genuinely affected; and
  - Differently affected than the average person.
- An affected party does not include:
  - A person of significant distance away from the development;
  - A person who may walk/drive by or to a development.









# Letters from Outside RVC

- Redwood Meadows, Tsuutina Nation (4 letters)
  - 95 Redwood Meadows Drive ( $\pm$  6 km)
  - 82 Redwood Meadows Drive ( $\pm$  6 km)
  - 5 Manyhorses Rise ( $\pm$  8 km)
  - 26 Sleigh Drive ( $\pm$  8 km)
- 10 to 100 km away (6 letters)
  - 3024 34 Street SE, Calgary  $\pm$  (36 km away)
  - Travel Alberta ( $\pm$  46 km away)
  - Eau Claire Distillery, Turner Valley ( $\pm$  50 km away)
  - Calgary Municipal Lands Corporation, Calgary ( $\pm$  50 km away)
  - 242446 Highway 762 (address unmappable)
  - 20162106 1315 Drive West, Foothills (address unmappable)
- Over 100 km away (3 letters)
  - 2 letters from Edmonton ( $\pm$  340 km away)
  - Revelstoke BC ( $\pm$  400 km away)



**In the Court of Appeal of Alberta**

**Citation: Pension Fund Properties Limited v. Calgary (Development Appeal Board),  
1981 ABCA 195**

**Date: 19810804  
Docket: 13657  
Registry: Calgary**

**Between:**

**Pension Fund Properties Limited**

**Appellant**

**- and -**

**The Development Appeal Board of the City of Calgary, the City of Calgary and  
Douglas M. Fisher**

**Respondents**

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**The Court:**

**The Honourable Mr. Justice McDermid  
The Honourable Mr. Justice Lieberman  
The Honourable Mr. Justice Stevenson**

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**Reasons for Judgment of The Honourable Mr. Justice McDermid  
Concurred in by The Honourable Mr. Justice Lieberman**

**Concurring Reasons by The Honourable Mr. Justice Stevenson**

**COUNSEL:**

**R. B. Low, Esq., for Pension Fund Properties Limited**

**B. R. Inlow, Esq., for The Development Appeal Board of the City of Calgary, and The City  
of Calgary.**

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**REASONS FOR JUDGMENT  
OF THE HONOURABLE MR. JUSTICE McDERMID**

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1981 ABCA 195 (CanLII)

[1] Leave was granted by a judge of this Court, pursuant to s. 146 of The Planning Act, 1977, S. of A. 1977, c. 89 and amendments thereto, to Pension Fund Properties Limited, to appeal a decision of the Development Appeal Board which had reversed a decision of the Calgary Planning Commission. It is only necessary for me to deal with the first question on which leave was granted in view of the conclusion to which I have come.

"Was the appellant Douglas M. Fisher 'a person affected' by the decision of The Calgary Planning Commission made March 18, 1981 wherein the Commission approved the application of Pacer Development Services for the development of the aforesaid forty-storey office building within the meaning of Section 81(4) of The Planning Act, 1977, S.A. Chapter 89."

If he was not a proper appellant there was no appeal before the Board and the Board would have no jurisdiction to proceed.

[2] The appellant, Pension Fund Properties Limited, made an application through their agent, Pacer Development Services, to the Calgary Planning Commission for a Development Permit to construct a building on the west end of the block, bounded by Eighth and Ninth Avenues and 1st and 2nd Streets South West, in the City of Calgary. The north part of the building would front on the Calgary Mall. A development permit was granted by the Calgary Planning Commission. An appeal was filed to the Development Appeal Board of the said City on the usual appeal form. The appellant was described as "D. M. Fisher of mailing address 2441 Cherokee Dr. N.W.". Attached to the form were typed reasons for opposing the granting of the permit. The relevant one referred to by the Chairman of the Board was as follows:

"7) Anyone who has visited the mall during lunch hour on warm sunny days will see throngs of people enjoying either a leisurely stroll along the mall in the sunshine or sitting in the sun and people watching. On cloudy days there are noticeably fewer people on the mall. This indicates the priority that Calgarians place on sunshine being permitted to fall on the mall. People enjoy the mall throughout the year; however, it is clearly the presence of sunshine which draws more people to the mall. The present proposal, in spite of the shadow analysis which was conducted on an earlier proposal rather than the current plan, will cause areas of the mall, currently sunlit to be in shadows."

[3] When the appeal came before the Board the objection was raised as to whether Douglas M. Fisher was "a person affected" and so had the right to appeal.

[4] Section 81(4) of The Planning Act provides:

"81(4) A person affected by an order, decision or development permit made or issued by a development officer, other than a person having a right of appeal under



subsection (3), may appeal to a development appeal board in accordance with this Division."

[5] In reply to this objection the following comments were made in the Board hearing:

"Chairman Goss: Let me respond to a couple of points you made. I'm prepared to accept that he (Fisher) is a resident because he says so in his notice of appeal. He says 2441 Cherokee Drive North-west.

I have viewed the rest of his notice of appeal and he indicates in paragraph 7 anyone who has visited the mall and he goes on and I am prepared to accept that paragraph 7 clearly indicates that he is one of those who does visit the Mall and I would make a preliminary ruling which is of course subject to question by members of the Board in light of your comments. I would make a preliminary ruling that he is an affected person and the appeal is properly before the Board. And I think that we should hear it on its merits.

...

Mr. Smith: Would it not be perhaps wise to call Mr. Fisher forward if he's here and just question him as to what the nature and extent of his interest is?

Chairman: Yes.

Mr. Smith: I'm not satisfied that one who occasionally walks the Mall is affected by a decision any more than one who drives 17th Avenue is affected by what goes on there.

Chairman: I'm saying that on the face of it he's affected and that the Board should hear the matter on its merits. I don't rule out the possibility that the Board after having heard from Mr. Fisher could make a motion that he isn't affected in view of his evidence and dispose of the matter on that basis. But I think the safer procedure for the Board to follow is to look at the matter on the face of it and from the material in front of us I would rule that he is an affected person and we should hear the matter on the merits. And I'd invite comments from the members of the Board on that basis.

Ed Burgoyne: I would be prepared to support a ruling on that basis.

Margaret Petty: Yes I would too Mr. Chairman. I think any resident of Calgary is affected by what happens on the Mall.

Don Omiucke: I move that we hear it.

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Chairman Goss: Well I'll just rule, for the moment I'll rule that the Appellant is an affected person and that the appeal is properly before us and we should proceed to hear it on the merits. Is that agreed?"

[6] Mr. Fisher was not present at the meeting, nor was he represented, nor were any additional representations made on his behalf than were set out in his notice of appeal. The Board did not further consider whether it should hear an appeal in the absence of the appellant or his representative.

[7] The Board is not authorized by the statute to hear an appeal on its own motion. Its jurisdiction to hear an appeal does not arise until there is a proper appeal by an entity authorized by the Act to appeal. I leave aside the question as to whether the Board is justified in acting on a piece of paper signed by a person without more.

[8] It was apparently assumed by the Board that Fisher was a resident of Calgary who visited the Mall. Nowhere in the appeal paper is it mentioned that Cherokee Drive is in Calgary or that Fisher is a resident of Calgary or whether his knowledge of the Mall is personal or hearsay.

[9] However for the purposes of this judgment I am willing to assume, as did the Chairman of the Board, that Fisher was a resident of Calgary and he had visited and would visit the Mall. Does this make him a person "affected" by the development permit that was issued by the Calgary Planning Commission?

[10] The word "affected" is capable of a very large meaning: Re Clarendon Development Ltd. 50 D.L.R. (2d) 521. Like any other word used in a statute it must take its meaning from the context of the statute in which it is used. As one member of the Board said, "... any resident of Calgary is affected by what happens on the Mall." This may be so but only in the very broadest sense of the word. Did the Legislature intend a resident of Calgary, living some miles from the Mall, for it was admitted Cherokee Drive was some miles from the Mall, and who may occasionally walk there, for there was no evidence as to what use Fisher made of it, should have the right to appeal against the grant of a development permit to an owner of property, contiguous to the Mall, to construct a building thereon? I find nothing in the Act which would so suggest, and much to the contrary. I am not able to lay down with precision any definition of persons affected; the line separating those persons affected, whom the Act intends to have the right of appeal, from those persons affected in the broadest sense, but whom the Act did not intend to have the right to appeal, may have to be drawn slowly as the cases are decided, a method often



practised in our system of case law. The line of necessity may be an arbitrary one decided by the Courts on a pragmatic basis; in using such a broad word the Legislature has made the Act difficult to administer, if not unworkable, if the word is not interpreted in a reasonable manner.

[11] In considering how far the Legislature intended the word "affected" to extend, it is relevant to consider Section 82(3) of the Act:

"82 (3) The development appeal board shall give at least five days' notice in writing of the public hearing to

- (a) the appellant,
- (b) the development officer from whose order, decision or development permit the appeal is made,
- (c) the municipal planning commission of the municipality if it is not the development officer, and
- (d) those owners required to be notified under the land use by-law and any other person that the development appeal board considers to be affected by the appeal and should be notified."

(emphasis added)

[12] If Fisher was a person affected because he was a resident of Calgary and had used the Mall, should the Board then have considered whether the thousands of other residents of Calgary who use the Mall should have been notified? This appeal was not by an organized group of persons who might have status, but by a single individual.

[13] As Mr. Smith, a member of the Board, suggested (supra) is a person who walks the Mall occasionally any more affected by a decision than one who drives 17th Avenue affected by what goes on there. Is a driver of a car on a street to be considered a person affected by the construction of a building on the street where in the course of such construction his driving is impeded by the construction?

[14] A further problem arises for the Board once it decides a person is affected and should be notified. The section (supra) provides he should be given "at least 5 days' notice in writing of the public hearing". If such means personal notice this would impose a Herculean task on the Board if it considers every citizen of Calgary who walks the Mall is a "person affected" and should be notified. It is usual where personal notice is not to be given that such is specified and in s. 104 the Legislature specifies notice may be given by advertising in a newspaper. However these questions I have posed do not require an



answer in this judgment, but they do demonstrate the impracticality of deciding the Legislature intended every resident of Calgary who occasionally walks the Mall is ipso facto "a person affected" and thus has a right of appeal.

[15] Although the Board may be given a discretion under s. 82(3)(d) in considering who is a person affected and who should be notified (this judgment does not so decide but merely poses the question) it has no such discretion in deciding who has a right of appeal. S. 81(4) (supra) provides a person affected has a right of appeal. If Fisher was a person affected he had a right of appeal, and if he was not, he had none.

[16] In my opinion on the material before it the Board could not conclude that Fisher was a person who fell within the provisions of s. 81(4) and therefore as there was no valid appeal before it, the Board had no jurisdiction to proceed.

[17] Accordingly the order of the Development Appeal Board of the City of Calgary is vacated which results in the order of the Calgary Planning Commission being restored.

[18] Costs may be spoken to if counsel so desire.

DATED at Calgary, Alberta,  
the 4th day of August, 1981.

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**REASONS FOR JUDGMENT  
OF  
THE HONOURABLE MR. JUSTICE STEVENSON**

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[19] I have read the judgment of Mr. Justice McDermid and agree with the conclusion he reaches.

[20] I prefer to base my concurrence on the fact that there was no evidence before the Board upon which it could conclude that Fisher was a person affected by the development.

[21] There may be cases in which a user of nearby property or a community interest group can demonstrate that he or its constituents are affected by proposed developments even though the Board might not in the first instance consider those persons as affected within the meaning of s.84(3)(d) and deserving of notice. I wish to make it clear that the status of such a party is not decided by this judgment.

DATED at Calgary, Alberta,  
the 4th day of August A.D. 1981.

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**RE ACTUS MANAGEMENT LTD. AND CITY OF CALGARY** 421

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**RE ACTUS MANAGEMENT LTD. AND CITY OF CALGARY**

*Alberta Supreme Court, Appellate Division, Sinclair, Clement  
and Haddad, JJ.A. September 5, 1976.*



*Y. Goodman*, for appellant.  
*M. D. Allen*, for City of Calgary.  
*H. M. Beaumont*, for Mrs. Pierzchalski.

The judgment of the Court was delivered by

CLEMENT, J.A.:—In this appeal by Actus Management Ltd. it is contended that the Development Appeal Board of Calgary was without jurisdiction in excluding a retail food store from

a permit for a development of its land consisting of retail stores. The City Council had in 1973 resolved upon the preparation of a new general plan, and enacted development control By-law 8600. Under the related Land Uses Classification Guide Actus' land is classified as C-1 (Local Commercial District). It is contended that on the evidence before the Board such an exclusion is directed to restriction of trade and limitation of competition, not to planning, and that the Board has no jurisdiction to limit competition under the guise of planning.

The plot proposed for development consists of an area of seven lots fronting the Kensington Rd. and abutting 20th St. N.E. For some years it has been the site of an abandoned service station. Kensington Rd. is a major thoroughfare in Calgary which has, at this point at least, an appreciable amount of commercial development. The land use in the immediately surrounding district which the development is intended to serve is residential, including a number of apartment buildings. I infer that it will also serve in some measure passers-by on the thoroughfare, although evidence was not directed to this point.

In March of 1974, Actus by its agent made application under the development control by-law for a permit to use the land for retail stores, and it was approved by the development officer subject to conditions which are not in issue here. An appeal was taken by Pauline Pierzchalski to the Development Appeal Board on grounds which I think are best expressed in the minutes of the hearing:

Mrs. P. Pierzchalski, appeared in support of the appeal and stated I am here on behalf of 6 small owner operated stores located in an area 8 blocks square in our neighbourhood. 400 citizens and taxpayers opposed the opening of a chain store. This is the fourth time in the last 3 years that we have appeared. Many people's existence rely on your decision here today. We still feel that we are sufficiently well served by the 6 grocery stores in our area. This is a prime example of big business unjust treatment to the small independent small grocery store. If any chain store is opened, it will destroy family businesses built up over many years. We have already won our appeals three times. This is not justice to allow this. The small chain store cannot then feel secure to up-grade their stores. We are not opposed to development on this site, just opposed to a duplication of uses. This type of thing mushrooms and monopolizes the industry.

It appears that in 1971 the same issue, amongst others, came before the Board on an application by another developer. Similar representations were then made by Mrs. Pierzchalski, with equal vigour, and she was supported in them by another

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housewife of the community. The statement of objections in that case was "accompanied with 204 signatures". The most that can be said of this is that, standing unchallenged, it gives an indication of the attitude at that time of some members of the community towards the inclusion of another retail food store in the proposed commercial development. There is nothing in the evidence bearing on the references by Mrs. Pierchalski recorded in the minutes to other like proceedings and appeals. In the present case the notice of appeal asserts the support of "over 400 concerned citizens", but the appeal book discloses no proof of the assertion, nor any challenge to its validity.

I should state here that Mrs. Pierchalski is not an owner of any of the small stores she referred to. It is clear that she was speaking only as what might be described as a concerned citizen living in the community, to object to another retail food store in a community already served by six groceries. She was supported by an individual who was plainly seeking political advantage in a forthcoming municipal election. Representations were made on behalf of Actus of which I extract the following from the minutes:

The development is a single store development, small neighbourhood commercial centre approximately 7,100 sq. ft. comprising of several spaces within the development. The present site presently houses a delapidated abandoned service station. This is not too unlike adjacent commercial development . . . The development is one-storey and backs onto a laneway, has no door opening onto the lane, north of the lane are residences, to the east are apartments, and to the west is a drive-in restaurant. The proposed tenants would vary to something like a coin-op Laundry, dairy queen, electric repair shop, etc. . . . If it turns out to be a confectionary in the development, it will be small. This development will not take away from the trade at all on 19th Street.

The acting development officer of the city was also heard, as required by s. 128(5) (a) of the *Planning Act*, R.S.A. 1970, c. 276. His evidence was brief. At the opening of the hearing he outlined the location of the area on a vu-graph. At its conclusion he stated "That the development complies with the regulations of the City of Calgary Development Control By-law." That is all. It gave no assistance to the Board in determining the point on which this appeal arises. In the result Board order No. 74/122, after reciting the appearances at the hearing and the submissions made, provided:

4. It IS ORDERED that the said decision of the Officer shall be confirmed and the development allowed subject to no retail food store.

The Board is not required to deliver reasons, and did not do

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so. The fact that Actus has appealed evidences its intention to include a retail food store in the development, if permitted to do so.

Neither the jurisdiction of the Board, nor its powers, are explicitly defined by the Act:

128(4) The development appeal board

(c) shall consider each appeal having due regard to the circumstances and merits of the case and to the purpose, scope and intent of a general plan that is under preparation or is adopted and to the development control or zoning by-law which is in force, as the case may be,

(6) In determining an appeal, a development appeal board

(a) may confirm, reverse or vary the decision appealed from and may impose such conditions or limitations as it considers proper and desirable in the circumstances . . .

In the context of the Act the phrase "circumstances and merits of the case" necessarily includes the public interest in the proposed development, as distinct from a general interest in the benefits of planning inherent in a resolution by Council to propose a general plan, and the technical merits of the development in relation to the general plan. This interest is not defined, but its existence is postulated under the expressed planning purpose of the Act:

8. The purpose of this Act is to provide means whereby plans and related measures may be prepared and adopted to achieve the orderly and economical development of land within the Province without infringing on the rights of individuals except to the extent that it is necessary for the greater public interest.

The concepts of a general plan require professional and technical skill and research for their proper formulation as directed by s. 95 [am. 1971, c. 84, s. 13; further am. 1973, c. 43, s. 6], and a Land Use Classification Guide is related to them. But they are directed to the development of communities of people and are not to be viewed as an exercise in abstract planning. The underlying public interest of the people themselves in the nature and direction of the development of their community is recognized, and the section also recognizes that there may be cases in which that interest is in conflict with the acknowledged rights and aspirations of an individual in developing his property even when his proposal accords with the concepts of the general plan and the details of the development control in force. In such case, if the public interest is found to be greater, it will prevail over the rights of the individual. The observation of Robertson, C.J.O., in *Toronto v.*

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*Presswood*, [1944] 1 D.L.R. 569 at p. 585, [1944] O.R. 145, is appropriate here:

It is of the very essence of the exercise of the power to regulate and control the location, erection and use of buildings for designated purposes, and to prohibit the erection or use of buildings for all or any of these purposes within defined areas, that there will be interference with vested rights.

The statutory directives of s. 128(4) (c) provide the foundation of the jurisdiction of the Board and their scope must be considered. I will turn first to the general plan and matters related to it.

A general plan must be directed to the objectives stated in the section empowering its preparation:

94(1) A council may resolve to prepare a general plan describing the manner in which the future development or re-development of the municipality may best be organized and carried out, having regard to considerations of orderliness, economy and convenience.

The words "orderliness, economy and convenience" in their context are broad planning directives which are complemented to some extent by the provisions of s. 95. They are used in a planning sense, and when occasion requires may serve as a criterion for provisions of the general plan. The part of the general plan of Calgary which is relevant here is directed to commercial districts, in respect of which this statement is made:

The general purpose of commercial districts is to make provision for sites to be used for commercial and associated activities which serve the needs of the City of Calgary and the surrounding region; and in particular to facilitate efficient production, distribution and consumption of commercial goods and services.

Areas designated as commercial districts recognize the need to:

1. Protect the community and environment from undesirable consequences of commercial operations, either acting alone or in combination with other existing or future uses.
2. Enhance the working environments of employees in commercial districts.
3. Locate commercial services and associated facilities for the greater public benefit, taking into account the dynamics of commercial activity.

#### C-1 LOCAL COMMERCIAL DISTRICT

The purposes of this district is to provide sites for the sale of convenience goods and services to adjacent residential areas, in individual stores or in shopping centres with a total floor space normally not exceeding 50,000 square feet.

Amongst the general causes for concern in respect of this facet of planning, the following is stated at p. 7.4:

4. Over provision of commercial areas and especially service stations resulting in vacancies and the substitution of unsatisfactory uses.

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As I have noted above, we are concerned here with land designated by the Land Uses Classification Guide for the purposes of development control as a local commercial district for which a wide range of uses is permitted, all of which are generally within the purposes expressed in the general plan for such a district. "Retail stores" are included amongst some 60 specified permitted uses.

A local commercial district is not planned as an independent enclave: rather, it is a neighbourhood shopping centre established primarily for the convenience of its adjacent residential community and to serve the needs of the residents. When we are dealing with such a district the public interest lies in the residential community which it serves. The statutory "considerations of orderliness, economy and convenience" are applicable to its planned development. The reach of these words cannot be determined in law in any particular case without evidence; but in my opinion their operation is not confined to the formulation of a general plan. Having regard to the Act as a whole they are matters that are proper to the consideration of a development appeal board, not only in respect of the technical merits of an application but also in ascertaining what is legitimate public interest in a proposed development.

At this point it is useful to consider the nature and function of a development appeal board. It is apparent from s. 108(3) that its members are not required to have expertise in the theory and practice of planning. These aspects are brought before them by the general plan and its related documents, and by the professional witness whose evidence is required under s. 128(5). I take it that the members are appointed as citizens of the community exercising their statutory discretions on the material before them from an over-all point of view. They must have "due regard" to all of such factors as are fairly and legally relevant, which means that they are to give to each such weight or significance as seems appropriate in relation to the whole. This involves the exercise of a discretion, but it is a *quasi-judicial* discretion which must be exercised judicially, not arbitrarily. It is vested (within the parameters of its jurisdiction) with the exclusive power of decision in contests between individual rights and the claims of public interest. In resolving the dispute the Board itself must ascertain the extent of the legitimate public interest in the proposed development and weigh that interest against the rights of the developer. The statement of Abbott, J., in *Memorial Gardens Ass'n (Canada) Ltd. v. Colwood Cemetery*

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*Co. et al.* (1958), 13 D.L.R. (2d) 97 at p. 101, [1958] S.C.R. 353 at p. 357, 76 C.R.T.C. 319, is adaptable here:

As this Court held in the *Union Gas* case the question whether public convenience and necessity requires a certain action is not one of fact. It is predominantly the formulation of an opinion. Facts must, of course, be established to justify a decision by the Commission but that decision is one which cannot be made without a substantial exercise of administrative discretion. In delegating this administrative discretion to the Commission the Legislature has delegated to that body the responsibility of deciding, in the public interest, the need and desirability of additional cemetery facilities, and in reaching that decision the degree of need and of desirability is left to the discretion of the Commission.

The means provided by the statute for these purposes is a hearing. At the hearing of an appeal the intended developer will present his case. Notice of the hearing must be given "to all assessed owners of land who, in the Board's opinion, are affected": s. 128(4) (b). Such persons come to the hearing to speak their minds, and the Board must hear them, for it is from them that the Board will hear particular views on the public interest at stake. What they have to say may well be, to a greater or lesser extent, a *pot-pourri* of the relevant and the irrelevant, the cogent and the specious. The Board should, of course, decline to admit evidence which is patently irrelevant or improper, but the nature of the inquiry makes it clear to me that in general, questions of relevance cannot be satisfactorily determined piecemeal during the course of a hearing. For the most part the pieces must be dealt with after the whole is in. I adopt the statement of S.A. de Smith, *Judicial Review of Administrative Action*, 3rd ed. (1973), p. 297: "It is immaterial that an authority may have considered irrelevant matters in arriving at its decision if it has not allowed itself to be influenced by those matters . . .". From the whole the Board must cull out considerations not proper to the exercise of its jurisdiction and then come to a montage of the public interest in the question. It is not bound to treat the matter as though it were a trial, and indeed it is not legally equipped to do so; it can "obtain information in any way it thought best, always giving a fair opportunity to those who were parties in the controversy to correct or contradict any relevant statement prejudicial to their view": *City of Medicine Hat et al. v. Rosemount Rental Developments Ltd.* (1964), 43 D.L.R. (2d) 433 at p. 440, 49 W.W.R. 449 at p. 457 [affd 44 D.L.R. (2d) 508n, [1964] S.C.R. vi, 49 W.W.R. 576]. The two components of judgment must then be compared: the rights of the individual, and the legitimate and proper claims of public interest. If it is established that the Board was in-

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fluenced to its decision by irrelevant or improper evidence, then there is error in law and the Court must intervene; but if it does so it must refer the matter back, not substitute its own decision: s. 147(c) [am. 1971, c. 84, s. 20]. Otherwise the principle stated by Kane, J.A., in *City of Medicine Hat et al. v. Rosemount Rental Developments Ltd.*, at p. 448 D.L.R., p. 465 W.W.R., is applicable:

I have said that the learned trial Judge held that there was no evidence before the Advisory Board that it was in the greater public interest to infringe on a private owner's right to use his own land and I have pointed to the evidence upon which, in my opinion, such a finding could be made. Counsel for the respondent, if I understand his argument correctly, went further, and argued that because of s. 2a [now s. 3], it was the function of the Judge on appeal to determine if such a finding was properly made. This would require the Judge to weigh the evidence. Normally, the function of an Appellate Court is confined to being satisfied that there was evidence to support the finding of the body appealed from. In my view, s. 2a does not impose any greater duty. The appeal is limited to a question of jurisdiction or of law. I do not think the Legislature ever intended that the Judge on appeal would substitute his finding on the evidence for that of the Council and the Advisory Board: *Memorial Gardens Association (Canada) Ltd. v. Colwood Cemetery Co.*, 13 D.L.R. (2d) 97 at p. 101, 76 C.R.T.C. 319 at p. 324, [1958] S.C.R. 353 at p. 358.

It will not be amiss to make two further references which are pertinent in amplification of the foregoing. In *Service Employees' Int'l Union, Local No. 333 v. Nipawin District Staff Nurses Ass'n of Nipawin et al.* (1973), 41 D.L.R. (3d) 6 at p. 11, [1975] 1 S.C.R. 382, [1974] 1 W.W.R. 653 at p. 657, Dickson, J., said:

There can be no doubt that a statutory tribunal cannot, with impunity, ignore the requisites of its constituent statute and decide questions any way it sees fit. If it does so, it acts beyond the ambit of its powers, fails to discharge its public duty and departs from legally permissible conduct. Judicial intervention is then not only permissible but requisite in the public interest. But if the Board acts in good faith and its decision can be rationally supported on a construction which the relevant legislation may reasonably be considered to bear, then the Court will not intervene.

In *Re Simpson and City of Vancouver* (1974), 48 D.L.R. (3d) 215 at pp. 220-1, Carrothers, J.A., speaking for the majority of the Court of Appeal for British Columbia at pp. 220-1, adopted and added to the reasons of the trial Judge in that case:

"Where, as here, there is direct statutory foundation for the ground given for the decision to approve or disapprove, and where it is not shown that that decision, despite its impact on an individual, was made in bad faith, or with the intention

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of discriminating against that individual, or on a specious or totally inadequate factual basis there should, in my opinion, be no interference by the Court with municipal officials honestly endeavouring to comply with the duties imposed on them by the Legislature in planning the coherent and logical development of their areas."

A careful analysis of the facts of a particular case ought to show whether the decision meets these standards of correctness and it would only be in circumstances clearly indicating a wrong or improper decision that the decision ought to be interfered with. It ought not to be interfered with lightly: *Re Proposed Subdivision* (1954), 15 W.W.R. 143.

The very wide discretion given to the approving officer in respect of granting or withholding approval of a subdivision plan must also be exercised judicially and reasonably and he must not abuse or exceed these powers, and if the discretion is so exercised it cannot be interfered with: *Board of Education for Township of Etobicoke et al. v. Highbury Developments Ltd.* (1958), 12 D.L.R. (2d) 145, [1958] S.C.R. 196; *Re District of Delta* (1961), 27 D.L.R. (2d) 65, 34 W.W.R. 41 *sub nom. Re Approval of a Subdivision Plan (Delta District)*; and *Westminster Corp. v. London & North Western R. Co.*, [1905] A.C. 426.

In the light of these considerations I return the matter before the Development Appeal Board. Mrs. Pierzchalski raised two issues. One was competition in a form not relevant to the planning purposes of the Act or the general plan. The other was convenience in which there could well be a public interest as well as a technical planning interest. But her contentions were asserted in an emotional spirit of protectionism for small community stores against the advance of the chain store operation into the community. They were not supported by acceptable evidence from which the Board could ascertain, even by inference, the nature and extent of the legitimate public interest in the development, or whether it would be adversely affected by an additional retail food store. In my opinion the Board should not have taken into account the address given by Mrs. Pierzchalski, and it erred in law in attaching to the development permit a condition that infringed the rights of the developer when there was no evidence, nor support for a reasonable inference, that it was necessary to do so in the greater public interest.

This does not end the matter. Section 147(c) requires a further expression of opinion. Clearly the Act does not recognize the regulation of business competition as relevant to development planning, but excessive provision for particular facilities or services would, I think, be a factor that a qualified planning consultant might properly take into account in some circumstances having regard to what is prescribed by s. 95. When such is the case, a consequential effect on com-

1975 CanLII 982 (AB CA)



petition cannot affect the relevancy of the factor. In respect of commercial districts the general plan warns against "over provision of commercial areas". I would think that this is a directive in respect of economic considerations in relation to the needs and convenience of a community, and would warrant evidence on the point being heard by the Board.

The reasonable needs and requirements of the community must be taken into account in weighing the convenience of the residents as a whole. The residential area with which we are concerned is already served by six retail food stores which are each in themselves in effect a local commercial district within the area, although probably in the nature of non-conforming user as far as the Land Use Classification Guide is concerned. The power, accorded by and under the Act, to limit to designated areas any particular uses of land carries with it as an inevitable incident of its exercise some limitation on the right that would otherwise exist to set up a competitive business. The power is given to further the orderly and economic development of the community, in question, and I would think that evidence could be given as to whether or not a proposed development was excessive to reasonable need and convenience. Further than that, residents in such a district have some right to enjoy and maintain their surroundings without commercial invasion in excess of their needs or convenience.

The general plan itself invites special attention to excessive provision of one component of a commercial area, namely, service stations, but I think that this is a recognition of a power of selection, not a limitation of it. It may be that a new store will serve the community better so that in the long run the community will gain in over-all convenience. Or it may lead to foreseeable disadvantage to the envisaged development of the area. If this is so, I am unable to see why a development appeal board cannot in law single out for consideration a particular user of a local commercial district such as a retail food store. It would, I think, constitute a special aspect of a specific kind of development which is within the powers of a council to resolve under s. 106 and which is freely exercised in the compilation of a Land Use Classification Guide. Equally, it is open to a development appeal board within the broad discretions of s. 128(6)(a) to give it consideration when there is evidence which raises the point. I am of opinion that a development appeal board is entitled to look at a proposed development of this nature in a piecemeal fashion and consider each component in the light of the evidence and the statutory jurisdiction and directives. To hold otherwise would,

1975 CanLII 982 (AB CA)

I think, unjustifiably limit the discretions which a Board is called upon to exercise.

The general plan also recognizes that in respect of service stations, excess results in vacancies and warns against "the substitution of unsatisfactory uses". An alternate use which augments to excess a facility already provided for can equally result in vacancies and be an unsatisfactory substitute from the point of view of the public interest. In common observation commercial vacancies in a residential area are unsightly and it is conceivable they might affect property values in some cases. Beyond that, as I have said, people make up communities and planning is intended for their long-term benefit. They may have their own feelings about the area in which they live, and more and more these days they are asserting their interests in the nature and character of their community and how it should develop and go forward. Such interests are legitimate and must be acknowledged as an aspect of the public interest of the community, and be fairly considered when raised by the evidence.

There are two other points in appeal. It is urged that Mrs. Pierchalski is not a person affected by a decision of a development officer (s. 110) nor is she aggrieved (s. 128(1) [rep. & sub. 1973, c. 43, s. 11]). The distinction between these two words is merely a statutory recognition of differing consequences of a decision. A person affected by a decision may be content with the consequences. If not, he may be said to feel aggrieved with it. At that stage his grievance is subjective, its validity is not determined; and in many cases it cannot be determined until he is heard. There may be cases in which it could be said without hearing his evidence that a person could not be considered aggrieved by a decision within the intentment of s. 128. This might appear clearly from the terms of his notice of appeal, either in themselves or in conjunction with the fact that he is not a part of the community affected. An apparent busy-body (see *Chitty's Law Journal*, vol. 22 (1974), p. 300) would not qualify as an aggrieved person, but short of that a development appeal board could not prejudge the validity of a person's appeal by rejecting it without a hearing. I do not think that this point is well taken by the appellant in the circumstances of the case as it came to the Development Appeal Board.

The final attack is on the condition that the term "food store" is too vague, indefinite, or uncertain to be enforceable. This point was not strongly urged, and I do not think it is sustainable. It is a term of common meaning. It is defined in

1975 CanLII 982 (AB CA)

RE DALLINGA AND CITY OF CALGARY

433

other enactments to which the developer is subject such as licence By-law 8668. I would dismiss this ground of appeal also.

In the result the appeal should be allowed, the order of the Development Appeal Board vacated, and the matter referred back to it to be dealt with in accordance with the foregoing opinion. As the appeal raised issues which are of general concern I would not award costs to either party.

*Appeal allowed.*

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1975 CanLII 982 (AB CA)



## Appeal Bragg Creek Brewery

Applicant

Presenters:

1. Rick Grol, Agent for the applicant
2. John Jackson/Baruch Laskin
3. Nicholas Kuhl, O2 Planning + Design
4. Dr. Ezekiel Dada, Bunt & Associates
5. Adam McLane, applicant

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

**ROCKY VIEW COUNTY**

Appeal re Proposed Development at 19 River Drive N, Bragg Creek

**EXHIBITS**

Adam McLane, Applicant

**INDEX**

1. Presentation Nicholas Kuhl, Planner O2 Planning + Design
2. Presentation Dr. Ezekiel Dada, Bunt & Associations (Alberta) Engineering
3. Expert Opinion Letter Michael Sydenham, WATT Consulting Group
4. Communication Log Summary
5. Shadow Study
6. Applicant's Appeal against Conditions
7. Support Letters
8. Email correspondence regarding Water Servicing







# Bragg Creek Brewing Company Planning Rationale

Subdivision and Development Appeal Board | PRDP20184945

June 5, 2019



# Outline

1. Application History
2. Proposal
3. Site Context
4. Policy Compliance
5. Planning Rationale
6. Appellants' Concerns
7. Conclusion



# Application History



# Application History

1. *May-October 2017*  
Land Use Public Consultation → More than 90 letters of support received.
2. *October 2017*  
Land Use Redesignation Application
3. *February 2018*  
Land Use Redesignation Approved

# Application History

- 4. *October 2018*  
Development Permit Public Consultation → More than 90% community support.
- 5. *December 2018*  
Development Permit Application → More than 70 letters of support received.
- 6. *April 2019*  
Development Permit Approved

# Proposal







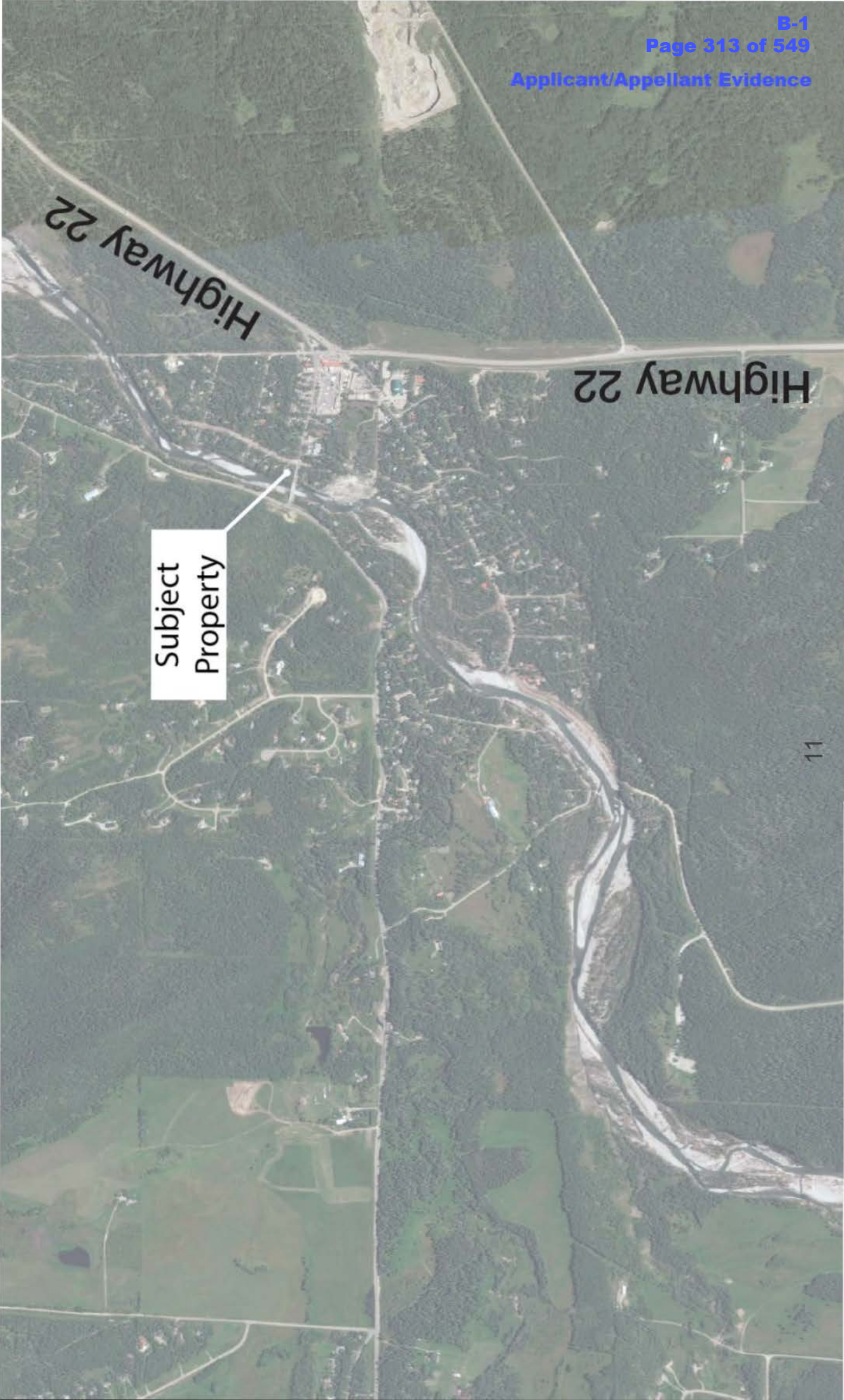








# Site Context



11

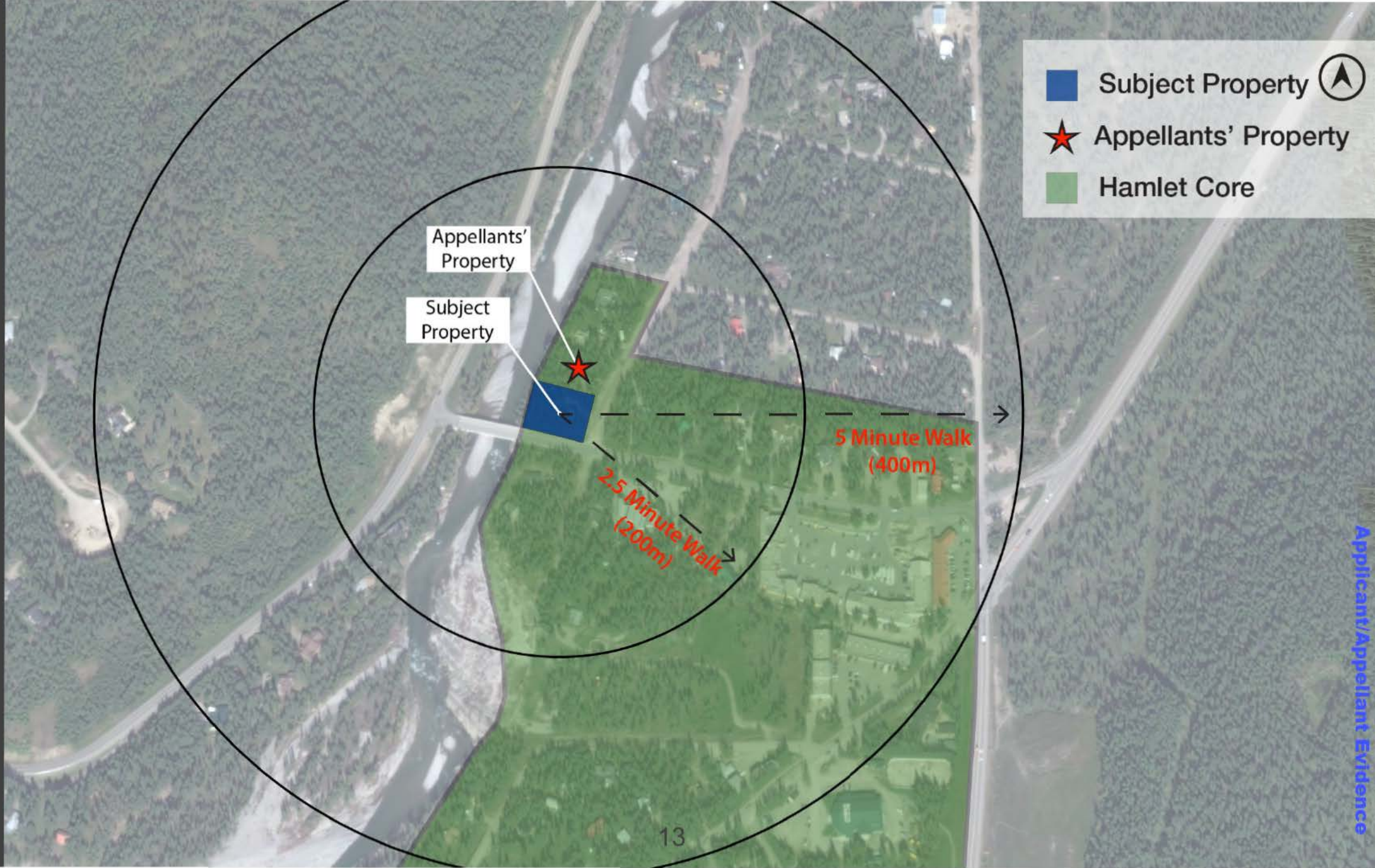


# Site Context





# Site Context

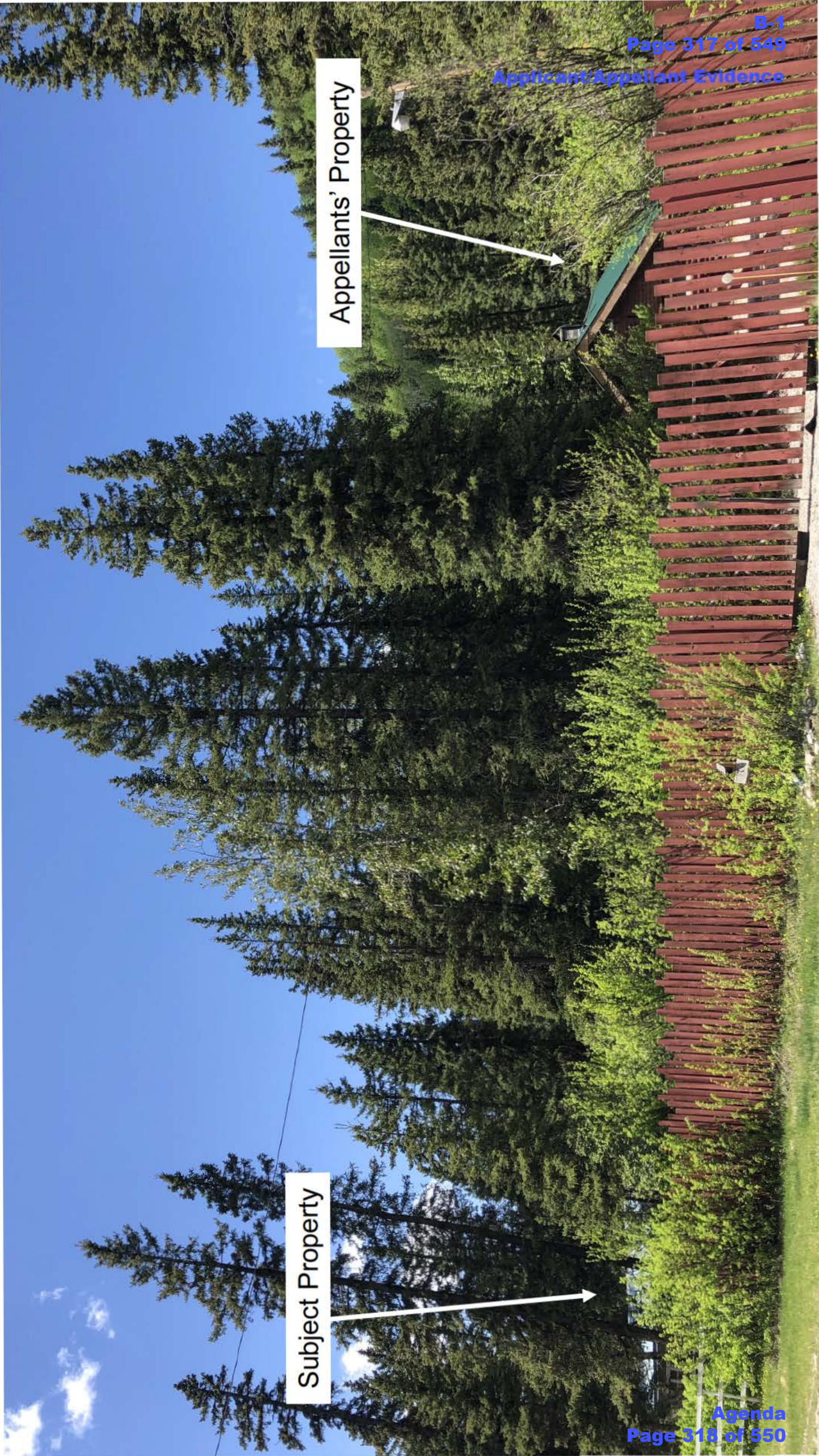






Subject Property

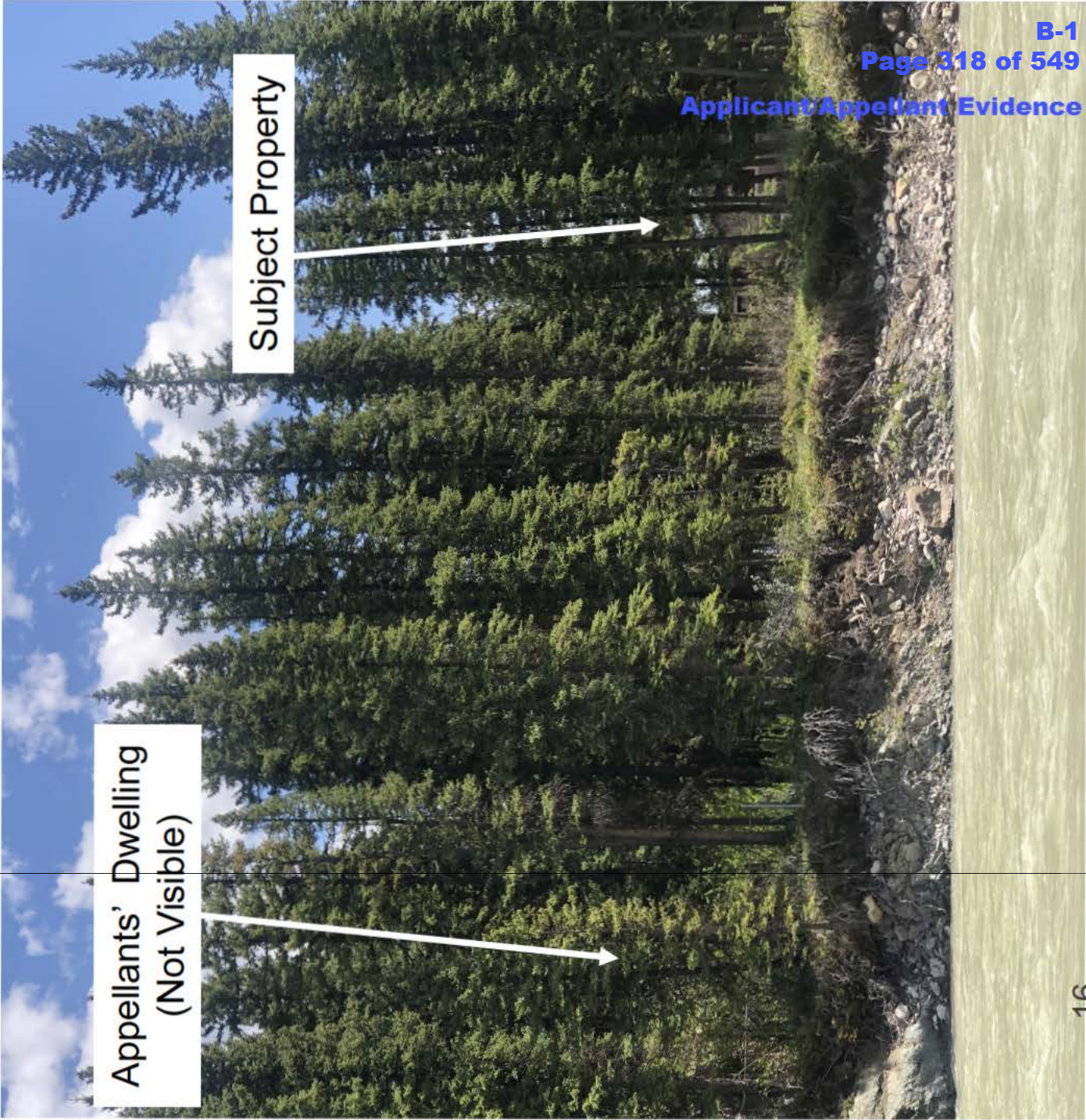




Appellants' Property

Subject Property









Subject Property

Appellants' Dwelling  
(Not Visible)





Bragg Creek Shopping Centre

Subject Property





Subject Property

Applicant/Appellant Evidence

Page 321 of 549

B-1



...OL \* VETS \* GAMES \* ENTERTAINMENT


**COW TOWN**  
BEEF SHACK

real **FOOD**  
real **FAST**

DINE IN | TAKE OUT | CATERING | CRAFT BEER

**MOTO & CAFE**

BREAKFAST ☆ LUNCH ☆ BAKING ☆ COFFEE

 **MOTORCYCLE  
SALES AND  
ACCESSORIES**

**BRAGG CREEK  
SHOPPING  
CENTRE**

**7**  
*Balsam Ave.*

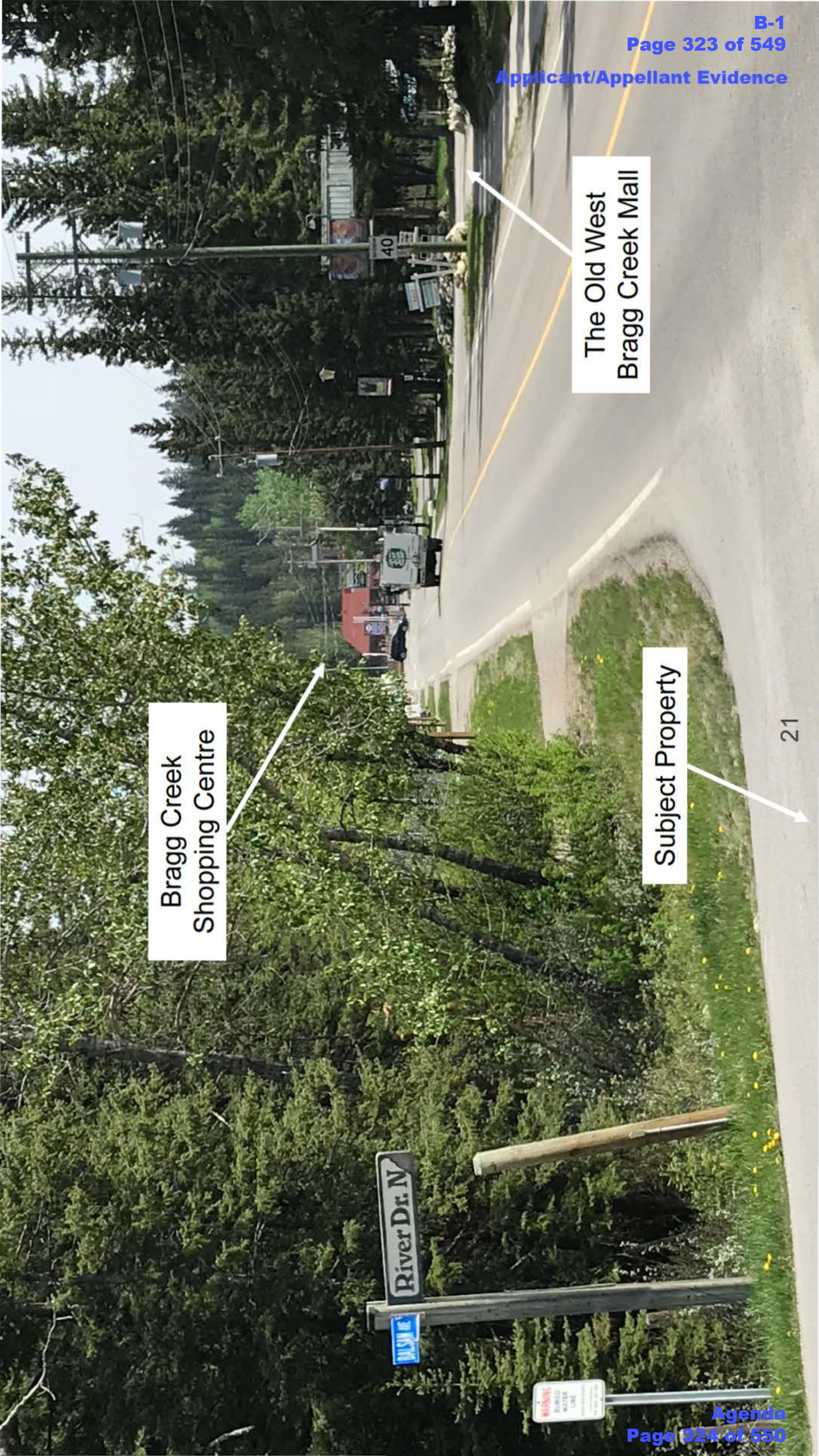
PRIVATE PROPERTY  
CUSTOMER PARKING  
ONLY WHILE  
DOING BUSINESS WITH  
TENANTS OF THIS  
SHOPPING CENTER  
UNAUTHORIZED VEHICLES WILL BE  
TOWED AT OWNER'S RISK & EXPENSE

Bragg Creek  
Shopping Centre

Subject Property

The Old West  
Bragg Creek Mall





Bragg Creek  
Shopping Centre

The Old West  
Bragg Creek Mall

Subject Property

21

River Dr. N

21

WARNING  
BURIED  
WATER  
LINE

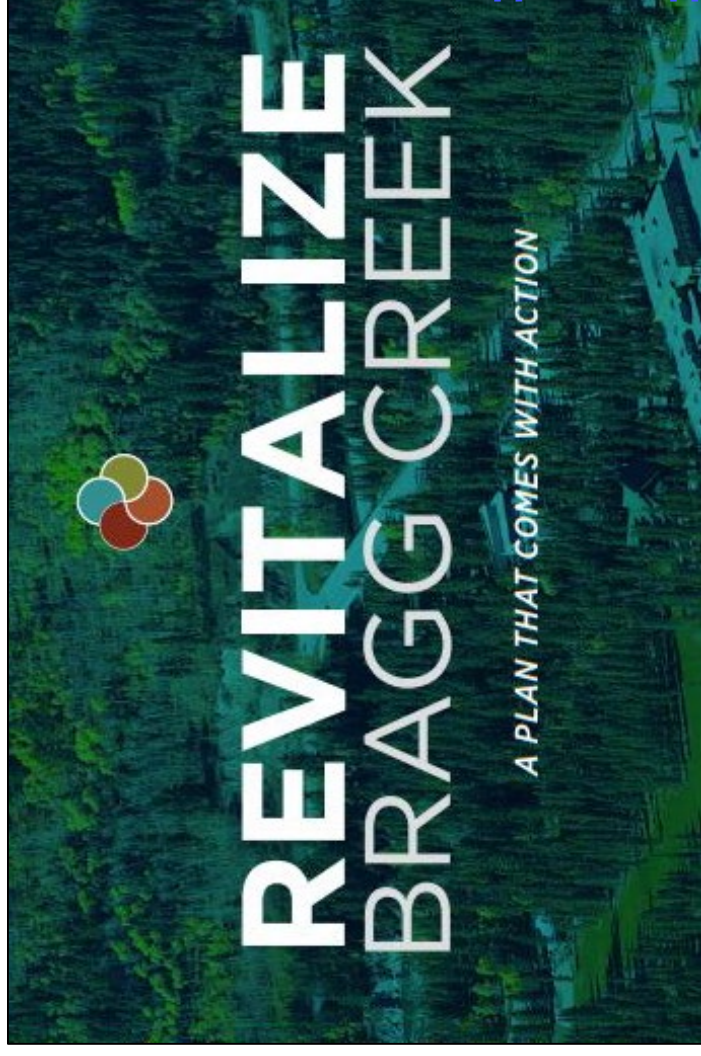


# Policy Compliance

# Overview

The proposal meets the policies and general intent of all relevant planning policy. These policies and plans include:

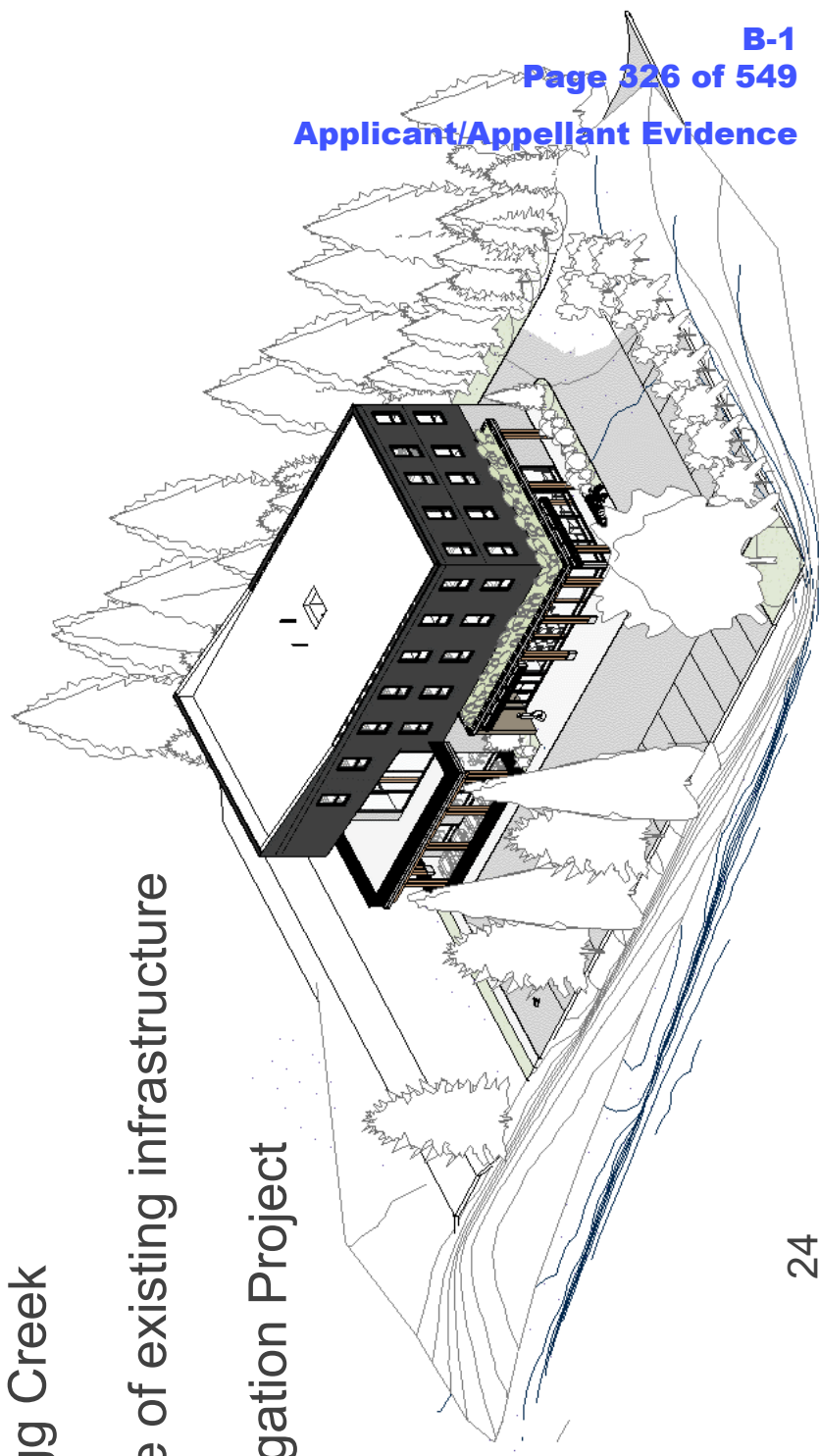
- *Interim Growth Plan*
- *County Plan*
- *Greater Bragg Creek Area Structure Plan*
- *Hamlet of Bragg Creek Design Standards*
- *Bragg Creek Revitalization Plan*
- *Land Use Bylaw*



# Interim Growth Plan

The proposal meets the following key objectives of the *Interim Growth Plan*:

- Increases employment density in an existing settlement area
- Introduces a mix of new uses to Bragg Creek
- Makes efficient and cost effective use of existing infrastructure
- Supports the Bragg Creek Flood Mitigation Project





# County Plan

The proposal meets all requirements outlined in the *County Plan*:

- Master Site Development Plan
- Geotechnical report
- Parking study
- Public consultation summary
- Stormwater management plan
- Detailed site plan
- Architectural drawings



# Greater Bragg Creek Area Structure Plan

- The proposal is located within the Hamlet Core designation.
- Drinking establishments, mixed-use development, overnight accommodation, and restaurants are all identified as desirable uses in the Hamlet Core.
- The proposal is aligned with the vision for Hamlet Commercial development.
- The proposal meets the *Bragg Creek Design Standards*.





# Hamlet of Bragg Creek Design Standards

The proposal complies  
with all elements of the  
*Design Standards*.





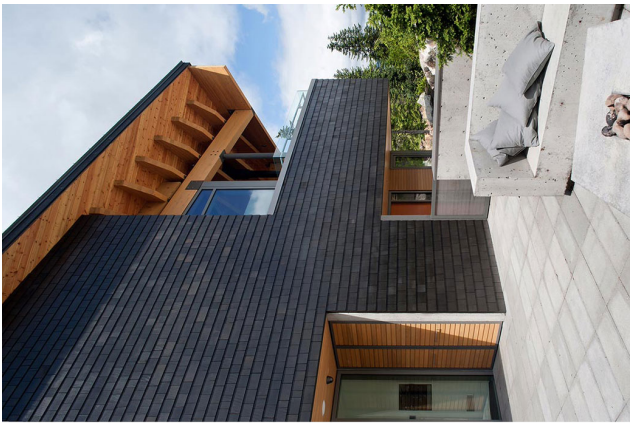
- Tree Management
- Building Material + Colour
- Building Proportion + Scale
- Resilient Design
- Building Placement
- Building Style





# Revitalization Plan

The brewery directly reflects the *Revitalization Plan's* 2015 design charette and policies for the Hamlet Core.





6 Trail Orientation Point

13 Restaurants & Brew Pub

12 River Inn 1

10 Elbow River 'Water Park'

9 'Adventure Centre'

11 River Inn 2

7 Central Green

19 Multi Family Housing

18 Live/work housing

1 Connections to Expansion Area

4 Pedestrian Pathway Connector

8 Town Square

17 Potential 2nd Storey Residential Units on Existing Malls

3 Community Centre Pedestrian Link

2 Community Centre Park

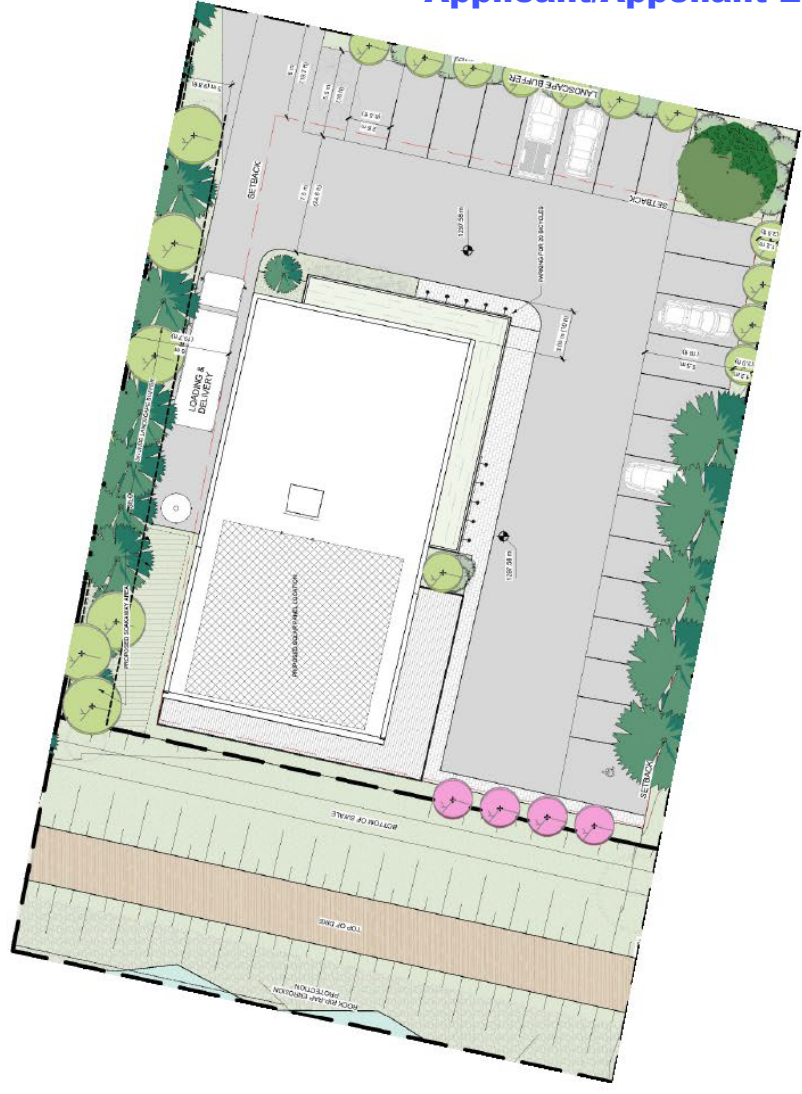




# Land Use Bylaw Compliance

The proposal meets the following requirements of the *Land Use Bylaw*:

- Site Area
- Screening
- Building footprint
- Lighting
- Site coverage
- Signage
- Building area
- Parking
- Landscaping
- Loading



# Land Use Bylaw Compliance

The proposal meets all requirements of the *Land Use Bylaw* except for two minor relaxations.

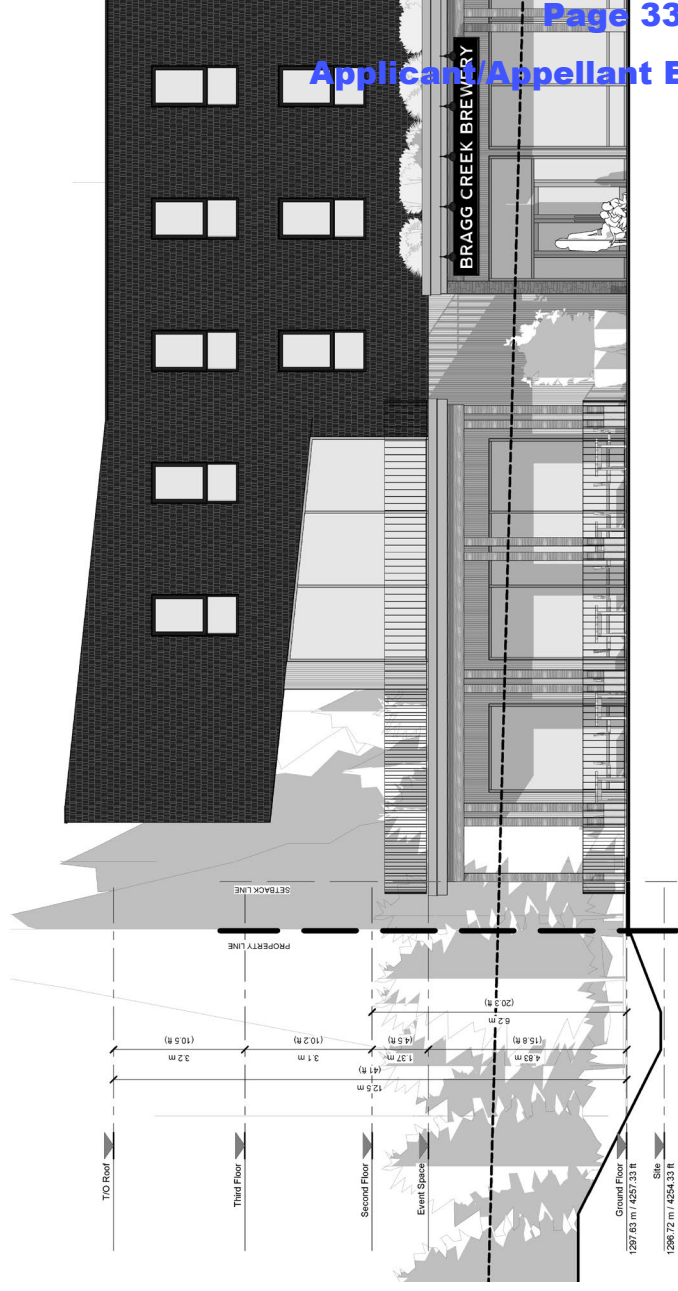
- A 25% relaxation from the Public Utility Lot for the Elbow River Berm was approved (0.9m in lieu of 1.2m).
- This relaxation meets the intent of Section 12.2.(c).



# Land Use Bylaw Compliance

The proposal meets all requirements of the *Land Use Bylaw* except for two minor relaxations.

- A 25% relaxation for maximum height was approved.
- The relaxation does not negatively affect the use and enjoyment of the adjacent properties.
- This relaxation meets the intent of Section 12.2.(c).





# Planning Rationale

# Planning Rationale

The proposal positively contributes to Bragg Creek's long-term vision through its adherence to the:

- *Greater Bragg Creek ASP*
- *Bragg Creek Design Standards*
- *Bragg Creek Revitalization Plan*





# Planning Rationale

- The proposed development contributes to achieving the long-term goal of establishing Balsam Avenue as Bragg Creek's main street.
- The proposal revitalizes an under-utilized parcel on the hamlet's main street, making efficient and cost-effective use of existing servicing infrastructure.
- The proposal respects the proposed flood mitigation berm and addresses the river with an eye to contributing to a high-quality public realm once the river trail is completed.



# Planning Rationale

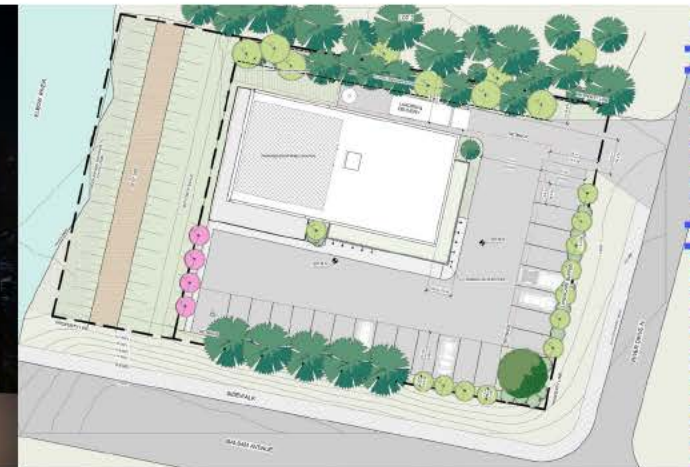
- The proposal achieves a desirable mix of uses and supports economic diversification including the development of new accommodations.
- This meets the goals and objectives of the applicable statutory plans.
- This will positively contribute to the revitalization of Bragg Creek.



# Appellants' Concerns

# Appellants' Concerns

Concern	Response
Building Height	• Addressed through landscaping and architectural design.
Screening	• Provided through mature landscaping + window reductions.
Loading + Silo Encroachment	• Complies with the Bylaw.
Density + Security	• In accordance with the Bylaw.
Enjoyment of Property	• Sufficiently addressed through site configuration.
Parking	• Off-site parking arrangements and parking demand measures.





# Building Height

The proposed development:

- ✓ Meets the intent of Land Use Bylaw Section 12.2.(c).
- ✓ Is designed to appear as a two-storey building.
- ✓ Is located in a natural depression that de-emphasizes its height relative to surrounding uses.
- ✓ Is scaled to fit into the surrounding context without interfering with adjacent neighbours.
- ✓ Preserves a substantial forest canopy buffer of similar height between the development and neighbouring uses.
- ✓ Uses darker cladding for upper levels that blends the design into the background tree canopy and limits its visibility at night.

**The proposal's maximum height relaxation complies with all relevant policies.**

# Building Height

- Shadowing studies were completed as part of the original application.
- The results of these studies show the proposed development has no impact on adjacent buildings.
- The adjacent buildings are predominantly shadowed by surrounding trees.



Spring Equinox  
4pm

# Screening

The proposed development:

- ✓ Provides a substantial 3 metre wide landscaping buffer along the northern boundary with mature trees.
- ✓ Orients the development primarily towards the river and Public Utility Lot to minimize impact on neighbouring developments.
- ✓ Includes architectural features that reduce the number of windows facing the appellants' property and screen mechanical apparatuses on the roof from view.
- ✓ Includes no outdoor storage.
- ✓ The proposed development causes no undue impacts on adjacent properties.

**The proposal's setbacks comply with all relevant policies.**



# Density + Security

The proposed development:

- ✓ Reflects the *Interim Growth Plan*, *County Plan*, and *Greater Bragg Creek ASP's* objectives of achieving higher densities of employment and commercial uses in existing settlement areas.
- ✓ Represents a desirable intensification of the Hamlet Core in keeping with the *Bragg Creek Revitalization Plan*.
- ✓ Includes adequate lighting for safety, security, and pedestrian comfort.
- ✓ Addresses all safety considerations from the County and County Fire Department.

The proposal's density complies with all relevant policies.

The proposal will contribute positively to Bragg Creek.

# Enjoyment of Property

The proposed development:

- ✓ Incorporates significant measures to mitigate concerns related to:
  - a) Building height;
  - b) Screening;
  - c) Parking;
  - d) Density + Security; and
  - e) Landscaping will be provided to buffer development from the appellants' property.
- ✓ Provides an architecturally attractive and economically beneficial addition to Bragg Creek.

The proposal incorporates all considerations required by relevant policy to mitigate negative externalities.

# Enjoyment of Property

The proposed development's footprint is in keeping with the lot coverage of surrounding residential properties.

## Proposed Brewery

Enclosed Building : 366.46m.sq.

Covered Exterior Areas : 103.24m.sq.

## Parcel A Total Footprint: 400.44m.sq.

Structure 1: 334.86m.sq.

Structure 2: 47.21m.sq.

Structure 3: 18.37m.sq.

## Parcel B Total Footprint: 369.17m.sq.

Structure 1: 285.0m.sq.

Structure 2: 84.17m.sq.

## Parcel C Total Footprint: 134.45m.sq.

Structure 1: 84.77m.sq.

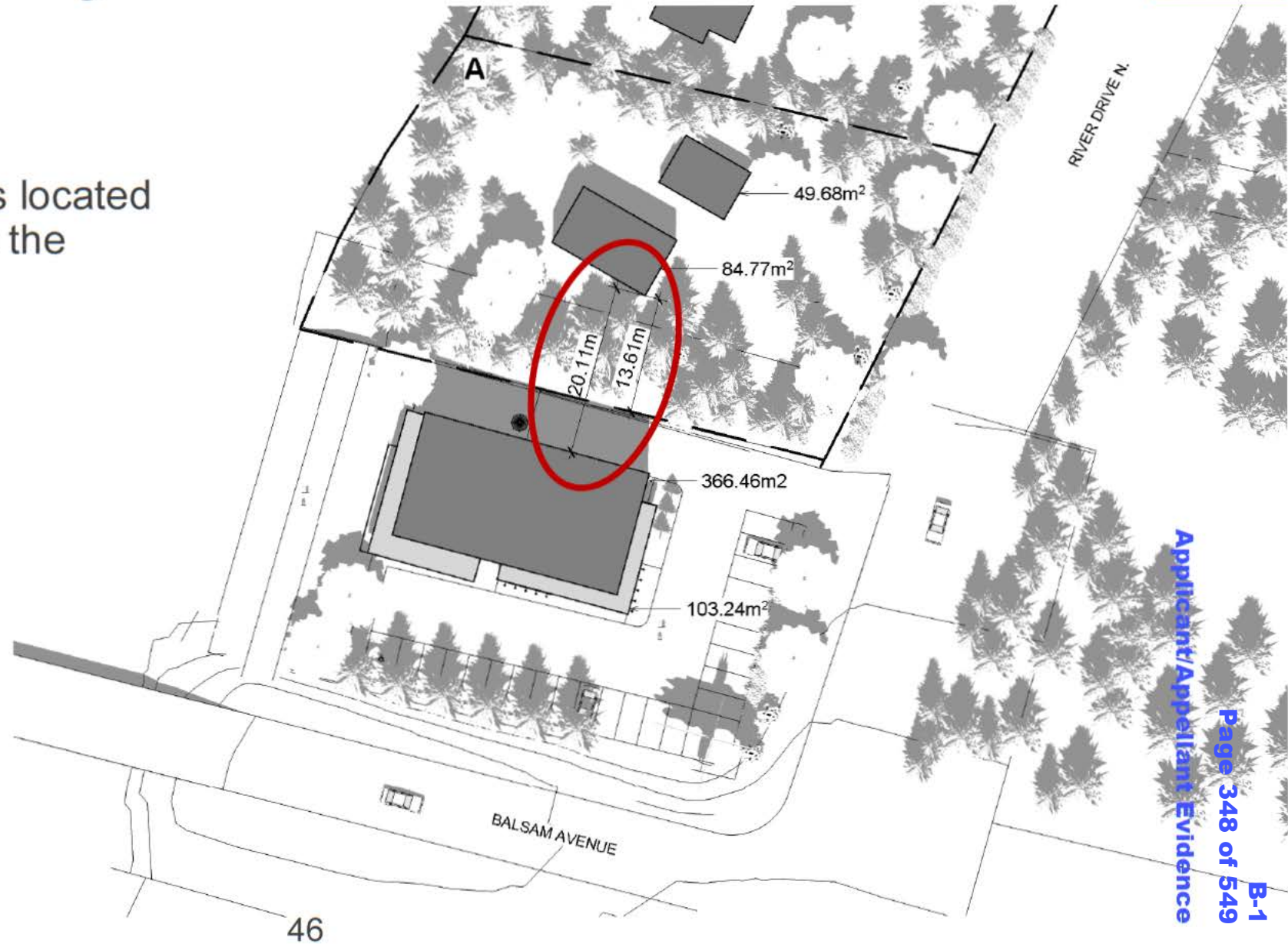
Structure 2: 49.68m.sq.





# Enjoyment of Property

- The proposed development is located over 20 metres (66 feet) from the adjacent dwelling.



# Parking

- ✓ A Parking Study by an independent professional transportation engineer was conducted, indicating that the appropriate number of parking stalls for the development is 35-38.
  - ✓ The study was peer reviewed by a second transportation engineer who confirmed the conclusions.
- ✓ Sufficient off-site parking is provided that meets the parking demands of the development.
- ✓ The applicant is willing to implement parking demand management in the form of:
  - a. Directing customers to the off-site parking locations
  - b. Requiring staff of the development to park off-site.
- ✓ On-street parking is not permitted on River Dr. N.
- ✓ A parking relaxation is warranted based on sound planning and transportation engineering principles.

The test for relaxation is met.

# Conclusion



# Conclusion

- The proposal meets the objectives of the *Interim Growth Plan*, *County Plan*, *Greater Bragg Creek ASP*, and *Bragg Creek Revitalization Plan*;
- The proposed development complies with the policies of the *Greater Bragg Creek ASP's Design Standards*;
- The proposal is in accordance with the *Land Use Bylaw*;
- The *Land Use Bylaw* relaxations for the maximum building height and side yard setback are warranted and meet the test of Section 687(3)(d) of the *Municipal Government Act*;

# Conclusion

- The proposed development provides appropriate parking;
- The proposed development is appropriately screened from neighbouring uses;
- The proposal enhances the Bragg Creek downtown and promotes achievement of its greater economic development objectives; and
- The proposed development represents sound planning.

The proposal respects the spirit and intent of all relevant planning policies.





# Appeal Against Proposed Conditions

# Appeal Against Parking Conditions

## **Prior To Issuance Condition 4 be replaced by the following condition:**

- That prior to the issuance of this permit, the Applicant/Owner shall, to satisfaction the Development Authority, submit the parking agreements between the Applicant/Owner and the Owner of each consenting property to accommodate the proposed offsite parking arrangements for the proposed development, as referred to in permanent conditions 37 to 37.4.

# Appeal Against Parking Conditions

## Permanent Condition 37 be replaced by the following conditions:

- 37 That a minimum of 12 parking stalls shall be available at all times at off-site locations in accordance with parking agreements between the Applicant/Owner and the Owners of the parcels on which the offsite parking stalls are available for the proposed development.
- 37.1 If any of the offsite parking stalls cease to be available for the development, immediate alternate parking stalls must be secured to the satisfaction of the Development Authority. If no replacement parking stalls can be secured, the seating area of the Restaurant and Drinking Establishment must be proportionally reduced for any stalls lost, or a new development permit application must be applied for the Restaurant and Drinking Establishment uses.
- 37.2 Staff of the development must park their motor vehicles at off-site parking locations.
- 37.3 All clients, customers, and patrons of the development of must be advised of the locations of the offsite parking stalls.
- 37.4 Signage must be provided at the off-site parking locations indicating that offsite parking stalls are available for the proposed development.



# Water + Wastewater Servicing Conditions

**Conditions Number 19 and 22 be removed;** and

**Condition Number 17 be retained** (requirement to enter into a Customer Service Agreement with the County).

This achieves the following:

- All issues regarding the water and wastewater services of our proposed development and the applicable Master's Rates Bylaw would be subject of the Customer Service Agreement:

- 1) The agreement would be broken into three payments over a 3-year term; and
- 2) Payments would be incremental based on volume usage as negotiated through email with Executive Director of Operations Byron Riemann on February 5, 2018.







May 29, 2019  
02-19-0096

Bragg Creek Brewing Company  
24 Sleigh Drive  
Redwood Meadows, AB T3Z 1A1

Attention Adam McLane:

**Re: 19 River Drive N. Bragg Creek  
Bragg Creek Brewery Parking Study Summary**

Bunt & Associates was retained by Bragg Creek Brewing Company in November 2018 to complete a parking study in support of their development permit application for a proposed development at 19 River Drive N in Bragg Creek, Alberta. A brief summary of findings resulting from the study is provided in this letter.

## 1. LAND USE

The site is zoned Hamlet Commercial HC. The proposed land use densities for the site are presented in **Table 1**. The site is proposing 22 parking stalls, which was understood to be less than bylaw requirement for the uses at the site.

**Table 1: Proposed Land Use Densities**

Land Use	Size
Hotel	21 Rooms
Restaurant	166 m <sup>2</sup> GFA (60 seats)
Brewery	177 m <sup>2</sup> GFA
Community Event Space	74 m <sup>2</sup> GFA

**Bunt & Associates Engineering (Alberta) Ltd.**

Suite 400 Southcentre Executive Tower - 11012 Macleod Trail SE, Calgary, AB T2J 6A5 Tel 403 252 3343 Fax 403 252 3323

Calgary Edmonton Vancouver Victoria [www.bunteng.com](http://www.bunteng.com)



## 2. BYLAW PARKING REQUIREMENTS AND PROPOSED SUPPLY

The Bylaw parking calculation is based on Rocky View County Land Use Bylaw C4841-97, Part 3 Section 30, Schedule 5. Though Bunt's parking study indicated 54 bylaw stalls, the County calculated 55 stalls.

- County's calculated Bylaw : 55 stalls
- Parking stalls provided on site: 22 stalls
- Parking proposed offsite: 42 stalls
- Total parking available : 64 stalls

## 3. ESTIMATED PARKING NEEDS

The bylaw parking requirement of 55 stalls seems excessive for this site because of its rural location, population of Bragg Creek (600 people), the number of traffic that can be attracted from the highway and the mixed-use nature of the development.

As a result, Bunt estimates that the actual parking needs of the proposed site would be between 35 and 38 stalls. This is without consideration for expected lower parking generation due to the factors listed above.

## 4. RATIONALE FOR SUFFICIENCY OF PARKING SUPPLY

### 4.1 Overflow Parking Arrangement

BCBC has entered into parking agreement with 3 businesses within walking distance of the proposed development. The locations of the over flow parking are presented in **Figure 1** and listed below:

- *Kevin Onespot Site, Burnside Drive – 34 Stalls*
- *Chad Fehr Professional Corporation, 16 Balsam Avenue – 4 Stalls*
- *Bragg Creek Physiotherapist, 24 Balsam Avenue – 4 Stalls*

Figure 1: Overflow Parking Locations



The 3 offsite parking areas with signed agreements will supply 42 overflow stalls, which is more than enough to accommodate the onsite parking deficit. Bunt had completed parking availability counts at the overflow lots to be sure the parking spaces would be available to patrons of the site and it was determined that there was enough vacancy to provide stalls to BCBC.

#### 4.2 Hamlet Population

Bragg Creek is a Hamlet of approximately 600 people, therefore the bylaw parking requirement suggests that up to 20% of the population is to be at the development during peak hours, which is not a realistic scenario. Patrons sourced from the Hamlet will have the opportunity to walk to the site, which reduces the site's parking needs and results in further overstatement of parking needs according to the bylaw requirement. A lower parking ratio can often be applied to developments within small towns in order to estimate accurate parking needs. A development within a City of over 1 million people will require more parking than the same development if it were located in a Town of less than 1 thousand people, however standard bylaw parking rates were used for this development, not rates that were specifically generated for use in Bragg Creek or other hamlets which could result in a more realistic parking need estimate.

#### 4.3 Highway 22

It is recognized that the nearby Highway 22 could be a conduit for out of town patrons if the site is marketed as a destination to visit. The AADT along Highway 22 near Bragg Creek is 5,500 vehicles per day; if 1 out of every 100 passing vehicles along Highway 22 were to enter Bragg Creek to visit the proposed site it would result in 55 vehicles per day being sourced from the Highway. Parking for the 55 Highway sourced vehicles spread over the course of a day plus the vehicles sourced from the Hamlet can be accommodated within the onsite and offsite parking supply.

#### 4.4 Mixed Use Site

The site has a mix of uses and it is expected that there would be synergetic use of parking space. Bunt's previous studies have shown that up to 30% of patrons at a restaurant attached to a hotel come from the hotel. It is therefore possible that up to 5 rooms would be patrons at the restaurant. This could reduce demand for parking by up to 5 spaces. As well, the brewery staff may have gone home by 7PM when demand for parking at the restaurant is highest, which would result in an opportunity for 2 to 3 extra spaces that could be used by the restaurant guests.

### 5. APPELLANT CONCERNS

Appellants of the proposed development had expressed 2 concerns that related to parking & traffic related issues. The concerns and Bunt's responses are listed below.

#### Appellant Concern

*The proposed development includes 23 parking spaces on Site. However, the Site plan itself states that the actual requirement for parking stalls to align with zoning requirements is 57 parking stalls. The appellants submit that, when the parking lot is full, the most likely scenario will be patrons and guests seeking overflow parking in the flat ditch area in front of the Land or along other parts of River Drive North, as opposed to parking off-site and walking to the Site. Presently, River Drive North is a quiet residential street with no on-street parking.*

#### Bunt Response

It is recommended that "no parking" signage is installed along River Drive N adjacent to the proposed development to deter patrons from parking on the street when the parking lot is full. Appropriate wayfinding signage directing patrons to the offsite overflow parking areas could be arranged and will help ensure that patrons only park their vehicles where it is desired by the Hamlet.

#### Appellant Concern

*The appellants use the Land as a quiet residential retreat, and this will be negatively impacted by a high-density drinking establishment and event space, including increased traffic and noise during the long and late hours of operation generally associated with these types of establishments.*



**Bunt Response**

The parking supply onsite is 22 stalls, and all stalls are associated with land uses that are expected to attract patrons who will stay at the site for at least 1 hour. Therefore, the highest amount of traffic the site could be expected to generate during any 1-hour period is 44 trips (22 in, 22 out), which matches the expected peak hour trip generation of the site based on land use densities. It is noted that the trip generation exercise was also based on rates used for inner city developments, and that trips attracted from within the Hamlet have the opportunity to travel to the site on foot.

The development is not expected to increase traffic volumes along River Drive N north of the site as all vehicular traffic can be expected to travel to/from Balsam Avenue and not have any need to venture along River Drive N past the site. The site is located on the corner of Balsam Avenue and River Drive N therefore vehicles will only need to travel along River Drive N for approximately 25 meters before reaching the site driveway. Guests that find the parking lot to be full upon their arrival will have the opportunity to turn around within the parking lot and from there follow signage to the overflow parking areas via Balsam Avenue.

**6. CONCLUSIONS**

Based on the analysis presented above, it is Bunt's professional opinion that between 35 & 38 stalls would be adequate on a very busy day, to accommodate the parking demand of the site.



Ezekiel Dada, Ph.D., P.Eng | Principal



May 29/2019

## Applicant/Appellant Evidence



#310, 5016 - 5 Ave NE  
Calgary, AB T2A 6K4

T 403.273.9001

F 403.273.3440

E. msydenham@wattconsultinggroup.com  
wattconsultinggroup.com

Bragg Creek Brewery  
24 Sleigh Drive  
Redwood Meadows, AB T3Z 1A1  
By email: adam@braggcreekbrewing.ca

June 3, 2019

Our File: 3656.T01

Your File: PRDP20184945

Attention: Adam McLane

**RE: 19 RIVER DRIVE N. BRAGG CREEK**

Dear Adam,

Bragg Creek Brewery retained Watt Consulting Group (WATT) to undertake a peer review of the parking study completed by Bunt & Associates (Bunt), in support of their proposed mixed-use development located at 19 River Drive North, Bragg Creek.

The proposed development has a bylaw parking requirement of 54 parking stalls, however the approved plans show that only 22 stalls are being provided, for a deficiency of 32 stalls. Bunt's study reviewed the appropriateness of the bylaw requirement for the specific development, based upon observed parking demand at equivalent uses, and a first principles approach that looked at the likely synergies that could be experienced due to the mixed-use nature of the proposed development. The Bunt study concluded that the bylaw requirement of 54 stalls was likely excessive, and that a more accurate parking requirement could range from 35 to 38 stalls.

The approach to the study that Bunt took followed standard industry practices, and utilized real world data observations to base their conclusions on. The assumptions about synergistic parking occurring on site due to the mixed-use nature of the development, leading to the conclusion that a further reduction in required on-site parking can be made, are logical and well thought out.

While the lower parking demand anticipated from the Bunt report still exceeds the parking supply available on-site, the arrangements made by Bragg Creek Brewery with other locations within the hamlet of Bragg Creek will ensure that sufficient supply will be available to serve the proposed development.

Attention: Adam McLane, Bragg Creek Brewery  
 RE: 19 River Drive N. Bragg Creek

Applicant/Appellant Evidence

June 3, 2019  
 page 2

Based upon the information provided to WATT, including the development plans, supporting parking arrangements and the parking study by Bunt, it is my professional opinion that the conclusions reached in the Bunt study are reasonable and accurate. The bylaw parking requirement of 54 stalls is excessive for the proposed development, and a more accurate demand will be in the range of 35 to 38 stalls.

Sincerely,

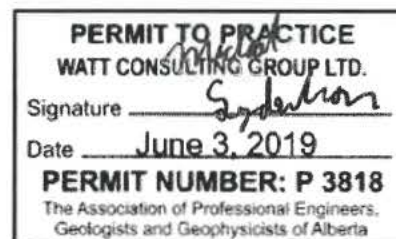
Watt Consulting Group

*Michael Sydenham*

Michael Sydenham, P.Eng.  
 Project Manager



June 3, 2019





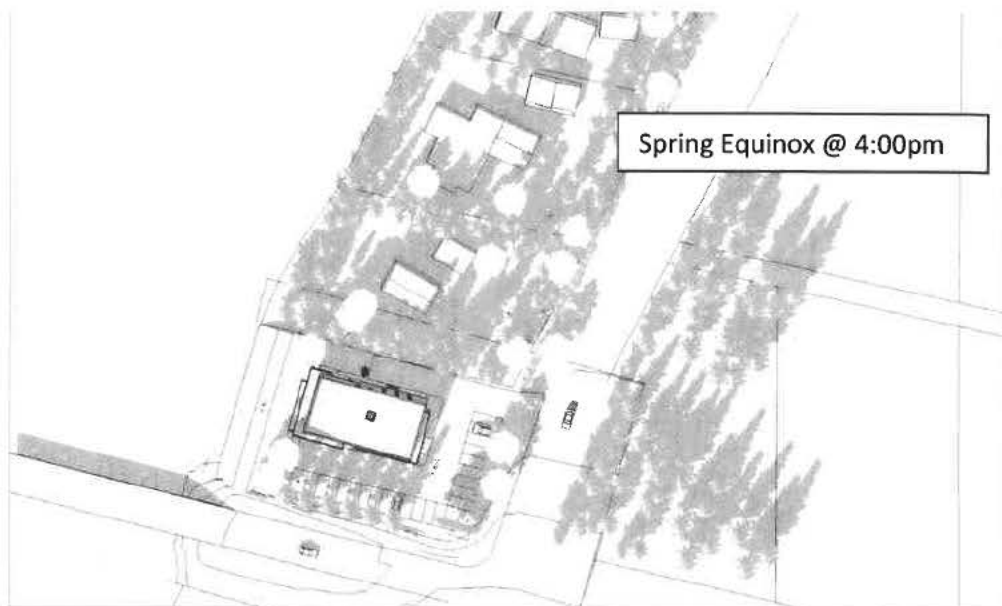
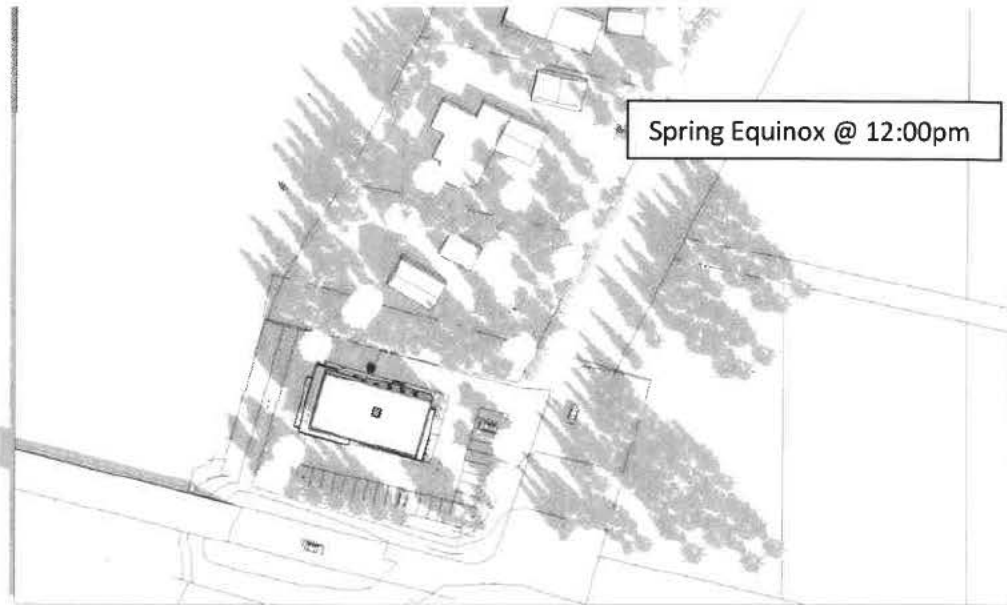
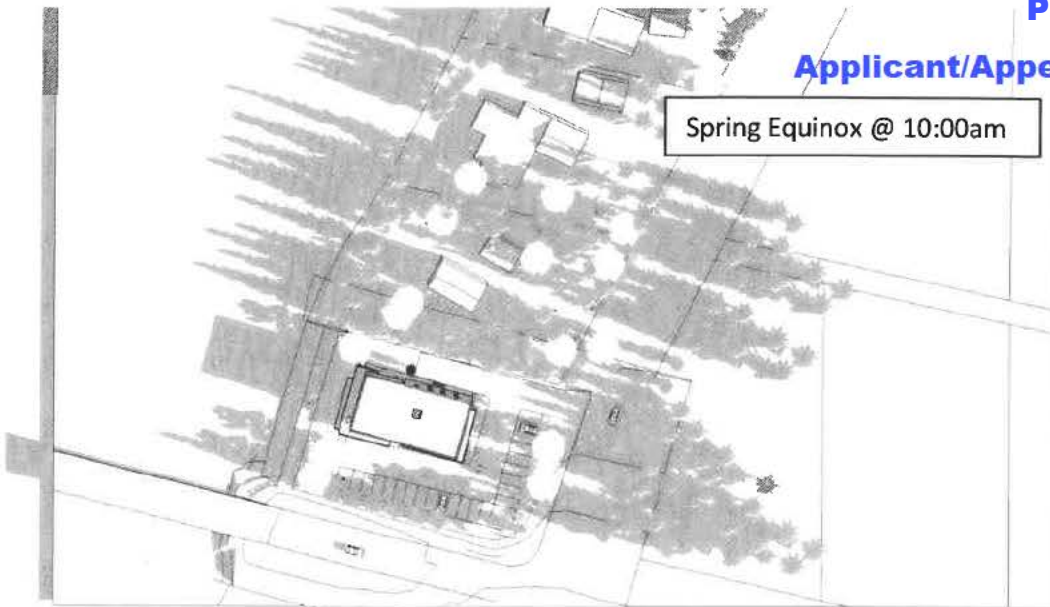
## **Communication Log Summary**

**With the appellants/owners of 21 River Drive North, Bragg Creek**

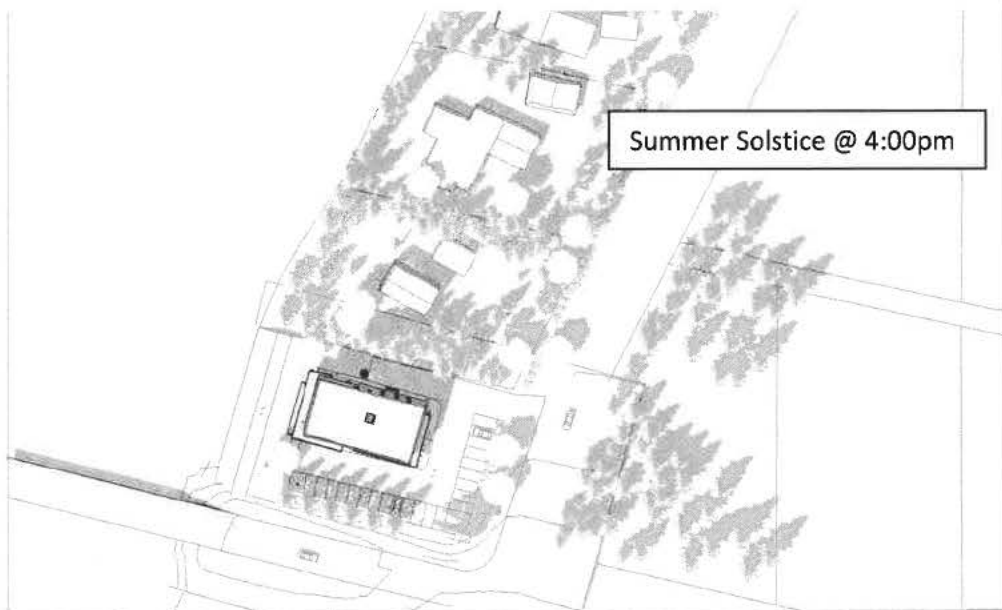
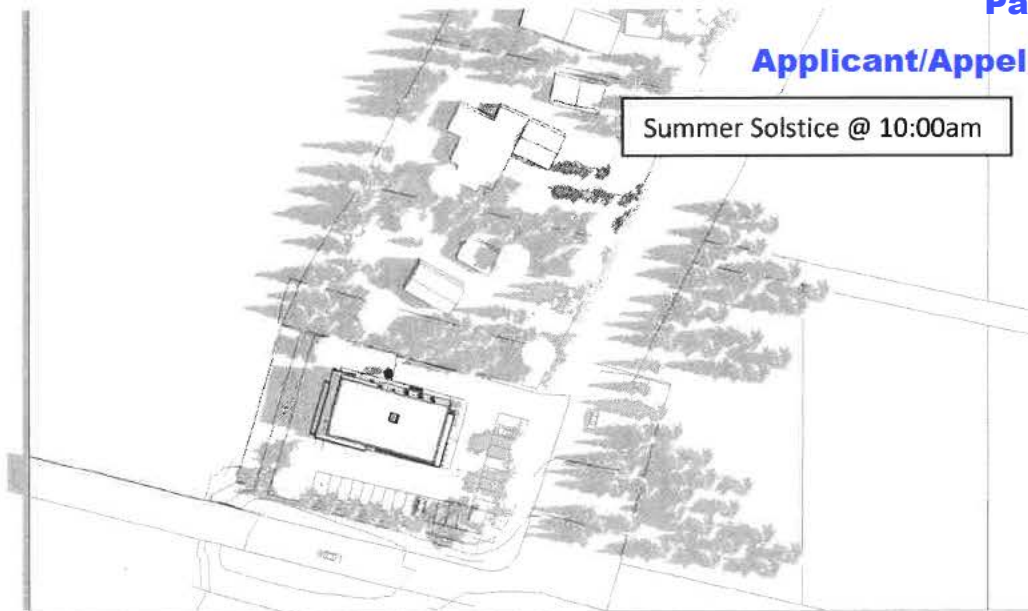
**Re: Bragg Creek Brewery Project Design and Concept**

- **October 2016** – 2 emails, 1 text message
- **November 2016** – 1 email
- **December 2016** - 2 text messages, 1 in-person meeting
- **March 2017** – 1 text message, 1 phone call
- **April 2017** – 3 text messages
- **May 2017** – 1 text message, 1 phone call
- **June 2017** – 4 text messages
- **July 2017** – 3 text messages
- **September 2017** – 7 text messages
- **October 2017** – 1 text message
- **October 2018** – 3 text messages, 1 phone call
- **March 2019** – 3 text messages, 1 phone call
- **April 2019** – 12 text messages, 5 phone calls, 2 in-person meetings (drove to Edmonton to meet; met in Bragg Creek)
- **May 2019** – 1 text message, 1 in-person meeting (drove to Edmonton to meet)

**Applicant/Appellant Evidence**

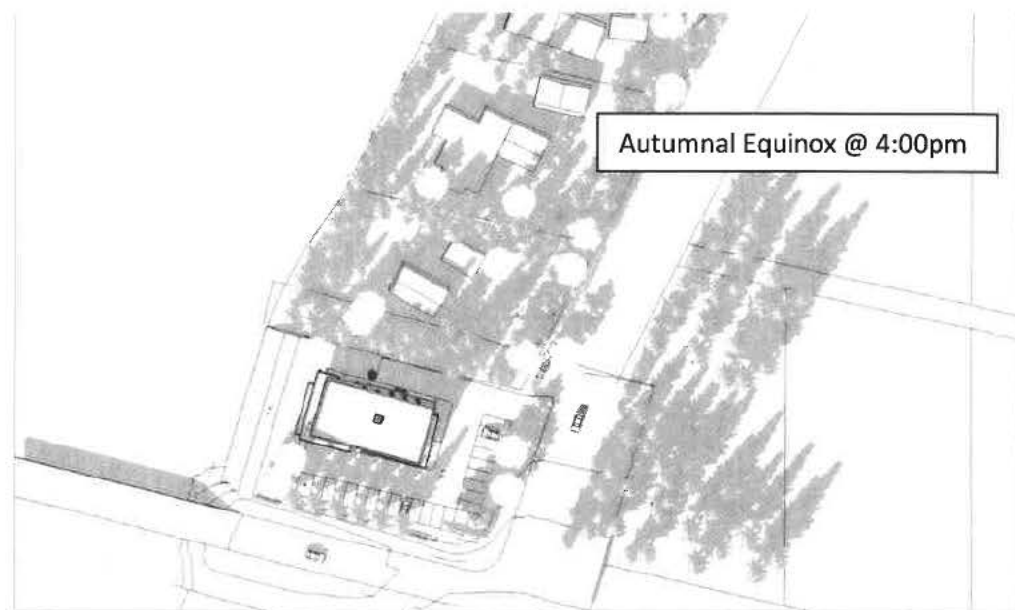
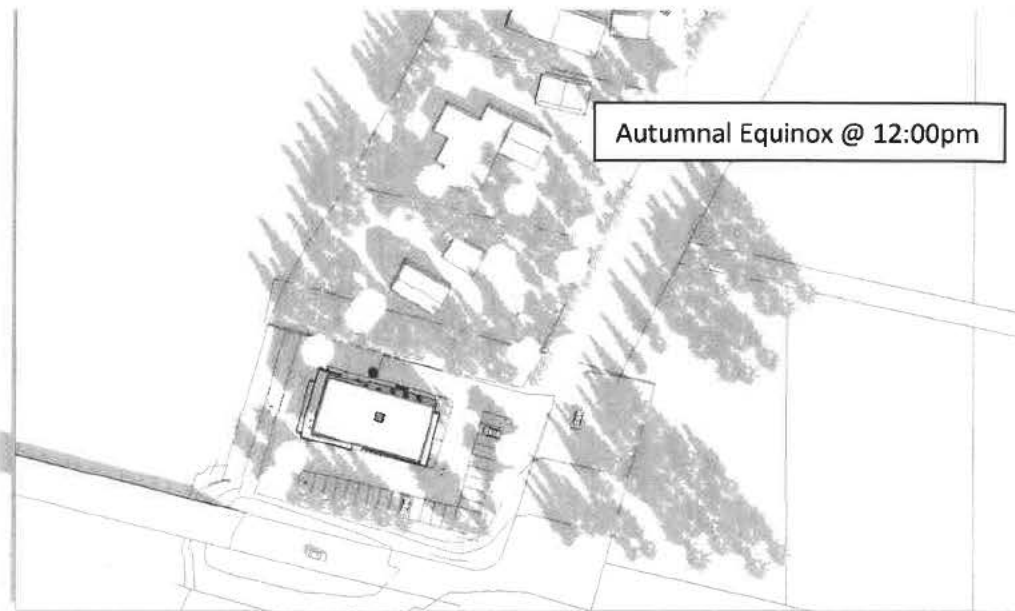
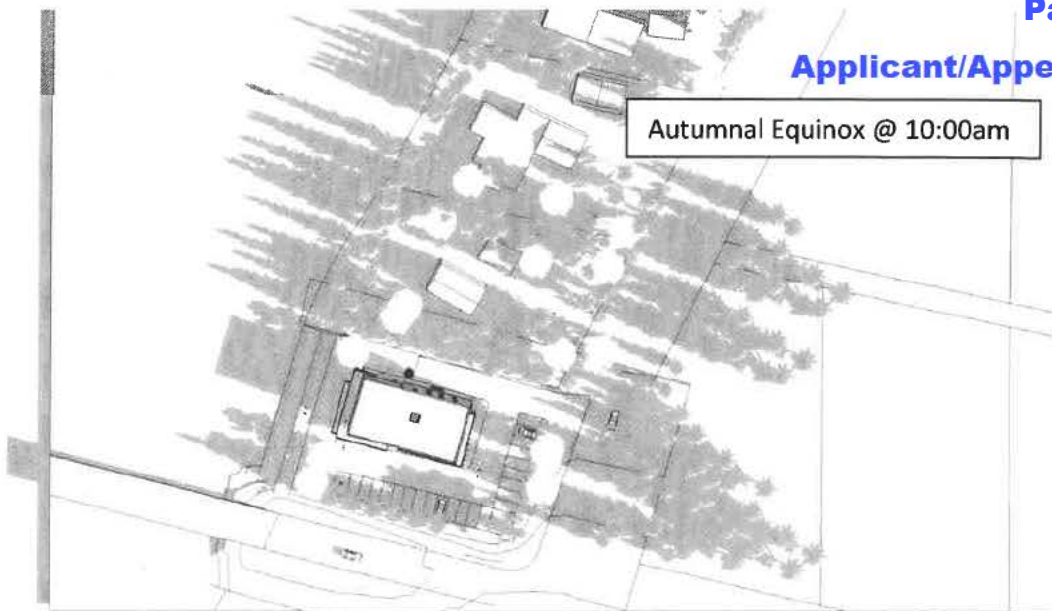


**Applicant/Appellant Evidence**

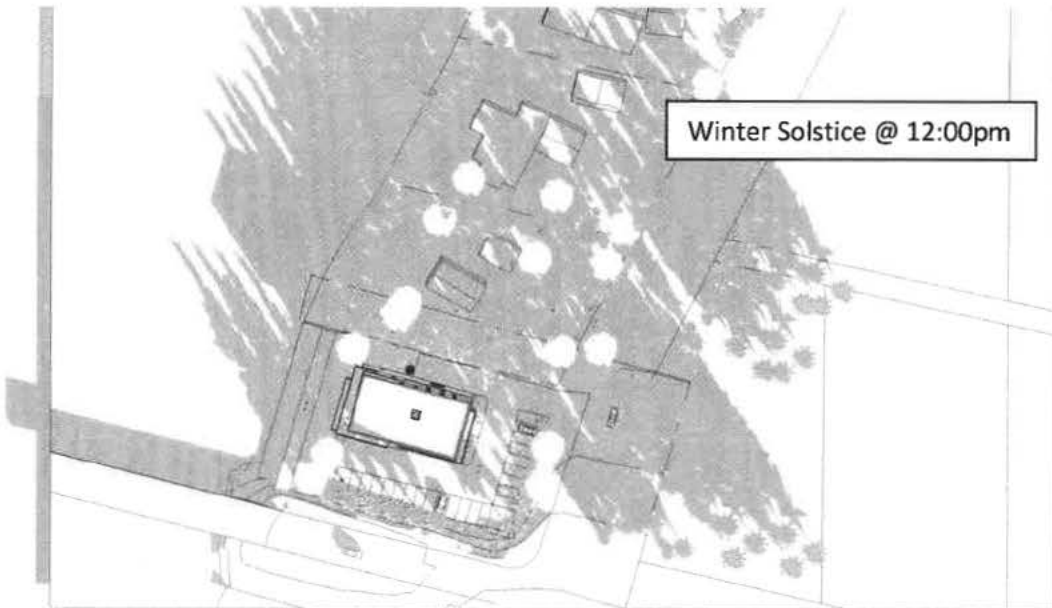
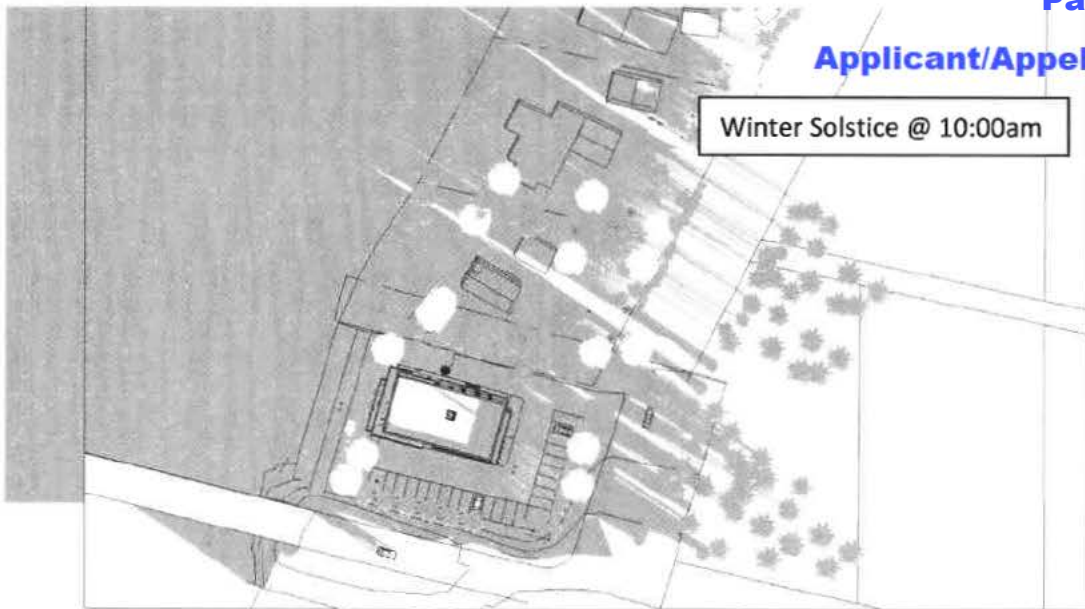




**Applicant/Appellant Evidence**



**Applicant/Appellant Evidence**



## **Bragg Creek Brewery**

### **Applicant's Appeal against Conditions**

#### **Parking Issue**

##### **Development Permit Conditions of Approval**

###### **PTI Conditions**

- 4) That prior to issuance of this permit, the Applicant/Owner shall register on title, the appropriate parking agreement between each consenting property, to accommodate the proposed offsite parking agreements. The instrument shall remain on title for the life of the development unless updated or replaced with alternative parking locations.

###### **Permanent Conditions**

###### *Parking*

- 36) That the site shall maintain a minimum of 22 parking stalls and one loading bay onsite at all times, in accordance with the approved Parking Study.
- 37) That a minimum of 33 parking stalls shall be available at all times via the registered off-site parking arrangements and shall be maintained on title for the life of the development permit.
- 38) That no parking shall be permitted on the adjacent County road system.

##### **The Administration report to the SDAB stated the following (10 of 224 – Agenda page 13 of 432) regarding parking:**

The consultant concluded that the bylaw parking requirement seems excessive for the proposed site, especially given its location and its mixed-use operation. A parking need analysis and shared parking review confirm that between 35-38 stalls would be adequate to service the site under the best demand condition.

The Development Authority has reviewed the parking study and the offsite parking agreements, and is satisfied that the proposed arrangement should be able to address the parking demand for the proposed development.

- As a condition of the development permit, the Applicant is required to monitor the parking situation and provide updated parking agreements on an annual basis to ensure any overflow parking are not interfering with the surrounding properties.



The above statements indicated that the Development Authority arbitrarily changed its mind and imposed the current conditions in the permit regarding the offsite parking arrangements

### **Applicant's proposed conditions re parking:**

#### **PTI Condition**

Replace PTI condition number 4 as follows:

4. That prior to the issuance of this permit, the Applicant/Owner shall submit, to satisfaction the Development Authority, the parking agreements between the Applicant/Owner and the Owner of each consenting property to accommodate the proposed offsite parking arrangements for the proposed development, as referred to in permanent conditions numbers 37 to 37.3. The sum of the offsite parking stalls shall be no less than 12 stalls.

#### **Permanent Conditions**

Replace permanent condition number 37 by the following conditions:

- 37 That a minimum of 12 parking stalls shall be available at all times at off-site locations in accordance with parking agreements between the Applicant/Owner and the Owners of the parcels on which the offsite parking stalls are available for the proposed development. The required offsite parking stalls shall be maintained for the life of the development permit.
- 37.1 If any of the offsite parking stalls cease to be available for the development, the Applicant/Owner must notify the Development Authority and immediate alternate parking stalls must be secured to the satisfaction of the Development Authority.
- 37.2 Staff of the development must park their motor vehicles at offsite parking locations.

- 37.3 All customers/ patrons of the development of must be advised of the locations of the offsite parking stalls.
- 37.4 Signage must be provided at the offsite parking locations indicating that offsite parking stalls are available for the development.

### **Water and Wastewater Servicing Conditions**

**The applicant is proposing removal of conditions number 19 and 22.**

**Leave conditions 17 (requirement to enter into Customer Service Agreement with the County).** This achieves the following:

All issues regarding the water and wastewater services of our proposed development and the applicable Master's Rates Bylaw would be subject of the Customer Service Agreement:

- 1) The agreement would be broken into three payments over a 3-year term; and
- 2) Payments would be incremental based on volume usage in accordance with the terms negotiated with Executive Director Byron Riemann as per email dated February 5, 2018.

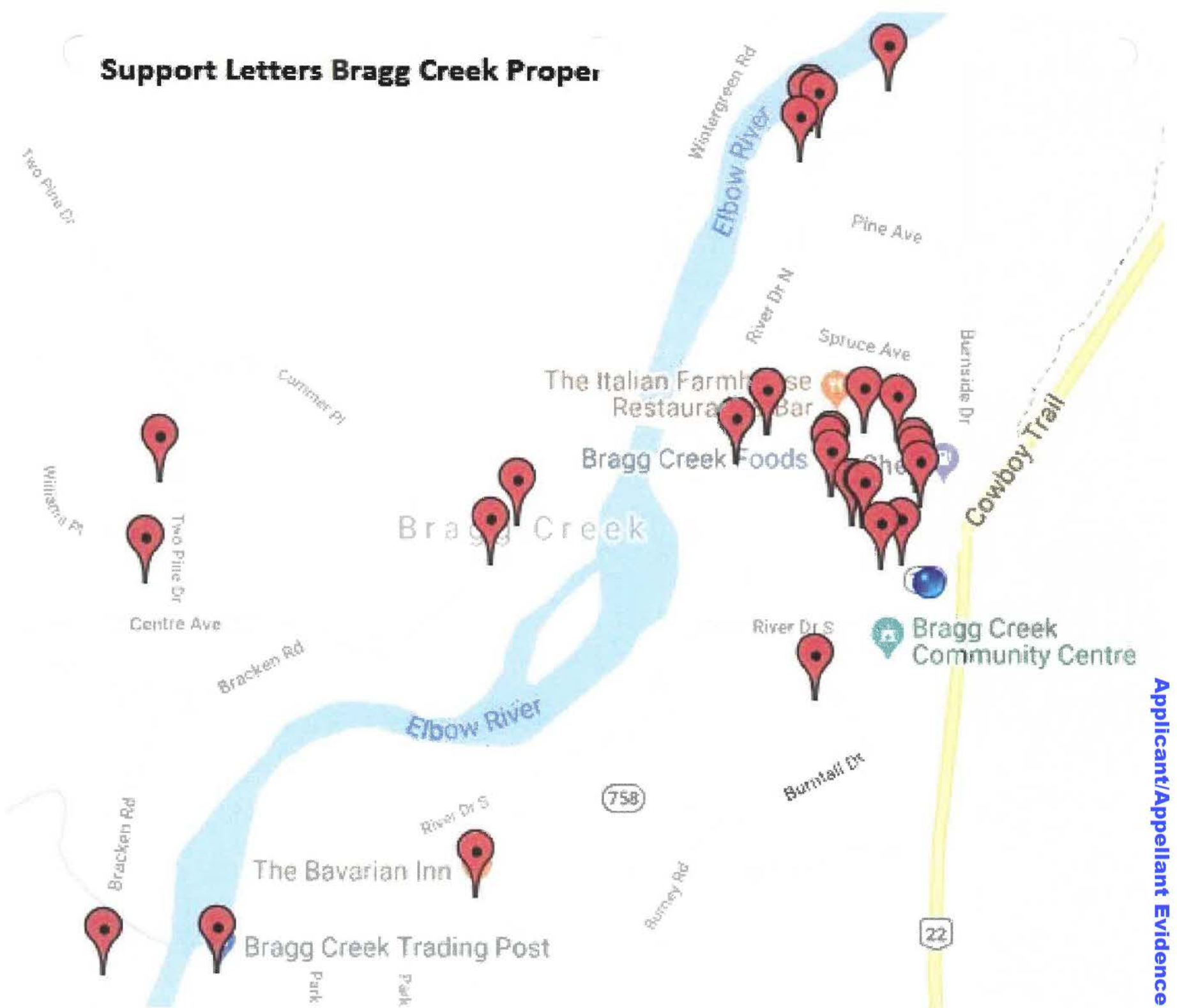
## **Letters in Support of the Proposed Development**



## Support Letters Bragg Creek Area



## Support Letters Bragg Creek Proper



## Applicant/Appellant Evidence

To Subdivision and Development Appeal Board

We are in full support of the Bragg Creek Brewery ! We need help to revitalize the Bragg Creek community and a brewery would be an asset to the community ! Development like this will increase land values and help improve the quality of life in the area. The Bragg Creek Brewery will enhance the community, especially the commercial core. It will bring visitors and jobs to the area which is much needed.

Kind Regards,

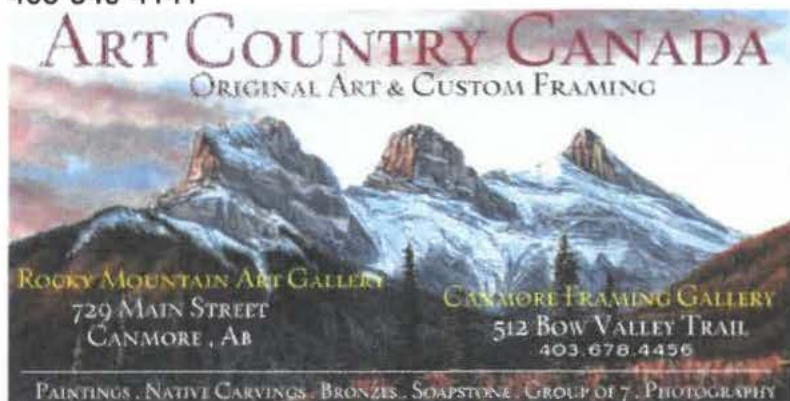
Angelo Avlonitis  
Art Country Canada Gallery  
P.O. Box 753  
16 White Ave.  
Bragg Creek, Alberta  
T0L 0K0

[www.artcountrycanada.com](http://www.artcountrycanada.com)

[art@artcountrycanada.com](mailto:art@artcountrycanada.com)

1-877-265-4555

403-949-4141





**Applicant/Appellant Evidence**

Attention: The Subdivision and Development Appeal Board

I am in complete support of the Bragg Creek Brewery and it's amenities.

As Calgary and the surrounding areas grow exponentially Bragg Creek faces business closures and decreasing population. Years of economic and development stagnation have created investor fear and trepidation resulting in a cannibalistic community that without new growth, could become unsustainable.

The Bragg Creek Brewery, along with the opportunities and possibilities it brings with it will create hope, jobs and tourism dollars; and those assets will translate into further community business opportunities.

Change is never without adversity and although I do not expect the approval of the Bragg Creek Brewery to be acquiescent, I trust the checks and balances that the county has implemented to be sufficient in regards the matter of this project and it's approval. It is now time to see growth in Bragg Creek so that our economic health can improve.

Although the County's uncensored help, support and provisions have been monumental in the wake of the flooding I want to see our community be empowered to help ourselves and the Bragg Creek Brewery is an example of this and of our community's commitment to be profitable through growth and development.

As a 12 year resident, local business person and 19 year licensed commercial and residential Realtor, I ask you to allow us the opportunity, through the approval of the Bragg Creek Brewery and it's amenities, to show you what we can do for our own community and for the county as a whole. Through initiatives like the Bragg Creek Brewery we can create a world class destination that will be both an economic and a recreational asset to Rockyview county, to our residents, and our global visitors.

Sincerely,

Kathleen Burk (Iaplane)  
19 Bracken Road  
Bragg Creek Alberta  
TOLOKO

## Applicant/Appellant Evidence

Attention: Subdivision and Development Appeal Board

Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, AB. T0L 0K0

May 30, 2019

To Whom It May Concern,

I am writing this letter to show full support for the Bragg Creek Brewery. I strongly believe that it will revitalize the community, provide much needed jobs to the immediate area, and invigorate new growth. Having lived in the area since 2010, it's exciting to see new opportunities like this come to fruition.

The hamlet has not seen many new establishments, and a development such as this fully integrates with the Bragg Creek Revitalization Plan.

Regards,



Mark Giesbrecht  
B1363 324 Wild Rose Close  
Bragg Creek, AB. T0L 0K0  
[REDACTED]

## Applicant/Appellant Evidence

June 2, 2019  
Bragg Creek Brewery  
Attn Baruch Laskin

I believe that this project of a hotel/restaurant would be a great establishment for Bragg Creek. Since the flood Bragg Creek has struggled.

A project like this will encourage others to also start businesses and invigorate the whole area. I believe this will bring in visitors on a year round basis as with its' location it will serve not only the

summer cyclists but as well the users of the winter recreation facilities that have been built in area.

I live just down the street from the proposed development and will be excited to have this go ahead.

Please pass this on the proper authorities with the county.

Sincerely,

Rick Woods  
63 River Dr N  
Bragg Creek





Applicant/Appellant Evidence

June 3, 2019

To: Rocky View County Subdivision and Appeal Board

From: Sharon Bayer,

Re: Bragg Creek Brewery Project

To whom it may concern:

I am writing this letter as a 28 year Bragg Creek resident and local businesswoman to express my support for the Bragg Creek Brewery project.

I feel Bragg Creek is at a critical stage in our sustainability and future development potential .... either we move forward with new projects and housing initiatives or we continue the dismal, economic downturn trajectory we've been experiencing for the last 3 decades. I really feel it is that black and white at this point in time.

Hence, I am in full support of the Bragg Creek Brewery for a number of reasons:

- It's consistent with our revitalization initiative
- It's driven by local residents/entrepreneurs – the backbone of our communities!
- The team's approach to public engagement has been outstanding
- It's well-suited to the new Hamlet Core Commercial district
- It will provide jobs for local residents
- It will have a family and fun orientation
- I like how the team is going to contribute to the water infrastructure
- It could be a catalyst to other entrepreneurs who are hesitant to step forward for fear of opposition and failure.

I respect the fear of change that is causing opposition to this project but I would submit that change is inevitable. If we take the initiative to steward and direct the changes we wish to see, this will be a win-win solution for all residents.

Thank-you for your consideration and approval of this project.

Respectfully submitted,

  
Sharon Bayer

204 Saddle Road, [REDACTED]

Bragg Creek

**Applicant/Appellant Evidence**

June 3, 2019

To: Subdivision and Development Appeal Board

Re: Bragg Creek Brewery Support

To whom it may concern;

I have been a resident in the Bragg creek area for 13 years and have known Baruch for the same amount of time. Everyone has a dream, since I have known Baruch this has been his. The efforts which have gone into this Brewery can not go unseen. Baruch and his partners have engaged the public, and business with complete honesty and desire to have this Brewery. I truly believe this Brewery will provide new jobs, it will revitalize the community and will invigorate new growth.

The new building, and Brewery will draw in more tourism for our community and not only for the Brewery but for Bragg Creek, which is what we need to make this community to grow and prosper over the years to come. Bragg creek has become more than a weekend getaway. The Bragg Creek Brewery can only be an asset to the community. I hope we will be seeing this Brewery and all the positive that can only come from it soon.

Regards,

David Dunay

**Applicant/Appellant Evidence**

June 3, 2019

Attention: Subdivision and Development Appeal Board

To whom it may concern,

As Rockyview County residents and avid users of the West Bragg Creek Trails, my wife and I fully support the approval of the Bragg Creek Brewery project. We feel that the project is a good fit for the Hamlet and will be of great benefit to the residents, businesses and users of the area.

Sincerely,

Ben and Nancy Mercer  
283171 Twp. 262  
Rockyview, Alberta



## Applicant/Appellant Evidence



Bragg Creek Foods  
Box 956  
Bragg Creek, Alberta  
T0L 0K0

June 4, 2019

Bragg Creek Brewery  
19 River Drive N.  
Bragg Creek, AB. T0L 0K0

Attention: Subdivision and Development Appeal Board

We are in full support of the Bragg Creek Brewery. We believe that the addition of another business in Bragg Creek will help revitalize the community and therefore bring more people out from Calgary and surrounding areas. It is well suited to the new Hamlet Core Commercial district, providing a reason for more growth and improvement. This can only help all the business in Bragg Creek.

Uwe & Lori Gildemeister  
Bragg Creek Foods

P: 403-949-3747

F: 403-949-3524

E:



June 4, 2018

SUBDIVISION AND DEVELOPMENT APPEAL BOARD  
Calgary, AB

Dear Board of Directors,

It is my pleasure to write a letter in support of the Bragg Creek Brewing Company.

Although I am not a resident of Bragg Creek I enjoy spending much of my free time mountain biking and hiking in West Bragg Creek. Most often when I finish my ride or hike my friends and I enjoy going for a bite to eat after, however, we feel there is a lack of options available in Bragg Creek and so we tend to go somewhere in Calgary. I believe that the Bragg Creek Brewing Company would be a great addition to what is already available and make for the perfect stop after a hard ride or leisurely stroll in the woods.

With that said, I also truly love and appreciate quality craft beer. I have visited many breweries, big and small, around the world and I have seen the character and sense of community they bring to the town or city that they are in. I strongly believe that the opening of Bragg Creek Brewing Company will not only create exceptional craft beer and other beverages for people to try and learn about but also create a great space for friends and family to gather for any occasion.

In conclusion, I fully support the efforts of the Bragg Creek Brewing Company as they seek to get it up and running and I believe it would be a tremendous asset to the town of Bragg Creek Alberta.

Sincerely,

Britta Kokemor  
824 4 Ave, N.W.  
Calgary, AB  
T2N 0M8

**Applicant/Appellant Evidence**

Dear Subdivision and Development Appeal Board,

I write this letter to support and encourage the Bragg Creek Brewery plans for development. To be honest we had thought this to be already approved. My wife and I had just been wondering as to when the opening was going to be so we were very disappointed to find out that the development permit had been appealed.

This development would bring so much to the community. To have a local Brewery will draw people to stop in Bragg Creek and enjoy everything it has to offer. There are thousands of people that drive through Bragg Creek to get to our great outdoor areas that we are famous for. We want these people to stop in Bragg, support the community and spend some money. I know a lot of people who plan their trip to any community looking for a local Brewery to stop and have a beer. They may then have dinner at another place or notice the other local shops and have a look around. All of this supports and makes for a more vibrant community.

To have this plan include for accommodations is something that is greatly needed and will help the community thrive in so many areas. I know for a fact that there are so many functions that would happen in Bragg Creek but do not and can not happen because there is no where of any amount of rooms for people to stay. The wedding, reunions and people that would now stay in Bragg and spend their money would be awesome.

we are in full support of the Bragg Creek Brewery, It will revitalize the community, It will be an asset to the community, It is well suited to the new Hamlet Core Commercial district, It will provide more jobs, It will invigorate new growth, It supports the Bragg Creek Revitalization Plan, We are happy with their parking plan, we like how the team are going to contribute to the water infrastructure, We like the thoughtful approach of their public engagement, We feel that the project is in the design of the building is Rocky Mountain Modern Western design, It will enhance the community and is compatible with the future pattern of development in Bragg Creek

Brian Berkshire

23 wolf Drive

Redwood Meadows



**Applicant/Appellant Evidence**

June 3, 2019

Subdivision and Development Appeal Board  
Rocky View County  
262075 Rocky View Point  
Rocky View County AB T4A 0X2

Re: Bragg Creek Brewery

To Whom it May Concern:

I believe this proposal is comprehensive, innovative, and fits the context. It will be an essential component to the revitalization of Bragg Creek.

Sincerely,



Michael A. von Hausen FCIP, RPP, CSLA, MLAUD, LEED AP  
President, MVH Urban Planning & Design Inc.  
Adjunct Professor, Simon Fraser University  
Adjunct Professor, Vancouver Island University  
12601 19A Avenue, Surrey, B.C. CANADA V4A 7M1

 [www.mvnhinc.com](http://www.mvnhinc.com)

## Applicant/Appellant Evidence

To Whom It May Concern (Subdivision and Development Appeal Board),

I am writing to you to express my full support of the proposed *Bragg Creek Brewery* (19 River Drive N. Bragg Creek, AB., T0L 0K0). This will be a vital and welcome addition to the Bragg Creek economy. Many rural Alberta towns, villages, and hamlets have welcomed breweries into their local economies and have seen a revitalization of their communities *because* a small, local brewery had set up shop (think of what the *Grizzly Paw Brewery* did for downtown Canmore almost 25 years ago).

Currently, the hamlet of Bragg Creek exists as a primarily weekend foothills tourist destination. The proposed *Bragg Creek Brewery* would most likely bring more tourists to Bragg Creek throughout the week, create more local jobs (also an issue in Bragg Creek), and become a real asset to our community over time. This proposed brewery would also fit in with the *Bragg Creek Revitalization Plan*. Thank you for the opportunity to voice my support for the *Bragg Creek Brewery*.

Yours,

**Victor Pedenko**

(Past President of the *Bragg Creek Community Association* and resident of Bragg Creek for over 17 years)



**Applicant/Appellant Evidence**

From: <bRiemann@rockyview.ca>  
Date: Mon, Feb 5, 2018 at 9:48 AM  
Subject: RE: Water - Wastewater Follow-up  
To: <baruch@braggcreekbrewing.ca>, <GBoehlke@rockyview.ca>  
CC: <john.jackson@charcut.com>, <MKamachi@rockyview.ca>, <kRobinson@rockyview.ca>

Good morning Baruch,

As provided by the Reeve and as discussed with Council, the County's position remains the same as outlined in my previous emails. Should Bragg Creek Brewery require a water and waste water service capacity over and above the 1m3/day already allocated to your lands, a connection fee of \$17,877/m3 is required.

I do offer a couple of comments in relation to your email of January 31<sup>st</sup>.

- The previous County's Water and Waste Water Bylaw was charged on a per acre basis but was changed to the per/m3 by Council to ensure we were a user pay system. Previously, same land holding with high volume requirement were being subsidized by the large land holding with small volume requirements. This was creating an unfair advantage to some businesses. The County's water and waste water systems are also very different than our urban neighbors as we have limited capacity and we must ensure we are charging appropriate fees to recovery the debt associated with these systems. That is an expectation from our Council and their constituents.
- Looking at the connection fees that are set out for the Bragg Creek Brewery, we can also compare what others in the County are required to pay for gaining service from the County's water and waste water assets. Currently the follow fees/levy's apply to development in these areas:
  - Balzac - \$37,232/m3
  - Conrich - \$39,273/m3
  - Langdon - \$14,519/m3 for waste water and \$20,000/acre for water (non-County owned asset).
- If we look locally at Bragg Creek near your property and generate a m/3 value for businesses paying under the LIT the following can be expressed:
  - Bragg Creek Mall - \$24,839/m3
  - Italian Farmhouse - \$20,205/m3.
- As you can see the \$17,877/m3 being requested of the Bragg Creek Brewery is quite a reasonable number in relation to other developments within the County.
- We have identified previously that amortizing your payment under the connection fee is not possible due to legislation. Notwithstanding that comment, we are prepared to enter into an Cost Contribution Agreement with Bragg Creek Brewery for your water and waste water service needs that would be broken into 3 payments over a 3 year term inclusive of interest charges. The terms



**Applicant/Appellant Evidence**

and payment schedules would be outlined as incremental purchases of volume dependent on Bragg Creek Brewery's requirements.

We will await your decision on entering into a Cost Contribution Agreement. As noted above the m3 cost for your connection fees is the County's final position.

Regards

**BYRON RIEMANN, RET**  
General Manager

**ROCKY VIEW COUNTY**  
[911 - 32 Avenue NE | Calgary | AB | T2E 6X6](#)  
Phone: 403-520-1196

[Briemann@rockyview.ca](mailto:Briemann@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

**SDAB Rocky View County**

**Speaking Notes Rick Grol – Hearing June 5, 2019**

Appeal from Craig Nickel, Aaron Matiushyk and Jennifer Liddle

1. The appellants own the adjacent property to the immediate north of the proposed development. Concerns raised in the notice of appeal pertain to:  
(a) Engagement about the proposed development; (b) Height Relaxations;  
(c) Privacy/overlooking/improper screening; (d) parking; (e) Increased traffic;  
and (f) noise and security.
2. The applicant agrees with the DA's submission in response to the appeal and the DA's analysis of the application contained in the Administration report.

**Applicable Statutory and Non-statutory Plans**

3. The proposed development is in keeping with the objectives and policies of the *Interim Growth Plan*, the *County Plan*, the *Greater Bragg Creek Area Structure Plan (ASP)*, the *Hamlet of Bragg Creek Design Standards*, and the *Bragg Creek Revitalization Plan*.
4. The subject parcel is located in the Hamlet Core as defined in the *Greater Bragg Creek ASP*. According to section 7.3.3 of the ASP, drinking establishments, overnight accommodation, and restaurants are desirable uses in the Hamlet Core. The Bragg Creek Design Standards are met. The proposed development has an eye catching architectural design in the style of "Modern Rocky Mountain Western".
5. The proposed development is sensitive, compatible and complementary to the commercial pattern of development in the immediate area, Balsam Avenue. The development is appropriate for the location, which is a natural extension of the Commercial Main Street Corridor, as contemplated in the applicable plans of the County.

### Land Use Bylaw

6. Council expressly rezoned the subject parcel to “Hamlet Commercial District (HC)”, which allows the proposed uses of the development on the subject parcel.
7. The appellants alleged that the proposed development is not adequately screened from the view of the abutting residential district as required by section 63.7(b) of the LUB. Please note that this section requires screening to the satisfaction of the DA. The DA is satisfied with the proposed screening included in the proposed development. This Bylaw section is met. Furthermore, the setback requirement of section 63.5 in relation to the northerly property line is met: they apply to the building, not to loading zones and parking stalls.

### Engagement

8. The applicant/owners of the subject property conducted extensive engagement with the public regarding the land use redesignation/amendment and the Development Permit application. Extensive communications took place with the appellants. See Tab 7 of the Exhibits Binder

### Privacy/Overlooking

9. The appellants raised concerns about privacy/overlooking.
10. Note the context of the subject site. The photographic evidence shows the site and the adjacent dwelling of the appellants is surrounded by mature, 40-60 ft., tall, coniferous, trees. These trees provide year round screening for the appellants' dwelling.
11. The proposed development has been designed with the appellants' privacy in mind. In consideration of the immediate neighbours' privacy, the applicant and developer have minimized the number of windows on the north façade of the building as much as possible. These windows are relatively small.



12. The distance between the proposed development and the appellants' dwelling is over 20 metres (66 ft). From a planning perspective, this is a significant distance. Landscaping will be provided along the northerly property line. This buffers the proposed development from the appellants' property. The existing mature trees on the appellants' property provide adequate screening for the appellants as well and mitigate any privacy concerns.

#### **No Right to Sunlight or Protection of Views**

13. Under Alberta Law there is no absolute right to sunlight or protection of views.
14. A property owner has the right to develop their property in accordance with the LUB and applicable plans.

#### **Overshadowing**

15. While there is some overshadowing on the appellant's property, given the location of the building, the proposed development does not have an undue negative impact on the adjacent properties. The majority of the shadowing on the appellants' property is from the mature trees on their own property. The applicant's shadow study clearly indicates this. See the shadow study contained under Tab 5 of the binder.

#### **Footprint of the Proposed Building**

16. The footprint of the proposed building is relatively in keeping with the footprint of the dwellings on the parcels to the north of the proposed development. Note the footprint of the parcels to the north along River Drive N.

#### **Parking**

17. According to the parking study conducted by Bunt & Associates the parking demand of the development is 35-38 parking stalls. The site provides 22 parking stalls. The applicant submits that providing 13 offsite parking stalls, which have been secured through parking agreements with property owners

in the vicinity of the development, would be adequate to serve the development. A peer review was done by an independent Transportation Engineer of WATT Consulting Group, who concluded the same as the Bunt report.

18. The applicant submits that a parking relaxation is appropriate given the findings of the Transportation Engineers. The requirement of registering the parking agreements on title is prohibitive. In addition, they provide no certainty to the County as these caveats can be removed from the title by a property owner at any time. Therefore, the applicant is proposing alternative conditions. See Tab 6.

#### **Relaxations Land Use Bylaw**

19. As Mr. Kuhl of O2 Planning & Design pointed out, it is important to note that the proposed development complies with the LUB with the exceptions of two Bylaw relaxations.
20. The DA appropriately granted two Bylaw relaxations. One relaxation is for the minimum required rear setback of the development. This is a 0.3 metre (one ft.) relaxation. This is a relatively minor relaxation. This relaxation does not negatively impact the appellants' properties. We therefore agree with the DA that the relaxation is appropriate.
21. The other Bylaw relaxation is for the height of the building. A relaxation is required of plus 2.5 metres for the allowable height of 10 metres. The building has been designed to appear as a two storey building.
22. With respect to the Bylaw relaxations, the size of the relaxations in terms of percentage is irrelevant. Pertinent is the impact of the required Bylaw relaxations and whether the applicable test of the LUB (section 12.2(c)) and MGA is met.

#### **Relaxation Test is met**

23. It is the applicant's position that the required relaxations do not negatively impact the appellants' property or dwelling.

24. We agree with the DA's assessment that the Bylaw relaxations are appropriate and reasonable.
25. The required Bylaw relaxations meet the test of section 12.2(c) of the LUB and section 687(3)(d) of the MGA, as the proposed development does not unduly interfere with the amenities of the neighbourhood, and does not materially interfere with or affect the use, value or enjoyment of neighbouring parcels of land. There is no negative impact established from the required LUB relaxations.

### **Support Letters**

26. There are numerous letters in support of the proposed development. See among other, recently letters received by the applicant after the submission deadline, Tab 7.

### **Applicant's Appeal against Conditions of Approval**

27. The applicant appealed conditions regarding parking and water servicing. See Tab 6 of the exhibits binder.

### **Summary**

28. It is the respondents' position that:
- (a) The proposed development complies with the applicable plans: the *Interim Growth Plan*, the *County Plan*, the *Greater Bragg Creek Area Structure Plan (ASP)*, the *Hamlet of Bragg Creek Design Standards*, and the *Bragg Creek Revitalization Plan*;
  - (b) The proposed development is in accordance with the LUB, except for two variances; The Bylaw relaxations meet the test of the LUB and MGA;
  - (c) The proposed development is sensitive to the existing developments;
  - (d) The proposed contributes to the revitalization of Bragg Creek as envisioned by the applicable plans and policies;



- (e) The proposed development is compatible with, and will have minimal or no impact on the adjacent developments and the neighbourhood; and
- (f) The proposed development is suitable for the site based on sound planning principles.

### **Conclusion**

- 29. The applicant agrees with the DA's approval of the proposed development. The proposed development complies with the applicable plans and policies. The development is compatible with the adjacent developments and, from a planning perspective, is appropriate for the site.
- 30. We respectfully request that the DA's approval of the proposed developments be upheld and a development permit with conditions be issued as approved by the DA, with modifications to the conditions as requested by the applicant.

**PRDPP20184945**

Development Permit Appeal

Appellants: Owners/Occupants of 23 River Drive North

---

## Contents

1. Overview of the Properties
2. Summary of Our Concerns
  - Public Engagement
  - Development Size - Height
  - Development Size - Location on Site
  - Peace, Privacy & Security
  - Parking
3. Conclusions
  - Impact on Property





Figure 10:  
Hamlet Core



This map is not a legal document. No measurements or area calculations should be taken from this map.

Nor-Altta Environmental Services Ltd. - SE-13-023-05 W5M





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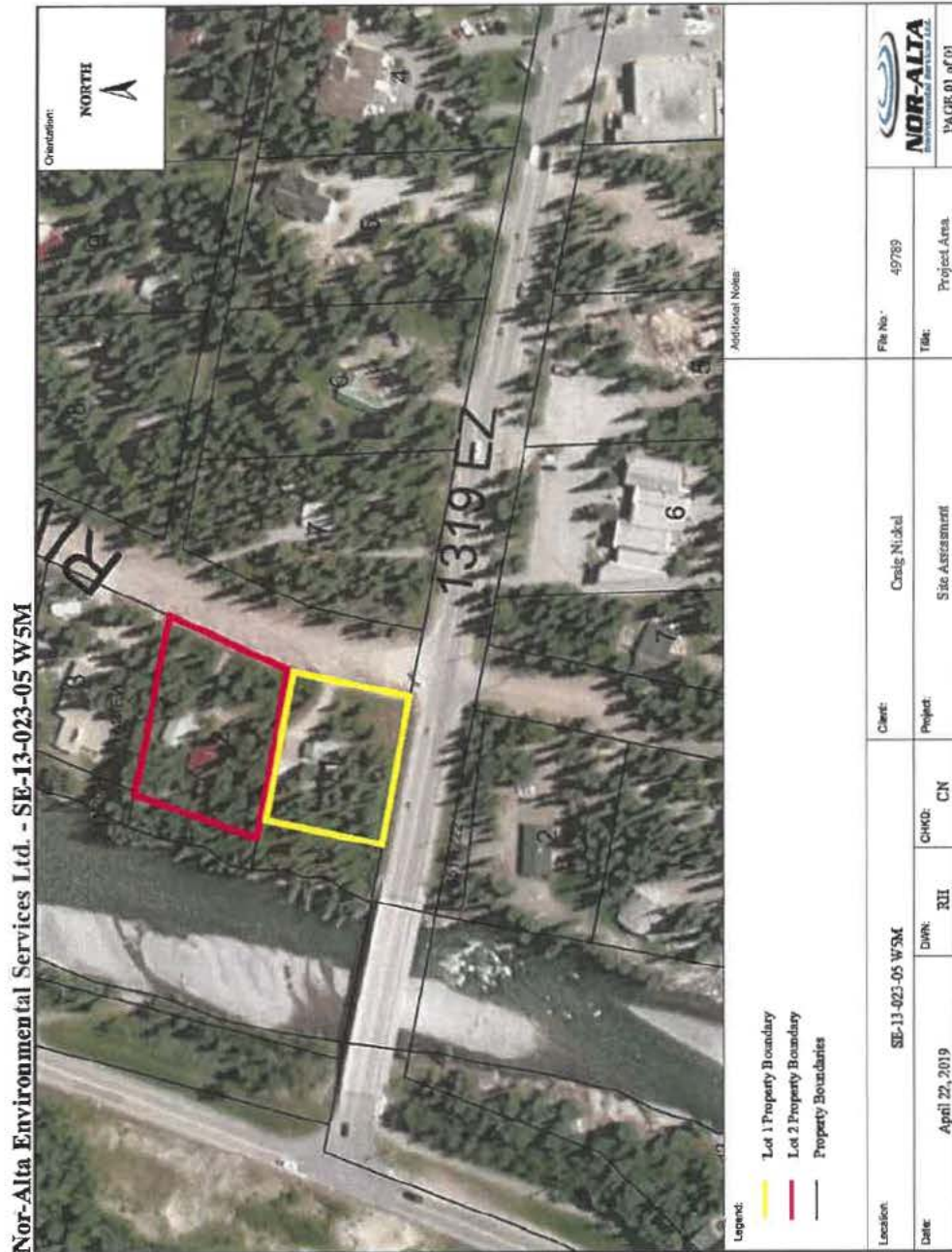
## Public Engagement

### History of Public Engagement

- As the only adjacent landowner directly bordering their property, and the most directly and heavily impacted party, we had hoped that the developer would keep us informed and respect our feedback.
- Initial conversations indicated plans for a quaint brewery and coffee roastery, respectful of the neighbors and neighborhood in terms of both scale, and hours of operation. There was no mention of a hotel or event space. We were led to believe that the size of the development would be similar to other small restaurants in the hamlet, based on the limited acreage of the property and the description provided. We were quite supportive at this point.
- While we did maintain regular contact with Mr. Laskin, there were no material updates, and Mr. Laskin did not notify us about the first public engagement session. We assumed (incorrectly) that we could gain access to the materials presented, but our requests were ignored.
- When the notice of the rezoning application was received, we were caught off guard and disappointed that we had not been provided with any indication of the inclusion of a hotel and event space.
- No notification of the second public engagement session was made despite our earlier requests, and continued requests for plans, and/or substantive information regarding the site plan and scope were not met.
- Requests for information were still not met by Mr. Laskin after we received the permit application, so we contacted Rocky View County. This was the first time we had seen a site plan or drawings of the proposed development.

# Public Consultation Log

Date	Communication Type	Name	Business	Address	Response	Design
10/08/18	in person	Bob & Candy Cock	Branded Visuals	1 White Ave	received Feedback Sheet	N
10/19/18	in person/email	Steve Resta	BC Physio	24 Balsam Ave	he supports our Project	Y
10/19/18	in person/email	Mike Woertman	Cinnamon Spoon	1 White Ave	supportive	N
10/18/18	phone call	Cathy and Bob Martin	Bragg Creek Resident		7 min call - very supportive	Y
10/20/18	in person	Dave Zimmerman	Bragg Creek Resident	Bragg Creek TOL OKD	great design and vision	Y
10/20/18	in person	Derek Lee	Cycle 22x	#14, 20 White Ave	Support the entire Brewery project	Y
10/20/18	in person	Steve McNeil	Bragg Creek Resident	Bragg Creek TOL OKD	really likes the architectural look and feel	Y
10/22/18	in person	Bryce Hleucka	Redwood Meadows	Redwood Meadows	can't wait for opening	Y
10/22/18	in person	Troy Delfs	Bragg Creek Resident	Bragg Creek TOL OKD	awesome project and vision	Y
10/24/18	in person	Eric Lloyd	Bragg Creek Resident	Bragg Creek TOL OKD	looking forward to opening and accommodation	Y
10/25/18	phone call	Craig & Aaron	Bragg Creek Resident		15 min call oct 25. No questions at this time and were appreciative of the update	
					12 min call. She is very pleased that we got our rezoning and knew that the county would not have approved it if they did not have the foresight to see how it was going to improve the community. She is definitely and support and believes Bragg Creek needs something like this that is different and not already here.	
10/26/18	phone call	Shelagh O'Neill	Bragg Creek Resident		he likes the idea of our project and know it will help Bragg Creek as a community	
10/27/18	phone call	Mark Bowden	BC Physio Property Owner and Resident	24 Balsam Ave	14 minute call and she is supportive but wanted to know if we had parking taken care of and I let her know our plan. She also asked me if I knew a good lawyer and/or accountant to help her transfer her property into her daughter's name. I told her that we would maybe be interested in her place some day in the future.	
10/28/18	phone call	Linda Marx	Bragg Creek Resident		they still support our project and are looking forward to the day it opens.	Y
11/20/18	phone call/inperson	James & Stacy Chisholm	Bragg Creek Resident		they like the fact that this project is "huge" for the community and know it will be a great addition	Y
11/24/18	in person	Joe & Michelle Longo	Bragg Creek Resident		in full support	Y
11/24/18	in person	Victoria Fielding	Bragg Creek Animal Hospital	16 Balsam Ave	received feedback sheet	Y
11/24/18	in person	Chad Fehr	Chad Fehr Professional Corp	16 Balsam Ave	very supportive	
11/26/18	in person	Sara Hammer	Bragg Creek Resident		great feedback	Y
12/4/18	phone call/email	Michael von Hausen	MVH Urban Planning & Design Inc	Bragg Creek Consultant		

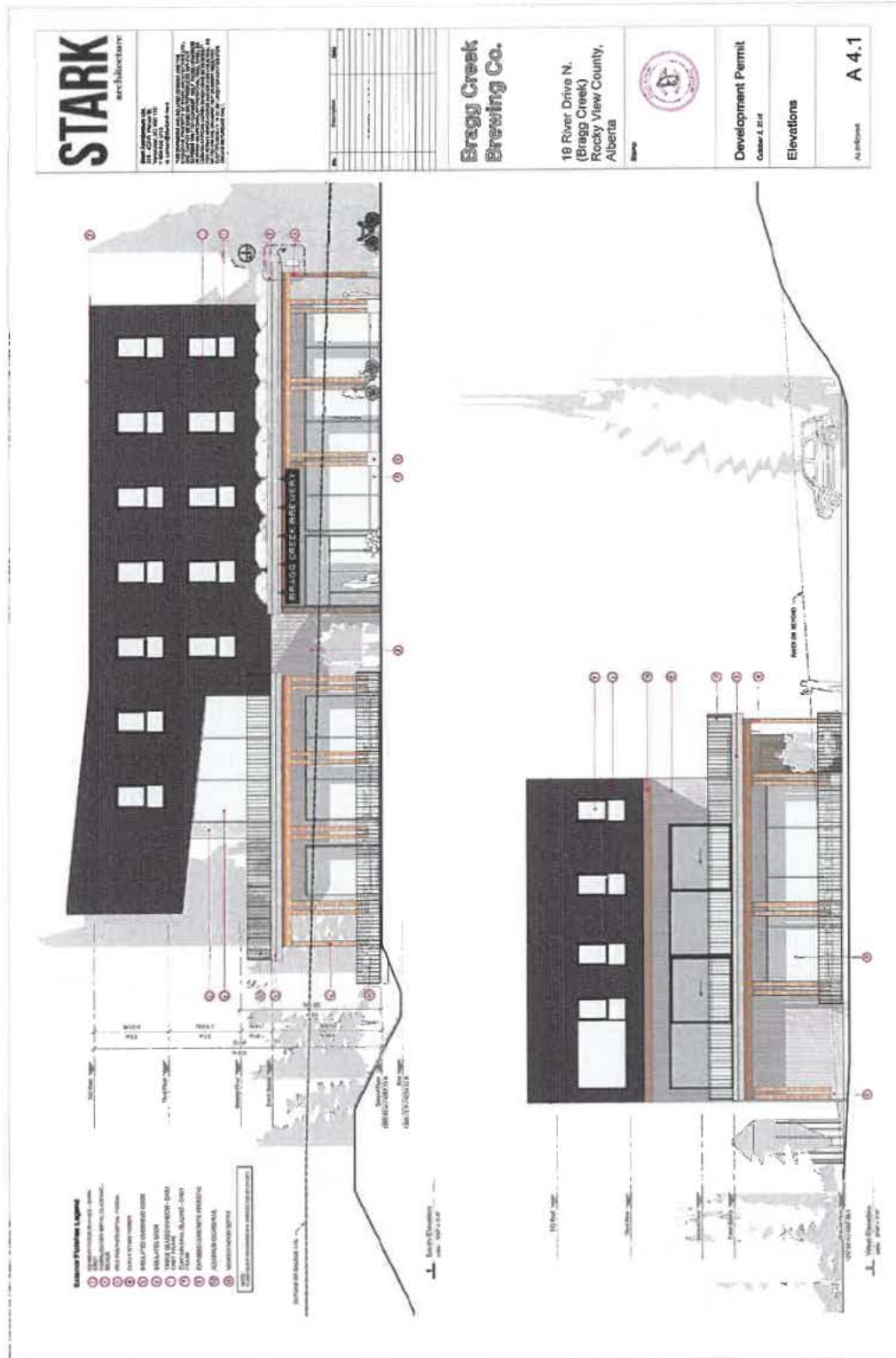




Our concerns can be divided into 2 points:

## Development Size

- Height
- Location on Site



## Rocky View County - County Plan

### 14.0 Business Development

One Goal: Direct the majority of new commercial and industrial businesses to locate in the business areas identified in Map 1.

Proposals for business development outside of a business area should:

- Be limited in size, scale, intensity, and scope;
- [...]
- [...]
- Minimize adverse impacts on existing residential, business, or agricultural use.

*County Plan Citations: pages 59, 64 (at 14.22)*

---

Development  
Size - Height



## Greater Bragg Creek - Area Structure Plan

### 7.3 Hamlet Commercial Development

Vision: [...] The commercial core lies at the centre of a thriving residential community reflecting a consistent, natural, somewhat elegant, country atmosphere that complements adjacent residential development and is in harmony with the natural environment within which the hamlet is located. [...]

### Appendix A: Hamlet of Bragg Creek Design Standards

Design Principles: [...] Future development and community design shall uphold the following principles:

[...] Context Sensitivity: Promote the conservation, enhancement, and celebration of the Bragg Creek character, contributing to a distinct sense of place, with development built to the pedestrian-scale that is complementary to that of its neighbors.

---

Development  
Size - Height

---

## Development Size - Height

### Greater Bragg Creek - Area Structure Plan

#### 3.2.2 Commercial Building Proportions and Scale

(d) Buildings shall be scaled so that they do not interfere with neighbouring buildings, or create a significant contrast in scale and appearance between adjacent buildings, which is visually disruptive. Development should take cues regarding height and width from surrounding high quality buildings, and achieve complementary massing forms.

(e) building height should be limited to **two storeys**, and generally should not extend beyond 10 metres (32 feet). Height relaxation may be considered to accommodate **desirable architectural features**.

(f) buildings with three to four storeys may be considered in the hamlet core, if the development is supported by a conceptual scheme or master site development plan.

---

## Development Size - Height

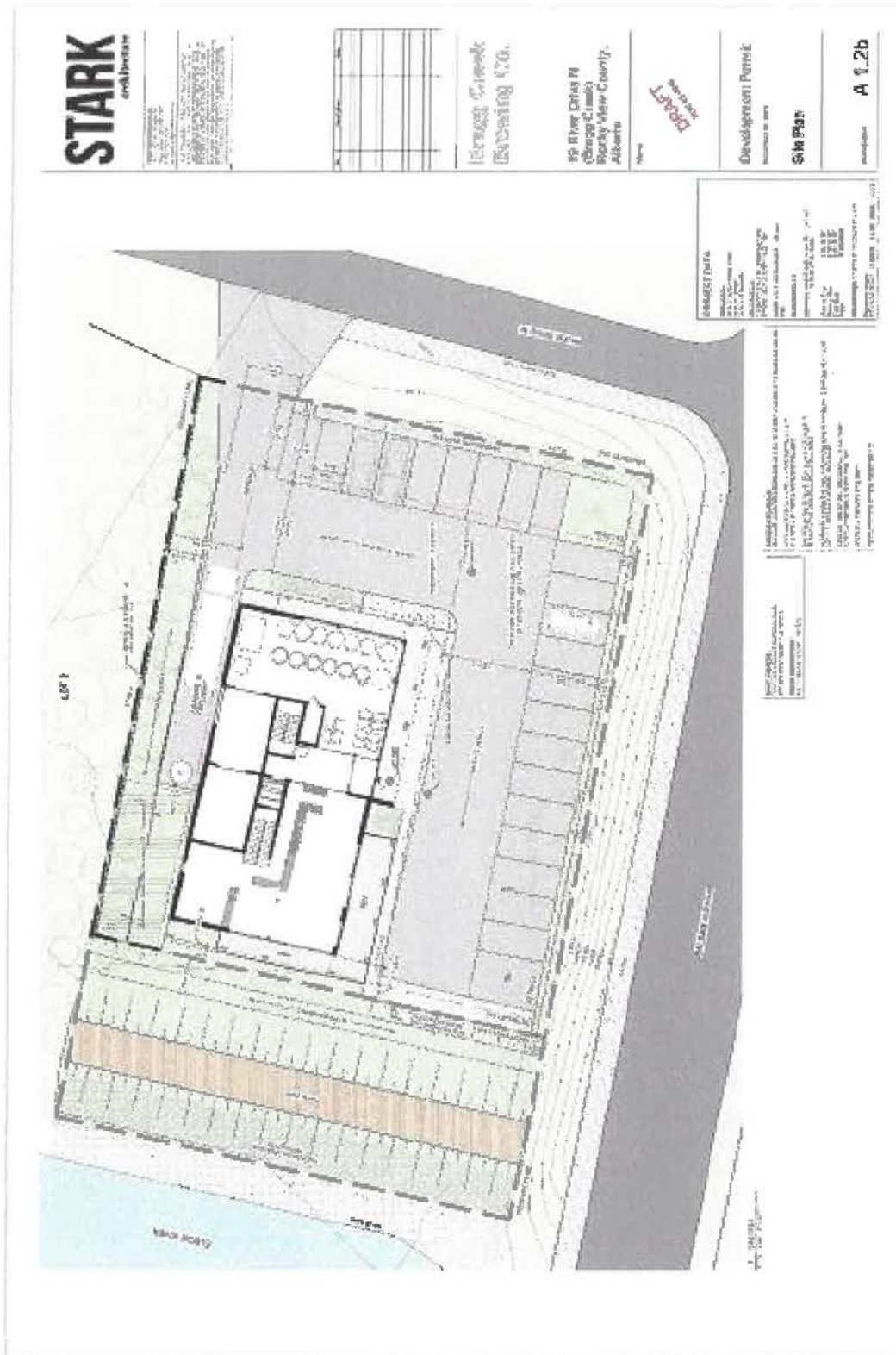
The Development Permit Report dated December 5, 2018 states:

### Building Proportions and Scale

- Section 3.2.2 a) Small, one-of-a-kind business developments are encouraged, with a building footprint not exceeding 15% of lot area for two-storey construction, or 20% of the lot area for single storey construction.
  - The proposed site coverage is +/- 20%. The County recognized that the increased in site coverage is partly due to the proposed public utility lot (flood mitigation structure) which took away a portion of the subject land to the west (+/- 526 sq. m). Without the proposed public utility lot, the proposed building would result in +/- 15% site coverage.

*Development Permit Report Citation: page 15.*





## Greater Bragg Creek - Area Structure Plan

### 3.2.4 Commercial Utility and Service Areas

(d) where commercial development abuts residential property, the utility and service area should not be permitted in the area that interfaces with the residential property.

Development  
Size - Location

*Area Structure Plan Citations: page 63*  
*Appendix A Citations: pages 7, 15, 16, 18*

---

## Peace, Privacy & Security

### The Proposed Development

- 3-storey complex built as close as possible to our property line.
- Floor 1 and 2 has public patio with direct view into our property.
- Floor 2 and 3 have hotel rooms with a direct view into our property.
- Commercial loading zone proposed as close as possible to our property.
- High-density drinking and event space, with easily 50 - 100 people on 0.4 acres.
- Increased traffic and noise during long and late hours of operation of drinking and event space.
- Security concerns, especially given the volume of patrons.
- The proposed development is surrounded by quiet residential properties, including ours.
- Our property has been developed for quiet recreational use along the same mutual property line.
- Insufficient protection of privacy offered by trees.
- Any screening proffered will not adequately address privacy concerns from higher vantage points of the complex, including patios and hotel rooms.
- Concerns with impact of shade on vegetation and our use and enjoyment of our property.



---

## Peace, Privacy & Security

### Rocky View County - County Plan

#### 9.0 Hamlets

- One Goal: Support hamlets in developing and maintaining attractive, high quality built neighbourhoods and distinct, safe residential neighbourhoods.
- Characteristics of Rocky View's Rural Communities, Hamlet: [...] the sense of living in the country, quiet, space and distance, safety.

*County Plan Citations: pages 42, 35.*

---

## Peace, Privacy & Security

### Greater Bragg Creek - Area Structure Plan

Plan Vision: [...] The Greater Bragg Creek area continues to be a special place within Rocky View County where residents have a strong sense of place that emanates from both the quiet country residences that harmonize with undisturbed landscapes and the small town character of the Hamlet.

*Area Structure Plan Citations: page 8.*

---

## Peace, Privacy & Security

### Rocky View County Land Use Bylaw Reference Guide

- All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Authority.

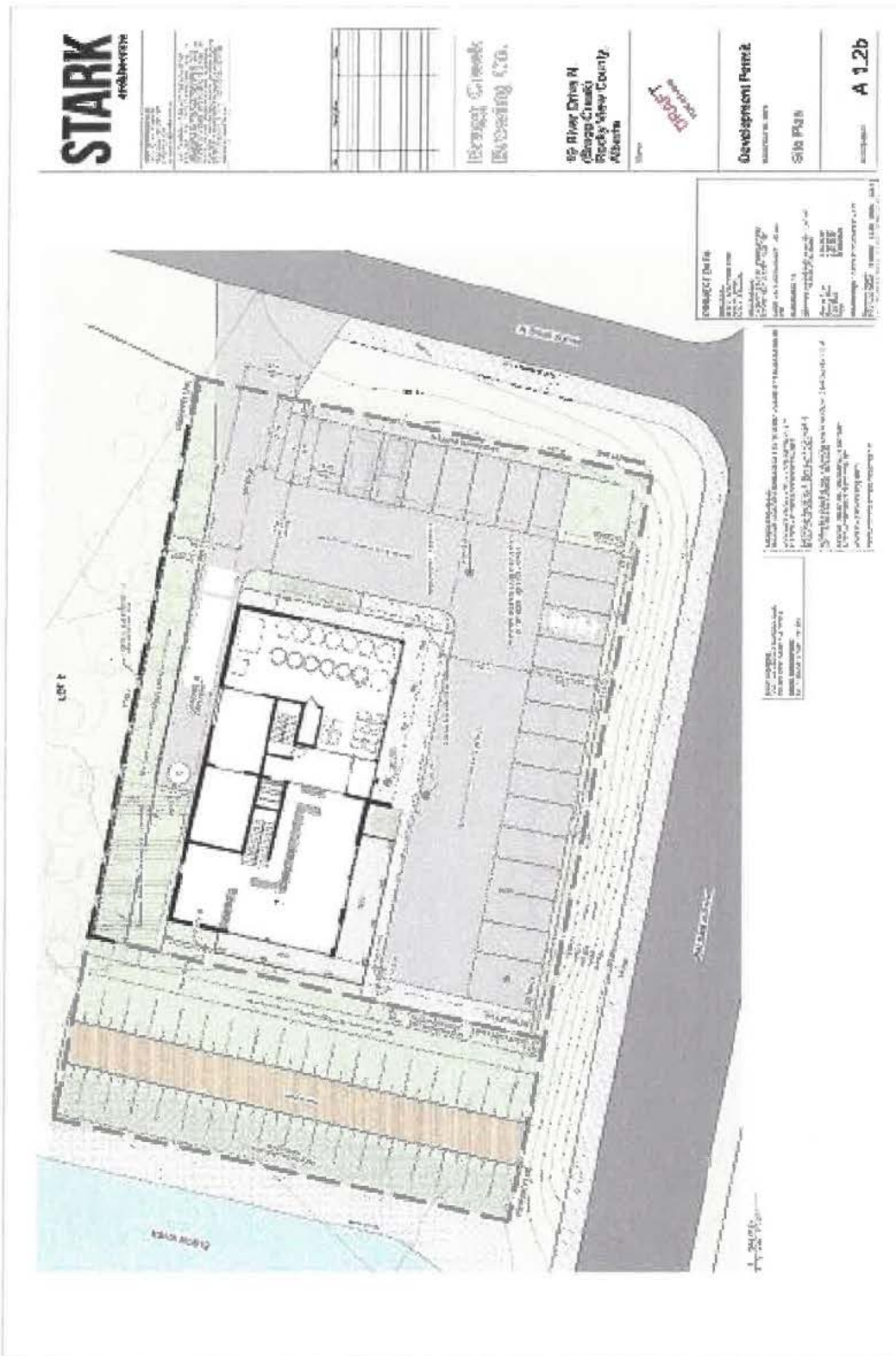
*Rocky View County Land Use Bylaw Reference Guide Citations: page 45 (63.7(b)(i)).*



- The County requires 55 parking stalls for a development of this size.
- The applicant only has room for one vehicular access point that leads to 22 parking stalls on site in the current design.
- The applicant intends to source the remaining parking spaces from off-site.

---

## Parking







### Proposed Off-site Parking

- Bragg Creek Physiotherapist
  - **4 parking stalls**
  - located **± 200 m away** from development
  - Available on **Saturday and Sunday**
- Chad Fehr Professional Corporation
  - **4 parking stalls**
  - located **± 300 m away** from development
  - use has time restrictions **5 days per week** (use between 5:00 pm and 8:30 am only).
  - use requires **at least 24 hours prior notice**
  - agreement **cancelled** on 30 days' written notice
- Kevin Onespot Site
  - **34 parking stalls**
  - located **± 400 m** from the development
  - located **outside of the Hamlet on federal reserve land**
  - use requires **at least 24 hours prior notice**
  - agreement **cancelled** on 30 days' written notice

Patrons won't even be able to see the development from the off-site parking lots and could be expected to walk nearly half a kilometer in varying weather conditions.

---

## Parking

## The Proposed Development

- When on-site parking is full, the most realistic and convenient scenario is that patrons will seek overflow parking in the flat ditch area in front of our property or along other parts of River Drive North, as opposed to parking off-site at stalls that have time restrictions and involve walking 0.2 – 0.4 km. Presently, River Drive North is a quiet residential street with no parking.
- Examples: events, weddings, beer tours, weather.
- The size and density of the proposed development does not match the capabilities of the land to sustain the development. The applicant has cobbled together additional parking options which are not guaranteed long-term, and are simply not realistic.

---

## Parking

## Area Structure Plan - Greater Bragg Creek

### 4.1 Plan Philosophy

[The land use and development principles] have been developed, and should be implemented, from the ground up, looking first at the capabilities of the land to sustain additional development, then at the infrastructure required to service the area and finally, identifying the most appropriate forms of land use and development that reflect the balance of stakeholder interests.

### 6.2 Transportation

#### 6.2.3 The Municipal Road Network (When Future Subdivision and/or Developments are Proposed)

(g) New subdivision and/or developments should accommodate at least two points of access/egress.

(j) Implementation of alternative local road design standards may be considered to access future subdivision and/or developments within the Plan area provided that vehicle movements (including emergency services and school buses) can be safely and efficiently accommodated [...].

#### 6.2.5 The Municipal Road Network (Within Commercial Areas)

(b) On-street parking should not be permitted within the hamlet commercial core.

*Area Structure Plan Citation: page 24, 47, 48*

Parking



## Area Structure Plan - Greater Bragg Creek

### Appendix A: Hamlet of Bragg Creek Design Standards

#### 3.2.6 Parking and Site Access

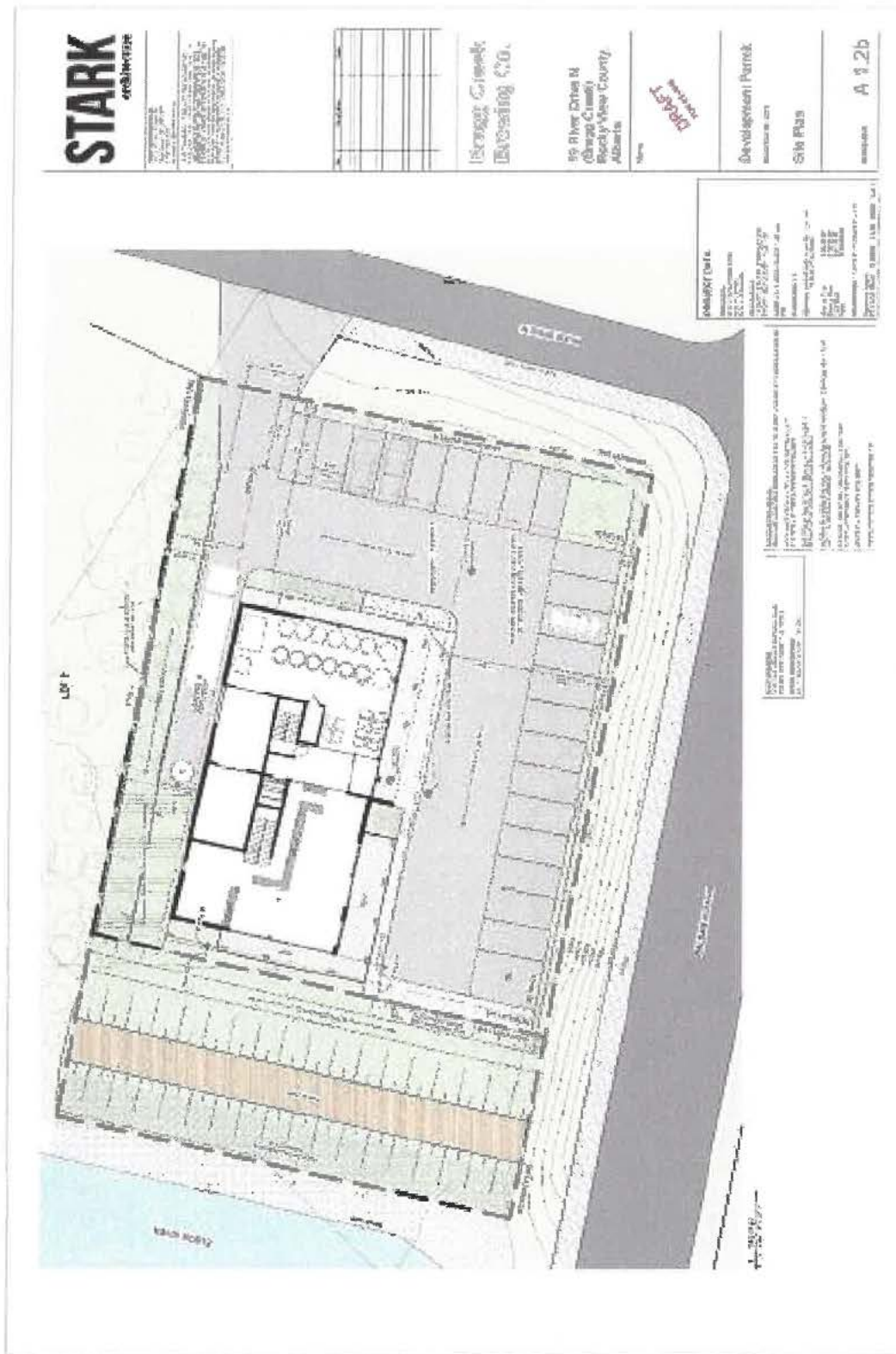
Design goal: On-site parking areas and facilities that are visually attractive, and designed to promote safe and convenient movement of both pedestrians and vehicles.

#### General Parking Standards:

- (a) Parking areas and facilities should be located at the side or rear of the building, not between the building front and street edge, to encourage the building connection and interaction with the streetscape.
- (d) Larger parking area shall be divided into smaller segments or pods, through the use of landscaped parking islands that reduce the amount of impermeable surfaces and enhance the aesthetic appeal and pedestrian comfort within the parking area.
- (q) Where the proposed development lies adjacent to a residential property, provision should be made to ensure that traffic will not impact the residential property, including consideration for location of access points and parking locations. Mitigation measures should be provided, to the satisfaction of the development authority.

*Area Structure Plan  
Appendix A Citations: pages 19, 20.*

## Parking



## Parking Study

The County requires 55 parking stalls for this development.

The Applicant submitted a Parking Study prepared by Bunt & Associates, dated November 1, 2018, suggesting between 35 - 43 parking stalls instead.

Section 1:

"It is Bunt's opinion that the site would not need 54 [sic] stalls for its operations and that the bylaw requirement is excessive for this modest development in a hamlet of approximately 600 people. The bylaw parking requirement would mean up to 20% of the population would be at this development, which is highly unlikely."

**Response:** This development isn't designed for Bragg Creek residents only. Residents will certainly form part of the patronage of the restaurant and brewery, however, a hotel is not meant to serve the local residents who have homes within a few minutes distance. It is designed to service tourists and out-of-town visitors.

Section 2:

"It is known that up to 30% of restaurant guests could be from adjoining hotels. In which case, the restaurant's parking demand can be reduced by up to 5 stalls. Therefore, the actual need could be as low as 38 ( $43 - 5 = 38$ ) and the on-site deficient could be as low as 15 stalls."

**Response:** There are no adjoining hotels. It is improper to reduce stall numbers based on an incorrect fact.

---

## Parking



### General Response to Parking Study:

#### 6.2 Transportation

- (h) The Land Use Bylaw should be amended to increase the minimum number of parking stalls required by all new developments within commercial areas.

*Area Structure Plan Citation: page 48*

---

## Parking

**Municipal Government Act, Section 687(3)**

In determining an appeal, the SDAB must:

- Comply with statutory plans;
- May confirm, revoke or vary the order, decision, or development permit or any condition attached to any of them or make or substitute an order, decision or permit of its own.
- May make an order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion,
  - (i) the proposed development would not
    - (A) unduly interfere with the amenities of the neighbourhood, or
    - (B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land,
  - and
  - (ii) the proposed development conforms with the use prescribed for that land or building in the land use bylaw.
- **Property Impact Assessment**  
Gettel Appraisals Ltd. dated April 23, 2019
  - \$490,000 - estimated market value prior to development
  - \$416,000 - estimated market value after development
  - **\$74,000 - estimated loss in market value**

---

## Conclusion

# Final Comments





**GETTEL APPRAISALS LTD.**  
VALUATION • LITIGATION • ADVISORY • EXPROPRIATION

April 23<sup>rd</sup>, 2019

8904 – 76 Avenue  
Edmonton, Alberta  
T6C 0J7

Attention: Jennifer Liddle & Craig Nickel

Dear Madam/Sir:

RE: File: 21031  
Client: Jennifer Liddle & Craig Nickel  
Address: 23 River Drive North, Bragg Creek, Alberta

In accordance with your instructions, Gettel Appraisals Ltd., within a report prepared under separate cover, addressed the impact to market value pertaining to the aforementioned property emanating from the proposed commercial development of the adjacent property to the south located at 19 River Drive North, Bragg Creek, AB.

The proposed development of the southerly adjacent lot is to include a multi-use commercial space including a restaurant, boutique hotel, micro-brewery with off sales, and coffee roaster.

The writers are of the opinion that the proposed commercial development would negatively affect the market value of the subject property and this conclusion has been based on three primary factors which follow:

1. Increase in both pedestrian and vehicular traffic.
2. Increased noise nuisance.
3. Loss of privacy.

In order to determine an appropriate discount pertaining to the subject property resulting from the adjacent commercial development being completed as proposed, three specific case studies were analyzed and these are identified as follows:

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

### LRT Development Study

The first case study investigated the impact of a new LRT line, within the City of Edmonton, to nearby residential properties. This case study resulted in a market discount affecting properties adjacent to the LRT line; which largely stemmed from increased noise and traffic nuisance.

- Indicated Market Discount 12% - 17%

### Windsor Park Case Study

The second case study involved a comprehensive 30-year analysis of sales within the Windsor Park neighborhood within the City of Edmonton. Within this analysis, increased nuisance resulting from adjacency to institutional and commercial facilities as well as adjacency to arterial roads was considered.

- Indicated Market Discount 8% - 17%

### Impact of Sewage Lagoons

The third case study involved market discounts stemming from adjacency to sewage lagoons. The main property impact was that of foul odors.

- Indicated Market Discount 15% - 20%

In deriving a market discount for the subject property emanating from the adjacent proposed commercial development, the first two case studies were weighted as these more closely align with the situation at hand. A discount of 15% was considered appropriate and the following calculations identify the impacted valuation of the subject property:

Prior To Adjacent Commercial Development Valuation x % Loss = Value Impact

$$\$490,000.00 \times .15 = \$74,000.00 \text{ (rounded)}$$

The above implies a value loss to the subject property of **\$74,000.00 (rounded)** arising from commercial development of the neighboring lot and provides for a total market value of **\$416,000.00** for the subject property if commercial development of the neighboring property proceeds as proposed.

We trust the foregoing provides a concise summation of the issue at hand and we remain in your service,

Respectfully Submitted,



Scott M. Strang, B.Comm., CRA  
Inspected Property: ☒ Yes ☐ No



Chris N. Kroker, B.Comm., AACI  
Inspected Property: ☐ Yes ☒ No

## PROPERTY IMPACT ASSESSMENT

### COMMERCIAL DEVELOPMENT OF 19 RIVER DRIVE NORTH, BRAGG CREEK, AB

23 RIVER DRIVE NORTH  
BRAGG CREEK, ALBERTA



PREPARED FOR  
JENNIFER LIDDLE & CRAIG NICKEL

APRIL 2019



GETTEL APPRAISALS LTD.  
VALUATION • LITIGATION • ADVISORY • EXPROPRIATION





# GETTEL APPRAISALS LTD.

VALUATION • LITIGATION • ADVISORY • EXPROPRIATION

OUR FILE: 21031

April 23<sup>rd</sup>, 2019

Jennifer Liddle & Craig Nickel  
8904 – 76 Avenue  
Edmonton, Alberta  
T6C 0J7

Dear Sir/Madam:

RE: Property Impact Assessment Emanating From Commercial  
Development of Adjacent Property Located At 19 River Drive  
North, Bragg Creek, AB

23 River Drive North, Bragg Creek, AB

In accordance with your instructions, we herewith submit a Property Impact Assessment pertaining to an improved residential property that is municipally addressed as 23 River Drive North, Bragg Creek, Alberta, and that is legally described as follows:

PLAN 1741EW  
BLOCK 6  
LOT 2  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

The purpose in undertaking this analysis is to provide an estimate of the impact on value pertaining to the subject property emanating from the proposed commercial development of the adjacent property to the south located at 19 River Drive North, Bragg Creek, AB. The proposed development is to include a multi-use commercial space including a restaurant, boutique hotel, micro-brewery with off sales, and coffee roaster. The subject property was inspected on April 15<sup>th</sup>, 2019. Two effective dates will be considered within this analysis including prior to and upon completion of the proposed commercial development of the adjacent property. The property rights of the "Fee Simple Estate" are being appraised.



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Appellant Evidence

The subject property comprises a .53 acre lot fronting the Elbow River that is designated for HR-1 – Hamlet Residential Single Family District use. The site has been improved with an 803 square foot bungalow residence and a 504 square foot detached garage. The improvements are estimated to have been constructed in the early 1900's, however have undergone substantial renovations since that time, most notably within the past 4 years where the owners reportedly spent \$120,000.00 in renovations. The existing program of utilization is representative of an optimal use.

The Appraisal Institute of Canada has a Mandatory Continuing Professional Development Program of its members. As at the date of this report, the authors have fulfilled the requirements of this Program and are members in good standing of the Appraisal Institute of Canada.

We hereby certify that Scott M. Strang, B.Comm., CRA personally inspected the subject property and, to the best of our knowledge, the statements contained in this report, subject to the Fundamental Assumptions and Limiting Conditions set forth are true and correct, and that we have no present or contemplated interest in the property.

As a result of our investigations, we have formulated the opinion that the following value loss would apply to the subject property described herein, effective upon completion of the proposed commercial improvements on the neighboring property to the south municipally located at 19 River Drive North, Bragg Creek, AB:

ESTIMATE OF MARKET VALUE:

- PRIOR TO 19 RIVER DRIVE NORTH, BRAGG CREEK, AB  
PROPOSED COMMERCIAL DEVELOPMENT: \$490,000.00
- AFTER 19 RIVER DRIVE NORTH, BRAGG CREEK, AB  
PROPOSED COMMERCIAL DEVELOPMENT: \$416,000.00
- VALUE LOSS: \$ 74,000.00



Scott M. Strang, B.Comm., CRA  
Inspected Property: ☒ Yes ☐ No

Respectfully submitted,



Chris N. Kroker, B.Comm., AACI  
Inspected Property: ☐ Yes ☒ No





23 RIVER DRIVE NORTH, BRAGG CREEK, AB



*SUBJECT RESIDENCE – FACING WEST*



*SUBJECT RESIDENCE – FACING EAST*



*SUBJECT RESIDENCE - KITCHEN*



*SUBJECT RESIDENCE – LIVING ROOM*



*SUBJECT RESIDENCE – WASHROOM*



*SUBJECT RESIDENCE - BEDROOM*





23 RIVER DRIVE NORTH, BRAGG CREEK, AB



*SUBJECT GARAGE - EXTERIOR*



*SUBJECT GARAGE - INTERIOR*



*ELBOW RIVER – FACING SOUTH*



*ELBOW RIVER – FACING NORTH*



*PUBLIC UTILITY LOT AREA*



*SUBJECT YARD*



23 RIVER DRIVE NORTH, BRAGG CREEK, AB



*19 RIVER DRIVE NORTH – FACING WEST*



*19 RIVER DRIVE NORTH - YARD*



*BALSAM AVENUE – FACING WEST*



*RIVER DRIVE NORTH – FACING NORTH*





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## EXECUTIVE SUMMARY

PURPOSE OF APPRAISAL:	To assess the impact on value to the subject property emanating from the proposed commercial development of the adjacent property to the south located at 19 River Drive North, Bragg Creek, AB.
PROPERTY LOCATION:	23 River Drive North Bragg Creek, Alberta
LEGAL DESCRIPTION:	Lot 2, Block 6, Plan 1741EW
SITE AREA:	± .53 Acres
LAND USE DESIGNATION:	HR-1 – Hamlet Residential Single Family District
IMPROVEMENT DESCRIPTION:	The site is improved with a bungalow residence built over a crawlspace and exhibiting an area of 803 square feet in addition to a 504 square foot single detached garage. Since purchasing the property in 2015, the owners have completed significant renovations reported in the amount of \$120,000.00. The site features landscaping in the form of a graveled driveway, mature trees, and fencing surrounding the property. As well the site is situated adjacent to a public utility lot exhibiting exposure to the Elbow River. The public utility lot will be discussed in greater detail later within this report.
HIGHEST & BEST USE:	An optimal program of utilization would involve a continuation of the existing use as a recreational residence that is able to accommodate year-round use.
DATE OF INSPECTION:	April 15 <sup>th</sup> , 2019



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Page 12 **Appellant Evidence**

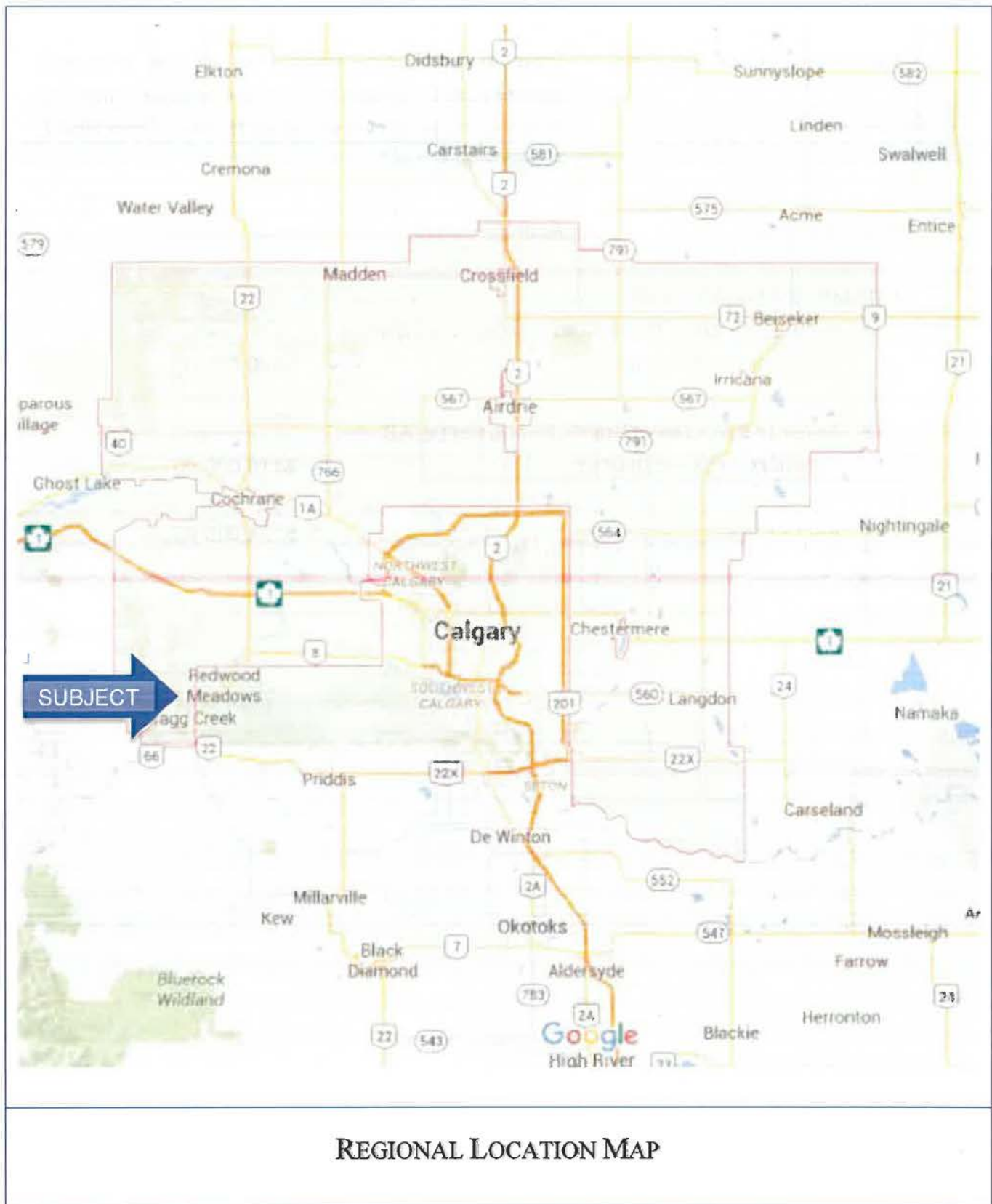
EFFECTIVE DATES OF ANALYSIS: Prior to and upon completion of the proposed commercial improvements on the adjacent property to the south which is located at 19 River Drive North, Bragg Creek, AB.

DATE OF REPORT: April 23<sup>rd</sup>, 2019

ESTIMATE OF MARKET VALUE:

➤ PRIOR TO 19 RIVER DRIVE NORTH, BRAGG CREEK, AB COMMERCIAL DEVELOPMENT:	\$490,000.00
➤ AFTER 19 RIVER DRIVE NORTH, BRAGG CREEK, AB COMMERCIAL DEVELOPMENT:	\$416,000.00
➤ VALUE LOSS:	\$ 74,000.00







## CITY OF CALGARY AND ROCKY VIEW COUNTY ECONOMIC OVERVIEW

Economic conditions and real estate markets are fundamentally linked. The City of Calgary is the key economic driver within southern Alberta and a general overview of the recent economic performance of the metro area will assist in understanding trends that have been at play within various sectors of the real estate market. The overview will key on a number of leading economic indicators within the City of Calgary and this will be followed by a review of similar economic indicators within Rocky View County.

<b>TABLE 1</b> <b>CALGARY/ALBERTA</b> <b>REAL GROSS DOMESTIC PRODUCT</b> <b>PERCENTAGE CHANGE</b>		
<b>YEAR</b>	<b>CALGARY</b>	<b>ALBERTA</b>
2000	+3.60%	+6.38%
2001	+3.80%	+2.24%
2002	+3.30%	+2.47%
2003	+3.40%	+3.16%
2004	+4.40%	+4.14%
2005	+5.70%	+5.25%
2006	+6.60%	+6.60%
2007	+3.60%	+4.10%
2008	-1.70%	+1.20%
2009	-4.30%	-4.40%
2010	+2.80%	+3.40%
2011	+3.10%	+2.40%
2012	+3.80%	+3.70%
2013	+3.80%	+3.90%
2014	+4.40%	+4.40%
2015	-2.40%	-3.80%
2016	-3.70%	-2.25%
2017	+6.90%	+6.70%
2018	+2.90%	+3.0%
2019	+2.1%	+2.0%

Source: Statistics Canada, Conference Board of Canada, Province of Alberta & City of Calgary

The period extending between 2000 to year end 2007 represented a very buoyant economic period within Calgary and the province. The economy during this period was being driven by a very strong oil and gas sector, which in turn, was creating a positive climate for virtually all other facets of the economy. Growth between 2000 and 2004 was steady and accelerated during 2005 and 2006.



2008 was a transitional year. This marked the advent of the global financial crisis, which basically emerged in the early fall of 2008. The global financial crisis triggered a dramatic drop in oil prices, which in turn, slowed the provincial economy and City of Calgary economy. 2009 was generally recognized as being a recessionary year.

By 2010, oil prices had recovered and economic conditions within Calgary and the province began to improve. Steady growth was evident between 2010 and 2014.

Late 2014 marked another dramatic shift in economic conditions throughout the province. In the last quarter of 2014, oil prices began a dramatic downward trend. This continued throughout 2015 and resulted in negative growth for both Calgary and the province. Oil prices recovered somewhat during 2016 however, this also marked a period of negative economic growth. 2017 proved to be a year of recovery both within the City of Calgary and the Province of Alberta. Most recently in 2018, the local and regional economies exhibited continued recovery although at reduced levels as compared to 2017 attributable to on-going problems in the oil and gas sector (low prices, pipeline delays, etc.).

<b>TABLE 2</b> <b>POPULATION GROWTH</b> <b>CALGARY/ALBERTA</b> <b>2000 - 2018</b>				
	<b>CALGARY</b>		<b>ALBERTA</b>	
<b>YEAR</b>	<b>POPULATION</b>	<b>% CHANGE</b>	<b>POPULATION</b>	<b>% CHANGE</b>
2000	860,749	+2.13%	2,932,963	+4.03%
2001	876,519	+1.83%	2,962,664	+1.01%
2002	904,987	+3.24%	2,993,638	+1.04%
2003	922,315	+1.91%	3,034,362	+1.36%
2004	933,495	+1.21%	3,066,257	+1.04%
2005	956,078	+2.42%	3,182,178	+3.78%
2006	988,193	+3.36%	3,290,350	+3.40%
2007	1,019,942	+3.21%	3,416,350	+3.50%
2008	1,042,892	+2.25%	3,433,145	+2.35%
2009	1,065,455	+2.16%	3,584,648	+4.41%
2010	1,071,515	+0.56%	3,609,319	+0.69%
2011	1,090,936	+1.81%	3,651,143	+1.16%
2012	1,120,225	+2.68%	3,699,939	+1.33%
2013	1,149,552	+2.62%	3,759,038	+1.60%
2014	1,195,196	+3.97%	3,966,875	+5.52%
2015	1,230,915	+2.99%	4,196,457	+5.79%
2016	1,235,171	+0.34%	4,206,927	+0.02%
2017	1,246,337	+0.09%	4,261,116	+1.29%
2018	1,267,344	+1.69%	4,330,206	+1.62%

Source: City of Calgary, Province of Alberta



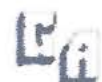


The population of the City of Calgary surpassed one million people in 2007 and steady growth had been evident between 2000 and 2007. Continued growth was evident from 2008 on although growth slowed during 2010 as a result of the two previous years of economic recession. Growth once again was curtailed in 2016 and 2017 as a result of the recent past economic downturn. While growth was evident, this was primarily driven by natural births. There was a negative net migration of residents to the city in 2016 and a minimal positive net migration in 2017 at 974 persons. Most recently in 2018, growth has renewed being tied with the economic recovery and a positive net migration of 11,588 persons was recorded.

<b>Table 3</b> <b>Oil/Natural Gas Prices</b> <b>2005 - 2018</b>		
<b>YEAR</b>	<b>WORLD OIL PRICE (US \$/BBL)</b>	<b>ALBERTA NATURAL GAS PRICES (\$/GJ)</b>
2005	\$ 63.38	\$8.56
2006	\$ 66.02	\$6.22
2007	\$ 72.32	\$5.88
2008	\$ 99.66	\$6.25
2009	\$ 61.82	\$3.63
2010	\$ 79.53	\$3.57
2011	\$ 95.12	\$3.28
2012	\$ 90.13	\$3.46
2013	\$105.48	\$3.87
2014	\$ 53.27	\$3.19
2015	\$ 36.35	\$2.34
2016	\$ 53.41	\$3.30
2017	\$ 52.51	\$3.00
2018	\$ 70.66	\$2.85

Source: Province of Alberta

Oil prices were generally on a rising trend between 2005 reaching a peak in early 2008. Prices once again declined dramatically in the second half of 2008 and this is reflected in a much lower average price in 2009. A trend towards firming during 2010 to 2013 is again evident. As highlighted, prices dropped substantially in the final quarter of 2014 and were very low in 2015. There was a modest recovery in 2016 which was generally maintained through 2017. Oil prices were at an increased level throughout the majority of 2018 as shown by the higher average price illustrated in the chart above. However, oil prices decreased notably in the 4<sup>th</sup> quarter of 2018 and now currently sit at a reduced level consistent again with 2016 and 2017 prices. Natural gas prices generally peaked between 2005 and 2008. Prices have been soft since that





time, reaching a low point in 2015, with recovery being evident in 2016 and a stabilization in 2017. Prices again slipped in 2018. Of particular note during the last quarter of 2018 was the price differential between Western Canada Select and world prices. As a result of a wide differential the province opted to reduce production. This has improved the price differential.

TABLE 4 CALGARY JOB CREATION 2000 - 2018	
YEAR	JOB CREATION
2000	23,600
2001	24,200
2002	1,500
2003	16,400
2004	37,500
2005	29,300
2006	33,400
2007	9,600
2008	32,300
2009	(17,200)
2010	5,400
2011	20,000
2012	28,900
2013	31,200
2014	18,500
2015	13,700
2016	(72,700)
2017	26,500
2018	4,500

Source: Statistics Canada Labor Force Survey

TABLE 5 CALGARY/ALBERTA UNEMPLOYMENT RATES 2000 - 2018		
YEAR	CALGARY UNEMPLOYMENT RATE	ALBERTA UNEMPLOYMENT RATE
2000	4.1%	5.0%
2001	4.5%	5.1%
2002	5.7%	5.1%
2003	5.6%	5.2%
2004	4.8%	4.5%
2005	4.4%	4.0%
2006	2.7%	3.2%
2007	2.9%	3.2%
2008	3.8%	4.2%
2009	6.6%	6.6%
2010	6.9%	5.5%
2011	5.5%	4.9%

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2012	4.8%	4.5%
2013	4.4%	4.7%
2014	4.5%	4.7%
2015	6.3%	7.0%
2016	9.4%	8.5%
2017	8.7%	7.0%
2018	7.7%	6.8%

Source: Statistics Canada Labor Force Survey

Between 2000 and 2008, the City of Calgary was characterized by relatively strong job creation. 2009 was an exception as a result of the economic downturn that was evident during that year. The job market recovered in 2010 and was strong leading into 2014. Growth was still evident in 2015 albeit at a reduced level however, 2016 was characterized by significant job losses. The unemployment rate spiked to a recent high at 9.4% as of year end of 2016. However, with positive job creation in 2017 and 2018, the unemployment rate has declined slightly. Similarly, the Alberta unemployment rate also spiked at year end 2016 but improved in 2017 and 2018 as the economy has begun to recover.

TABLE 6 CALGARY BUILDING PERMIT STATISTICS 2000 - 2018 (\$000's)		
YEAR	TOTAL	% CHANGE
2000	2,063,940	+19.01%
2001	1,966,766	- 4.70%
2002	2,289,849	+16.42%
2003	2,444,331	+ 6.74%
2004	2,449,449	+ 0.21%
2005	3,602,151	+47.05%
2006	4,767,623	+32.35%
2007	5,615,995	+17.79%
2008	4,142,099	-26.24%
2009	3,660,000	-11.64%
2010	2,910,000	-20.49%
2011	4,540,000	+56.01%
2012	4,480,000	- 1.32%
2013	6,050,000	+35.04%
2014	6,510,000	+ 7.60%
2015	6,229,000	- 4.31%
2016	4,660,000	-25.18%
2017	4,580,000	- 1.72%
2018	4,402,000	- 3.89%

Source: City of Calgary



Construction activity grew at a rapid pace between 2000 reaching a peak in 2007. Activity subsided with the economic down years between 2008 and 2010 however, resumed substantially in 2011 and peaked in 2014. 2015 was a reasonably active year however, as a result of the economic downturn, there was a dramatic drop in construction of 25.18% in 2016 and this depressed level of activity continued through 2017 and 2018 as building activity, particularly non-residential, tends to take time to react to economic changes.

TABLE 7 CITY OF CALGARY HOUSING STARTS 2000 - 2018	
YEAR	TOTAL
2000	11,093
2001	9,931
2002	14,254
2003	11,911
2004	13,213
2005	13,572
2006	14,133
2007	10,947
2008	9,600
2009	4,953
2010	7,295
2011	7,726
2012	10,301
2013	9,380
2014	13,833
2015	10,128
2016	7,516
2017	9,451
2018	9,350

Source: Canada Mortgage & Housing Corporation

The residential market between 2000 and 2006 was exceptionally strong and starts peaked in 2006. There was a decline in activity in 2007, particularly during the second half of the year and this carried over into 2008. With the economy being recessionary in 2009, housing starts reached a recent low. The market began to recover in 2010 and reached another recent peak in 2014. Activity then declined through 2015 and 2016 as the economic downturn took hold. In 2017 and 2018 however, housing starts have rebounded with the economic recovery.





<b>TABLE 8</b> <b>APARTMENT VACANCY RATES</b> <b>CALGARY METROPOLITAN AREA</b> <b>2000 - 2018</b>	
<b>YEAR</b>	<b>VACANCY RATE</b>
2000	1.3%
2001	1.2%
2002	2.9%
2003	4.4%
2004	4.3%
2005	1.6%
2006	0.5%
2007	0.7%
2008	2.1%
2009	5.3%
2010	3.6%
2011	1.9%
2012	1.3%
2013	1.0%
2014	1.4%
2015	5.3%
2016	7.0%
2017	6.3%
2018	3.9%

Source: Canada Mortgage & Housing Corporation

Vacancy levels reached historic lows during the strong economic growth periods of 2006 and 2007. The rate spiked in 2009 as a result of the economic downturn and again, was relatively low during the periods of strong growth between 2011 and 2014. Coinciding with the economic downturn, 2015 and 2016 exhibited increasing vacancy levels and 2016 represents a recent peak. Vacancy levels declined in 2017 and 2018 consistent with the economic recovery.



<b>TABLE 9 CITY OF CALGARY YEAR END OFFICE VACANCY RATES 2000 - 2018</b>		
<b>YEAR</b>	<b>DOWNTOWN VACANCY RATE</b>	<b>SUBURBAN VACANCY RATE</b>
2000	11.50%	9.70%
2001	10.80%	11.80%
2002	13.80%	15.10%
2003	12.40%	15.30%
2004	8.40%	12.10%
2005	2.10%	7.60%
2006	0.50%	1.90%
2007	3.40%	3.80%
2008	5.20%	8.10%
2009	15.50%	15.70%
2010	13.00%	13.60%
2011	5.70%	9.50%
2012	5.70%	12.40%
2013	9.01%	11.00%
2014	8.50%	10.10%
2015	18.10%	16.00%
2016	25.00%	21.80%
2017	27.47%	19.19%
2018	26.45%	20.74%

Source: CB Richard Ellis, Colliers

Office vacancy levels both within the Downtown core and suburban sector reached a low point during 2006 and 2007. Vacancy rates in both categories spiked in 2009 as a result of the economic downturn. Recovery was evident after 2010. With the economic downturn in 2015, vacancy levels have again spiked and have reached recent highs, particularly within the Downtown core, and remained at a high level through 2018.

<b>TABLE 10 CITY OF CALGARY YEAR END INDUSTRIAL VACANCY RATES 2000 - 2018</b>	
<b>YEAR</b>	<b>VACANCY RATE</b>
2000	3.06%
2001	3.30%
2002	5.40%
2003	4.40%
2004	3.90%
2005	2.30%
2006	0.80%
2007	0.90%
2008	3.10%



2009	5.20%
2010	3.80%
2011	3.10%
2012	2.70%
2013	5.10%
2014	3.80%
2015	6.00%
2016	7.70%
2017	7.00%
2018	6.30%

Source: CB Richard Ellis

The industrial sector has performed very well for an extended period of time. Vacancy levels reached historic lows during 2006 and 2007. There was an increase in 2009 as a result of the soft economy and levels again declined to a recent low of 2.7% in 2012. Vacancies increased in 2013 as a result of a sharp increase in new construction. Absorption however was strong in 2014. With the economic downturn of 2015 and substantial new construction occurring at the time, vacancies escalated and the year end 2016 vacancy represents a recent high. Slow recovery has been evident over the past two years as economic conditions have improved.

**TABLE 11  
CITY OF CALGARY  
YEAR END RETAIL VACANCY RATES  
2003 - 2018**

YEAR	VACANCY RATE
2003	4.70%
2004	3.30%
2005	2.90%
2006	1.50%
2007	1.90%
2008	1.80%
2009	2.30%
2010	2.40%
2011	1.90%
2012	2.40%
2013	3.00%
2014	2.70%
2015	4.70%
2016	4.19%
2017	6.50%
2018	5.60%





The retail market has been performing exceptionally well throughout the time frame analyzed. Vacancies reached historic lows in the 2006 to 2008 time frame and have generally remained low since that time. Even with the weak economic conditions of 2015 and 2016, vacancies have remained low with the spike in both 2015 and 2017 primarily influenced by noticeable chain closures such as Target and Future Shop in the former and Sears in the latter.

In summary, between 2000 and 2008, there was a rapid expansion within the City of Calgary that was facilitated through the location of more head offices to the city, heightened energy sector activity, the establishment of new large and medium sized manufacturing plants of a diverse nature, the expansion of existing manufacturing and processing facilities, significant expansions in the wholesale and retail sectors, large increases in business services activity and stimulated construction activity. The economy was recessionary in 2009. The market was characterized by recovery and strong growth between 2010 and 2014. This situation however altered dramatically in 2015 with the drop in world oil prices which substantially weakened economic conditions both within Calgary and the province. However, a recovery commenced in 2017 coinciding with improving economic conditions and growth continued, albeit at a limited rate, through 2018. Continued slow growth is anticipated throughout 2019.

The following tables will highlight recent activity levels within Rocky View County:

**Table 12**  
**Rocky View County**  
**Population Change**  
**1986 - 2016**

YEAR	POPULATION	% CHANGE
1986	17,484	-
1991	19,888	+13.75%
1996	23,326	+17.29%
2001	30,688	+31.56%
2006	34,597	+12.74%
2011	36,461	+ 5.38%
2013	38,055	+ 4.37%
2016	39,407	+ 3.55%



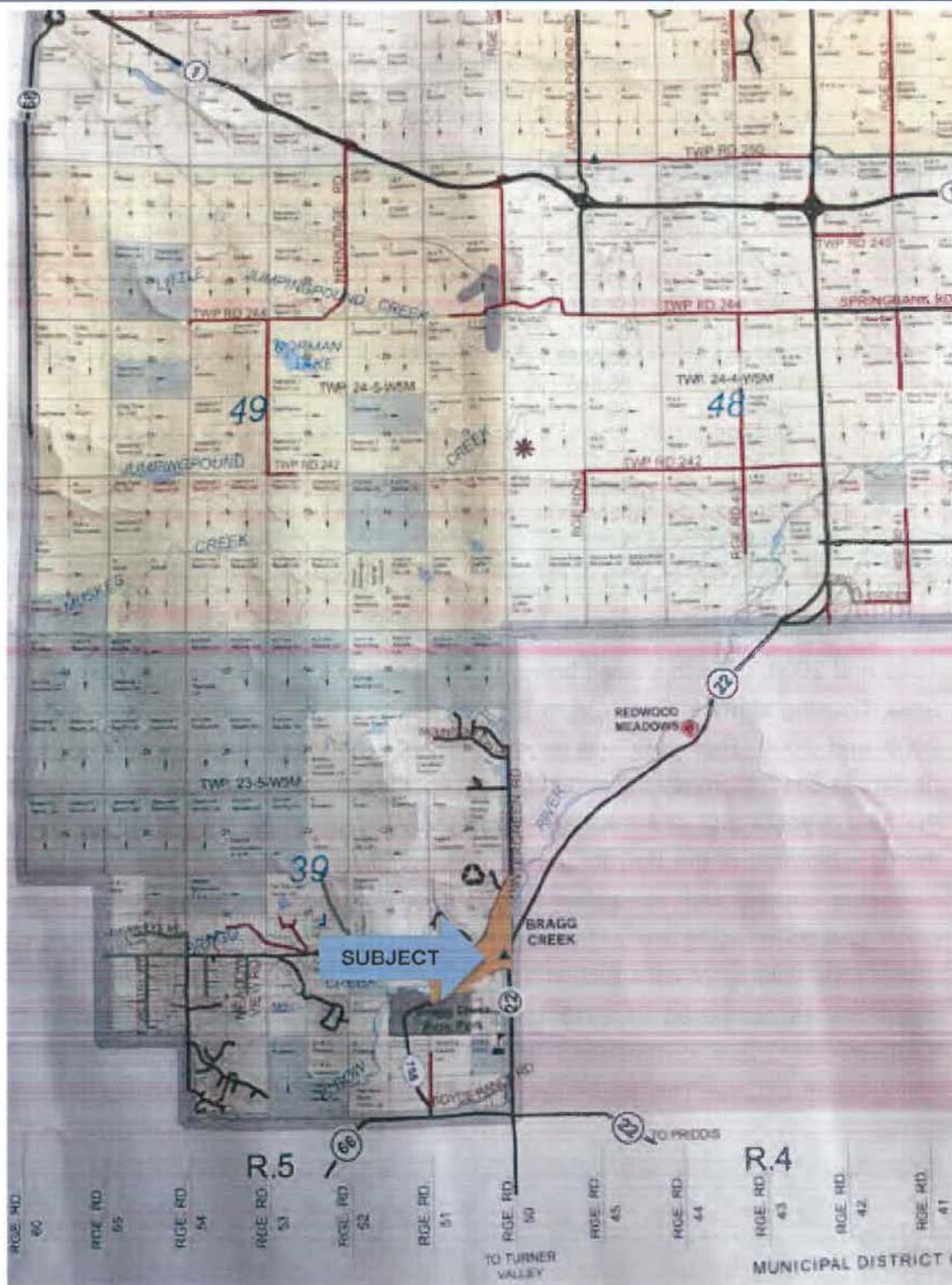
**Table 13**  
**Rocky View County Building Permit Statistics**  
**2005 – 2019 (March)**  
**(\$000's)**

YEAR	RESIDENTIAL	INDUSTRIAL	COMMERCIAL	INSTITUTIONAL	TOTAL	HOUSING STARTS
2005	184,806	51,915	2,738	2,179	240,908	333
2006	194,540	58,114	6,226	1,465	260,345	416
2007	273,456	66,158	87,713	12,889	440,216	475
2008	173,123	53,275	28,184	5,945	260,527	217
2009	143,089	56,572	78,303	1,102	279,068	228
2010	187,599	17,296	16,444	15,680	237,019	285
2011	141,442	105,034	17,607	10,623	274,706	207
2012	227,933	50,048	8,865	5,283	292,129	313
2013	193,937	86,845	16,515	5,731	303,028	247
2014	256,345	96,994	21,457	1,285	376,081	287
2015	204,928	77,472	24,444	1,582	308,778	245
2016	178,106	53,170	42,109	19,499	292,884	215
2017	202,662	114,205	10,391	2,605	329,863	299
2018	220,382	162,904	10,958	5,082	399,326	285
2019 (March)	30,515	9,654	2,508	50	42,727	42

Strong population growth has clearly been evident in Rocky View County between 1986 and 2006. Growth slowed between 2006 and 2016. Typical of the Calgary Metro Area, housing starts in Rocky View County peaked in 2006 and 2007 and declined in 2008 and 2009. Recovery was evident in 2010 however, there was once again a decline in 2011. Commercial and industrial construction activity have been strong over the past 5 years and of particular note in terms of growth in these sectors has been the development of the Balzac area. This has included the Cross Iron Mills Regional Shopping Centre and extensive industrial development occurring within industrial parks and surrounding areas. Despite the softening economic conditions, there was a reasonable volume of construction activity during 2016. Overall activity for 2016 was down 5% as compared to 2015 but was 22% below the peak achieved in 2014. Economic recovery commenced in 2017 and there was a noticeable uptick in construction activity. This held true in 2018 and is expected to continue throughout 2019.







BRAGG CREEK LOCATION MAP





## MARKET AREA ANALYSIS

Bragg Creek is situated within the southwest portion of the M.D. of Rocky View County. With a population of 39,407 residents as of 2016, the County is the most populous municipal district in Alberta. Though predominantly rural in nature, Rocky View County includes 14 hamlets, one of which includes Bragg Creek.

Bragg Creek is situated at the confluence of the Elbow River and Bragg Creek, 30 km west of the City of Calgary, and accessed via Highway 22 or Highway 758. The population of Bragg Creek was 589 as of the 2016 census.

While Bragg Creek originated as a ranching community, the economy of the Hamlet is now predominantly reliant on tourism. This has resulted from the close proximity of Bragg Creek to the City of Calgary as well as the numerous outdoor recreational activities available at the nearby Bragg Creek Provincial Park to the south and Kananaskis to the southeast. Bragg Creek has commercial amenities considered typical for a hamlet of this size.

In 2005, Bragg Creek experienced flooding from the Elbow River and residents were put on a flood watch and eventual voluntary evacuation. Many buildings within the Hamlet were damaged in this event. As a result of the concerns for potential future flooding, Rocky View County has implemented flood mitigation projects in order to protect lands against the impact of flooding of the Elbow River. In consideration of the same and by virtue of a public utility lot purchase and designation agreement, Rocky View County has recently purchased 0.091 acres from the west portion of the subject site, which fronts the river, in order to complete flood mitigation works.

Properties in the area are fully serviced to municipal standards inclusive of power, telephone, natural gas, water, and sanitary sewer. Roads in the area are paved. Drainage is handled via open roadside ditches.



## SITE REVIEW



## AREA/SHAPE

The subject site is an interior lot exhibiting an area of  $\pm 53$  acres. As previously described within the Market Analysis section of this report, Rocky View County has purchased a .091 acre strip of land from the subject owners. This land, now designated as a public utility lot, is situated west of the subject site along the Elbow River and was purchased in order to allow for future flood mitigation. The subject lot is generally rectangular in shape.

## TOPOGRAPHY/SOILS

The site is generally level in topography. As noted, Rocky View County has recently purchased a 0.091 portion of the subject lands in order to mitigate future flooding and has redesignated the purchased land as a public utility lot. Erosion was evident along the banks of the Elbow River at the western portion of this lot. However, no topographical concerns in relation to the subject lot were apparent. It is of note however that should the County not complete flood mitigation works, further erosion of the public utility lot could affect the subject property in the future. The completion of soil tests was not within the scope of this analysis. Given the maturity of the area and development in place, the assumption is being made that there are no soil issues.

EA



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

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Similar to the above, the completion of an environmental assessment was not within the scope of this analysis. The assumption is therefore being made that there are no environmental issues. No obvious concerns were noted in completing the inspection. Gettel Appraisals Ltd. however are not environmental experts. If a detailed assessment by a recognized authority did confirm contamination problems, any value estimates derived within the context of this report could be rendered invalid.

### ACCESS

The subject property is situated fronting River Drive North, west of Balsam Avenue. Roadways are paved and the subject site entails a graveled driveway.

### UTILITIES

The site has access to the full municipal servicing standard which includes electricity, natural gas, telephone, water, and sanitary sewer.

### TITLE/ENCUMBRANCES

Included as Exhibit B in the Addenda of this report is a copy of the current Certificate of Title for the subject site. There are a total of three instruments registered against the title. The first instrument relates to a caveat registered in 1939 by the Director of Town Planning that approved the registration of the subject plan and indicates regulations in regard to subdivision of land. The second instrument is a mortgage in favor of Scotia Mortgage Corporation with an original principal amount of \$436,000.00. The third instrument is a caveat registered in 2019 regarding a purchasers interest in favor of Rocky View County. This relates to the aforementioned purchase and designation agreement of the public utility lot comprising 0.091 acres of the western portion of the subject lands for the purpose of flood mitigation works. The encumbrances registered against title have no bearing on the use, marketability, saleability, or the conclusions arrived at herein.

### ASSESSMENT AND TAXES

- 2019 Assessment: \$441,400.00
- 2018 Property Taxes: \$ 2,251.75

\*2019 mill rate not yet released.





## HISTORY OF OWNERSHIP

According to the Certificate of Title, the registered owners are Craig Ronald Nickel and Aaron Travis Matiushyk each as to an undivided 50% interest. The last activity referred to the June 2015 transfer of the property for an indicated consideration of \$400,000.00. Since that time, the owners indicated that \$120,000.00 has been spent on renovations. As previously indicated, a signed purchase and designation agreement, in addition to a caveat on the subject title registered March 4<sup>th</sup>, 2019, indicated that Rocky View County purchased 0.091 acres of the western portion of the subject site fronting the Elbow River for purposes of flood mitigation works. Consideration paid for this portion of the subject land was \$266,809.46; which includes consideration for the market value of the partial requirement, injurious affection, damages, and temporary work space. There have been no other known transactions or marketing of the subject within the last 36 months.

## ZONING DESIGNATION

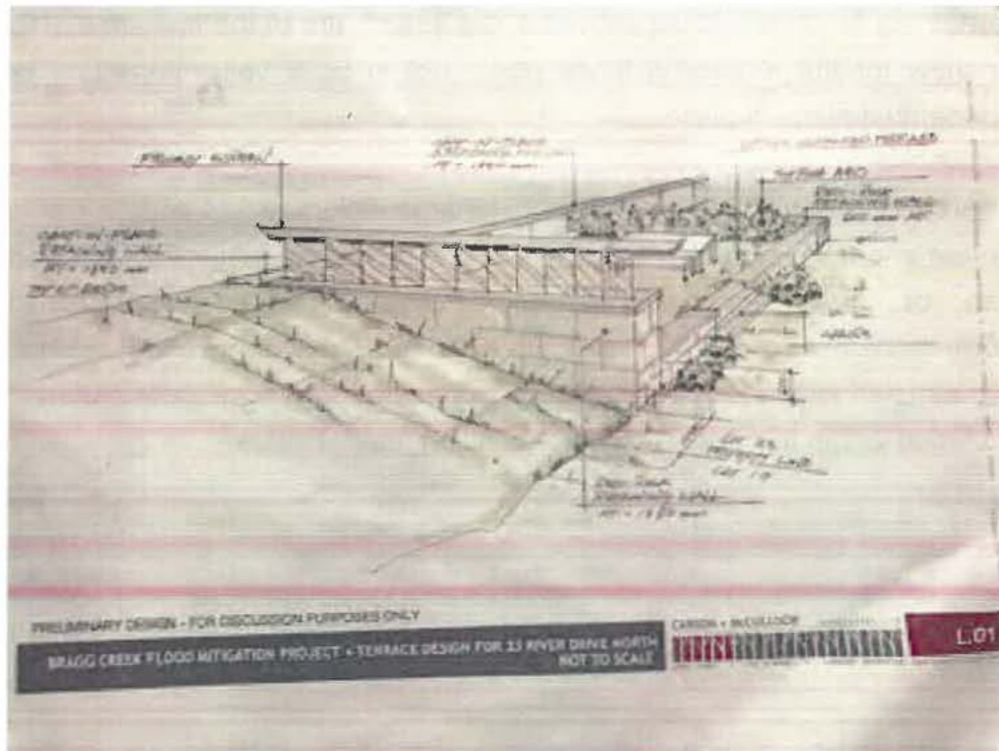


Zoning Designation:	HR-1 – Hamlet Residential Single Family District
Purpose:	The purpose of this district is to provide for single family residential development.
Uses:	Permitted and discretionary uses include, single detached dwellings, bed and breakfast homes, etc.
Regulations:	For an in depth review, reference is made to Exhibit C.
Conformity:	A review of the subject property in relation to the Bylaw would



indicate that the subject is in conformity.

### FLOOD MITIGATION WORKS



As noted within the market area analysis section, Rocky View County has implemented flood mitigation projects in order to ensure that flooding of the Elbow River does not impact surrounding properties. As a result, the County recently purchased a 0.091 acre portion of the subject lands fronting the Elbow River to be designated as a public utility lot in order to construct and maintain the flood mitigation works. Reference is made to the above visualization of the preliminary design of the proposed flood mitigation project which will be constructed on the public utility lot adjacent to the subject land and Elbow River.

Resulting from the public utility lot sale, the subject owners no longer own the portion of lands that front the Elbow River which could present injurious affection to the remaining lands thereby impacting the market value of the subject property. The preliminary conceptual designs proposed for the public utility lot adjacent to the subject essentially involve a retaining wall along the river bank. However, the project as proposed will involve a staircase to view the Elbow River in addition to a sodded area for enjoyment.

LA

While considering the loss of ownership of this portion of lands by the subject owners, the project could provide for a positive impact on the remaining lands given the mitigation of flooding in addition to the continued ability of the subject owners to view the river from the area that will be terraced. As such, while the smaller lot size of the remaining lands would impact value, the writers are of the opinion that loss of river use or view for the remaining lands would not to be a value impacting factor given the conceptual plans in place.

Improvements within the public utility lot area include a 144 square foot bungalow guest house and a wood deck. At the time of inspection, the subject owners continued to have use of these improvements and this presumably would continue until the commencement of the flood mitigation works. However, given that these improvements are situated within the public utility lot purchased by Rocky View County, they will not be included within this analysis or the resulting market value.





## DESCRIPTION OF IMPROVEMENTS

The following description and analysis of the subject improvements is based on an interior and exterior inspection completed on April 15<sup>th</sup>, 2019. The reader is referred to the photographs of the subject property presented at the beginning of this report to assist in visualizing the improvements.

### DESIGN/AREA

The west face of the residence fronts a public utility lot owned by Rocky View County and the Elbow River is located west of the public utility lot. There are two buildings on the subject site which include an 803 square foot bungalow residence with a crawlspace and 504 square foot detached garage.

#### Bungalow – (803 sq. ft.)

This structure is a log home built over a wood foundation. The exterior entails log construction and wood shakes, vinyl windows, majority metal roofing, and a 90 square foot portion comprises asphalt shingle roofing. Plumbing/mechanical entails a forced air furnace and hot water is provided via a tankless hot water heater. Access is provided via two man-doors. The layout consists of a kitchen, living room, dinette, bedroom, and 4-piece bathroom. Notable renovations/features of this structure include, but are not necessarily limited too; newer metal roofing, newer windows, laminate and newer butcher block kitchen countertops, tile kitchen backsplash, built in dishwasher, wood fireplace with floor to ceiling stone surround, renovated washroom, newer light fixtures and accessories, newer laminate flooring, upgraded electrical, etc.

#### Garage (504 sq. ft.)

The garage is of log construction built over a dirt floor and the roofing entails asphalt shingles. Access is provided via a swinging garage door.

### AGE/CONDITION

The improvements are estimated to have been constructed in the early 1900's. However, substantial renovations have been completed since that time, most notably within the past four years at which time the owners reportedly spent \$120,000.00 in renovations. The newer condition and quality of the improvements as related to the estimated chronological age was evident at the time of inspection. An effective age of



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

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40 years will apply and a typical economic life span is 60 years, indicating a remaining economic life of 20 years.

#### **SITE IMPROVEMENTS**

The site features a graveled driveway, concrete sidewalk blocks, a swinging gate, fencing surrounding the property, as well as mature trees throughout the property.



## HIGHEST AND BEST USE

The concept of "Highest And Best Use" may be defined as follows:

"That reasonable and probable use which will support the highest present value, as defined, as of the effective date of the appraisal. Alternatively, that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in the highest value."

### ANALYSIS

- The subject property is located within a Hamlet in an area characterized almost exclusively by low density residential land use. The current program of utilization in place conforms with the land use criteria.
- The site is of a sufficient size so as to accommodate low density residential use.
- The improvements evident are in good condition with renovations completed and would present an extended remaining economic life span.
- Land values are not to the point where any redevelopment of the site would be contemplated over the foreseeable future.

The writers have ultimately concluded that a continuation of the existing use as an improved residential holding would be representative of an optimal use. In the event the site was vacant, some form of low density residential use, similar to that in place, would represent an optimal use.





### APPRAISAL METHODOLOGY

Two approaches to value will be applied in order to derive an estimate of market value for the subject property prior to development of the proposed commercial improvements located at the southerly adjacent lot (19 River Drive North, Bragg Creek, AB). These two approaches to value include the Cost Approach and Direct Comparison Approach.

The Cost Approach is typically the first approach to value undertaken with regard to residential properties. This involves analyzing the property on a two part basis or the land and buildings as separate components. Land is valued via the Direct Comparison Approach and the value of the buildings are derived by deducting all forms of accrued depreciation from the estimated reproduction cost or replacement cost new of the improvements.

The Direct Comparison Approach involves contrasting the subject property to similar properties which have sold in the open market. Adjustments are made for differing factors.

Both approaches to value will be considered in this instance. The valuation in this regard will be undertaken using a Complete Residential Appraisal – Summary Report format.



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

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### APPROACHES TO VALUE





#### A) COST APPROACH

LAND:		\$ 375,000.00
BUNGALOW RESIDENCE: 803 Sq. Ft. @ \$220.00/Sq. Ft. =	\$176,660.00	
GARAGE 504 Sq. Ft. @ \$ 45.00/Sq. Ft. =	<u>\$ 22,680.00</u>	
TOTAL COST OF IMPROVEMENTS:		\$ 199,340.00
DEPRECIATION: \$199,340.00 @ 47%		<u>(\$ 93,690.00)</u>
PHYSICAL <u>X</u> FUNCTIONAL <u>    </u> ECONOMIC <u>    </u>		
DEPRECIATED COST OF IMPROVEMENTS INCLUDING LAND:		\$ 105,650.00
EXTRAS (DEPRECIATED VALUES)		
Landscaping	\$15,000.00	
Special Features	<u>\$10,000.00</u>	
		<u>\$ 25,000.00</u>
VALUE OF PROPERTY BY COST APPROACH:		\$ 504,350.00
ROUNDED TO:		<b>\$ 505,000.00</b>

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**B) DIRECT COMPARISON APPROACH**

COMPARABLE NO.	SUBJECT	1	2	3
				
ADDRESS:	23 River Drive North, Bragg Creek	64 Yoho Tinda Road, Bragg Creek	40 White Avenue, Bragg Creek	164 Wintergreen Road, Bragg Creek
SALE PRICE:	n/a	\$370,000.00	\$495,000.00	\$505,000.00
SALE DATE:	n/a	Oct 24, 2018	Feb 6, 2018	Feb 27, 2017
NEIGHBOURHOOD:	Bragg Creek	Bragg Creek	Bragg Creek	Bragg Creek
D.O.M:	n/a	84	75	39
SITE SIZE:	.53 Acres	.59 Acres	.50 Acres	1.45 Acres
BUILDING TYPE:	Single Family	Single Family	Single Family	Single Family
DESIGN/STYLE:	Bungalow	Bungalow	Bungalow	Bungalow
AGE/CONDITION:	1979 eff. / Avg	1967 / Avg	1965 / Avg	1973 / Avg
LIVING AREA:	803 Sq.Ft.	849 Sq.Ft.	1,048 Sq.Ft.	1,107 Sq.Ft.
	Total Bdrms	Total Bdrms	Total Bdrms	Total Bdrms
ROOM COUNT:	4 1	4 1	6 3	5 2
BATHROOM COUNT:	1F	1F	2F	2F 1P
BASEMENT:	Crawl Space	Crawl Space	F/Fin Walkout	F/Fin Walkout
PARKING:	Dbl. Det. Garage	No Garage	2 x Sgl. Det. Garage	Dbl. Det. Garage
UPGRADES:		Inferior	Superior	Similar
SITE INFLUENCE:	River View	n/a	n/a	n/a

**ADJUSTMENTS**

SALE PRICE:	-	\$370,000.00	\$495,000.00	\$505,000.00
SALE DATE:	-	-	-	-
NEIGHBOURHOOD:	-	-	-	-
SITE SIZE:	-	-	-	-\$20,000.00
BUILDING TYPE:	-	-	-	-
DESIGN/STYLE:	-	-	-	-
AGE/CONDITION:	-	-	-	-
LIVING AREA:	-	-\$2,000.00	-\$11,000.00	-\$14,000.00
BATHROOM COUNT:	-	-	-\$2,000.00	-\$4,000.00
BASEMENT:	-	-	-\$35,000.00	-\$35,000.00
PARKING:	-	+\$7,000.00	-	-
UPGRADES:	-	+\$50,000.00	-\$20,000.00	-
SITE INFLUENCE:	-	+\$60,000.00	+\$60,000.00	+\$60,000.00
COMPOSITE ADJUSTMENT:	-	\$115,000.00	-\$8,000.00	-\$13,000.00
ADJUSTED SALE PRICE:	-	\$485,000.00	\$487,000.00	\$492,000.00





**GENERAL DISCUSSION ON SALES DATA**

1. 1967 built bungalow located in the subject Hamlet of Bragg Creek. Upward adjustments were required to account for the lack of a garage, overall lesser upgrades/renovations, and lesser site influence given that this property does not exhibit exposure to the Elbow River. A minor downward adjustment was required to account for the larger living area.
2. 1965 built bungalow located in the subject Hamlet of Bragg Creek. An upward adjustment was required to account for the lesser site influence given that this property does not exhibit exposure to the Elbow River. Downward adjustments were required to account for the larger living area, greater bathroom count, fully finished walkout basement, and overall superior upgrades in comparison to the subject.
3. 1973 built bungalow located in the subject Hamlet of Bragg Creek. An upward adjustment was required to account for the lesser site influence given that this property does not exhibit exposure to the Elbow River. Downward adjustments were required to account for the larger site size, larger living area, greater bathroom count, and fully finished walkout basement,

**VALUE OF PROPERTY BY**

**DIRECT COMPARISON APPROACH:**

**\$490,000.00**

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**RECONCILIATION AND FINAL VALUE ESTIMATE**

The Direct Comparison Approach is the preferred indicator of value with the Cost Approach being supportive. All comparables are situated within the Hamlet of Bragg Creek. An adjustment was made to the comparables to account for the subject's exposure to the Elbow River. It is of note that Rocky View County recently purchased the western portion of the subject site fronting the river. However, this public utility lot is being utilized for flood mitigation purposes and planning in place indicates that the subject will still exhibit a view of and access to the Elbow River warranting an upward adjustment to the comparables. Given the relatively small size of Bragg Creek and limited comparable sales, an extended time-frame was analyzed. However, the market has been generally stable over this period and no adjustments for time are warranted. After making appropriate adjustments, all comparables used reflect an indication of value for the subject.



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

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### RECONCILIATION AND FINAL ESTIMATE OF VALUE

The following will summarize the value estimates derived for the subject property:

- Cost Approach: \$505,000.00
- Direct Comparison Approach: \$490,000.00

The Direct Comparison Approach will be weighted and the final estimate of value is \$490,000.00 effective prior to the completion of the proposed commercial development of the adjacent property located at 19 River Drive North, Bragg Creek, AB.

Ca

## PROJECT OVERVIEW

Within this section of the report, the proposed commercial development of the property adjacent to the subject will be summarized. In addition, the impact to the subject property and concerns related to the adjacent commercial development will be reviewed.

The situation at hand has arisen from proposed commercial development located at 19 River Drive North, Bragg Creek, AB; which is located directly south of the subject property. The proposed development will be a 41-foot tall, 3-storey structure that is to include a multi-use commercial space including a restaurant, 21 room hotel, micro-brewery with off sales, and coffee roaster. In this regard, reference is made to Exhibit C which includes building plans for the proposed development.

The following photographs will provide a visualization of the subject and neighboring property at the current state.



19 River Drive North, Bragg Creek, AB





Aerial Photograph

As visualized in the previous two photographs, the immediate area surrounding the subject property consists of residential dwellings on well-treed lots allowing for privacy and quiet enjoyment of the properties. The subject fronts River Drive North and traffic counts were not available within Bragg Creek. However, River Drive North comprises a relatively short dead-end residential road and observations by the appraiser at the time of inspection would confirm that very low traffic is evident. As well, on-street parking is not allowed on River Drive North.

The writer would also note that, aside from the redesignation of 19 River Drive North as HC – Hamlet Commercial District, all other lots along River Drive North are designated for residential use and entail HR-1 – Hamlet Residential Single Family District zoning. This would certainly suggest that commercial use in general does not conform to the land use in place for surrounding properties.

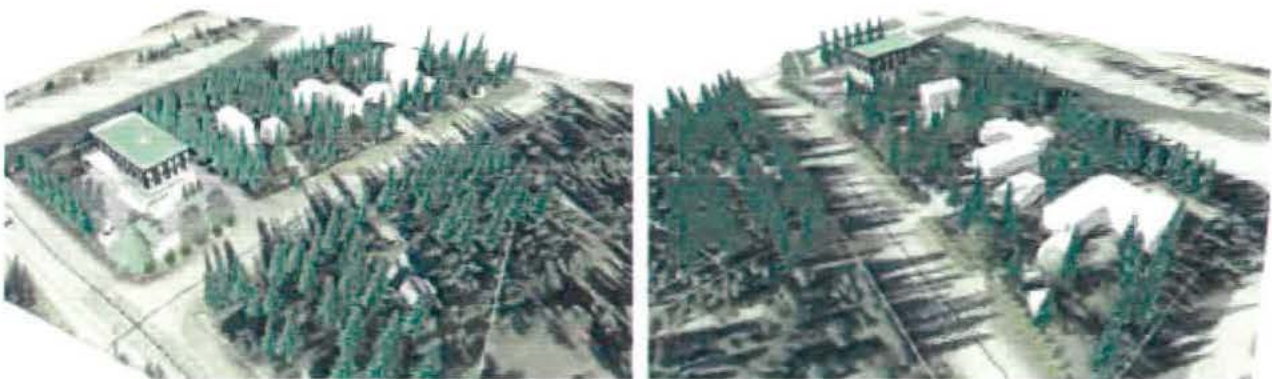
### POST COMMERCIAL DEVELOPMENT CONCERNS

A substantial concern with regard to the proposed commercial development relates to the likelihood of an increase in both pedestrian and vehicular traffic. As indicated, River Drive North currently comprises a relatively low-traffic dead end road allowing access to residential properties situated on the east and west side of the road and it is expected that the commercial development would lead to increased pedestrian and vehicular traffic along River Drive North.



Another substantial concern relates to the increased noise nuisance affecting the enjoyment of the subject property. As proposed, the entirety of commercial space within the proposed development entails users of a retail/hospitality nature and common sense would imply that the indicated uses including a hotel, restaurant, brewery with off sales, and coffee roaster would certainly lead to increased noise as opposed to the current residential development of 19 River Drive North but also potentially a less intensive form of commercial use that would typically be utilized within regular business hours as opposed to the wider ranging hours of business associated with the uses proposed.

The final notable concern resulting from the commercial development as proposed relates to loss of privacy to the subject property. As indicated, the development is proposed to be 41-feet in height which would indicate a fairly imposing structure and would certainly be of a higher density considering conformity to surrounding properties on River Drive North. Furthermore, and as seen in the following conceptual plan of the development, the height of the building when combined with the lack of tree cover between the subject and adjacent property would allow for occupants of the hotel to view directly into the subject lands. As with the other noted concerns, this loss of privacy would most certainly be considered a negative factor if the subject was offered for sale in the open market subsequent to the proposed adjacent commercial development.



Ultimately, it is the writers opinion that the proposed commercial development of the neighboring property would negatively impact the subject property. This situation would extend to any prospective purchaser or owner in the future resulting in a discounted market value to the subject property.

CA



## PROPERTY IMPACT ASSESSMENT

As indicated, the writers are of the opinion that the proposed commercial development of the adjacent property would result in a market discount to the subject property. This section will provide analysis to in order to arrive at an appropriate market discount that would be evident.

The situation at hand is extremely unique and no relevant examples of properties that have been similarly affected and subsequently sold in the open market were uncovered for review and whereby a market value adjustment could be ascertained in estimating the value loss that results. This will necessitate contrasting the subject property to scenarios where other forms of external nuisance or stigma have arisen.

As such, and in this instance, the writers have concluded that the most appropriate means for quantifying any value loss would be to review other case studies which have focused on quantifying negative impacts emanating from some form of external influence for residential properties. From a review of these case studies, an applicable discount rate will be derived which will be applied to the valuation of the subject property in order to derive an estimate of the value loss that will apply to the subject resulting from the neighboring commercial development being completed as proposed.

Three specific case studies will be analyzed in this instance including:

- LRT development study.
- Analysis of factors Influencing residential property values in the neighbourhood of Windsor Park.
- Impact of proximity to a sewage lagoon.

### LRT DEVELOPMENT STUDY

This study is included as Exhibit E in the Addenda and involves an LRT development study that has investigated sales activity within the Belgravia neighborhood of Edmonton. An LRT line was constructed in Belgravia in 2008/09 and this case study looks at how market values adjacent to the new LRT line have been impacted relative to those that do not flank the LRT line. In addition to potential foundational cracking, the study identifies two primary concerns with respect to the LRT construction in Belgravia. The first concern relates to the increased noise nuisance of proximity to the LRT line while the second concern relates to increased traffic queues resulting from the impacted ingress/egress of the neighborhood due to the LRT line. These would





both be considered a nuisance and while the circumstances are not exactly the same, the subject property would be impacted by similar concerns if commercial development occurs at the neighboring property. Specifically, and as addressed previously, the proposed commercial development would lead to both increased traffic and noise nuisances. This case study has resulted in an estimated market discount of 12% to 17% as a result of the stigma and nuisance associated with proximity to an LRT line within Edmonton.

#### **WINDSOR PARK NEIGHBOURHOOD ANALYSIS**

This study is included as Exhibit F in the Addenda and involves a comprehensive 30-year analysis of sales within the Windsor Park neighborhood of Edmonton. The study keyed on a number of factors which influenced residential property values both in a negative and positive fashion. While the specific circumstance being contemplated herein was not one of the negative factors analyzed in the Windsor Park Study, a number of analogous scenarios were reviewed which related to factors such as vehicular and pedestrian traffic, congestion, parking, etc.

The negative factors influencing value are of particular relevance and the following will summarize the average negative impact:

- adjacency to University of Alberta/arterial roads: -13% to -17%
- adjacency to arterial roads: -11%
- adjacency to schools/commercial facilities: - 8%

The impact of vehicular traffic is a factor for all of the above noted circumstances however, with regard to adjacency to the university as well as schools and commercial facilities, increased pedestrian traffic is a factor along with instances of trespass or littering, parking congestion etc. As well, with regard to the arterial roadways, one of the primary nuisances is that of noise. To this end, these studies provide background as to how the market reacts to negative external influences of traffic and noise; which again would be apparent if commercial development of the neighboring lot as proposed occurs. Of note is that the market discount pertaining to the subject would be expected to be greater than the discount indicated within this study as related to adjacency to commercial facilities. In regards to the situation at hand, commercial development would lead to a compounding of the market discount indicated given the relatively quiet recreational nature of Bragg Creek in comparison to the more populous nature of Windsor Park and the City of Edmonton in general.

**LEA**

### SEWAGE LAGOON CASE STUDY

This study is included as Exhibit G in the Addenda. The key problem identified with adjacency to sewage lagoons is that of foul odors. Properties of this type also tend to be stigmatized within the market. A series of three property sales were analyzed and value losses within a range of 15% to 20% were identified.

### PROJECTED PROPERTY LOSS

The property losses analyzed from the varying circumstances are summarized as follows:

- |                                      |           |
|--------------------------------------|-----------|
| • LRT Development Study              | 12% - 17% |
| • Windsor Park Neighborhood Analysis | 8% - 17%  |
| • Sewage Lagoon Case Study           | 15% - 20% |

As noted, the circumstances at hand are unique. In determining an appropriate market discount for the subject property, weighting has been placed on two case studies including the LRT Development Study and Windsor Park Neighborhood Analysis. In both of these studies, the market discounts identified resulted in large part from an increase in traffic as well as an increased noise nuisance; which would be apparent to the subject property if commercial development of the neighboring property is completed as proposed. As such, these two case studies are considered to most closely align with the situation being considered. In weighting these two studies, a market discount ranging from 8% to 20% is observed. The writers have concluded that a 15% loss in property value would arise resulting from the proposed commercial development of the neighboring lot municipally described as 19 River Drive North, Bragg Creek, AB.

The impacted valuation of the subject property is presented as follows:

Prior To Adjacent Commercial Development Valuation x % Loss = Value Impact

$$\text{\$490,000.00} \times .15 = \text{\$74,000.00 (rounded)}$$

The above implies a value loss to the subject property of **\\$74,000.00 (rounded)** arising from commercial development of the neighboring lot and provides for a total market value of **\\$416,000.00** for the subject property if commercial development of the neighboring property proceeds as proposed.



### CERTIFICATE OF APPRAISER

We, the undersigned, do hereby certify that:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal unbiased professional analyses, opinions and conclusions.
- We have no past, present or prospective interest in the property that is the subject of this report, and we have no personal interest or bias with respect to the parties involved.
- Our engagement in and compensation for the assignment were not contingent upon developing or reporting predetermined results, the amount of the value estimate, or a conclusion favoring the client.
- Our analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the Canadian Uniform Standards.
- We have the knowledge and experience to complete the assignment competently.
- No one provided significant professional assistance to the persons signing this report.
- The Appraisal Institute of Canada has a Mandatory Continuing Professional Development Program for designated members. As of the date of this report the authors have fulfilled the requirements of the program.
- Scott M. Strang, B.Comm., CRA completed a personal inspection on April 15<sup>th</sup>, 2019 of the property that is the subject matter of this report and being located at 23 River Drive North, Bragg Creek, Alberta.

EA



Based on the inspection conducted on April 15<sup>th</sup>, 2019, the preceding data, analyses and conclusions enables us to formulate the opinion that the following value loss applies to the property described herein as a result of the completion of the proposed commercial development to the neighboring property:

ESTIMATE OF MARKET VALUE:

- PRIOR TO 19 RIVER DRIVE NORTH, BRAGG CREEK, AB  
COMMERCIAL DEVELOPMENT: \$490,000.00
- AFTER 19 RIVER DRIVE NORTH, BRAGG CREEK, AB  
COMMERCIAL DEVELOPMENT: \$416,000.00
- VALUE LOSS: \$ 74,000.00

Respectfully submitted,



Scott M. Strang, B.Comm., CRA



Chris N. Kroker, B.Comm., AACI

Dated: April 23<sup>rd</sup>, 2019

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

ADDENDA



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT A**  
**DEFINITION OF THE APPRAISAL PROBLEM**





**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

**DEFINITION OF APPRAISAL PROBLEM**

*SCOPE OF APPRAISAL:*

The purpose in undertaking this analysis is to provide an estimate of the impact on value to the subject property resulting from the proposed commercial development of the adjacent property located at 19 River Drive North, Bragg Cree, AB. The basic function in undertaking this report is to provide a value estimate to assist in a public hearing with the Rocky View County Subdivision and Development Appeal Board.

Scott M. Strang, B.Comm., CRA and Chris N. Kroker, B.Comm., AACI are the authors of this report and Scott M. Strang, B.Comm., CRA personally inspected the property on April 15<sup>th</sup>, 2019. A copy of the Certificate of Title was obtained and all encumbrances researched. All sales data utilized within this report was personally researched and verified by the authors. The authors are responsible for the researching and analysis of all data and conclusions utilized within this report.

In developing opinions of value, the authors have adhered to the Standards outlined by the Canadian Uniform Standards of Professional Appraisal Practice. The following document has been prepared in the Full Narrative reporting format.

*LEGAL DESCRIPTION:*

**LOT 2**  
**BLOCK 6**  
**PLAN 1741EW**

*PROPERTY RIGHTS:*

The property rights being appraised are those of the "Fee Simple Estate". Fee Simple ownership includes a "bundle of rights", which embraces the right to use the property, to sell it, to lease it, to enter it, or to give it away. It also includes the right to refuse to take any of these actions. These rights and privileges are limited by powers of government that relate to taxation, eminent domain, police power and escheat.

*EFFECTIVE DATES:*

Prior to commercial development of the adjacent property (19 River Drive North, Bragg Creek, AB) and post commercial development of the adjacent property.

*MARKET VALUE:*

For the purposes of this report, the term "market value" is defined as follows:

"The most probable price in terms of money which a property should bring in a competitive and open market as of the specified date under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

Buyer and seller are typically motivated.

Both parties are well informed or well advised, and each acting in what they consider their own best interest.



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

A reasonable time is allowed for exposure in the open market.

Payment is made in terms of cash in Canadian dollars or in terms of financial arrangements comparable thereto; and

The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale." <sup>1</sup>

**EXPOSURE TIME:**

Exposure time may be defined as follows:

"The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market."<sup>2</sup>

Exposure time is different for various types of real estate and under various market conditions. It is noted that the overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. This statement focuses on the time component.

The fact that exposure time is always presumed to occur prior to the effective date of the appraisal is substantiated by related facts in the appraisal process: supply/ demand conditions as of the effective date of the appraisal; the use of current cost information; the analysis of historical sales information (sold after exposure and after completion of negotiations between the seller and buyer); and the analysis of future income expectancy estimated from the effective date of appraisal.

Our estimate of the most probable exposure time is based upon consideration of one or more of the following:

Statistical information about the time properties are exposed on the open mar

Information gathered through sales verification; and

Interviews of market participants.

The estimated exposure time for the subject property is forecast to be 1 to 3 months.

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<sup>1</sup> 2018 Canadian Uniform Standards of Professional Appraisal Practice

<sup>2</sup> 2018 Canadian Uniform Standards of Professional Appraisal Practice

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**FUNDAMENTAL ASSUMPTIONS AND LIMITING CONDITIONS**

- The date of value to which the opinions expressed in this report apply is set forth in the Letter of Transmittal. The appraisers assume no responsibility for economic or physical factors occurring at some later date which may affect the opinions herein stated.
- No opinion is expressed regarding legal matters that require specialized investigation or knowledge beyond that ordinarily employed by real estate appraisers.
- No opinion as to title is rendered. Data regarding ownership and legal description were obtained from sources considered reliable and, the title is assumed to be marketable and free and clear of all liens and encumbrances, easements and restrictions except those specifically discussed in the report.
- No engineering survey has been made by the appraisers. Except as specifically stated, data relative to size and area were taken from sources considered reliable, and no encroachment of real property improvements is assumed to exist other than specified.
- All maps, plats and exhibits included herein are for illustration only, as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any purpose.
- Scott M. Strang, B.Comm., CRA has personally inspected the subject property and found no obvious evidence of soil deficiencies except as stated in the report; however, no responsibility for hidden soil deficiencies, such as soil bearing capacity limitations, or conformity to specific government requirements, can be assumed without provision of specific professional or governmental inspections.
- All opinions, estimates, data and statistics furnished by other sources is believed to be reliable, however, we cannot guarantee its validity or accuracy.
- Possession of this report or copy thereof does not carry with it the right of publication, nor may it be used for purposes by other than the applicant without previous written consent of the appraisers or client.
- The completion of an environmental assessment was not within the scope of this analysis. The assumption is therefore being made that no environmental problems are evident except those discussed within the context of this report.





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT B**  
**CERTIFICATE OF TITLE**

**Ea**

23 RIVER DRIVE NORTH, BRAGG CREEK, AB



LAND TITLE CERTIFICATE

3  
LINE SHORT LEGAL TITLE NUMBER  
0020 300 010 1742NW:6:2 151 142 550

LEGAL DESCRIPTION  
PLAN 1741SW  
BLOCK 6  
LOT 2  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME

ESTATE: FREE SIMPLE  
ATS REFERENCE: 5:5.23:13,SE

MUNICIPALITY- ROCKY VIEW COUNTY

REFERENCE NUMBER: 001 001 741

REGISTRATION	DATE (DAY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
151 142 550	09/06/2015	TRANSFER OF LAND	\$400,000	\$400,000

OWNERS

CRAIG RONALD NICKEL  
OF 8904 76 AVENUE  
EDMONTON  
ALBERTA T6C 0J7  
AS TO AN UNDIVIDED 50% INTEREST

AARON TRAVIS MAYNOR  
OF 9213 76 STREET  
EDMONTON  
ALBERTA T6C 1T1  
AS TO AN UNDIVIDED 50% INTEREST

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
1742NW	30/06/1939	CAVEAT

( CONTINUED )

ERA

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

ENCUMBRANCES, LIENS & INTERESTS			PAGE 2
REGISTRATION			0 151 142 656
NUMBER	DATE (D/M/Y)	PARTICULARS	
RE : DEVELOPMENT AGREEMENT PURSUANT TO PLANNING ACT CAVEATOR - DIRECTOR OF TOWN PLANNING.			
161 011 361	14/01/2016	MORTGAGE MORTGAGEE - SCOTIA MORTGAGE CORPORATION, C/O THE BANK OF NOVA SCOTIA, 119 HILLMOORE TOWN CENTRE, 2331-56 STREET, EDMONTON ALBERTA T6K4B4 ORIGINAL PRINCIPAL AMOUNT: \$436,000	
191 054 133	18/03/2019	CAVEAT RE : PURCHASERS INTEREST CAVEATOR - ROCKY VIEW COUNTY 262075 ROCKY VIEW POINT ROCKY VIEW COUNTY ALBERTA T4A0N2 AGENT - TANESA KING	
TOTAL INSTRUMENTS: 003			

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 16 DAY OF APRIL,  
2019 AT 09:42 A.M.

ORDER NUMBER: 37056986

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).

Ca



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

EXHIBIT C  
LAND USE CRITERIA



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

**SECTION 59 HAMLET RESIDENTIAL SINGLE FAMILY DISTRICT (HR-1)**

**59.1 Purpose and Intent**

The purpose and intent of this District is to provide for single family residential development.

**59.2 Uses, Permitted (Excepting the Hamlet of Bragg Creek, see 59.1)**

Accessory buildings less than 85.00 sq. m (699.65 sq. ft.) buildings and  
 Dwelling, single detached  
 Government Services  
 Home Based Business, Type I  
 Private Swimming Pools

S.L.R. 21.04.75.0

**59.3 Uses, Conditional**

Bed and Breakfast Homes  
 Child care facilities  
 Dwelling, mixed-in  
 Home Based Business, Type II  
 Kennels, hobby  
 Public buildings and utilities  
 Special care facility  
 Signs

S.L.R. 21.04.75.0

**59.4 General Regulations**

The General Regulations apply as contained in Part 3 of this Bylaw as well as the following provisions:

**59.5 Minimum Requirements**

**59.5.1 General**

- (i) unserviced lots: 1,858.00 sq. m (19,999.35 sq. ft.)
- (ii) lots served by a piped water system but not a piped sewer system: 1,858.00 sq. m (19,999.35 sq. ft.)
- (iii) lots served by a piped sewer system but not a piped water system: 929.00 sq. m (9,999.67 sq. ft.)
- (iv) fully serviced lots: 929.00 sq. m (9,999.67 sq. ft.)

**59.5.2 Width of lots**

- (i) serviced lot: 33.50 m (111.20 ft.)



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

- 10. **unimproved lot: 30.50 m (100.07 ft.)**
- 11. **0.00 m (19.69 ft.)**
- EXCEPTIONS:**
  - 11. **Lots 1, 2, 4, 5, 6 and 7, Block 3, Plan 1761 EW, located in the Hamlet of Bragg Creek.**
- 12. **unimproved lot: 30.50 m (100.07 ft.)**
- 13. **0.00 m (19.69 ft.)**
  - 1. **street side of corner site: 3.00 m (9.84 ft.)**
  - 2. **all other sites: 2.40 m (7.87 ft.)**
- EXCEPTIONS:**
  - 1. **Lot 2, Block 5, Plan 1741 EW, located in the Hamlet of Bragg Creek.**
  - 2. **Lot 1, Block 6, Plan 1741 EW, located in the Hamlet of Bragg Creek.**
- 14. **minimum yard side (street side of corner site): 5.50 m (18.04 ft.)**
- 15. **unimproved lot: 30.50 m (100.07 ft.)**
  - 1. **street side of corner site: 3.00 m (9.84 ft.)**
  - 2. **all other sites: 0.60 meters (1.97 ft.)**
- 16. **unimproved lot: 30.50 m (100.07 ft.)**
  - 1. **one unobstructed yard side: 3.00 m (9.84 ft.) the other 2.40 m (7.87 ft.)**
  - 2. **street side of a corner site: 3.00 m (9.84 ft.)**
- 17. **unimproved lot: 30.50 m (100.07 ft.)**
  - 1. **street side of a corner site: 3.00 m (9.84 ft.)**
  - 2. **all other sites: 0.60 m (1.97 ft.)**



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

1)	<b>Front Yard</b>
2)	<b>Minimum setbacks</b>
1)	8.00 m (26.25 ft.)
3)	<b>Accessory buildings</b>
1)	site with lane: 1.00 m (3.28 ft.)
2)	site without lane: 1.00 m (3.28 ft.)
4)	<b>Maximum ground floor area (exclusive basement)</b>
a)	90.00 sq. m (968.75 sq. ft.) single store dwelling
b)	90.00 sq. m (968.75 sq. ft.), being the combined area of any two levels of a split level dwelling
c)	65.00 sq. m (699.65 sq. ft.) main floor area, plus 27.00 sq. m (290.63 sq. ft.) second floor area, two storey dwelling
d)	74.00 sq. m (796.53 sq. ft.) split level or bi-level main floor area, plus 18.00 sq. m (193.75 sq. ft.) second floor area, two storey dwelling
e)	90.00 sq. m (968.75 sq. ft.) main floor for a dwelling, moved in.
5.4.2	<b>Maximum limits</b>
a)	<b>Site coverage</b>
1)	principal building: 25% of the site
2)	accessory buildings: 10% of the site
b)	<b>Height of buildings</b>
1)	principal building: 10.00 m (32.81 ft.)
2)	accessory building: 5.50 m (18.04 ft.)
c)	Maximum dwellings per lot is one (1).
d)	Total <del>living</del> <b>living</b> area for all accessory buildings: 90.00 sq. m (968.75 sq. ft.)
e)	Maximum number of accessory buildings: Two (2).



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

**15.06.1 System: Wastewater**

Prior to issuance of a Development Permit or Building Permit for development of a site not serviced by a public piped sewer system and/or a piped sewer system, the Development Authority must be satisfied that an adequate sewage disposal system exists and that the method of sewage disposal would not be a public health hazard.

**15.06.2 Zoning: Residential**

Notwithstanding S9.3, in the hamlet of Bragg Creek, as shown on Land Use Map (19-1), the following uses shall be considered Discretionary Uses:

- Accessory buildings less than 65 00 sq. m (69 68 sq. ft.) buildings area
- Accessory Dwelling Unit (may be a Secondary Suite, a Suite within a Building, or a Garden Suite)
- Dwelling, duplex
- Dwelling, semi-detached
- Dwelling, single detached
- Private Swimming Pools

15.06.1024



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT D**  
**PROPOSED COMMERCIAL DEVELOPMENT BLUEPRINTS – 19 RIVER DRIVE NORTH**





**STARK**  
architecture

ARCHITECTURAL DRAWING NO. 101

- 1.00 SITE PLAN
- 2.00 EXTERIOR ELEVATIONS
- 3.00 INTERIOR ELEVATIONS
- 4.00 SECTION
- 5.00 DETAIL
- 6.00 FURNITURE
- 7.00 SIGNAGE
- 8.00 LANDSCAPE
- 9.00 OTHER

**Bragg Creek Brewing Co.**

19 River Drive N. (Bragg Creek)  
Rocky View County, Alberta

Development Permit

October 5, 2018



EA

23 RIVER DRIVE NORTH, BRAGG CREEK, AB



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**STARK**  
architects

23 River Drive N  
Bragg Creek  
Bragg Creek Co.  
Bragg Creek Co.

19 River Drive N  
Bragg Creek  
Bragg Creek Co.  
Bragg Creek Co.

Development Permit

Site Plan - Existing

A.1.1



LA



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**STARK**  
STARK & SONS LTD.

BRAGG CREEK  
BRAGG CO.

18 River Drive N  
(Bragg Creek)  
Rocky View County  
Alberta

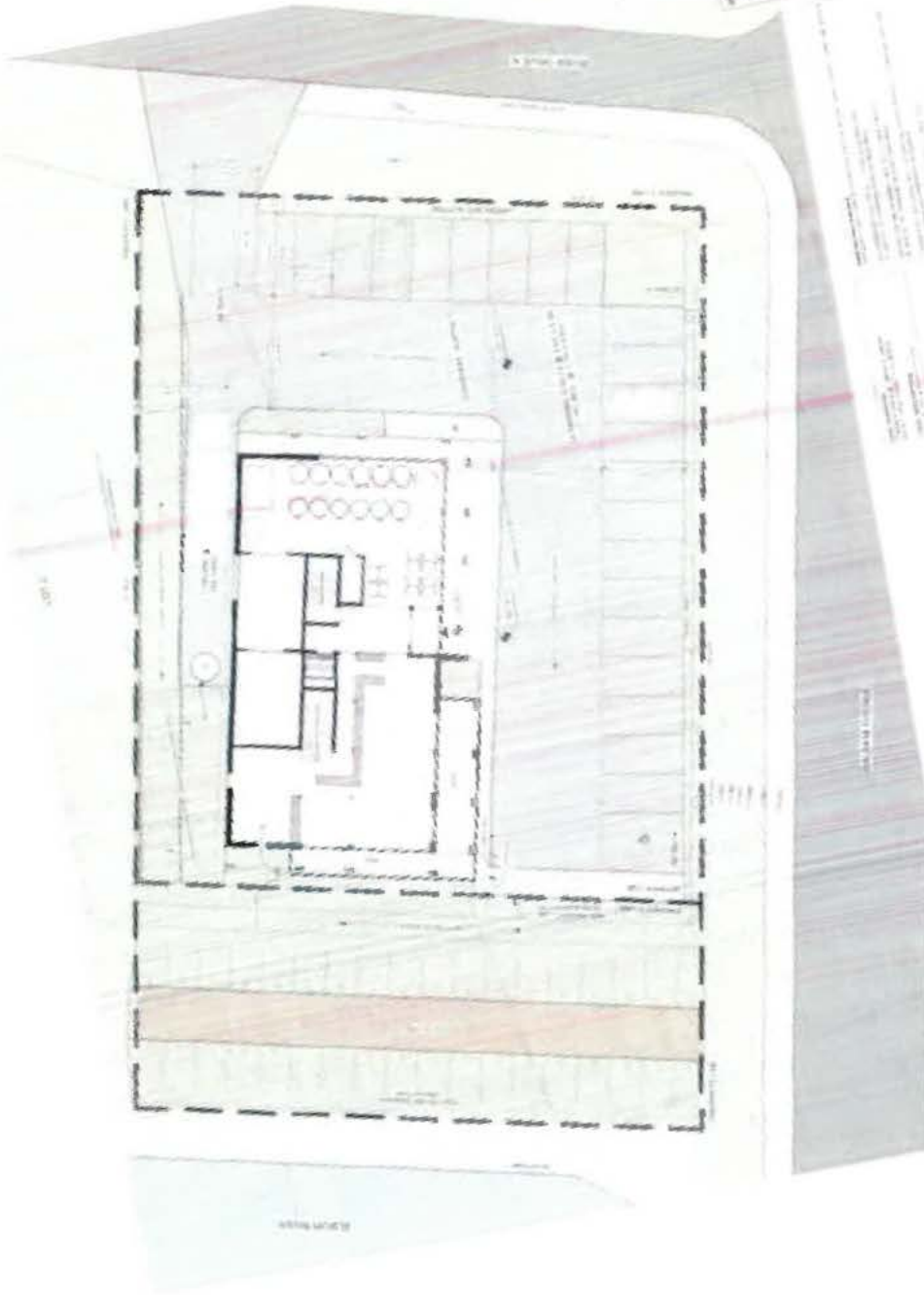
CREST

Development Name

Site Plan

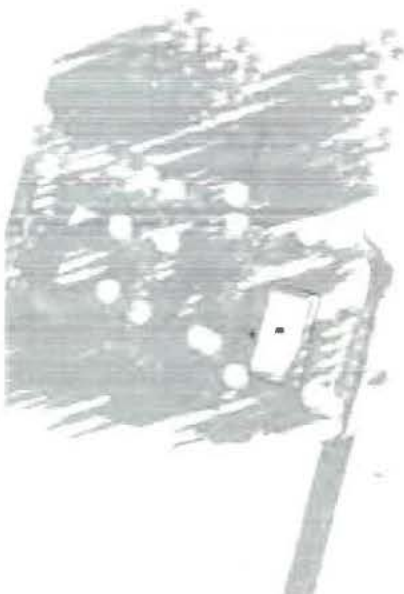
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APPENDIX A

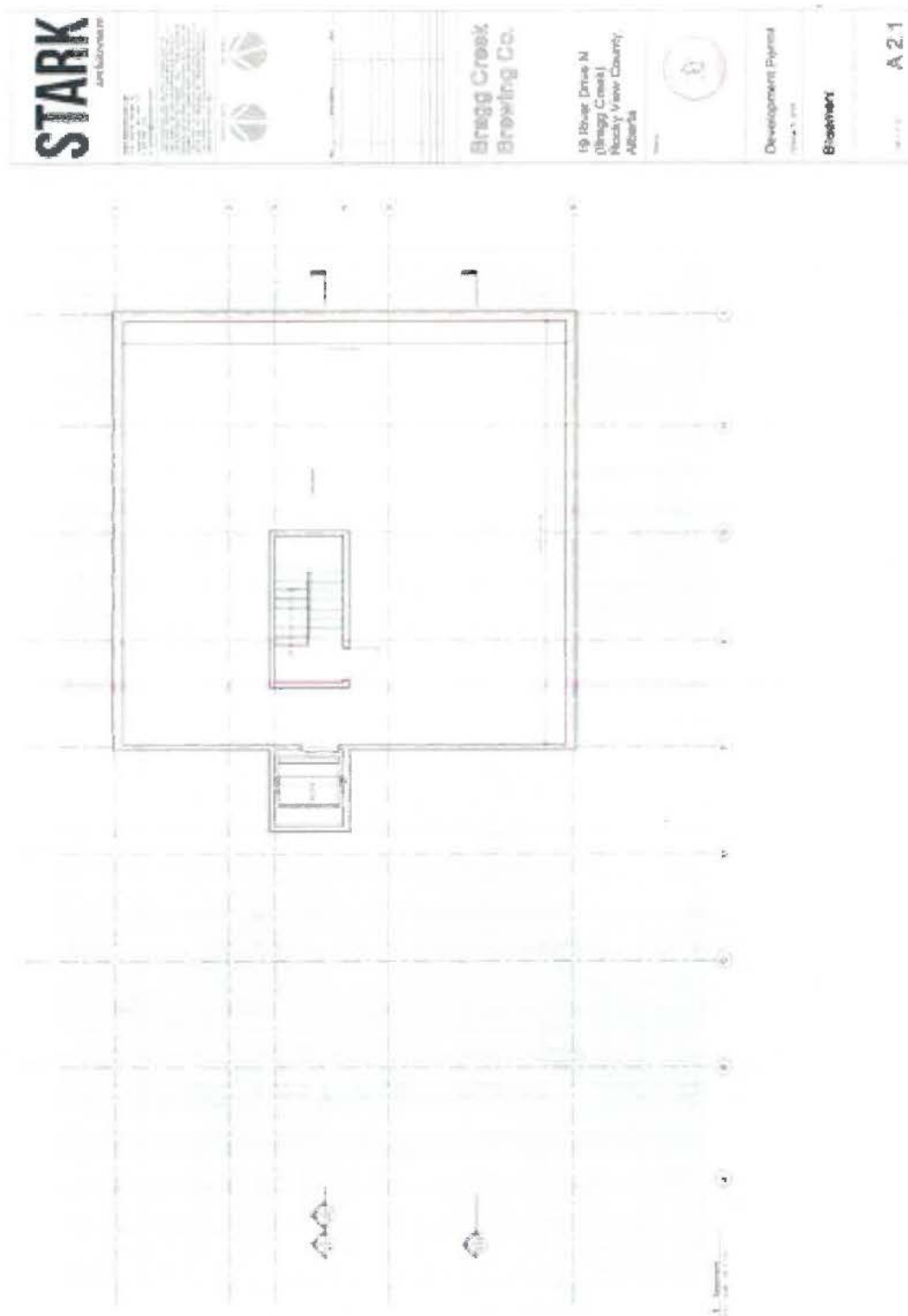


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23 RIVER DRIVE NORTH, BRAGG CREEK, AB



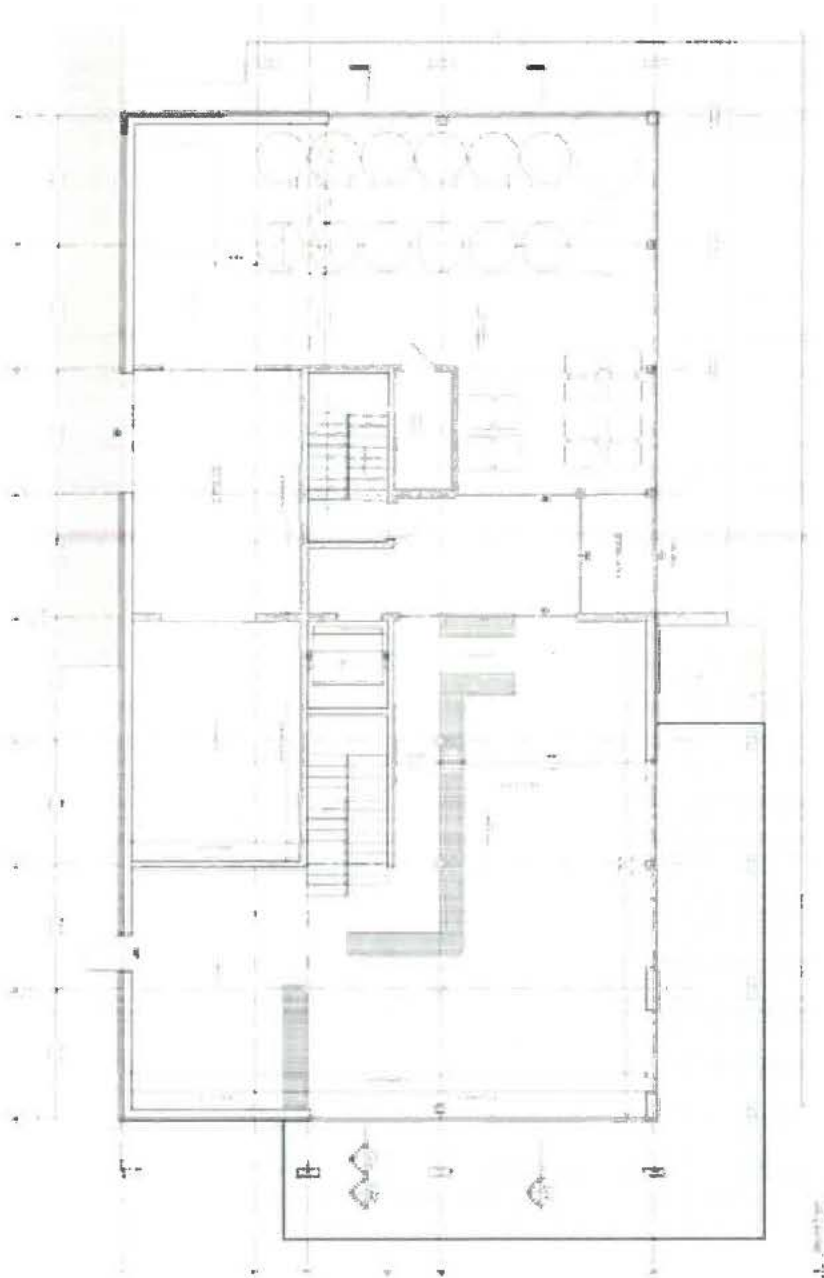
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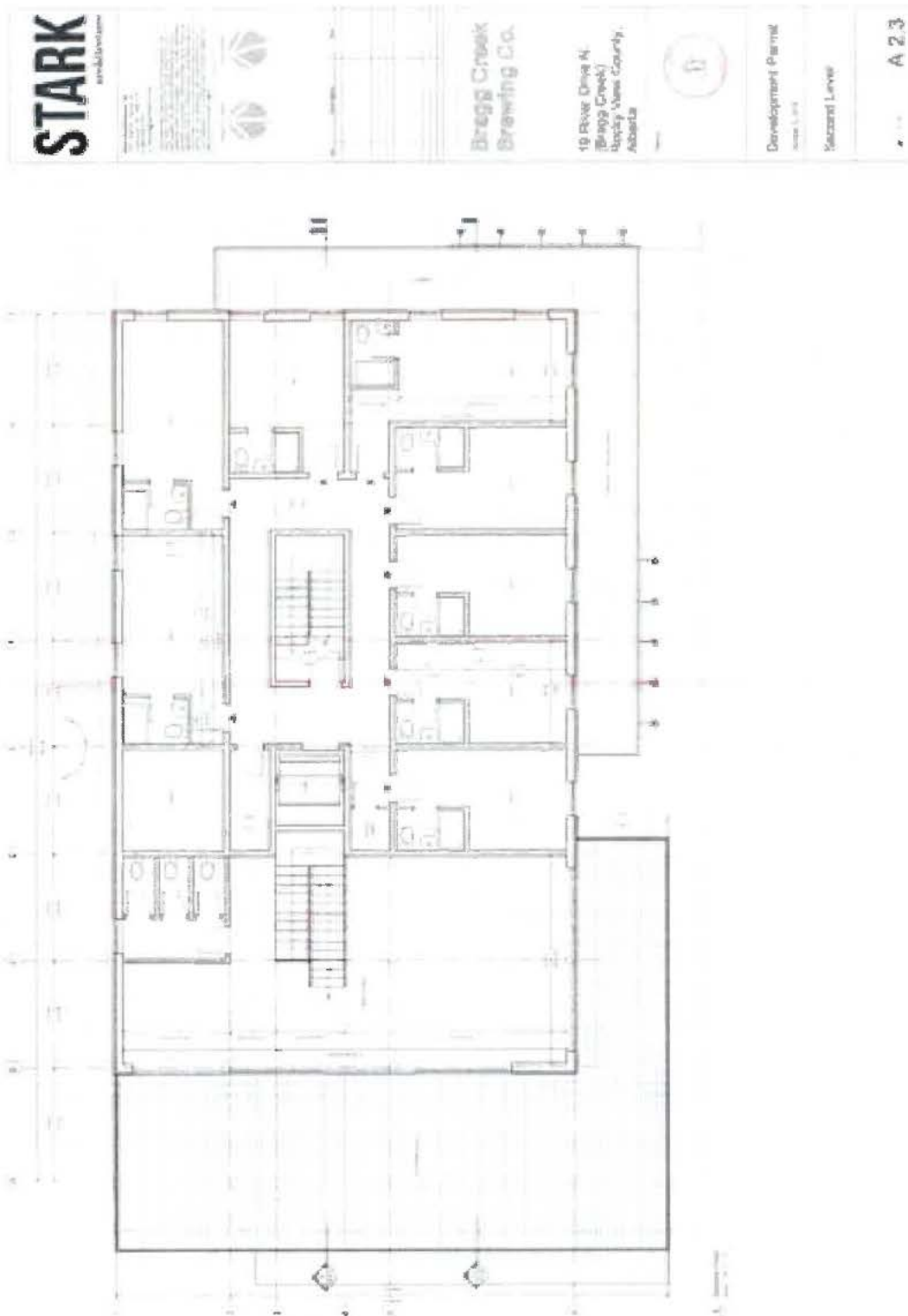
CA



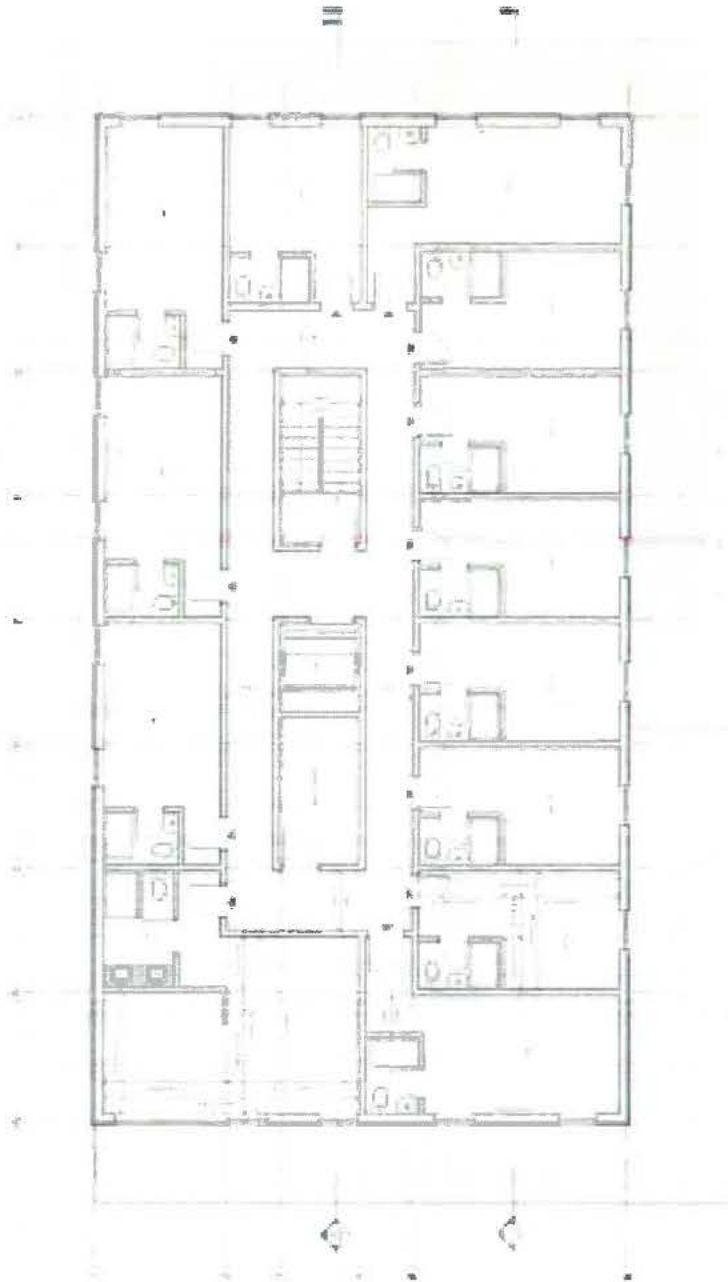
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23 RIVER DRIVE NORTH, BRAGG CREEK, AB



23 RIVER DRIVE NORTH, BRAGG CREEK, AB



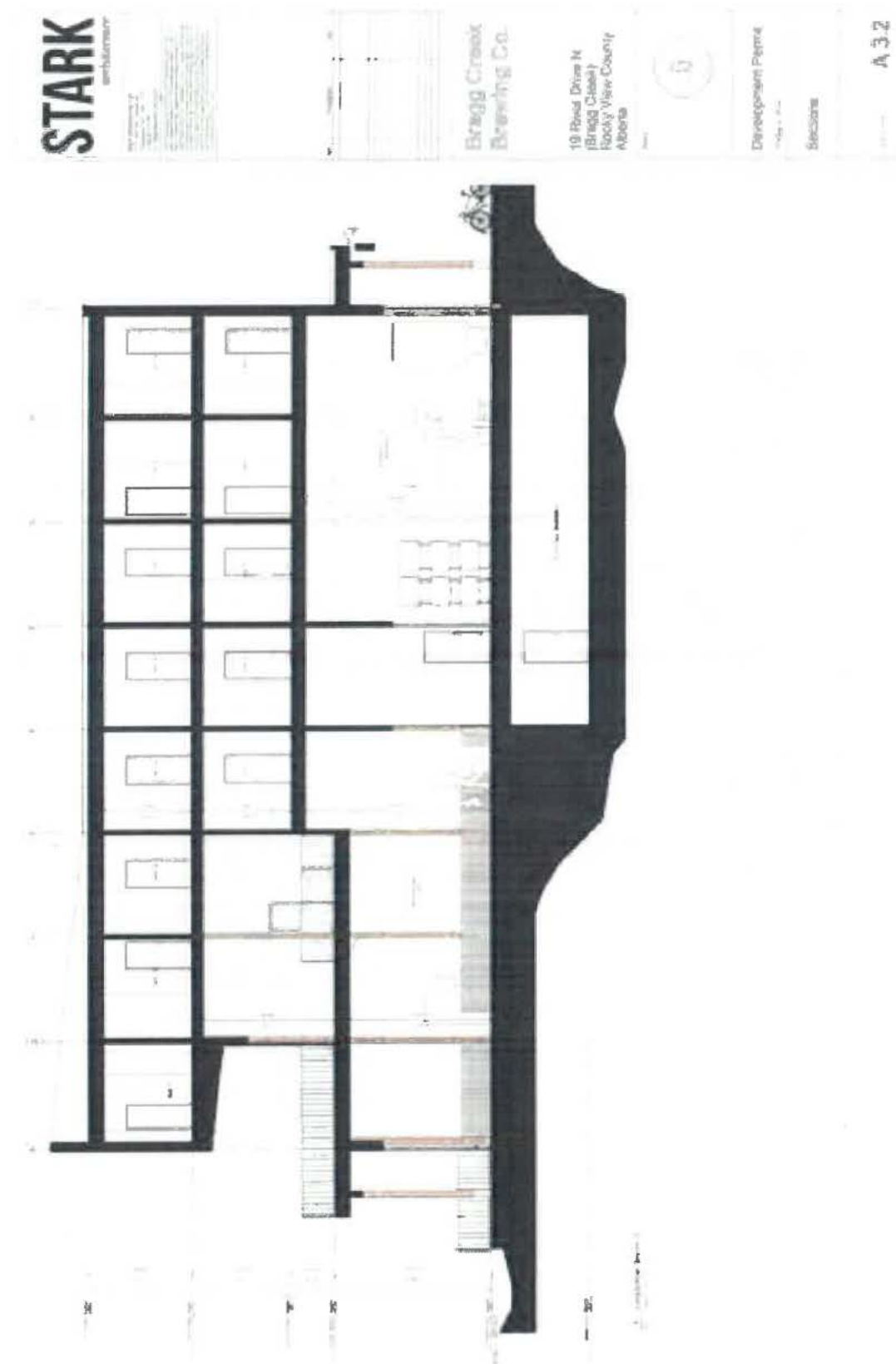


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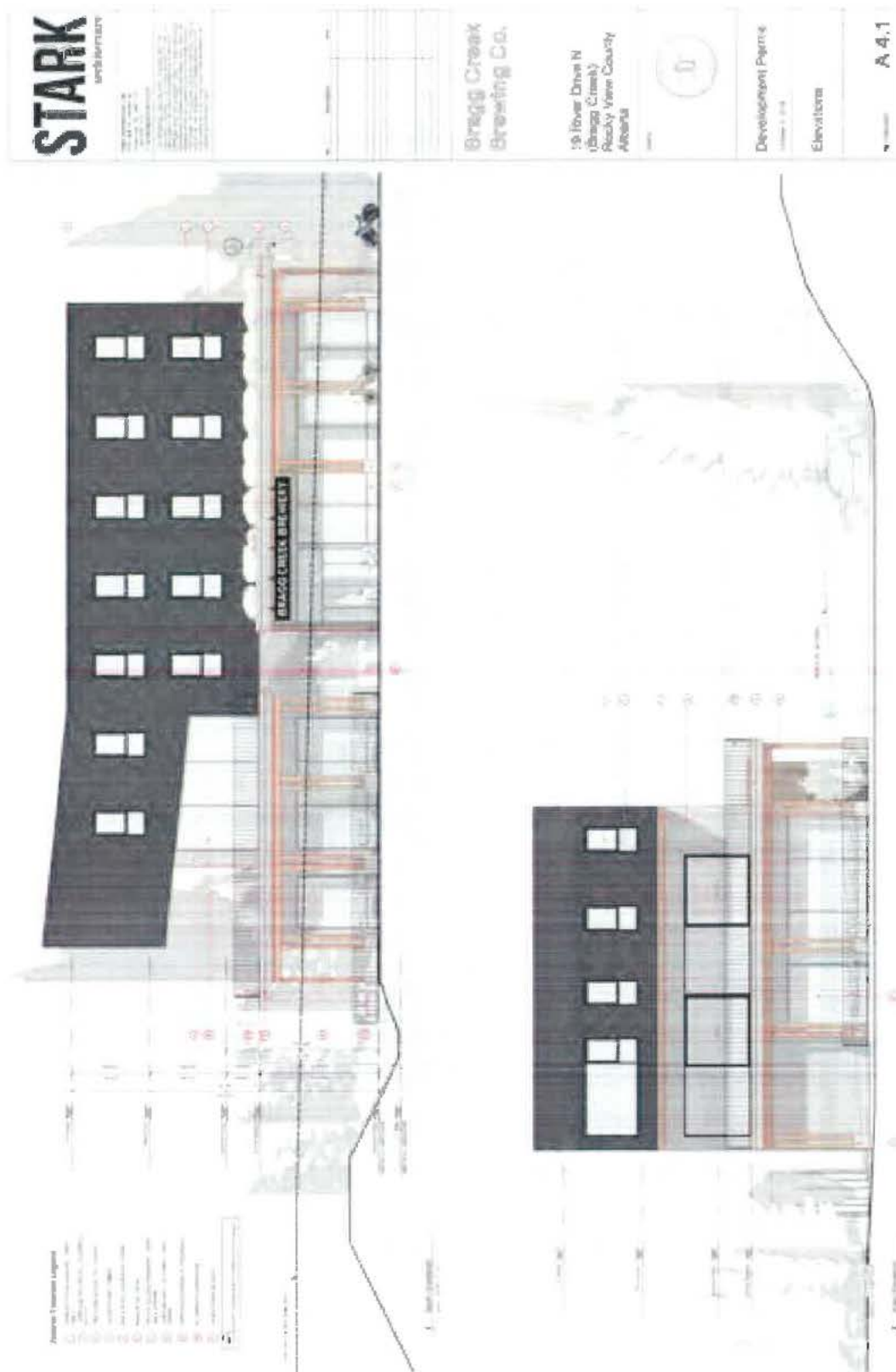
**CA**

23 RIVER DRIVE NORTH, BRAGG CREEK, AB



ERA

23 RIVER DRIVE NORTH, BRAGG CREEK, AB



**Ea**

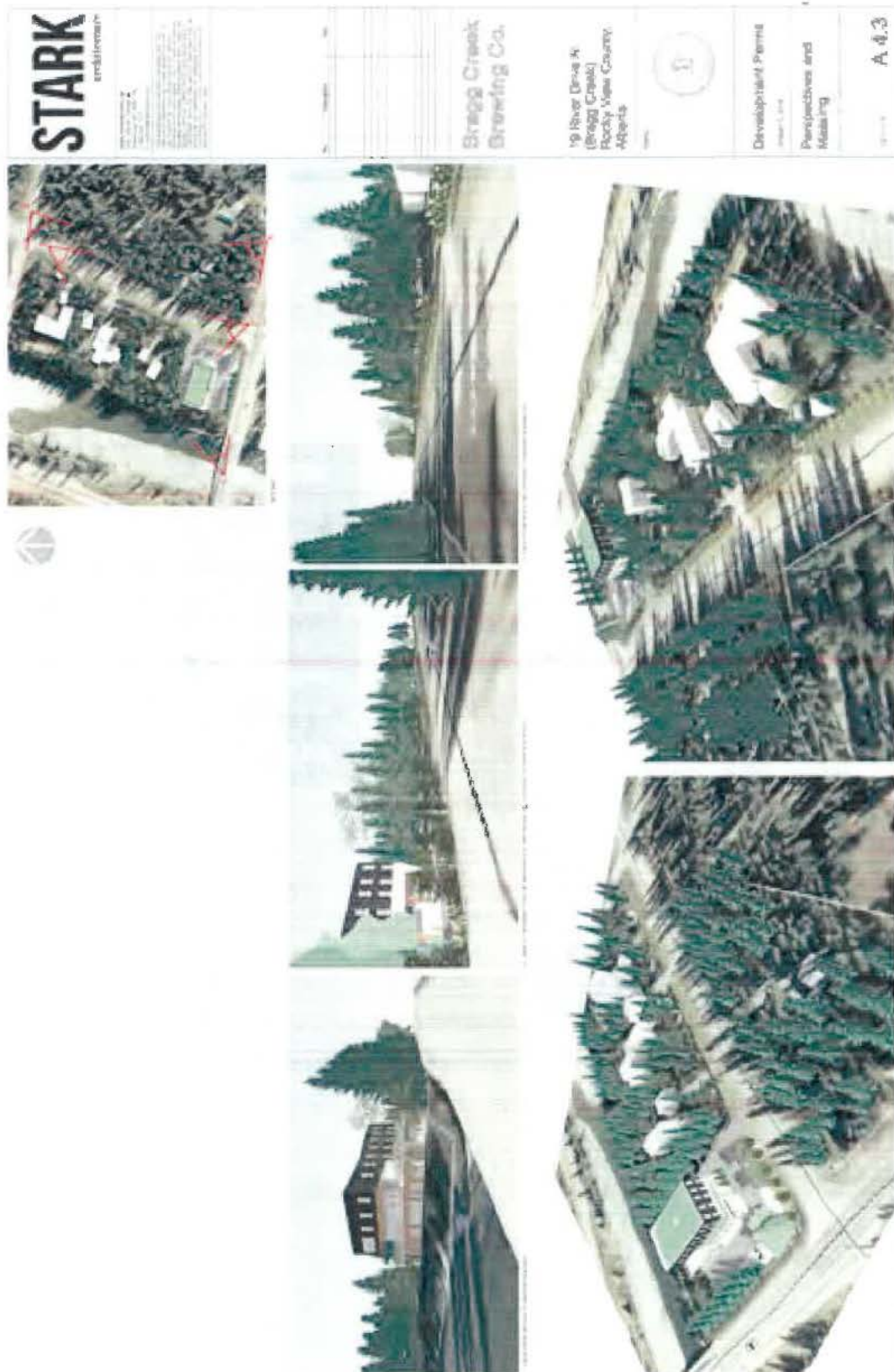


23 RIVER DRIVE NORTH, BRAGG CREEK, AB



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23 RIVER DRIVE NORTH, BRAGG CREEK, AB



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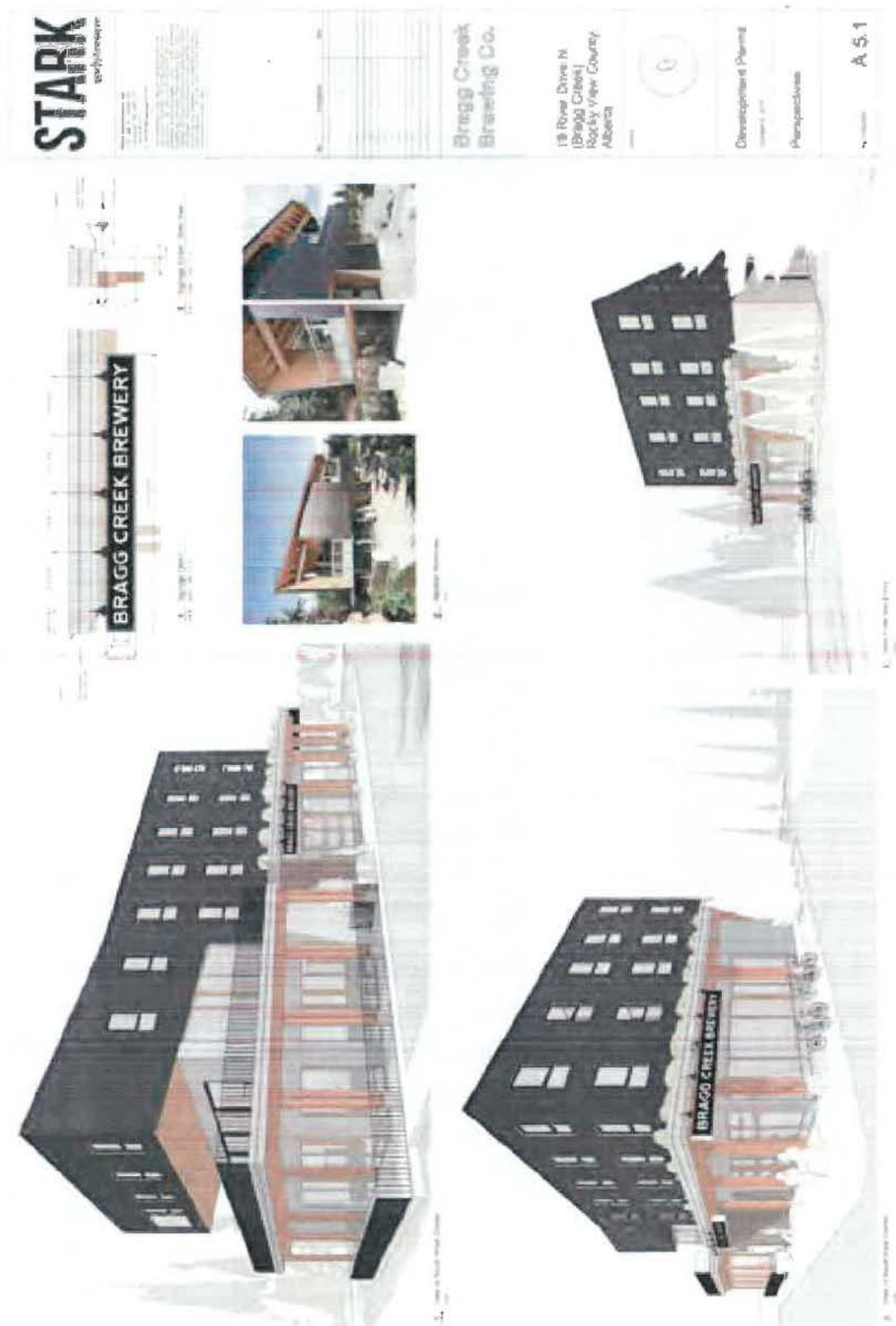









23 RIVER DRIVE NORTH, BRAGG CREEK, AB



23 RIVER DRIVE NORTH, BRAGG CREEK, AB



23 RIVER DRIVE NORTH, BRAGG CREEK, AB



EA



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

EXHIBIT E  
LRT DEVELOPMENT STUDY

LEA

**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

In an effort to quantify the value impacts that LRT development has on residential properties, we have investigated sales activity within Belgravia, a neighbourhood that underwent LRT development in 2008/09. More specifically, we have looked at how market values adjacent to the new LRT line have been impacted relative to those that do not flank the LRT line.

Belgravia is an older inner city neighborhood with on-going infill. As such, there are typically an abundance of properties within Belgravia that are being redeveloped and our analysis has focused in on this class of property, noting that homes at the end of their economic life tend to sell for lot value. In focusing on “knock-down” sales, we have translated the overall lot values into a unit value, or sale price per square foot. The Belgravia area was studied during mid-2014. Sales data transacting between October 2008 and September of 2013 was analyzed. All sales data was time adjusted to the year end 2014 time frame which coincided with the date of analysis. Residential property values did vary between this period and we have relied upon the Edmonton Real Estate Board MLS Statistics which were presented within the Economic Overview section of this report as a basis to quantify time adjustments. This time adjustment data is outlined as follows:

Market Conditions Relative to Year End 2014		
Year	Average Residential S Price	Market Adjustment Year End 2014
2008	\$383,346	+13%
2009	\$370,914	+17%
2010	\$385,868	+12%
2011	\$381,006	+14%
2012	\$393,009	+10%
2013	\$409,824	+6%
2014	\$432,713	+13%

Again, in selecting our sales data we have only utilized homes that are at, or are very near the end of their economic life. Each of these sales can be categorized as “knock-downs” a representative of Gettel Appraisals, personally did a drive-by inspection of each of these properties on July 29<sup>th</sup>, 2014 to verify their classification as a “knock-



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

down". For comparison, the sales have been divided into two groups, or "Belgravia Lot Sales Adjacent to LRT" and "Belgravia Lot Sales NOT Adjacent to LRT". Finally, the sales have been translated into a price per square foot that has been adjusted to mid-year 2014. We present the sales in the following two charts:

Belgravia Lot Sales Adjacent to LRT						
Address	Sale Date	Sale Price	Time Adjustment	Time Adj. Sale Price	Lot Size (Sq. Ft.)	Price / Sq. Ft.
11414 - 75 Ave	08-Oct	\$350,000	+13%	\$395,500	6,638	\$59.58
11446 - 79 Ave	09-Feb	\$295,000	+17%	\$345,150	5,666	\$60.91
11407 - 74 Ave	09-Aug	\$292,000	+17%	\$341,640	5,806	\$58.84
11406 - 71 Ave	11-Mar	\$285,000	+14%	\$324,900	7,392	\$43.95
11420 - 71 Ave	11-Sep	\$316,500	+14%	\$360,180	7,142	\$50.51
11414 - 77 Ave	11-Nov	\$315,000	+14%	\$359,100	5,539	\$64.83
Average:						\$56.43

Belgravia Lot Sales NOT Adjacent to LRT						
Address	Sale Date	Sale Price	Time Adjustment	Time Adj. Sale Price	Lot Size (Sq. Ft.)	Price / Sq. Ft.
11603 - 76 Ave	10-Jan	\$365,000	+12%	\$408,800	6,028	\$67.81
11605 - 75 Ave	10-Jun	\$395,000	+12%	\$442,400	6,640	\$66.62
11438 - 75 Ave	10-Jun	\$410,000	+12%	\$459,200	6,638	\$69.17
11575 - 80 Ave	10-Jul	\$415,000	+12%	\$464,800	6,511	\$71.38
11432 - 78 Ave	10-Aug	\$340,000	+12%	\$380,800	4,358	\$87.37
11510 - 74 Ave	10-Aug	\$410,000	+12%	\$459,200	6,638	\$69.17
11539 - 75 Ave	10-Aug	\$420,000	+12%	\$470,400	5,988	\$78.55
11542 - 75 Ave	10-Oct	\$420,000	+12%	\$470,400	5,727	\$82.13
11551 - 80 Ave	11-Jan	\$403,500	+14%	\$459,990	6,506	\$70.70
11507 - 73 Ave	11-Jun	\$450,000	+14%	\$513,000	6,803	\$75.40
11415 - 76 Ave	11-Jun	\$381,000	+14%	\$434,340	6,025	\$72.08
11515 - 72 Ave	11-Jul	\$391,500	+14%	\$446,310	5,844	\$76.37
11536 - 72 Ave	11-Jul	\$436,999	+14%	\$498,179	5,710	\$87.24
11412 - 73 Ave	11-Oct	\$411,000	+14%	\$468,540	6,550	\$71.53
11407 - 72 Ave	12-Jan	\$400,000	+10%	\$440,000	7,062	\$62.30
11526 - 75 Ave	12-Jul	\$397,700	+10%	\$437,470	6,508	\$67.22
8007 - 119 St	12-Nov	\$450,000	+10%	\$495,000	8,525	\$58.06
11567 - 80 Ave	13-Jan	\$425,000	+6%	\$450,500	6,510	\$69.20





**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

11439 - 75 Ave	13-Mar	\$420,000	+6%	\$445,200	6,637	\$67.07
11576 - 80 Ave	13-Apr	\$425,000	+6%	\$450,500	6,346	\$70.98
11406 - 72 Ave	13-Sep	\$415,000	+6%	\$439,900	6,059	\$72.60
11623 - 73 Ave	13-Aug	\$428,000	+6%	\$453,680	6,037	\$75.15
Average:						\$72.18

By comparison, the lot sales adjacent to the LRT line display an average adjusted sale price of \$56.43 per square foot whereas the sales NOT adjacent to the LRT line display an average adjusted sale price of \$72.18 per square foot. Based solely on this data alone, it would appear that the lot sales flanking the LRT line are discounted 22% as compared to lots situated away from the LRT. That said, in balancing the results of this analysis with our own experience in this market, we are cognizant of the fact that the properties that flank this particular LRT line also flank 114<sup>th</sup> Street (traffic volumes 40,000 VPD in 2011) which is also a potential negative factor. The writers are also aware that in July 2013, the City adopted the McKernan-Belgravia Station Area Redevelopment Plan which up-zoned sites flanking the LRT for higher density development. No sales of lots adjacent to the LRT however were considered after adoption of the ARP and the plan is considered to have had a negligible impact to date.

**CONCLUSIONS**

With respect to the Belgravia analysis, the LRT line is an above ground structure that is situated +/- 45 feet east of the residences along the east periphery of Belgravia. Acting as a buffer between the LRT and these houses is a walking path and a concrete block retaining wall. Street parking in front of these residences was not impacted and the west boundary of 114<sup>th</sup> Street was not moved. The presence of the LRT has also

impacted the ingress/egress from Belgravia along its east boundary, resulting in long traffic queues when exiting the neighbourhood along 114<sup>th</sup> Street to allow for the LRT to pass. Another common problem within the Belgravia area was that a number of residences that flanked the LRT line experienced cracks in their foundation. Presumably this was due to the construction of the LRT. That said, the LRT has also been received as a positive to students that commute to the U of A and a number of Belgravia residents would fall into this category.



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

In this example, the presence of 114<sup>th</sup> Street is considered to be a contributing factor in the discount that was evident for lots flanking the LRT. It is in our professional experience that being adjacent to a busy thoroughfare can have a negative impact on residential property values. In this particular example, we are of the opinion that the impacts of 114<sup>th</sup> Street fall into the latter category. It has also been in our experience that in extreme instances busy roadways can have upwards of a 20% negative impact on market value, however, the discount is more generally in the 5% to 10% range. As such, the impact that one could associate directly to the LRT line would realistically be in the order of 12% to 17%.



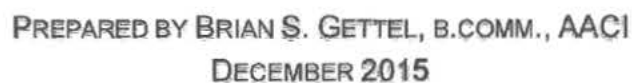
23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT F**  
**WINDSOR PARK CASE STUDY**





# ANALYSIS OF FACTORS INFLUENCING RESIDENTIAL PROPERTY VALUES IN THE NEIGHBOURHOOD OF WINDSOR PARK EDMONTON, ALBERTA



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

## 1.0 STUDY BACKGROUND

Windsor Park is a mature, low density residential neighbourhood located in south central Edmonton. The author of this report has resided within the neighbourhood over the past 27 years and being actively involved in real estate appraisal throughout this time frame, has closely monitored value trends throughout the neighbourhood. There are a number of factors which influence residential property values within the area including the University of Alberta Campus, prominent arterial roadways, schools and commercial facilities, neighbourhood parks and the north and west portions of the neighbourhood abut the North Saskatchewan River Valley. The influence of these negative as well as positive variables will be addressed within this study.

## 2.0 NEIGHBOURHOOD OVERVIEW

The first subdivision within Windsor Park commenced in 1911 and occurred within the northeast quadrant of the area abutting the University of Alberta Campus. Most of the area remained undeveloped until the late 1940's. Extensive subdivision commenced during the latter time frame and much of the existing housing was built-out between 1949 and 1953. This expansion coincided with the opening of the Groat Bridge across the North Saskatchewan River Valley which improved access to central Edmonton.

Leading up to 2015, all residential development within the neighbourhood was low density, single family housing. In 2015, the redevelopment of a former commercial site into a four storey residential condominium complex was underway. Adjacency to the University of Alberta Campus has long created pressures for higher density development however, the local community has been very active in maintaining the low density character of the area.

During the initial development phases in the early 1950's, Windsor Park was categorized as an upper scale neighbourhood which featured above average size and quality homes relative to the city as a whole at that time. As the area has matured, the highly desirable central location has created pressures for redevelopment and this has been particularly true over the last 20 years. While the neighbourhood has long been at full build-out, the recent trend has been towards redeveloping smaller, older homes into more modern, larger scale residences.

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Statistics provided by the City of Edmonton would indicate that as of 2011, there were 460 homes within the neighbourhood. 405 of these homes were owner occupied with the balance being rented. 345 of the 460 homes were built prior to 1960. A total of 55 homes or, approximately 12% of the total universe were constructed after 2006.

The population of the neighbourhood as of 2011 is 1,120 persons. The neighbourhood is affluent, with the average household income as of 2011 being \$209,028.00, which contrasts to the city average of \$90,340.00. A total of 65% of the population have university degrees at a Bachelor level or above which contrasts to the city average of 24%.

The neighbourhood, since its inception, has supported residential property values which coincide with the upper end of the range for the citywide market. Adjacency to the river valley and adjacency or close proximity to major employment centres such as the University of Alberta and the Downtown Central Business District have been influencing variables.



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

### 3.0 VALUE INFLUENCING FACTORS



The neighbourhood, once again is characterized by low density single family housing. The research conducted has focused on atypical factors both of a negative and positive nature which can influence property values. A series of five key factors have been identified and will be further elaborated upon in the following narrative.

**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

**3.1 UNIVERSITY OF ALBERTA CAMPUS**

The east limits of Windsor Park entail 116<sup>th</sup> Street and 117<sup>th</sup> Street, and both thoroughfares represent the west limits of the University of Alberta Campus. 87<sup>th</sup> Avenue extends through the central portions of the neighbourhood and U of A facilities lying south of this thoroughfare includes high-rise student residences, a sports field and the Cross Cancer Institute. The latter is a multi-level hospital/research facility which features an underground parkade which is accessed off 117<sup>th</sup> Street. The high-rise student residences (3 towers) feature a surface parking area.

The U of A facilities lying north of 87<sup>th</sup> Avenue along 116<sup>th</sup> Street include a former sports field now turned into a parking lot, a series of two multi-level parkades as well as multi-level campus facilities. Surface parking facilities are also evident.

The University of Alberta facilities generate considerable vehicular traffic as well as pedestrian traffic. Vehicular traffic tends to be concentrated at the access points to the underground parkade as well as multi-level above grade parkade facilities. The U of A has a typical enrolment of approximately 40,000 students annually.

**3.2 ARTERIAL ROADS**

Adjacency to the University of Alberta Campus and a prominent river crossing of the North Saskatchewan River have resulted in the evolution of several major arterial roadways within the neighbourhood.

As noted in Section 3.1, 116<sup>th</sup> Street and 117<sup>th</sup> Street which represent the east limits of the neighbourhood abut the University of Alberta Campus. Both roadways essentially serve local residents as well as the University facilities.

University Avenue adjoins the south periphery of the neighbourhood and merges with Saskatchewan Drive to the north and west. Saskatchewan Drive north of 87<sup>th</sup> Avenue merges with Groat Road which entails a four lane north/southbound arterial which has a bridge crossing at the river. Groat Road serves as a major connection into the Downtown Central Business District from the southwest portions of the city.



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

87<sup>th</sup> Avenue extends in an east/west direction through the central portions of the neighbourhood, linking with Groat Road to the west and extending through the University of Alberta Campus to the east. The roadway serves local residences as well as the University and Jubilee Auditorium, which is a major concert/show venue.

The following will highlight annual average weekday traffic counts expressed in vehicles per day (VPD) at various points in time leading through to the current date for the five major roadways within the neighbourhood:

<b>Year</b>	<b>116 St.</b>	<b>117 St.</b>	<b>87 Ave.</b>	<b>University Ave.</b>	<b>Saskatchewan Drive</b>
1991	10,500	1,000	8,200	25,600	27,400
2003	9,500	3,100	9,300	25,600	24,600
2014	8,700	3,600	9,500	20,500	21,000

As noted, University Avenue merges into Saskatchewan Drive and traffic counts along the two thoroughfares are very similar. These represent the most prominent arterial roadways servicing the neighbourhood in terms of traffic volumes. The trend has been towards decreasing traffic volumes and of note is that the City of Edmonton opened a Light Rail Transit extension into the U of A Campus from the Downtown area which also extends into southwest Edmonton after 2003.

The other three roadways are subject to much lower traffic volumes. Traffic along 117<sup>th</sup> Street was influenced by the opening of an underground parkade servicing the Cross Cancer Institute post 1991.

### **3.3 SCHOOL/COMMERCIAL FACILITIES**

Windsor Park Elementary School (grades 1 – 6 plus kindergarten and daycare) and the adjoining Windsor Park Community League facilities are located at the northwest corner of 118<sup>th</sup> Street and 87<sup>th</sup> Avenue. The main entry to the school is along 118<sup>th</sup> Street. The school and adjoining community league facilities do generate both vehicular and pedestrian traffic. The community league has an outdoor hockey rink, playground facilities and a building utilized for meetings and small events.



## **23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

Located along the 87<sup>th</sup> Avenue corridor between 118<sup>th</sup> Street and 116<sup>th</sup> Street are a series of commercial facilities as well as an office/institutional complex developed by the Mormon Church – Latter Day Saints. Historically, the commercial facilities had included a gas bar/service station and a series of two strip retail shopping centres. The service station was closed several years ago and has been vacant for a period of time while hydrocarbon remediation was underway. A former strip retail shopping centre was demolished in 2015 to make way for the development of a new four storey residential condominium complex. A strip retail shopping centre remains active at 117<sup>th</sup> Street and 87<sup>th</sup> Avenue. The commercial facilities as well as the institutional complex have generated additional vehicular as well as pedestrian traffic. There are a series of homes which abut these facilities to the north (rear or backside of the complexes).

### **3.4 NEIGHBOURHOOD PARKS**

Adjoining the Windsor Park Elementary School is Windsor Park, which is a large passive type recreational area featuring mature trees and walking paths. The park has evolved as a notable neighbourhood amenity.

The north central portions of the neighbourhood feature a smaller recreational area known as Edinboro Park. This is similar to Windsor Park but much smaller in scale.

### **3.5 THE NORTH SASKATCHEWAN RIVER VALLEY**

The west and north portions of the neighbourhood abut the North Saskatchewan River Valley. To the northwest, the area also adjoins Hawrelak Park as well as the Mayfair Golf & Country Club. The west and north portions of the neighbourhood feature river valley and park views and Saskatchewan Drive within the area is noted as being one of the more prestigious residential roadways within the city.

## **4.0 STUDY CONTEXT**

Windsor Park features a total of 460 residences. The study on property values has focused on residential sales activity over a 30 year time frame extending between 1984 and 2015. As noted, the author has resided in the neighbourhood since 1988 which has led towards a high degree of familiarity with the area.

**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

Sales information obtained from the Edmonton Real Estate Board MLS system has been relied upon and during the 30 year time frame under review, consideration has been given to a series of 440 sales.

The procedure adopted has been to isolate individual property sales or small groups of sales at value break points. These value break points would include properties impacted by negative factors such as adjacency to the U of A, arterial roads and schools/ commercial facilities. Positive break points have included properties influenced by the neighbourhood parks and adjacency to the North Saskatchewan River Valley. Individual or small groups of sales at these value break points have been analyzed and contrasted to more typical homes within the balance of the neighbourhood. The study has focused strictly on values within Windsor Park, with no consideration being given to values within adjoining neighbourhoods where lower values are the norm.

The study has keyed on “paired sales” wherein a property which has sold with an atypical influence is contrasted to similar properties without the influence. Small scale “case studies” have also been completed wherein groups of homes with an atypical influencing factor are contrasted to small groups of homes which are considered more the norm for the neighbourhood.

The analysis has included statistical averaging based on the sale price per square foot of the home as well as direct property comparisons adjusting for differences. The statistical analysis has been facilitated based on a large majority of homes within the neighbourhood entailing bungalow style dwellings which were primarily built between 1949 and 1953.

## **5.0 STUDY RESULTS**

A series of five value influencing factors were noted in Section 3.0 of the report. The results will be documented in summary form. The overall impact of the value influencing factors will be expressed on an average percentage loss ascertained over the 30 year study period and the range in value impacts will also be documented.

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

## 5.1 UNIVERSITY OF ALBERTA – 116<sup>TH</sup>/117<sup>TH</sup> STREETS

- 116<sup>th</sup> Street Corridor

Average Impact: -17%

Range Of Impact: -10% – -29%

Issues:

- vehicular traffic
- noise
- safety
- parking congestion/illegal parking
- trespass

The most pronounced value losses along the 116<sup>th</sup> Street corridor were observed at the entrances to the two multi-level above grade parking facilities. These areas are subject to the highest levels of traffic congestion during the morning and late afternoon rush hours. While strict non-resident parking controls are maintained on city streets, illegal parking still becomes a problem. High levels of pedestrian traffic are also evident during the September to April period when the U of A primary term is underway.

The most pronounced value impacts were observed during the historical period extending between 1984 to 2000. The value impacts have tended to lessen as the neighbourhood has become a very desirable redevelopment area. Negative value impacts however remain the norm with the typical negative impact over the last 5 years leading up to the date of the writing of this report being 13%.

- 117<sup>th</sup> Street Corridor

Average Impact: -13%

Range Of Impact: -10% – -15%

Issues:

- vehicular traffic
- noise
- safety
- parking congestion/illegal parking
- trespass



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

Traffic volumes along 117<sup>th</sup> Street are not as high as those evident along 116<sup>th</sup> Street. Similar to 116<sup>th</sup> Street, the most significant value impacts were observed near the entrance to the Cross Cancer Institute underground parkade where traffic congestion is high at morning and afternoon rush hours. Pedestrian traffic is much higher along this corridor based on the high-rise student residences and adjoining sports fields. Parking pressures are also a concern within this area despite the strict non-resident controls.

## **5.2 ARTERIAL ROADWAYS**

116<sup>th</sup> Street and 117<sup>th</sup> Streets were discussed as a component of the University of Alberta. The impact for arterial roads will be analyzed on a two part basis in this instance with University Avenue and Saskatchewan Drive being discussed as one thoroughfare and 87<sup>th</sup> Avenue will be addressed separately.

- **University Avenue/Saskatchewan Drive**

Average Impact:       -11%

Range Of Impact:       -7% – -13%

**Issues:**

- high traffic volumes
- noise
- safety

The issues noted in this instance are those typical of any residential property adjoining a major arterial roadway subject to high traffic volumes. These traffic volumes create congestion, noise as well as safety concerns and the latter is of particular importance for low density single family housing where families with small children are often evident. Of interest is that Saskatchewan Drive south of 87<sup>th</sup> Avenue does adjoin the North Saskatchewan River Valley although the view amenity is limited. The influence of high traffic volumes has totally negated the positive impact of adjacency to the river valley and homes fronting this thoroughfare sell at discounts as contrasted to typical interior homes within the neighbourhood without any view amenity. Value losses are similar along Saskatchewan Drive as contrasted to University Avenue. University Avenue does not have any view amenity.

## 23 RIVER DRIVE NORTH, BRAGG CREEK, AB

- 87<sup>th</sup> Avenue
- Average Impact:           -11%
- Range Of Impact:       -10% – -12%
- Issues:
- high traffic volumes
  - noise
  - safety

Despite traffic volumes being noticeably lower along 87<sup>th</sup> Avenue, the same magnitude of negative impact is observed as contrasted to University Avenue and Saskatchewan Drive. The same issues have been noted.

### 5.3 SCHOOLS/COMMERCIAL FACILITIES

Windsor Park Elementary School adjoins both 118<sup>th</sup> Street to the east and 119<sup>th</sup> Street to the west. The main entry to the school is orientated along 118<sup>th</sup> Street and the entry to the school parking lot is also adjacent to this thoroughfare. The Windsor Park Community League adjoins the school and is also accessed off 118<sup>th</sup> Street. The study in this instance has keyed on a series of homes which directly overlook the school and the community league along 118<sup>th</sup> Street where the highest levels of vehicular and pedestrian traffic are evident.

The second aspect of this area has keyed on homes directly adjoining the commercial facilities evident within the neighbourhood as well as the Latter Day Saints office facility and parking lot.

- School
- Average Impact:           -8%
- Range Of Impact:       -5% – -11%
- Issues:
- traffic congestion
  - illegal parking
  - noise
  - safety
  - trespass/inconvenience

**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

The school functions for 10 months of the year and high levels of traffic are evident during the morning drop off and afternoon pick-up. During the latter, parking congestion and illegal parking becomes a concern. The school also maintains a daycare facility which operates year round. The school and adjoining community league create high levels of pedestrian traffic which can create trespass and inconvenience for area residents.

- **Commercial Facilities**

Average Impact: -8%

Range Of Impact: -2% – -15%

Issues:

- traffic congestion
- illegal parking
- noise
- safety
- trespass/inconvenience/litter

There are a limited number of homes which directly abut the commercial facilities and the analysis in this instance has keyed strictly on those homes directly adjacent. Despite the small number of impacted properties, certain of these homes have sold on several occasions over the 30 year time frame.

#### **5.4 NEIGHBOURHOOD PARKS**

The north portions of the neighbourhood feature Windsor Park, which is a large passive recreational area and Edinboro Park, which is a smaller passive recreational area. Homes directly overlooking the two parks have been analyzed over the 30 year time frame. Edinboro Park as a smaller facility was not exerting any noticeable impact on values. Windsor Park was found to be a positive influence. The study has therefore keyed strictly on this amenity.

Average Impact: +9%

Range Of Impact: +7% – +12%



## **23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

### **Issues:**

- positive view
- recreational opportunities

The key factor overall with regard to adjacency to the park is the positive view. Rather than looking into other homes, residences adjacent to the park look into mature green space and as the park is developed as a passive recreational area, there are not high levels of pedestrian traffic.

## **5.5 NORTH SASKATCHEWAN RIVER VALLEY**

Saskatchewan Drive lying north of 87<sup>th</sup> Avenue has evolved as a prestigious residential area. All homes along Saskatchewan Drive north of 87<sup>th</sup> Avenue have river valley views. There is also a small enclave of homes lying south of 87<sup>th</sup> Avenue to the west of Saskatchewan Drive which is a very prestigious area featuring dramatic river valley views.

Analyzing the impact of adjacency to the North Saskatchewan River Valley proved to be one of the more subjective aspects of the analysis based on variables such as the more limited number of sales and greater variety in terms of the size and overall quality of the residences. Homes along Saskatchewan Drive tend to be tightly held and sales are much less infrequent.

Average Impact: +26%  
Range Of Impact: +12% – +32%

### **Issues:**

- positive view
- exclusive location – prestige

The above statistics relate to improved residences. Some limited sales activity was observed with regard to vacant land or redevelopment sites. The premium with regard to vacant land was much more substantial being 60% on average as contrasted to redevelopment sites in interior, non-view locations.

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

## 6.0 SUMMARY

The following will summarize the results of the analysis:

Factor	Average Impact	Range of Impact
University of Alberta		
– 116 <sup>th</sup> Street	-17%	-10% – -29%
– 117 <sup>th</sup> Street	-13%	10% – -15%
Arterial Roads		
– University Ave./Saskatchewan Dr.	-11%	-7% – -13%
– 87 <sup>th</sup> Avenue	-11%	-10% – -12%
Schools/Commercial Facilities		
– Schools	-8%	-5% – -11%
– Commercial Facilities	-8%	-2% – -15%
Neighbourhood Park	+9%	+7% – +12%
North Saskatchewan River Valley	+26%	+12% – +32%

## 7.0 PHOTOGRAPHS

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

U of A – 116<sup>th</sup> Street





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

U of A – 117<sup>th</sup> Street



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University Avenue – Saskatchewan Drive





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87<sup>th</sup> Avenue





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School



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Commercial Facilities





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Windsor Neighbourhood Park





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

North Saskatchewan River Valley



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT G**  
**IMPACT OF SEWAGE LAGOONS**

23 RIVER DRIVE NORTH, BRAGG CREEK, AB

## **IMPACT OF SEWAGE LAGOONS**

In June 2006, Gettel Appraisals Ltd. and Brian S. Gettel, B.Comm., AACI, were retained by a series of landowners having improved country residential acreages adjacent to a newly constructed sewage lagoon which was developed by Lac Ste. Anne County. We were retained to address the potential negative impact which the lagoon could exert on adjoining property values. The following will highlight the general impact assessment which was completed in conjunction with an analysis of sales which were utilized as a basis to derive value losses.

### **GENERAL IMPACT ASSESSMENT**

The author over the past 25 years has examined a number properties impacted by sewage lagoons and completed research into the sales of property located adjacent to such facilities. Based on the author's experience, three basic problems tends to be associated with close proximity to sewage lagoons and these are outlined as follows:

- foul odors
- insect problems
- general stigma

Odor problems tend to be the most significant concern that arises based on adjacency to sewage lagoons. Where the odor problems are significant, this can detract from the overall use and enjoyment of a residential property located adjacent to the same. Generally speaking, odors tend to be most significant during April and May of each year, following the spring thaw. Odor problems are less significant during the summer and fall months and during the winter freeze up, when the lagoons are iced over, there does not tend to be any significant odor problem.

As odors are the most significant problem arising from sewage lagoons, a factor which will be highly influential to adjoining properties relates to the general pattern of prevailing winds. Within the subject locale, a majority of the winds tend to be from the west and northwest. As a result, properties located east and southeast of the sewage lagoons



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tend to be most significantly impacted. Facilities lying north and west of the lagoons tend to experience a lesser problem.

On occasion, the writers have encountered situations where insect problems arise from proximity to sewage lagoons. This can relate to mosquito and fly infestations. This tends to be a lesser problem area.

General stigma is something that typically arises for most properties located adjacent to sewage lagoons. Stigma can be defined as a brand or mark of infamy or a disgrace. In terms of real estate, stigma relates to a general reluctance of buyers to purchase a property within an area which has been affected by a facility such as a sewage lagoon. Other concerns which would fall under the impact of stigma would relate to potential health risks, environmental risks or potential risk to water supplies. Other stigma factors relate to liquidity of real estate assets and the ability to mortgage the same.

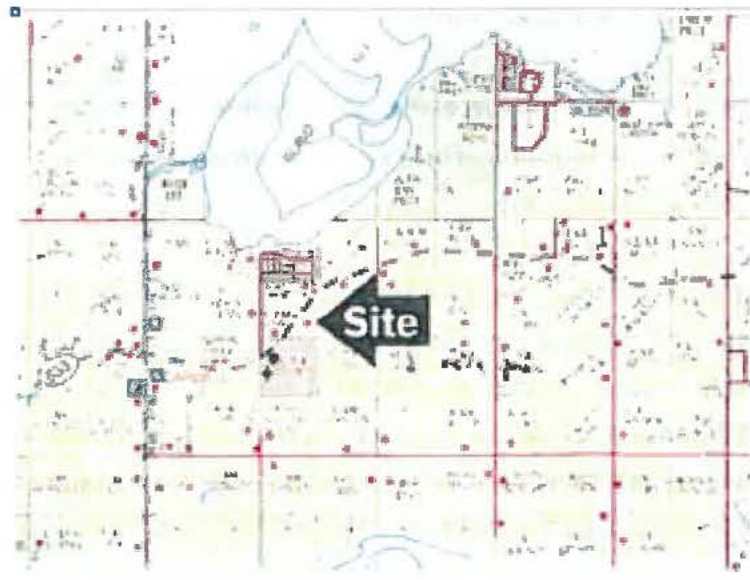
#### **CASE STUDIES**

In Lac Ste. Anne County, Alberta there are a series of three sewage lagoons which have been developed in and around Lac Ste. Anne. The lagoon situated near the Hamlet of Darwell (NW-17-54-4-W5) has experienced some sales activity involving properties located immediately adjacent to the lagoon. An analysis of these sales will be completed in the following narrative to assist in gauging the impact which facilities of this type exert on surrounding properties. An aerial photograph is included at the end of this paper and outlines the lagoon and location of the three sales adjoining the same which will be discussed in the following narrative:



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**Case Study No. 1**



This involves an improved rural residential/hobby farm holding legally described as a portion of the SW-20-54-4-W5. This property parallels Secondary Highway No. 633, lying immediately north and east of a sewage lagoon operated by Lac Ste. Anne County. The County also operates a waste transfer station on the same parcel as the lagoon. This property exhibits an area of 38.47 acres and is improved with a log home, which exhibits a bungalow type design and which exhibits an area of 1,040 square feet. The home exhibits a full walk-out basement which was fully developed and an attached veranda. The building site also features a detached 780 square foot heated and insulated double garage and a second 728 square foot detached double garage which was also insulated. The property also featured two horse shelters and was well landscaped and fully fenced. The home sold for \$148,500.00 in June 1999. The purchaser was F. Borges, et al and the vendor was C. Cooper.

This tends to represent a somewhat unique property and this relates to the size of the land base as well as the nature of the home. Log homes are very expensive to build and there are few comparable sales within the area. With regard to this case study, the writers concluded that a reasonable means of quantifying any impact would be to complete a typical Cost Approach on the property, similar to that which was completed for the subject property earlier in this report. For most rural properties, there is a high



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

degree of correlation between the Cost Approach and Direct Comparison Approach as evidenced by pre-construction valuation of the subject property. The writers have investigated construction costs as of 1998 as well as land values within the area. The same type of depreciation analysis that was completed for the subject property will be undertaken. The following will summarize the results of the Cost Analysis:

Residence/Garages

Reproduction Cost New

- Main Floor	1,040 Sq. Ft. @ \$115.00/Sq. Ft.	\$ 119,600.00
- Basement	1,040 Sq. Ft. @ \$ 22.50/Sq. Ft.	\$ 23,400.00
- Attached Deck	200 Sq. Ft. @ \$ 8.00/Sq. Ft.	\$ 1,600.00
- Garages	1,508 Sq. Ft. @ \$ 25.00/Sq. Ft.	\$ 37,700.00
Total:		\$ 182,300.00

Less: Depreciation

- Physical Deterioration @ 20%	\$36,460.00	
- Functional Depreciation	Nil	
- External Depreciation @ 10%	\$18,230.00	
Total:		(\$ 54,690.00)
Depreciated Cost:		\$ 127,610.00

Add: Other Improvements/Servicing (Depreciated)

- 2 Horse Shelters	\$ 2,200.00	
- Driveway/Landscaping/Fencing	\$ 3,000.00	
- Services	\$15,000.00	
Total:		\$ 20,200.00

Overall Depreciated Cost Of Improvements:	\$ 147,810.00
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Add: Land Value As If Vacant:	\$ 35,000.00
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Total:	\$ 182,810.00
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Rounded To:	\$ 183,000.00
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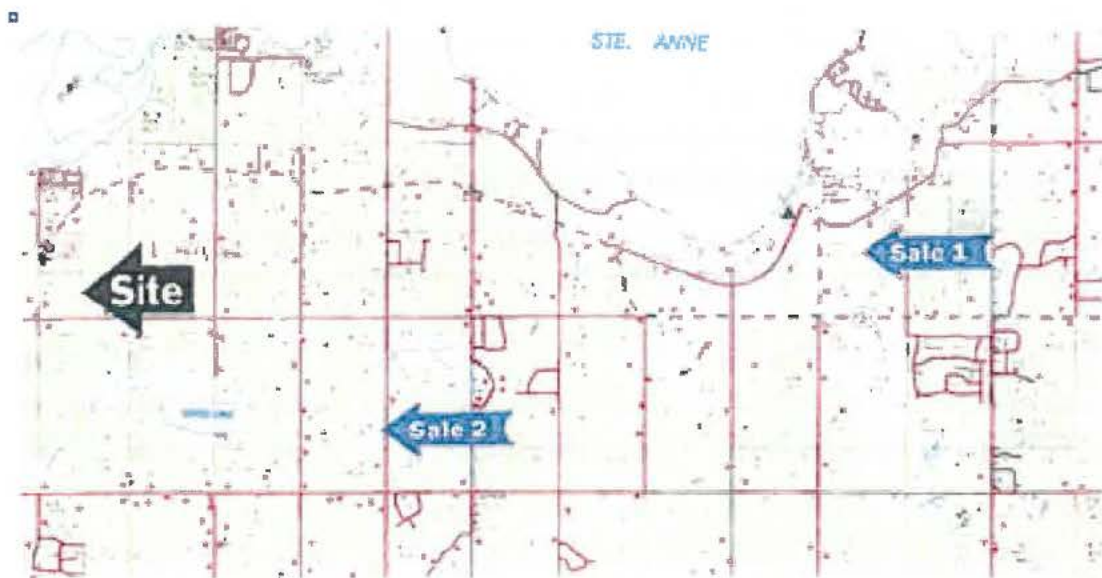


**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

Construction costs for log homes are substantially higher than those evident for typical wood frame homes, and the premium is in the order of 30% to 40%. The improvements were built in 1986, which would indicate a chronological age of 12 years as of the effective date, and a 20% physical deterioration allowance has been applied based on an age/life analysis. A 10% allowance for external depreciation was also applied. The Cost Approach has yielded a value estimate of \$183,000.00.

The value differential as contrasted to the actual selling price of the home is \$34,500.0. As related to a potential value of \$183,000.00, this indicates an 18.85% discount. Of note is that this particular property is located north and east of the sewage lagoon and transfer station, which would tend to suggest a lesser odor problem on an annual basis. Direct adjacency to the lagoon and transfer station however would confirm the potential for stigma. The land lies approximately 2,200 feet north of the lagoon and 1,100 feet north of the transfer station.

**Case Study No. 2**



**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

This study will focus on a vacant parcel of land lying immediately south of the Darwell sewage lagoon which is legally described as a portion of the SW-17-54-4-W5. This 135.26 acre block of land sold for \$95,000.00 in July 2002 indicating a unit value of \$702.00 per acre. The vendor was Hardman Ranches Inc. and the purchaser was Lathico Industries Ltd. This vacant parcel of land exhibits CLI class 4 soils and a combination of treed and open areas. The Lac Ste. Anne Municipal Development Plan has allocated the land for country residential use.

The writers have examined two other sales which occurred at or about the same point in time in the area and these will be outlined as follows:

**Sale No. 1: NW-14-54-3-W5**

This entails a 156.39 acre block of land located a short distance south and east of Alberta Beach. This parcel sold for \$175,000.00 in February 2002. The vendor was H. Habke and the purchaser was 884627 Alberta Ltd. The unit value is \$1,119.00 per acre. The property exhibits CLI class 3 and 4 soils and has been allocated for country residential development as per the County's MDP. A majority of the land is open.

**Sale No. 2: NE-2-54-4-W5**

This involves a 159.88 acre block of land located a short distance south and east of the subject property. L. Graham sold this property to A.G.J. Holdings Ltd. in June 2002 for \$133,000.00 or \$832.00 per acre. This property exhibits CLI class 4 soils and has been allocated for country residential use as per the County's MDP. The property exhibits a combination of treed and open areas.

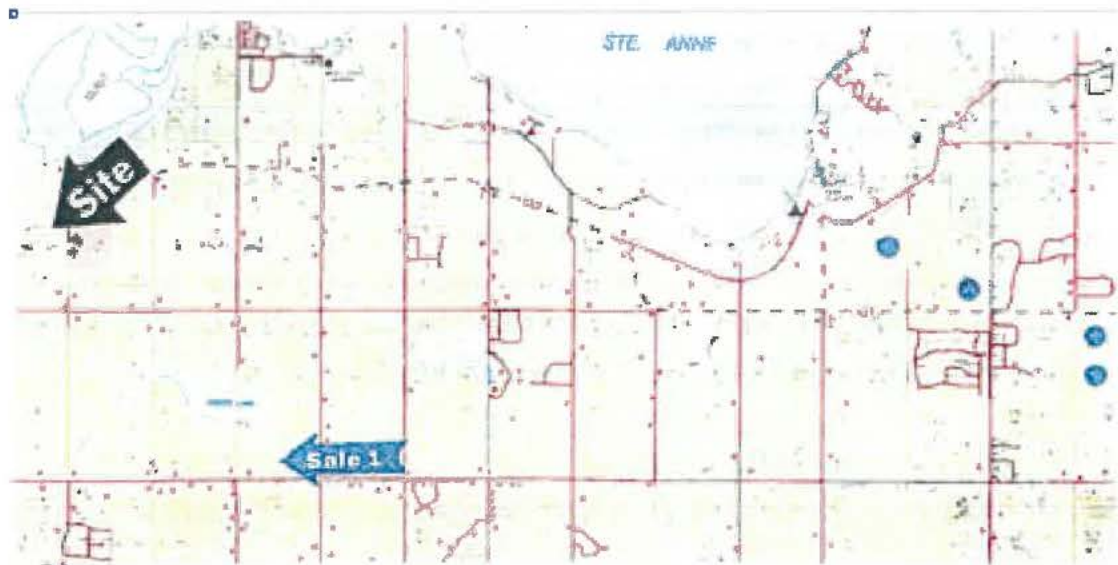
The property located immediately south of the sewage lagoon in this instance has achieved a much lower per acre value. The property tends to be similar to indicator number 2 however, would be inferior to indicator number 1 based on the latter sale being closer to Alberta Beach and higher concentrations of development. In contrasting the sale of the land adjacent to the lagoon to index number 2, a discount of 15.62% is evident and as contrasted to the Alberta Beach sale, a discount of 37.26% is indicated. Again, indicator number 1 must be adjusted for the superior location. This case study would generally indicate a discount of 15%. Of note is that the north approximate 300 feet of this site lies within the 1,000 foot setback requirement from the lagoon.





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### Case Study No. 3



This case study will key on a property which had been included as a sale utilized to derive an estimate of land value as if vacant for the subject property. In referring to page 30 of the report, this would involve indicator number 3 or, a 74.47 acre block of land paralleling Highway No. 633 and lying directly west of the Darwell sewage lagoon and transfer station. This sale can be compared to indicators 1, 2, 6 and 7 also included on page 30 and these sales have been denoted with blue dots on the preceding map. An additional sale which was not utilized within the area is noted as sale number 1 on the map.

The property directly west of the sewage lagoons sold for \$896.00 per acre. The other four sales disclosed within the area had transacted for \$1,038.00 to \$1,587.00 per acre. Sale number 1 involves a portion of the SW-3-54-4-W5. This 81.0 acre block of land sold in July 2005 for \$79,900.00 or, \$986.00 per acre. The vendor was T. Bradshaw, et al and the purchaser was R. & K. Maerz. The property exhibits CLI class 3 soils and treed and open areas. The County's Municipal Development Plan has allocated the land for country residential use.





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

The various sales located closer to Alberta Beach would be considered superior in location and downward adjustments would be warranted. In terms of location, the more meaningful comparison would be the sewage lagoon property and indicator number 1 in this instance. A contrasting of the unit values of \$986.00 to \$896.00 would indicate a value differential of 9%. The sewage lagoon property however does front Secondary Highway No. 633 and entails a smaller block of land at 74.47 acres where a premium typically arises. In accounting for these variables, a discount in the order of 20% would be indicated and this particular property lies approximately 1,050 feet west of the lagoon where lesser impact would be evident based on prevailing winds. Also of interest with regard to this case study is that the property has essentially been relegated to an agricultural land value. This is derived by adjusting the property for the size component and comparing this sale to indicators 4 and 5 which has been discussed on page 30 and which represented basic agricultural holdings.

## **CONCLUSIONS**

The three case studies have indicated value losses within a range of 15% to 20%. The studies also tend to confirm that lands allocated for country residential use can be relegated back to a basic agricultural value. It is also important to note that the three properties analyzed tend to be situated within locations which would result in lesser potential odor problems although case study number 2 did involve lands located south of the lagoon and portions of the parcel would not be suitable for siting buildings.



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23 RIVER DRIVE NORTH, BRAGG CREEK, AB

**EXHIBIT H**  
**APPRAISER QUALIFICATIONS**





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

Professional Resume of  
**Chris N. Kroker, AACI, P. App., B.Comm.**

**Education**

2003 – 2012	<b>Post Graduate Certificate in Real Property Valuation</b> AACI, P.App. Designation University of British Columbia Appraisal Institute of Canada Program
1997 – 2002	<b>Bachelor of Commerce</b> University of Alberta Marketing Major

**Professional Affiliations**

Member of the Appraisal Institute of Canada (AIC)  
Member of the Real Estate Council of Alberta (RECA)

**Professional Experience**

2016 – Present	<b>Commercial Real Estate Appraiser</b> Gaffel Appraisals Ltd. Edmonton, Alberta
2003 – 2016	<b>Commercial Real Estate Appraiser</b> Bourgeois & Company Ltd. Edmonton, Alberta

- Have been involved in the research, analysis and completion of commercial appraisals for all property types including (but not limited to) retail strip centres, shopping malls, hotels/motels, multi-residential projects of varying size and density, industrial office warehouse developments, office buildings, agricultural land, commercial/industrial land, proposed subdivision developments, "build to suit" projects, institutional, independent/assisted living and not-for-profit facilities.
- Have completed commercial appraisal reports for present day market valuation, retrospective valuation, foreclosures, market lease studies, legal matters, arbitration, and expropriation.
- Have given expert opinion evidence and oral evidence under oath in front of the Land Compensation Board.
- Involved in the research, analysis and presentation of pertinent data for a lease arbitration relating to a provincially incorporated, not-for-profit organization.
- Involved in the analysis, support and defense of a large portfolio in excess of \$30 million for legal proceedings.
- Assisted Alberta Health Services in completing various valuations to facilitate the sale of lands to the City of Edmonton for LRT expansion.
- Completed a number of "V-Day" valuations as support and defense for tax purposes.
- Completed a large scale valuation project on behalf of Alberta Infrastructure and Transportation to assist in the acquisition of lands to widen road allowances in Strathcona County.
- Involved in the research, analysis and defense of property valuations to assist the Regional Municipality of Wood Buffalo in negotiations to acquire Real Estate, with a particular focus in the Fort McMurray market.



23 RIVER DRIVE NORTH, BRAGG CREEK, AB

SCOTT M. STRANG CRA, B.Comm

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#### CRA ACCREDITED APPRAISER

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CRA designation with the Appraisal Institute of Canada. B.Comm with major in appraisal & assessment.

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#### CAREER HISTORY

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October 2017 - Current  
Commercial Appraiser, GIEBEL APPRAISALS LTD  
Edmonton, AB

I am currently a real estate appraiser with Giebel Appraisals Ltd. I have completed residential and commercial appraisal reports as well as consulting work for a wide range of purposes including purchases, refinancing, lines of credit, estate transactions, separation/division of assets, foreclosures, litigation, expropriation, redactions, etc.

*Key Points:*

- Nearing completion of the AACI designation with the Appraisal Institute of Canada.
- Completed residential and commercial appraisal reports as well as consulting work for a wide range of purposes.

March 2012 - October 2017  
Residential Appraiser, MALVERN PETERSON & COMPANY INC.  
Edmonton, AB

Completed residential appraisal within the City of Edmonton and surrounding areas for a wide range of purposes including purchases, refinancing, lines of credit, estate transactions, separation/division of assets, foreclosures, average and recreational properties, redactions, among others.

*Key Points:*

- Attained the CRA designation with the Appraisal Institute of Canada.
- Completed residential appraisal reports for a wide range of purposes.

EA

**23 RIVER DRIVE NORTH, BRAGG CREEK, AB**

November 2011 – January 2012  
Research Assistant, BOURGEOIS & COMPANY  
Edmonton, AB

I was responsible for collecting information on the sale of commercial properties within central Alberta. This required building relationships with realtors, assessors, and property owners, physically inspecting commercial properties, and maintaining a large database. Skills I developed at Bourgeois included research, database management, networking and client relations, as well as developing a more thorough understanding of the commercial real estate market in Edmonton.

*Key Points:*

- Developed contacts and gained an in-depth understanding of the Edmonton market
- Performed on-site property inspections
- Updated and maintained an in-house database of commercial sales, thrived in a demanding, fast-paced office environment

May 2011 – October 2011  
Candidate Appraiser, MATTHEA APPRAISALS  
North Battleford, SK

Developed residential real estate appraisals for North Battleford and the surrounding area. Reports completed include residential acreage, as well as lake properties within a 300 Kilometre radius of North Battleford. Numerous responsibilities including initial research, filing, and ensuring clients were satisfied with the quality of appraisal reports.

*Key Points:*

- Residential acreage appraisals, three-b's, progress inspections, and full appraisals for estimating, divorce, foreclosure and resale purposes.
- Corresponded with property owners and lending institutions

May 2010 – August 2010  
Residential Assessors Assistant, CITY OF EDMONTON ASSESSMENT DEPARTMENT,  
Edmonton, AB

Reporting to the Residential Manager, I led a team of four summer students and reassessed key neighborhoods within the City of Edmonton. By August, our team had not only met, but exceeded, expectations by inspecting more neighborhoods than originally planned.

*Key Points:*

- Led neighborhood assessment teams, was responsible for integrity of reporting and efficiency of the entire team





23 RIVER DRIVE NORTH, BRAGG CREEK, AB

- Chosen to train and mentor summer students. Reviewed field review sheets of inspections performed by summer students.
- Observed several hearings at the Assessment Review Board in which clients were appealing assessment amounts on their properties.

May 2000, August 2000

Residential Assessments Assistant, CITY OF EDMONTON ASSESSMENT DEPARTMENT,  
Edmonton, AB

Reporting to a Supervisor in the residential department, was responsible for collecting data for assessments in several neighborhoods throughout Edmonton.

*Key Points:*

- Assisted with the development, testing, and implementation of a field review software package.
- Met with clients to assess their properties, addressed any concerns or questions.
- Utilized skills such as communication, independence, time management, and fairness to ensure that projects were completed correctly and on time.

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## PROFESSIONAL AFFILIATIONS

Member of the Appraisal Institute of Canada (AIC)

Licensed with Real Estate Council of Alberta (RECA)

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## EDUCATION

2014 Canadian Residential Appraiser (CRA) designation, Appraisal Institute of Canada

2011 Bachelor of Commerce Degree, Athabasca University

2009 Appraisal & Assessment Diploma, Lakeland College

