



Bryan G. West

Partner

Calgary

bwest@mccarthy.ca

t. +1 403-260-3743

Bar Admission

Alberta 2011

Law School

Queen's University

Practices

Litigation and Dispute Resolution
Construction
Project Disputes
Corporate Commercial Litigation
Leasing
Municipal Planning
Professional Liability
Products Liability
Procurement
Real Property Development

Industries

Energy & Resources
Infrastructure
Hospitality
Oil & Gas

Bryan G. West is a partner in our commercial litigation group in Calgary and leads the Alberta Construction and Project Dispute Groups. Among other commercial litigation expertises, Bryan is a widely recognized expert and authority on project, construction, infrastructure and commercial leasing disputes.

Bryan is the author of multiple legal texts including [*Heintzman, West and Goldsmith on Canadian Building Contracts, 5th Edition*](#); [*Prompt Payment, Adjudication and Construction Liens in Alberta, 2021-2022*](#); and [*Builders' Liens in Alberta: Procedure, Law and the Annotated Act, 3rd Edition*](#), which are each updated and published annually by Carswell Thomson Reuters. Bryan's books have been cited, on hundreds of occasions, by various levels of courts across Canada, including the Alberta Court of Appeal, the Ontario Court of Appeal, the British Columbia Court of Appeal, and the Supreme Court of Canada. Bryan is also a regular lecturer and guest speaker across Canada, including in the capacity of a faculty member for the Osgoode Certificate in Construction law program.

Among other clients, Bryan acts for energy companies, engineering firms, developers, information and technology companies, commercial landlords, hotels & resorts, manufactures, large non-profits and individual executives. Bryan's commercial litigation practice includes a focus on construction, project development, municipal, commercial landlord & tenant and project disputes.

COMMERCIAL LITIGATION

Bryan represents and advises corporations and partnerships in a wide range of significant commercial litigation matters including contract, construction, project, infrastructure, engineering, commercial leasing, ownership, oppression, intellectual property, fraud, fiduciary duty, negligence, and defamation disputes. His experience includes complex commercial disputes involving substantial mineral rights, large commercial property (e.g. office towers, residential towers, shopping malls, mixed-use developments), chemical processing plants, wind farms, solar farms, mines, oil sands developments, highways, bridges, dams, reservoirs, construction, and other project related matters.

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CONSTRUCTION, PROJECT DEVELOPMENT AND REAL PROPERTY LITIGATION

Bryan is widely considered a leading legal authority on construction, project disputes and lien law in Alberta and beyond.

Bryan primarily represents and advises developers/owner and engineers, but also general contractors, sub-contractors and material suppliers with respect to construction or development of buildings, infrastructure, and industrial projects. Bryan's experience includes mandates involving disputes over \$100MMs or \$1B+, including complex construction matters such as subdivisions, hotels, commercial property, commercial gas and chemical plants, pipelines and oil sands projects. He has substantial experience in matters including builders' liens, construction and contract disputes.

LANDLORD AND TENANT (COMMERCIAL) AND REAL PROPERTY LITIGATION

Bryan represents and advises owners, landlords, management companies and tenants in commercial landlord tenant disputes. He has substantial experience in disputes involving the enforcement, interpretation and termination of leases, the rights and obligations of property owners and developers and has won a number of significant cases in Alberta on the interpretation of commercial leasing provisions, including with respect to asbestos contamination, the right of quiet enjoyment, anticipatory breaches and implied and express liens.

PLANNING AND DEVELOPMENT DISPUTES

Bryan represents and advises developers in dealing with municipal legal matters, including zoning, development permit applications, contested subdivision appeal board matters, bylaw compliance, health & safety, property taxes and other development matters. His experience includes large scale development projects including subdivisions, apartments, industrial and commercial property.

OIL & GAS (ENERGY) LITIGATION

Bryan represents and advises corporations and partnerships in a wide range of energy related matters including contract or lease disputes, joint venture disputes, operator disputes and lien/caveat disputes.

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COURT AND ADMINISTRATIVE TRIBUNAL EXPERIENCE

Bryan is frequently engaged in hearings, contested applications, arbitrations, trials and appeals before all levels of Courts in Alberta, including the Court of Appeal and at administrative tribunals. He also often advises clients on litigation matters arising in the province of British Columbia and Ontario.

BACKGROUND, COMMUNITY INVOLVEMENT & EDUCATION

Bryan was born and raised in Banff, Alberta. Bryan received his BA from the University of Calgary in 2007, where, among other things, he served on the University Board of Governors and received the Order of the University of Calgary. Bryan received his JD from Queen's University in 2010 and was called to the Alberta bar in 2011.

Bryan is an actively engaged in the community and serves as a volunteer, officer and director with a number of local and provincial non-profit, charity and grass-roots political organizations. He has been noted for volunteer activities within the community through multiple awards including the Alberta Centennial Medal and has been profiled by the Calgary Herald as one of Calgary's "Top 20 Most Compelling Calgarians." His past and present affiliations include the Pro-Bono Students Canada (Supervising Lawyer), the University of Calgary Board of Governors (Board Member), the Forum for Albertans (Trustee and Director), the Ministry of Higher Education and Technology, Learning Alberta Steering Committee (Member) and the Sunnyside Hillhurst Community Association (Executive).

Awards & Rankings

Benchmark Litigation Canada

Future Star

Benchmark Litigation

40 & Under

Acritas Star

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"Stand-out lawyer"

Calgary Herald

Top 20 Most Compelling Calgarians

The Government of Alberta

Alberta Centennial Medal for outstanding and significant contributions to society

University of Calgary

Order of the University of Calgary

Recent Experience

- **QuadReal receives legal advice for its construction of The Post**
June 1, 2023
- **VINCI Infrastructure Canada Limited declared the successful EPC contract bidder for design and construction of the Springbank Reservoir**
May 5, 2022

Recent Insights

- **Prompt Payment, Adjudication and Construction Liens in Alberta: A definitive legal guide for the Alberta construction industry**
March 22, 2023
- **10 Key Takeaways from the McCarthy Tétrault 2021 Construction Law Round-Up Panel**
January 21, 2022
- **Bill 73: Alberta's "New" Proposed Capital Projects Governance Framework**

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November 4, 2021

- **Upcoming Changes to Bill 37: The Builder's Lien (Prompt Payment) Amendment Act**

June 10, 2021

Events

- **Prompt Payment, Adjudication and Construction Liens in Alberta**

March 22, 2023

- **2021 Construction Round-up**

January 17, 2022

- **Upcoming Changes to Bill 37: The Builder's Lien (Prompt Payment) Amendment Act**

June 3, 2021

