


TITLE: EXTENSION—VARIANCE 1205 – 17TH STREET EAST OWNER: KOCH FERTILIZER CANADA, ULC APPLICANT: DOMINIC LEFEBVRE		
MEETING DATE: May 17, 2023		Page 1 of 2
DEPARTMENT: Planning & Buildings	ATTACHMENTS: A. Extension request letter B. Original Variance Order C. Original public hearing report	
PRESENTER: Andrew Mok, BES RPP MCIP	MANAGER: Sonikile Tembo, Principal Planner	

RECOMMENDATIONS:

That the approval deadline of Variance Order V-08-22 be extended to June 2, 2024.

BACKGROUND:

The applicant, Dominic Lefebvre, on behalf of the property owner, Koch Fertilizer Canada, ULC, is requesting a deadline extension to Variance Order V-08-22 to allow for rebuilding of a non-conforming building in the Industrial Heavy (IH) Zone under Clause 92(1)(c) of The Planning Act. The variance order allowed for the replacement of the existing mobile office with a new mobile office of same dimensions, construction materials, and style.

ANALYSIS:

The applicant already ordered the replacement mobile office, but the manufacturer was unable to install the mobile office before this past winter. The applicant understands the mobile office may not arrive until July or August 2023.

Though the applicant’s manufacturer states the mobile office should be ready by this summer, the Planning & Buildings Department is recommending the maximum allowable extension of 12 months in case the applicant faces additional delays beyond his control, thereby pre-empting the need to make a further extension request.

LEGISLATIVE REQUIREMENTS:

Subsection 101(1) of The Planning Act states that conditional use decisions expire and cease to have any effect if not acted upon within 12 months of the date of the decision. However, Subsection 101(2) of The Planning Act allows the Planning Commission to extend the deadline under for an additional period not longer than 12 months if an application is received before the original deadline. The Planning & Buildings Department received the request prior to the original deadline.

CONCLUSION:

The Planning & Buildings Department recommends the extension of the deadline of Variance Order V-08-22 to June 2, 2024.