


<b>TITLE:</b> FIRST EXTENSION—CONDITIONAL USE EXTENSION—VARIANCE 1 FERRARO DRIVE OWNER: BELLAFIELD HOLDINGS LTD. APPLICANT: TAYLOR EISNER		
<b>MEETING DATE:</b> April 3, 2024		Page 1 of 2
<b>DEPARTMENT:</b> Planning & Buildings	<b>ATTACHMENTS:</b> A. Extension request letter B. Original Conditional Use and Variance Decisions C. Original public hearing report	
<b>PRESENTER:</b> Andrew Mok BES RPP MCIP	<b>MANAGER:</b> Sonikile Tembo RPP, Principal Planner	

#### RECOMMENDATIONS:

That the approval deadlines of Conditional Use Decision C-01-23 and Variance Order V-01-23 be extended to March 16, 2025.

#### BACKGROUND:

The applicant, Steve McMillan of VBJ Developments, on behalf of the property owner, Bellafield Holdings Ltd., is requesting a deadline extension to two Planning Commission decisions for a property located at 1 Ferraro Drive in the RSD Residential Single Detached Zone:

- Conditional Use Decision C-01-23 to allow for special needs housing for four (4) persons
- Variance Order V-01-23 to vary Subsection 27(e) of the Zoning By-law by allowing parking, including a required parking space, between the front site line and the principal building

#### ANALYSIS:

The applicant stated that they were unable to apply for building permits before the two applications initial expiry dates, as the purchasers of the site were awaiting provincial funding for the housing project. The applicant believes funding should come in time for construction to start later this year.

#### LEGISLATIVE REQUIREMENTS:

Subsection 101(1) of The Planning Act states that variance orders expire and cease to have any effect if not acted upon within 12 months of the date of the order. 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.

Subsection 110(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 110(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, or a second 12-month period if an application is received before the first extension deadline.

The Planning & Buildings Department received the request prior to both decisions' deadline.