

R.M. OF WEST ST. PAUL
ZONING BY-LAW 2/99P
CONDITIONAL USE FILE NO. 11, 2024
PUBLIC HEARING

We are
Listening.

Public Hearing

Thursday,
June 13th, 2024
6:00 PM
Council Chambers
3550 Main St.
West St. Paul, MB

Phone:
(204) 669-8880
1-800-876-5831
Fax:
(204) 669-8882

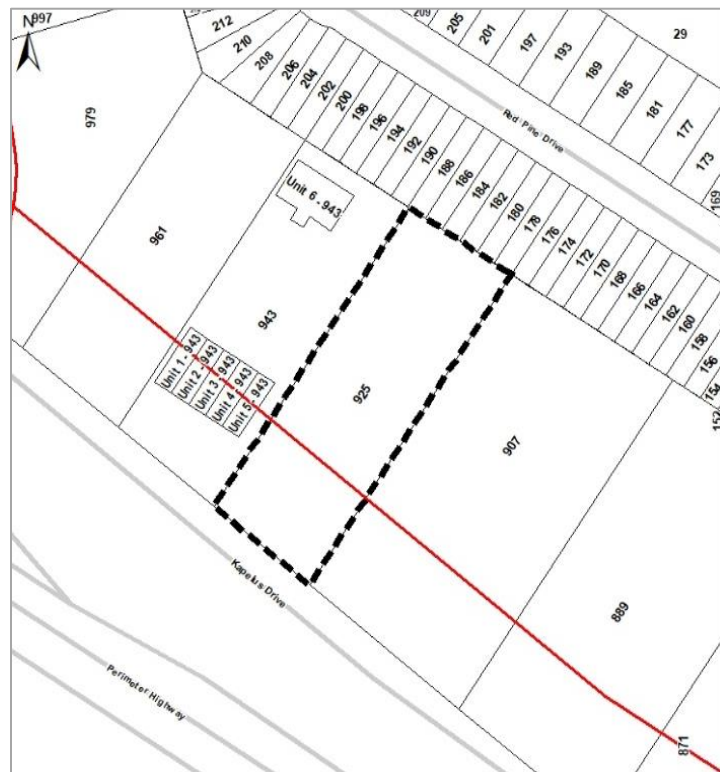
E-Mail:
info@rrpd.ca
Website:
redriverplanning.com



As per *The Planning Act*, any person can make representation on the matter at the meeting.

What is CU 11, 2024 about?

This conditional use application is to allow a *Contractors establishment with exterior storage* on the property zoned "CH" Highway commercial zone.



925 Kapelus Road (Roll #29726)

Please be advised that Public Hearings will be conducted in-person at the Council Chambers. Participants must register at the entrance on the day of the Public Hearing. If you require further information about attendance please contact the municipality at info@weststpaul.com or by phone at (204) 338-0306.

For more information please contact the Red River Planning District.

Red River Planning District
2978 Birds Hill Rd. East St. Paul, MB
Mon-Fri*
8:30am-4:15pm

*excludes all statutory holidays

Note: Property owners are responsible for notifying "Tenants"



2978 Birds Hill Rd.
 East St. Paul, MB R2E 1J5
 Toll Free: 800-876-5831
 Phone: 204-669-8880
 Fax: 204-669-8882

Date: May 23, 2024
File: CU 11, 2024
To: Council, R.M. of West St. Paul
Prepared By: Calvin So, MCP, Community Planning Assistant
From: Santan Singh, RPP, MCIP, Community Planner
Location: 925 Kapelus Drive
 Lot 13, Plan 57170 (Roll #29726)

Zoning: "CH" Commercial Highway
 R.M. of West St. Paul Zoning By-law 2/99 "P"

Property Zone	Conditional Use Request	Proposed by Applicant
"CH" Commercial Highway	Exterior Storage – Contractor's Establishment	Exterior Storage: Sea Can, scaffolding, miscellaneous materials, trailers

Purpose:

The applicant proposes, through this conditional use application, to allow exterior storage for a contractor's establishment. The attached letter of intent and site plan were submitted with the application.

Background:

The subject property is approximately 1.52 ac in size and is located on Kapelus Drive, between Acorn Way and Middlechurch Gate in West St. Paul. The site is currently developed with a commercial building. The property is zoned "CH" Commercial Highway, is designated *Settlement Centre* in the RRPD Development Plan, and is designated *Commercial Highway* in the Middlechurch Secondary Plan.

The subject property is surrounded by as follows:

To the North: Properties zoned "RMF-1" Serviced Multi-Family Residential 1.

To the South: Kapelus Drive, followed by PTH 101 – Perimeter Highway,

To the West: Properties zoned "CH" Commercial Highway.

To the East: Properties zoned "CH" Commercial Highway.

Analysis:

The applicant wishes to obtain interim occupancy for their existing building at 925 Kapelus Drive. The conditional use application is required to address the exterior storage on the property as part of the contractor's establishment. According to the letter of intent, the exterior storage includes:

- Sea Can
- Scaffolding (110 ft. x 30 ft.)
- Miscellaneous Materials (136 ft. x 30 ft.)
- Trailers (140 ft. x 25 ft.)

As per the site plan submitted by the applicant, the above items are located 9 ft. from the property line. The letter of intent and the Site plan have been added to the Public Hearing package for Council's consideration.

The following are *Settlement Centre* objectives and policies relevant to the subject proposal:

4.5.e *To protect settlement centres from those land use activities that have the potential of being detrimental to the health, safety and general welfare of the community.*

4.5.g *To avoid and prevent wherever possible conflicts between different urban type land uses.*

4.5.i *To protect properties and residents from land uses, activities and natural hazards that are, or have the potential of being, detrimental to the health, safety and general wellbeing of the residents of the community.*

The following information is for Council's consideration:

- Policy 2.5.4.3 of the Middlechurch Secondary Plan states, "Provide landscaping on yards adjacent to public streets, including screening of loading, parking, storage, and service areas." The containers will be located at the rear of the proposed building, and the applicant's site plan shows proposed landscaping adjacent to Kapelus Drive.
- The applicant operates an exterior finishing company at this property and seeks an interim occupancy permit for the building. The exterior finishing company provides stucco, siding, EIFS, and masonry services.
- The conditional use application is required due to exterior storage on the property.
- This application was circulated to the R.M. of West St. Paul and Highways. No comments have been received from Highways at the time of this report.
- Council has previously approved CU 35, 2020 for this property to allow storage containers.
- Should Council approve this application, a permit will be required for the storage container. Our office recommends a condition requiring the applicant to obtain all necessary permits. The container must adhere to the setbacks, projections, separation distance, and all other zoning requirements.

Options:

Under section 106(1) of *the Planning Act*, on completion of the public hearing, Council may:

- (a) reject the application; or

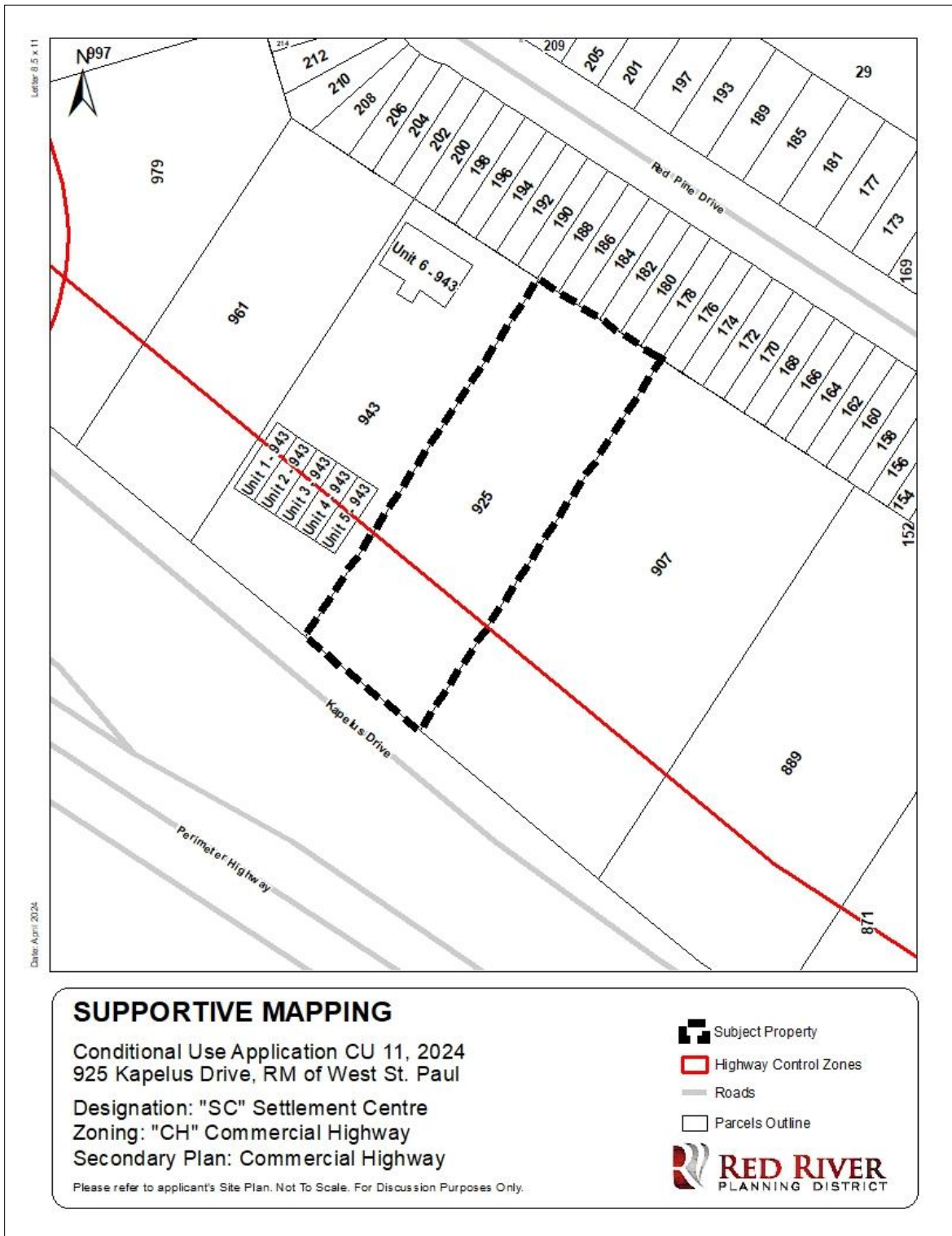
- (b) approve the application if the conditional use proposed in the application
 - (i) will be compatible with the general nature of the surrounding area,
 - (ii) will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area, and
 - (iii) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

Recommendation:

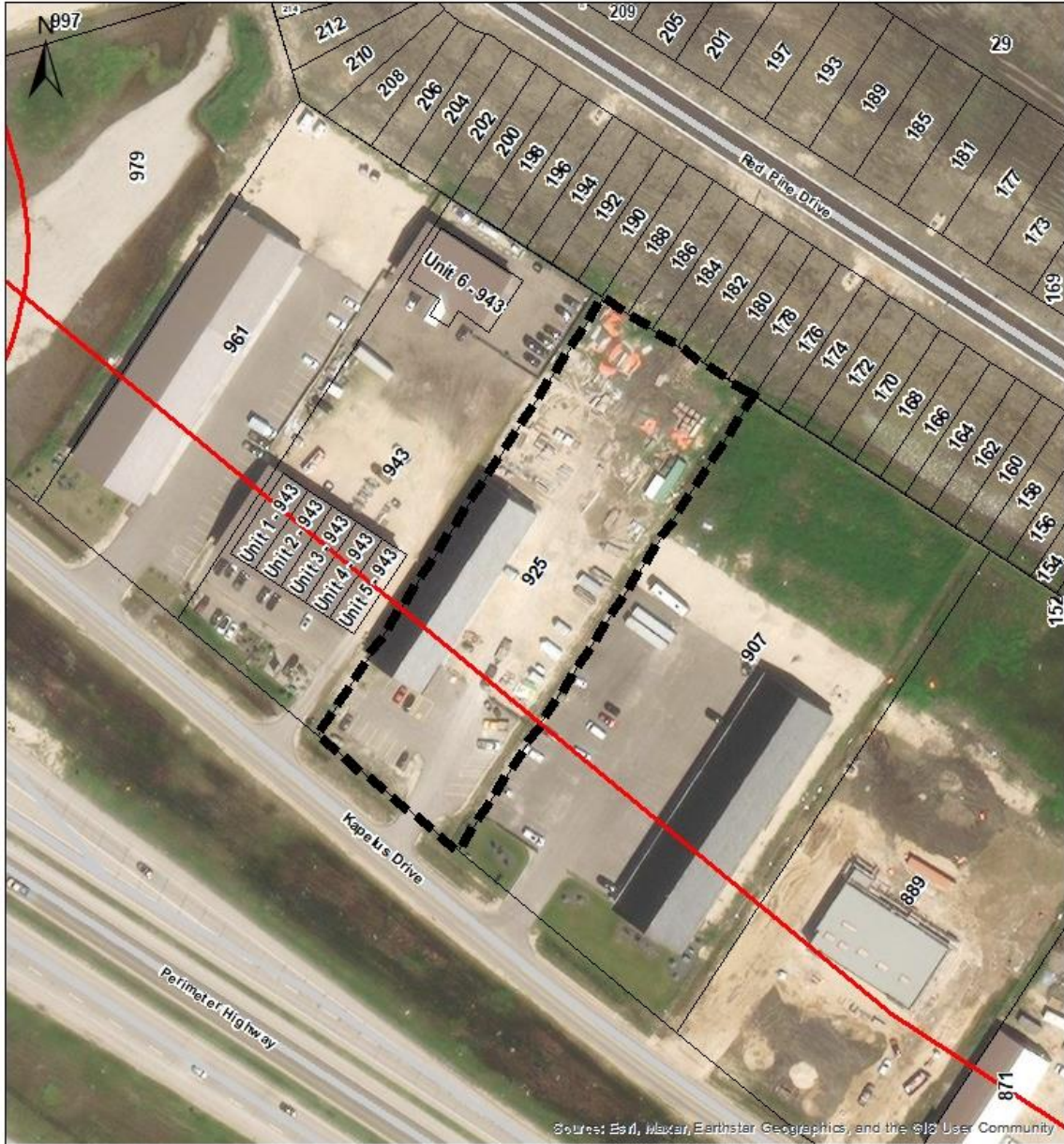
Should Council approve this application, our office recommends the following conditions of approval:

1. That conditional use approval be limited to what is proposed within this application. Any changes in use or expansion will require a new conditional use approval.
2. Applicant/owner obtains all required permits and approvals, including but not limited to those from the Red River Planning District and the R.M. of West St. Paul, if applicable.
3. That any outdoor storage of vehicles, equipment, or materials must be in compliance with Exterior Storage section of the current R.M. of West St. Paul Zoning By-law, including being enclosed on all sides with a 6 to 8 foot high solid opaque wall or fence.

LOCATION MAPS
Illustrating Subject Property



Letter 8.5 x 11



Date: April 2024

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

SUPPORTIVE MAPPING

Conditional Use Application CU 11, 2024
925 Kapelus Drive, RM of West St. Paul

Designation: "SC" Settlement Centre
Zoning: "CH" Commercial Highway
Secondary Plan: Commercial Highway

Please refer to applicant's Site Plan. Not To Scale. For Discussion Purposes Only.

-  Subject Property
-  Highway Control Zones
-  Roads
-  Parcels Outline



APPLICANT PROVIDED INFORMATION
(Letter of intent, Site Plan, Other information)



925 Kapelus Drive West St. Paul, Manitoba R4A 5A4

April 1, 2024

RED RIVER PLANNING DISTRICT
2978 Birds Hill Road
East St. Paul, Manitoba R2E 1J5

To Whom It May Concern,

RE: Conditional Use Permit Application for Interim Occupancy Permit Application

925 Kapelus Drive - West St. Paul, Manitoba

LETTER OF INTENT

L & A Stucco Ltd. is an exterior finishing company to include stucco, siding, EIFS and masonry services. Our hours of operation are Monday to Friday 7:30 AM to 5:00 PM. We currently have 62 employees.

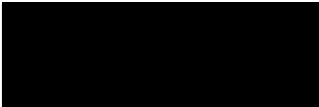
The intent of the conditional use application for L&A is to help us obtain an interim occupancy permit for our building at 925 Kapelus Drive.

Exterior Storage Includes:


Please Note: As per site drawing all exterior storage items are 9' from the property line.

- Sea Can (part of a separate permit)
- Scaffolding: Size 110'x 30'
- Miscellaneous Materials: 136'x 30'
- Trailers: 140'x 25'

Sincerely,



Cavy Braun
Vice President



OTHER INFO

(Government Comments, other relevant information)

Santan Singh

From: Pam Elias <edo@weststpaul.com>
Sent: April 16, 2024 1:24 PM
To: Calvin So
Cc: CAO Dave Wardrop
Subject: Re: CU 11, 2024 application

Hi Calvin,

It's recommended the following be added as a condition of approval:

-That any outdoor storage of vehicles, equipment, or materials must be in compliance with Section 3.11 of the R.M. of West St. Paul Zoning By-law, including being enclosed on all sides with a 6 to 8 foot high solid opaque wall or fence.

Regards,

Pam Elias, B.E.D., M.C.P.
Director of Planning & Economic Development
RM of West St. Paul
3550 Main Street, West St. Paul, MB R4A 5A3
Phone: (204) 338-0306 (ext 109)

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From: Calvin So <calvin@rrpd.ca>
Sent: Wednesday, April 10, 2024 11:01 AM
To: Pam Elias <edo@weststpaul.com>; +WPG969 - Roadside Development <RoadsideDevelopment@gov.mb.ca>
Cc: Derek Eno <deno@rrpd.ca>; Luanne Martin <luanne@rrpd.ca>
Subject: CU 11, 2024 application

Hello,

Please see a conditional use application in the RM of West St. Paul for your review and comments.

Thanks,



Calvin So, M.C.P.
Community Planning Assistant
Red River Planning District

2978 Birds Hill Rd. East St. Paul, MB R2E 1J5
Tel: 204-669-8880 Fax: 204-669-8882
www.redriverplanning.com

Planning and Development Services for the Municipalities of:
Dunnottar – East St. Paul – St. Andrews – St. Clements – West St. Paul

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