

# NOTICE OF PUBLIC HEARING

## CONDITIONAL USE APPLICATION

Rural Municipality of St. Clements

Under authority of *The Planning Act*, the municipal Council will hold a public hearing at the time and location listed below to hear from those who wish to speak in support or objection, or to ask questions. For more info on how to register for the public hearing please contact the municipality at 204-482-3300.

**Tuesday  
June 24, 2025  
Time**

**Council Chambers  
1043 Kittson Road  
East Selkirk, MB**

*Note: property owners are responsible for notifying "tenants"*

### APPLICATION INFORMATION

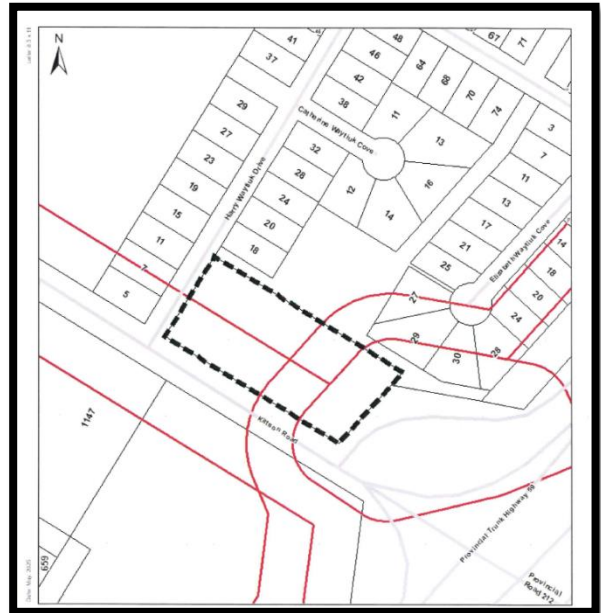
**Application File:** CU18/2025

**Applicant:** 10223582 Manitoba  
Limited

**Property Location:** Rural Municipality of St.  
Clements  
Roll # 425026  
Legal: Lot 1 Block 4 Plan  
59304

**Application Purpose:**

The applicant is seeking a conditional use approval for a Drive Through for a future commercial development on the property.



Property Zone	Conditional Use Request	Proposed by Applicant
"CH" Commercial Highway	Section 7.3. Use Regulation Table 15: Commercial Use	Restaurants-Drive Through

A copy of the above-noted proposal and supporting material is available on the Red River Planning District website at <https://www.redriverplanning.com/hearings.php> or by contacting the Red River Planning District in person during normal business hours Monday to Friday at 2978 Birds Hill Road, East St. Paul, by phone at 204 669-8880, or by email at [info@rrpd.ca](mailto:info@rrpd.ca)

## VARIANCE APPLICATION REPORT

<b>Date</b>	June 2, 2025
<b>Application File</b>	<b>CU 18/2025</b>
<b>Applicant</b>	10223582 Manitoba Limited

### SUBJECT PROPERTY INFORMATION

<b>Property Location</b> <ul style="list-style-type: none"><li>- Roll #</li><li>- Legal</li></ul>	425026 Lot 1 Block 4 Plan 59304
<b>Zoning</b>	"CH" Highway Commercial zone RM of St. Clements Zoning By-law No. 5-2002
<b>Development Plan Designation</b>	"SC" Settlement Center designation RRPD Development Plan By-law No. 272/19
<b>Secondary Plan Designation</b>	Commercial Mixed-Use designation East Selkirk Secondary Plan By-law No. 7-2022
<b>Property Size</b>	3.93 acres in area (+/-) 256 feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

### APPLICATION DETAILS / PROPOSAL

Property Zone	Conditional Use Request	Proposed by Applicant
"CH" Commercial Highway	Section 7.3. Use Regulation Table 15: Commercial Use	Restaurants-Drive Through

#### Application Purpose

The applicant is seeking approval to operate a drive through restaurant. The drive through restaurant will operate daily, 7 days per week on the subject property, and hours of operation would be from 6:00 a.m. – 11:00 p.m. Hours of operations may change depending on the demand. The location of the drive throughs is outlined in the site plan, which is included in this report.

The applicant's proposed use would be considered a drive through restaurant in the Highway Commercial Zone, which is a Conditional Use in the R.M. of St. Clements Zoning By-law 5-2002. The site plan also shows plans for a professional office and support service, retail business, automobile service station. The use of an automobile service station defines that selling of fuel, repairs and a car wash are permitted uses.

This application was circulated to the municipality, and their comments are outlined below. The application was circulated to Manitoba Infrastructure and Transportation.

## **HISTORY OF THE PROPERTY**

Bylaw 14-2012 had third reading on January 29, 2013, the bylaw created the East Selkirk Secondary Plan. Public consultation occurred before the Plan was adopted and a public hearing was held before second reading of the Plan. The below outlines the policies for Commercial Mixed Use Policy Area:

### **Section 4.2 Commercial Mixed Use Policy Area**

This policy area is intended to support higher density residential with commercial uses which require larger buildings and parking requirements than tolerable in the Village EAST SELKIRK SECONDARY PLAN. These uses will also benefit from exposure to PTH 59 while minimizing traffic infiltration into East Selkirk.

#### **4.2.1 Commercial Mixed Use Objectives**

1. Expand economic development opportunities while providing commercial services, promoting the complete communities concept by designating commercial mixed use policy areas including higher density residential development in locations with access to the regional provincial highway system.
2. Accommodate larger scale commercial developments which serve the travelling public as well as the local community and require access and exposure to PTH 59.
3. Large format commercial development will be planned to ensure site access meets the requirements of the Provincial Highway system and is compatible with adjoining and future residential areas.

#### **4.2.2 Commercial Mixed Use Policies**

1. The plan designates the northwest corner of PTH 59 and Colville Road and the lands south of the School Site north of Cooks Creek as Commercial Mixed Use Areas (see Land Use Policy Map #1).
2. Retail, cultural, entertainment, institutional, residential and recreational developments are encouraged to locate in these areas.
3. Development within this policy area and mix of uses approved will ensure compatibility with surrounding residential to the north and west and adjoining school facilities and Cooks Creek Open Space to the south. This will be achieved by managing uses through an amendment to the RM of St. Clements Zoning By-law adding provisions for Commercial Design Guidelines, Planned Unit Development, Conditional Use and Mixed Use Commercial and Residential Site Plan Approval processes.
4. The RM of St. Clements will work closely with property owners and with the Province of Manitoba's Department of Infrastructure and Transportation to integrate Commercial Mixed Use site access with the regional transportation system.
5. Development in the Commercial Mixed Use Area shall recognize future residential growth in surrounding lands by providing for future connectivity via roads in site planning and design of the commercial mixed use.

By-law 8-2013, the rezoning of the property to Highway Commercial was adopted on December 10, 2013, and this amended Zoning By-law 5-2002. Before the second reading a public hearing was held.

### **OPTIONS FOR COUNCILS CONSIDERATION**

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

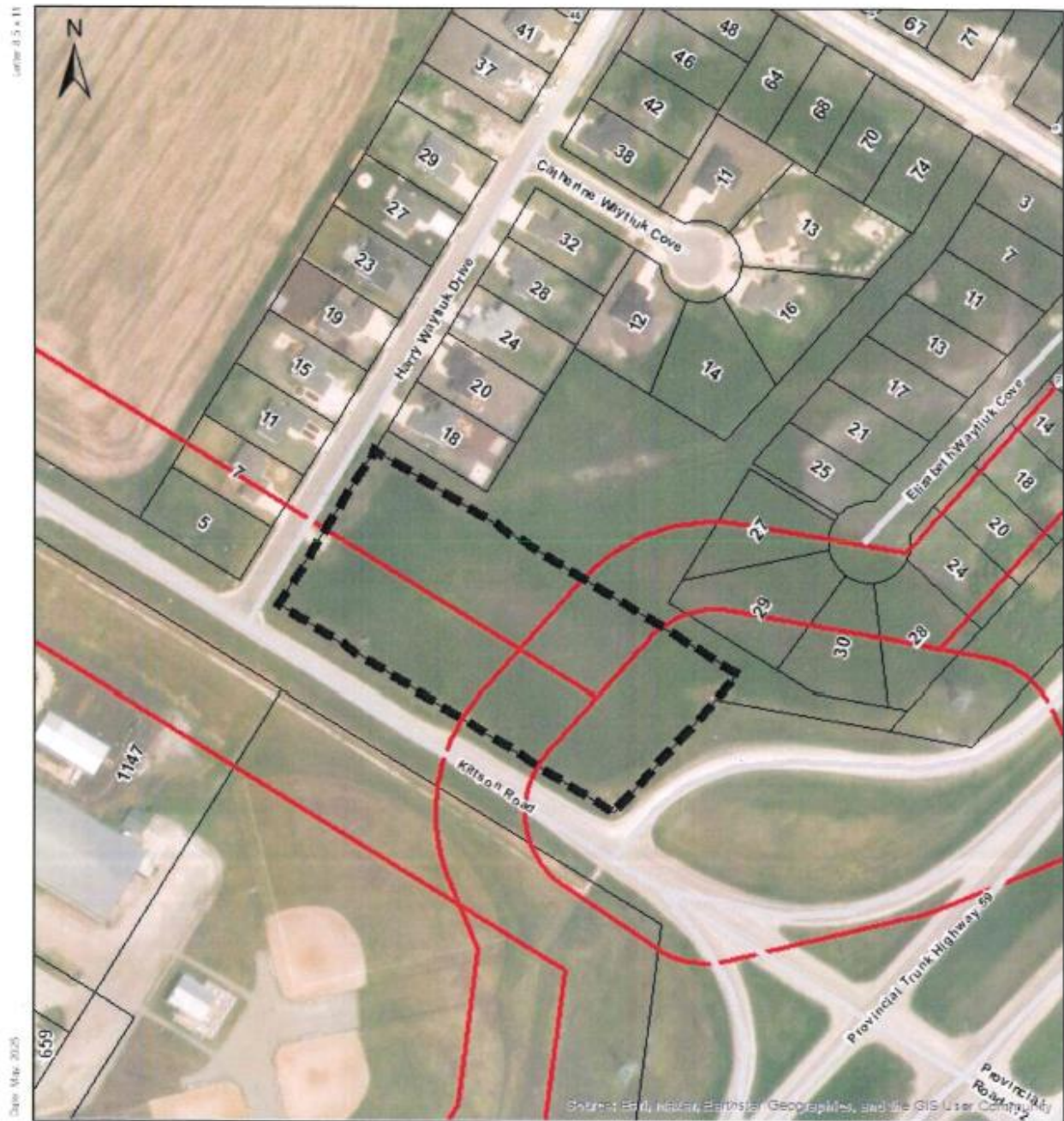
- (a) reject the application; or
- (b) approve the application if the conditional use proposed in the application
  - (i) will be compatible with the general nature of the surrounding area,
  - (ii) will not be detrimental to the health or general welfare of people living or working in the surrounding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

### **RECOMMENDED CONDITIONS OF APPROVAL**

Should Council approve the requested conditional use, the following conditions are recommended:

1. This conditional use is limited to what has been presented in this application. Any further changes, replacement or additions would require a new approval.
2. Applicant / owner to obtain all required licenses and/or permits with the R.M. of St. Clements including, but not limited to:
  - a. New and/or renewal of a municipal business license(s).
3. Applicant / owner obtains all required permits from the Red River Planning District and the municipality, if required.
4. Applicant / owner to enter into a development agreement with the RM of St. Clements including but not limited to, landscaping, fencing, building design, parking requirements, drainage and construction requirements.

## RRPD LOCATION MAP



### SUPPORTIVE MAPPING

Conditional Use Application CU 18, 2025  
Harry Waytiuk Dr, RM of St. Clements

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

Terms of Use/Disclaimer: All information is for display and estimate purposes only and is provided "as-is". The accuracy of information contained cannot be guaranteed and is in no way a legal representation of the municipality.

Subject Property

Roads

Highway Control Zones

Parcel Outline

**RED RIVER**  
PLANNING DISTRICT



Site Plan

