

NOTICE OF PUBLIC HEARING

VARIANCE 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
September 23, 2025
6:00 P.M.**

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

Note: property owners are responsible for notifying "tenants"

APPLICATION INFORMATION

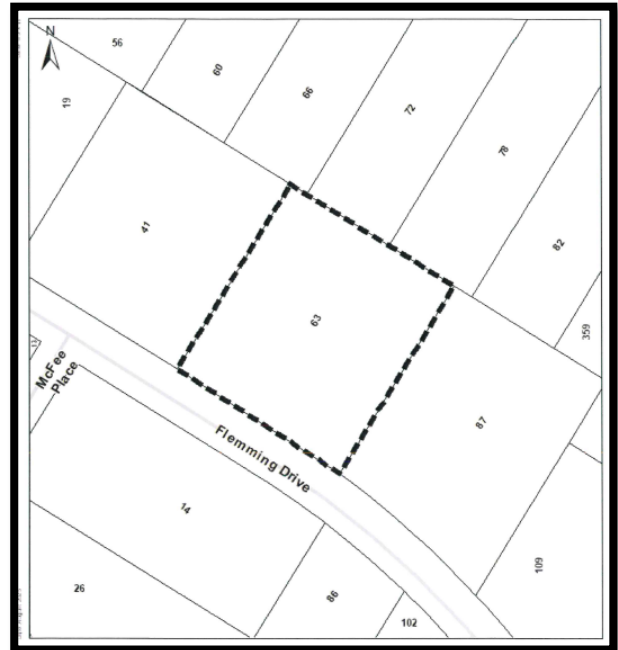
Application File: VO 95-2025

Applicant: Tim and Kerry Lavoie

Property Location: 63 Flemming Drive
R.M. of St. Clements
Roll #312706
Legal: Lot 3 Block 1 Plan
54308

Application Purpose:

The applicant proposes to increase the number of accessory buildings, in order to allow for the accessory buildings to remain on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
"AR" Agricultural Restricted Part 3 Section 3.2.4	2 accessory structures Maximum	4 accessory structures

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

VARIANCE APPLICATION REPORT

Date	September 3, 2025
Application File	VO 95-2025
Applicant	Tim and Kerry Lavoie

SUBJECT PROPERTY INFORMATION

Property Location <ul style="list-style-type: none">- Street Address- Roll #- Legal	63 Flemming Drive, R.M. of St. Clements 312706 Lot 3 Block 1 Plan 54308
Zoning	"AR" Agricultural Restricted zone RM of St. Clements Zoning By-law No. 5-2002
Development Plan Designation	"AR" Agricultural Restricted designation RRPD Development Plan By-law No. 272/19
Property Size	175,233 square feet or 4 acres in area (+/-) 393' feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
"AR" Agricultural Restricted Part 3 Section 3.2.4	2 accessory structures Maximum	4 accessory structures

Application Purpose

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OPTIONS FOR COUNCILS CONSIDERATION

OTHER INFORMATION

There is a development agreement registered on the property; however, it does not affect this application as the development agreement was for the subdivision, and all conditions of the agreement have been met.

There is also a drainage easement on the property, which is 3 meters wide around the side yard and rear of the property, and there is no interference with the drainage.

A variance was approved in February 2019 to allow for an oversized accessory structure being 1,536 sq. ft., and a condition of the variance was: "The use of the proposed accessory building is limited to personal use only". In speaking with the applicant, the accessory structure is still being used for personal storage.

According to the submitted site plan the 4 accessory buildings are a pergola, a pool, an existing 1,536 sq. ft. building and a seacan.

Under section 97(1) of *the Planning Act*, on completion of the public hearing, Council may:

- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
 - (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 the minimum modification of a zoning by-law required to relieve the injurious affect of the zoning by-law on the applicant's property, and
 - (iv) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.

RECOMMENDED CONDITIONS OF APPROVAL

Should Council approve the requested zoning variances, the following conditions are recommended:

1. This variance is limited to what has been presented in this application. Any further changes, replacement or additions would require a new variance approval.
2. Applicant / owner obtains all required permits from the Red River Planning District and the municipality, if required.
3. Applicant / Owner to pay any outstanding taxes, fees or fines, to the R.M. of St. Clements.

RRPD LOCATION MAP



SUPPORTIVE MAPPING

Variance Order VO 95, 2025
63 Flemming Drive, RM of St. Clements

Designation: "AR" Agriculture Restricted
Zoning: "AR" Agriculture Restricted

 Subject Property

 Roads

 Parcel Outline

 **RED RIVER**
PLANNING DISTRICT


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



SUPPORTIVE MAPPING

Variance Order VO 95, 2025
 63 Flemming Drive, RM of St. Clements
 Designation: "AR" Agriculture Restricted
 Zoning: "AR" Agriculture Restricted

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

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 **RED RIVER**
 PLANNING DISTRICT

ADDITIONAL INFORMATION

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Letter of Intent

August 18, 2025

Legal: 3-1-54308

Roll no. 312706

Address: 63 Flemming Drive, St. Clements

We, the owners of 63 Flemming Drive, are requesting a Variance to allow for more than two accessory buildings on our 4 acre property.

Requested accessory buildings are as follows:

- Shop- 48' x32'
- Pool- 18' Round Intex Pool
- Covered Pergola - 16' x 26' + 3'x10'
- Seacan- 40' x 8'

Sincerely,

Tim Lavoie
63 Flemming Drive

SITE PLAN

