

R.M. of St. Clements  
ZONING BY-LAW 5-2002  
VARIATION ORDER FILE NO. 113, 2023  
**PUBLIC HEARING**

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

We are  
Listening.

**Public  
Hearing**  
Tuesday,  
November 21, 2023  
6:00 PM  
Council Chambers  
1043 Kittson Rd.  
East Selkirk, MB

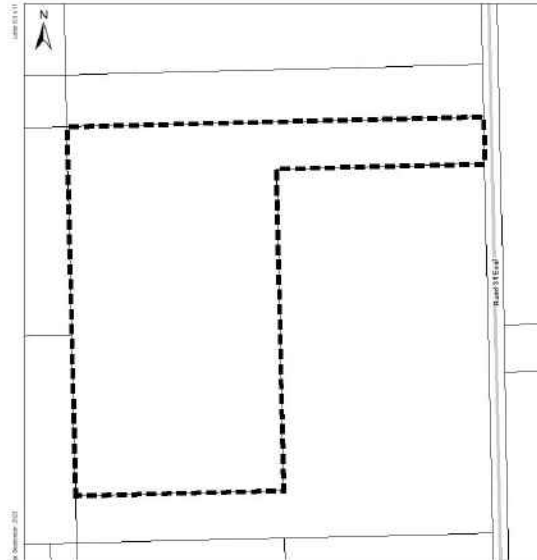
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**What is VO 113, 2023 about?**

This variance application is to reduce the required site area and site width for the proposed and residual lots within the "A80" Agricultural Zone. The requested variance is part of the conditions within Subdivision Application S23-3018.



**73086B Rd. 31E (Roll #261700)**

Seating at the public hearing will be limited to accommodate social distancing. We ask that you contact the municipal office at 204-482-3300 or [info@rmofstclements.com](mailto:info@rmofstclements.com) to register your attendance so that we can insure adequate physical distancing seating. Alternatively, you can contact the RM of St. Clements to receive an invitation to public hearing remotely through Zoom, submit questions or concerns in writing or visit the municipality's website for the link to live streaming with interactive chat.

**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:** November 13, 2023  
**File:** VO 113, 2023  
**To:** Council, R.M. of St. Clements  
**Prepared by:** Ingrid Zarichney, Community Planning Assistant  
**From:** Femi Ojo, MURP, MCIP, RPP Community Planner  
**Location:** 73086B Rd. 31E  
 Lot 2, Plan 41158 (Roll No. 261700)

**Property Zoning:**  
 "A80" Agricultural General Zone,  
 R.M. of St. Clements Zoning By-Law 5-2002

Variance Request	Zoning By-Law Requirement	Proposed by Applicant
Site Area	80 ac. (min.)	Proposed Lot 1: ~10 ac. (min.) Residual Lot: ~70 ac. (min.)
Site Width	300 ft.	Proposed Lot 1: ~26.25 ft. (min.) Residual Lot: ~273.75 ft. (min.)

**Purpose:**  
 To reduce the minimum site areas for Proposed Lot 1 & Residual within the "A80" Agricultural General zone. The requested variances will be part of the conditions within the proposed subdivision application S23-3018. A subdivision application map has been submitted by the applicant/owner, which is attached to this report.

**Background:**  
 The subject property is situated on the west side of Rd. 31E. Currently, the subject property has a single-family dwelling and a few accessory structures. There is a proposed subdivision application (S23-3018) on this property, which will create one lot from the existing parcel. This application is submitted for Council's approval as per a proposed condition of the subdivision application mentioned above.

Properties surrounding the subject property are all zoned “A80” Agricultural General.

**Analysis:**

Approving this variance will allow the applicant to complete the condition on the proposed letter and move one step closer to completing all conditions required for the application.

The subject property is designated “A80” Agricultural General in the Zoning By-law and “RA” *Resource and Agriculture* in the Development Plan.

The following information is for Council’s consideration:

- The site area requirements as proposed within the subdivision for proposed lot 1 and Residual Lot did not comply with the St. Clements Zoning By-Law 5-2002, “A80” Agricultural General zone.
- The application was circulated to the R.M. of St. Clements and there were no concerns with the subject proposal.

**Options:**

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.

Under section 98(1) of *the Planning Act*, in making a variance order under clause 97(1)(b) above, Council may:

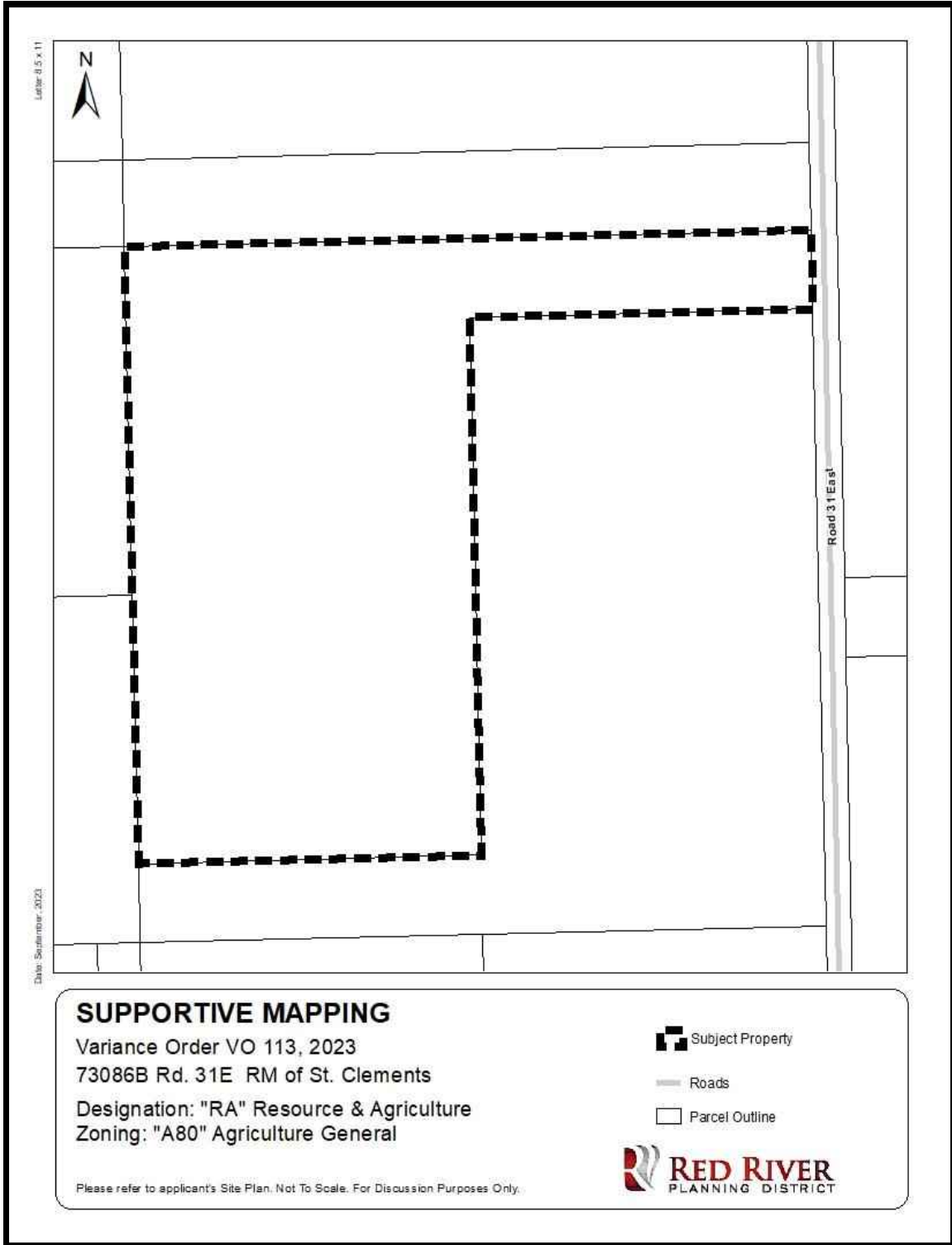
- (a) impose any conditions on the applicant or the owner of the affected property that it considers necessary to meet the requirements of clause 97(1)(b); and
- (b) require the owner of the affected property to enter into a development agreement under section 150.

**Recommendation:**

Should Council approve the requested zoning variance, we recommend the following conditions:

1. That the variances be limited to what is being proposed in this application. Any further changes will require a new variance approval.

**LOCATION MAP**  
**Illustrating Subject Property**



Letter 8.5 x 11




Date: September, 2023


Source: Esri, DeLorme, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community


### SUPPORTIVE MAPPING

Variance Order VO 113, 2023  
73086B Rd. 31E RM of St. Clements

Designation: "RA" Resource & Agriculture  
Zoning: "A80" Agriculture General

 Subject Property

 Roads

 Parcel Outline



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



## GOVERNMENT AGENCIES COMMENT

**Femi Ojo**

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**From:** Kayla Kozoway <kayla@mofstclements.com>  
**Sent:** Tuesday, October 3, 2023 11:10 AM  
**To:** Ingrid Zarichney; Femi Ojo  
**Subject:** VO 113-2023

Good Morning,

Please be advised the R.M. of St. Clements Public Works Department has no concerns with the proposed variance.

Thank you,

*Kayla Kozoway*  
Planning Clerk  
Rural Municipality of St. Clements

Ph: 204-482-3300  
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