

R.M. of St. Andrews
ZONING BY-LAW 4066
VARIATION ORDER FILE NO. 13, 2024
PUBLIC HEARING

We are
Listening.

**Public
Hearing**
Monday,
April 8th, 2024
5:30 PM
Council Chambers
500 Railway Ave.
Clandeboye, MB

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

Fax:
(204) 669-8882

E-Mail:
info@rrpd.ca

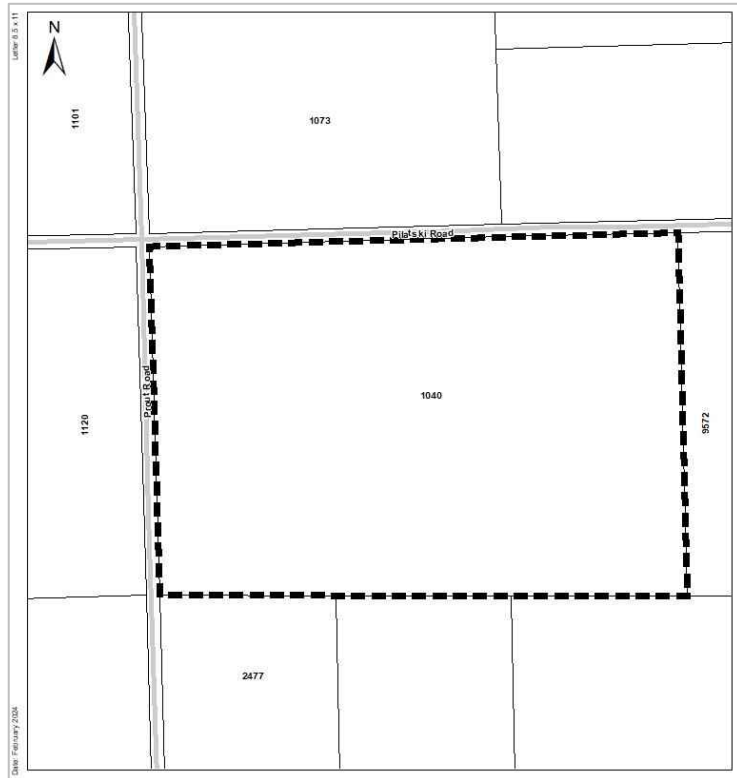
Website:
redriverplanning.com



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

What is VO 13, 2024 about?

This variance application is to reduce the site area requirements in the "A80" Agricultural General zone. The requested Variance is part of the conditions within conditionally approved Subdivision Application S23-2989.



1040 Pilatski Road (Roll No. 513600)

Planning meetings may be viewed live through the [RM of St. Andrews Youtube Channel](#). In-person and online attendance for the Public Hearing is available. Registration is required only, if you wish to attend online. Please contact the municipal office at 204-738-2264 ext. 137 or Braeden@rmofstandrews.com by 2pm the day of the meeting to register for attendance, speaking to council, providing written comments, whether "for" or "against" or for information regarding the application.

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"

Date: March 21, 2024
File: VO 13, 2024
To: Council, R.M. of St. Andrews
Prepared by: Calvin So, MCP, Community Planning Assistant
From: Santan Singh, MCP, Community Planner, Red River Planning District
Location: Pt. N 36-16-3E
1040 Pilatski Road (Roll No. 513600)

Property Zoning:
"A80" Agricultural General Zone,
R.M. of St. Andrews Zoning By-Law 4066

Variance Request	Zoning By-Law Requirement	Proposed by Applicant
Site area	80 ac (min)	25.78 ac (min)

Purpose:

To vary the site area requirements for proposed lot 1 from 80 ac (min) to **25.78 ac (min)**. This Variance is part of the conditions within conditionally approved Subdivision application S23-2989. A subdivision application map and a letter of intent has been submitted by the applicant/owner, which is attached to this report.

Background:

The subject property is currently 240 ac in size and is located at the corner of Pilatski Road and Prout Road in Petersfield. It is currently occupied with a single family dwelling and multiple accessory structures that include shops, old sheds, grain sheds, garage, lean-to, and a barn.

The applicant/owner is intending to subdivide the property into two lots, one that is 25.78 ac in size, leaving a residual lot of 214.22 ac.

The subject property is completely surrounded by properties zoned "A80" Agricultural General.

Analysis:

The applicant, as per the submitted letter of intent, wants to sever the existing yard site from the current title. The residual land is cultivated farmland. Since the proposed lot is under 80 acres in size, a Variance is required to bring the lot into compliance.

St. Andrews Council on March 14, 2023, and the RRPD Board conditionally approved subdivision application S23-2989 on April 19, 2023. Approving this Variance will allow the

applicant/owner to fulfill condition #2 of their conditional approval letter, and move one step closer to completing all conditions and requirements for the application.

The subject property is zoned “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 did not comply with the St. Andrews Zoning By-Law 4066, “A80” *Agricultural General* zone.
- The subdivision associated with this Variance has been conditionally approved by St. Andrews Council and the RRPD Board.
- This application was circulated to the R.M. of St. Andrews for comments.

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:

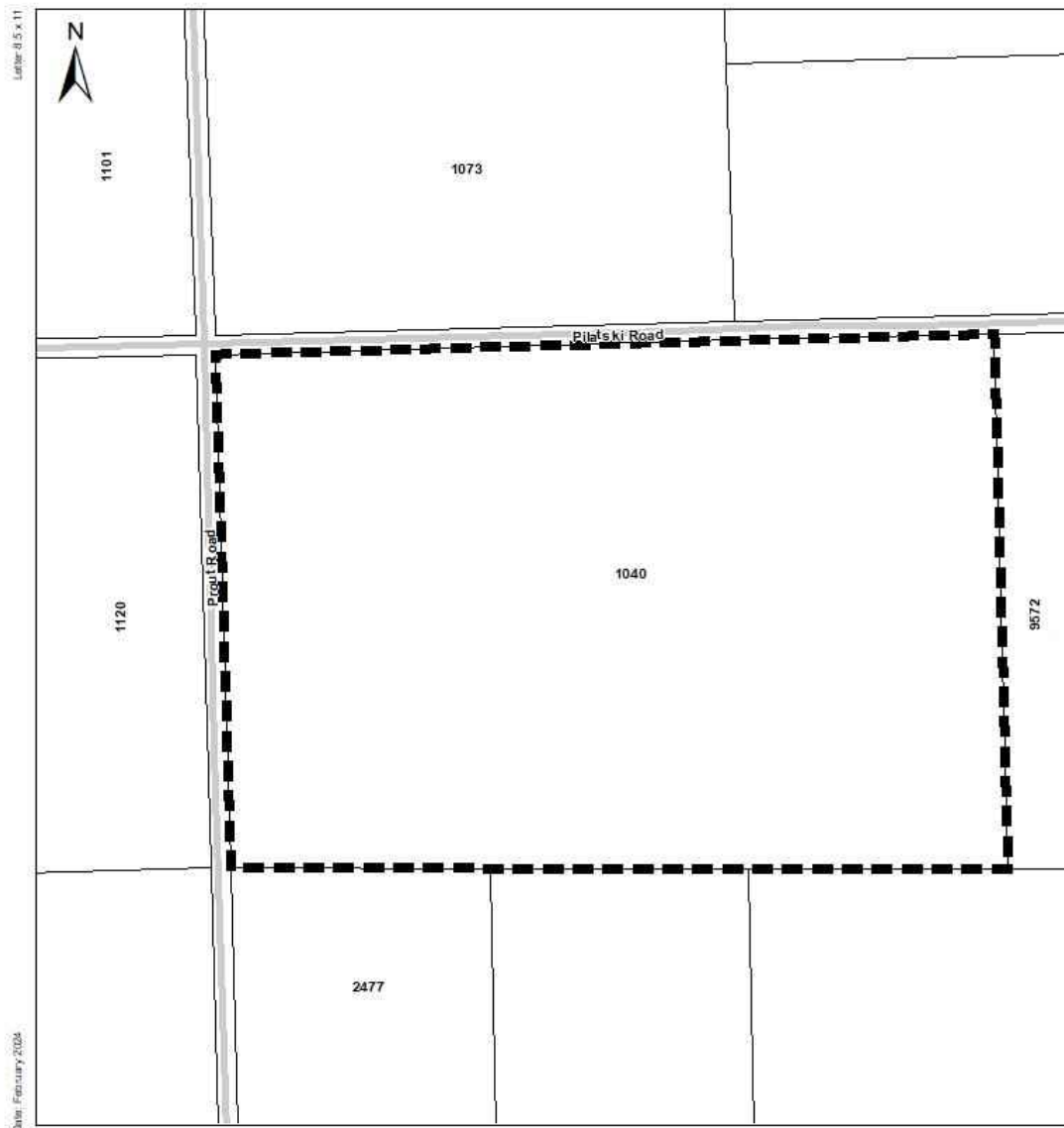
- (a) impose any conditions on the applicant or the owner of the affected property that it considers necessary to meet the requirements of clause 97(1)(b); and
- (b) require the owner of the affected property to enter into a development agreement under section 150.

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



SUPPORTIVE MAPPING

Variance Order VO 13, 2024
1040 Pilatski Road, RM of St. Andrews

Designation: "RA" Resource and Agriculture
Zoning: "A80" Agricultural General

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

-  Subject Property
-  Parcel Outline
-  Roads





SUPPORTIVE MAPPING

Variance Order VO 13, 2024
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Zoning: "A80" Agricultural General

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

-  Subject Property
-  Parcel Outline
-  Roads



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

[REDACTED]

February 5, 2024

[REDACTED]

Red River Planning District
2978 Birds Hill Road
East St. Paul, Manitoba R2E 1J5

To Whom It May Concern

Re: Letter of Intent for Variance Application
Proposed Subdivision
Planning File: S23-2989

[REDACTED]
1040 Pilatski Road
RM of St. Andrews

I am acting on behalf of Greg Cottingham who is subdividing his property referenced above. Condition 2, on my client's Letter of Conditional Approval states that "the Applicant/Owner obtain variance for the undersized lot.". Please consider this as our Letter of Intent for same.

The reason for the subdivision is to sever the existing yard site from the current title. The residual land is cultivated farmland.

Should you require any clarification or additional information, do not hesitate to contact me.

Sincerely,

[REDACTED]
K. Todd Baley, MLS, P.Surv
[REDACTED]

[REDACTED]

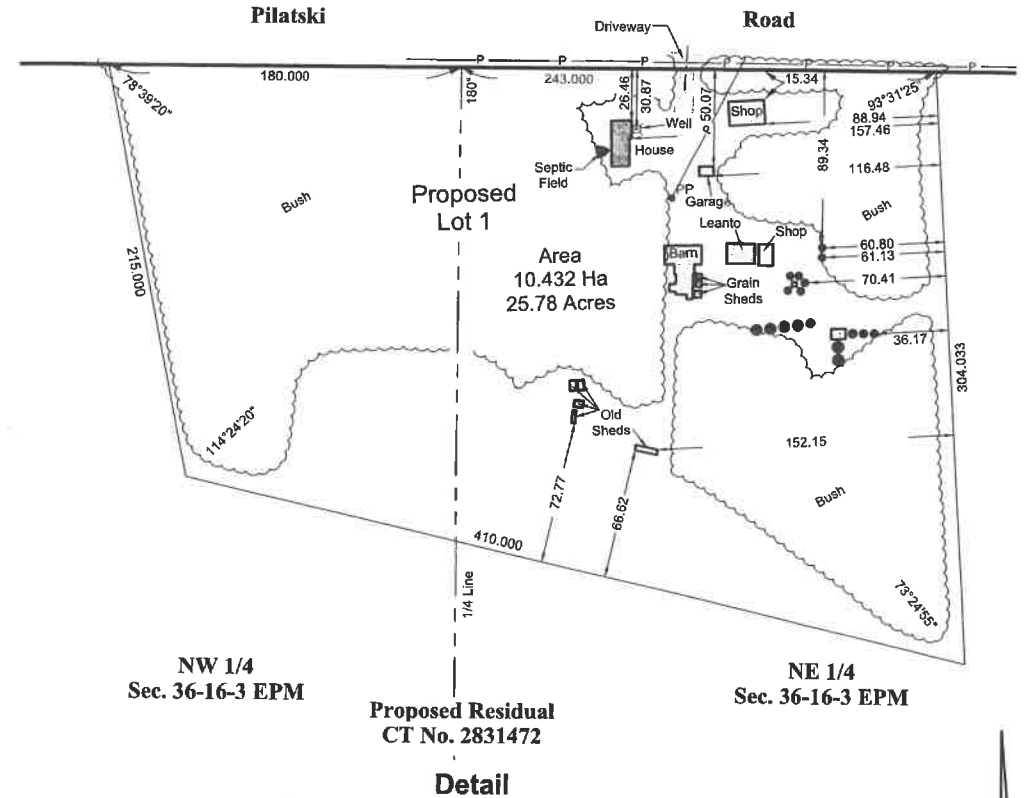
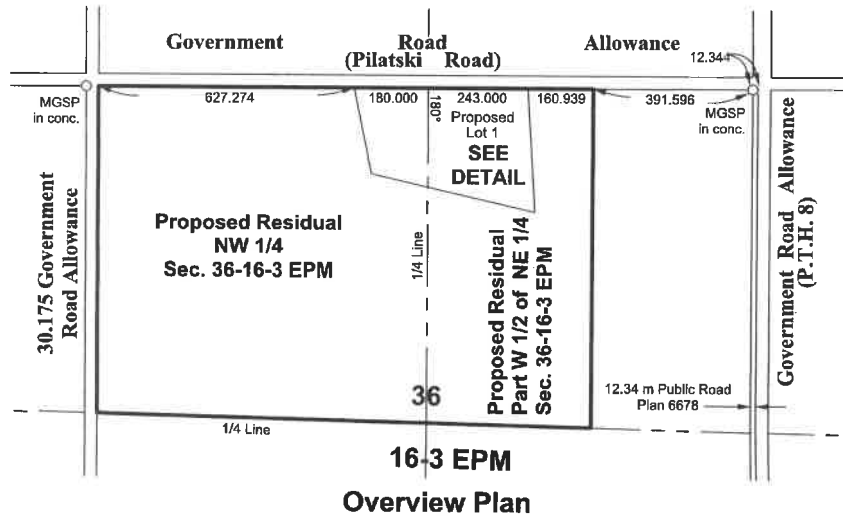
SUBDIVISION APPLICATION MAP SHOWING PROPOSED SUBDIVISION

OF PART OF
PART N 1/2 SEC. 36, TWP. 16, RGE. 3 EPM
RM OF ST. ANDREWS
MANITOBA

SEARCH DATE: January 10, 2023
CT. NO. 2831472 WLTO
OWNER: GREGORY GLEN COTTINGHAM
Description: FIRSTLY: NW 1/4 36-16-3 EPM
EXC. ALL MINES AND MINERALS

SECONDLY: THE W 1/2 OF NE 1/4 36-16-3 EPM
EXC OUT OF SECONDLY, ALL MINES AND MINERALS

Encumbrances: Instruments Number 2420955, 3238708 and 4701743 are registered against the above Certificate of Title.



NOTE:

Survey monuments found on the ground are described and shown thus ———— ○
Land affected by this proposal is shown bordered thus ————
Treed Area ————
Power Pole ———— ● PP
Grain Bin ———— ●
C/L Approach ————

K. Todd Bailey
Manitoba Land Surveyor
Authorized to practice under the "Land Surveyors Act" of Manitoba



Survey Date: January 3, 2023

METRIC

Initials: DB - HB/SL - TB	Field Book: 46/84-87
Drawing: 21-02151-001-SAM	Project No.: 21-02151-001
	Page 1 of 1

OTHER INFO

(Government Comments, other relevant information)

Santan Singh

From: Braeden <Braeden@rmofstandrews.com>
Sent: March 5, 2024 9:30 AM
To: Santan Singh; Deputy CAO
Cc: Calvin So; Luanne Martin
Subject: RE: VO 13, 2024

Good Morning,

The RM does not have any comments or conditions for the noted variance application VO 13, 2024.

Regards,



Braeden Bennett, B.Tech (CM)
Planning & Economic Development Officer
R.M. of St. Andrews

Box 130 | 500 Railway Avenue | Clandeboye, MB | R0C 0C0
Phone: (204) 738-2264 (Ext. 137)
Fax: (204) 738-2500 | www.rmofstandrews.com

From: Santan Singh <santan@rrpd.ca>
Sent: Tuesday, February 20, 2024 10:11 AM
To: Deputy CAO <dcao@rmofstandrews.com>; Braeden <Braeden@rmofstandrews.com>
Cc: Calvin So <calvin@rrpd.ca>; Luanne Martin <luanne@rrpd.ca>
Subject: VO 13, 2024

Good Morning,

Attached is the Variance application for your review and comments.
This Variance application will be going to the April 9th Council meeting.

Thanks,



Santan Singh, M.C.P
Community Planner
Red River Planning District

2978 Birds Hill Rd. East St. Paul, MB R2E 1J5
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Direct: 204-661-7606
www.redriverplanning.com

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