

R.M. of St. Clements
ZONING BY-LAW 5-2002
VARIATION ORDER FILE NO. 27, 2024
PUBLIC HEARING

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

We are
Listening.

**Public
Hearing**

**Tuesday,
May 28, 2024**

6:00 PM

**Council Chambers
1043 Kittson Rd.
East Selkirk, MB**

Phone:

(204) 669-8880

1-800-876-5831

Fax:

(204) 669-8882

E-Mail:

info@rrpd.ca

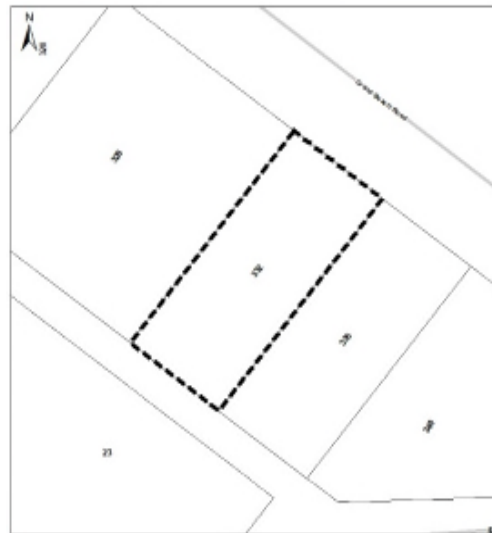
Website:

redriverplanning.com



What is VO 27, 2024 about?

This variance application is to reduce the side yard setback for a principal dwelling, reduce the separation distance between an accessory structure and a principal dwelling, and reduce the side yard setback for accessory structures, within the "SR" Seasonal Residential zone. The variance will facilitate the construction of an addition onto an existing home.



332 Grand Beach Road (Roll #786680)

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 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 Mon-Fri*
2978 Birds Hill Rd., East St. Paul, MB 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: April 5, 2024
File: VO 27, 2024
To: Council, R.M. of St. Clements
From: Derek Eno, MCIP, RPP
Location: Lot 8, Block 6, Plan 2948
332 Grand Beach Road (Roll No. 786680)

Property Zoning:
"SR" Seasonal Residential Zone
R.M. of St. Clements Zoning By-Law 5-2002

Variance Request	Zoning By-Law Requirement	Proposed by Applicant
Side yard (main)	10 ft (min)	8.3 ft (8ft. 4in.)
Side yard (accessory)	5 ft (min)	0.5 ft (6in.)
Distance accessory to main	10 ft (min)	2.6 ft (2ft. 7 ½ in.) Measured from the furthest projections (e.g. eave to eave)

Purpose:

The applicant wishes to construct a second storey addition onto their cottage. Variance approval is required in order for the RRPD to be able to issue building permits. The applicant proposes to reduce the side yard setback for a principal dwelling from 10 ft (min) to **8.3 ft (min)**, reduce the separation distance between an accessory structure to a principal dwelling from 10 ft (min) to **2.6 ft (min)**, and reduce the side yard setback for accessory structures from 5 ft (min) to **0.5 ft (min)**.

A site plan, letter of intent, and letters of support were provided by the applicant, which is attached to this report.

Background:

The subject property is approximately 0.14 acres (6,000sq.ft.) in size and located on Grand Beach Road, which runs parallel to PTH 12 in Grand Marais. Currently the property contains a dwelling with a detached front deck, detached back deck, a shed, and a wood bin. The subject property is surrounded by the following:

North: Grand Beach Road, then PTH 12.
South: Rear land, then residential homes zoned “SR” Seasonal Residential.
East: Residential homes zoned “SR” Seasonal Residential.
West: Residential homes zoned “SR” Seasonal Residential.

Analysis:

The applicant is requesting variances in order to facilitate the development of a second storey addition onto their existing cottage, which the applicant notes is necessary to support their growing family.

The subject property is zoned “SR” *Seasonal Residential* in the Zoning By-Law, “SC” *Settlement Centre* in the Development Plan, and “Main Street Redevelopment Area” in the Grand Marais Secondary Plan.

The following information is for Council’s consideration:

- The applicant has indicated that the proposed upper level addition would have the same footprint as the existing dwelling.
- The side property line impacted by the reduced setbacks has thick vegetation that would create a natural buffer between the subject proposal and the adjacent property. The applicant provided support documents from neighbours on both sides that indicate they have no concerns with the Variances being proposed.
- Given the size of the subject property at just over 6,000 sq. ft., Council should consider whether the proposed side yard setback is compatible with the general nature of the area.
- The application was circulated to the R.M. of St. Clements, and they have no concerns with the proposed Variance.

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

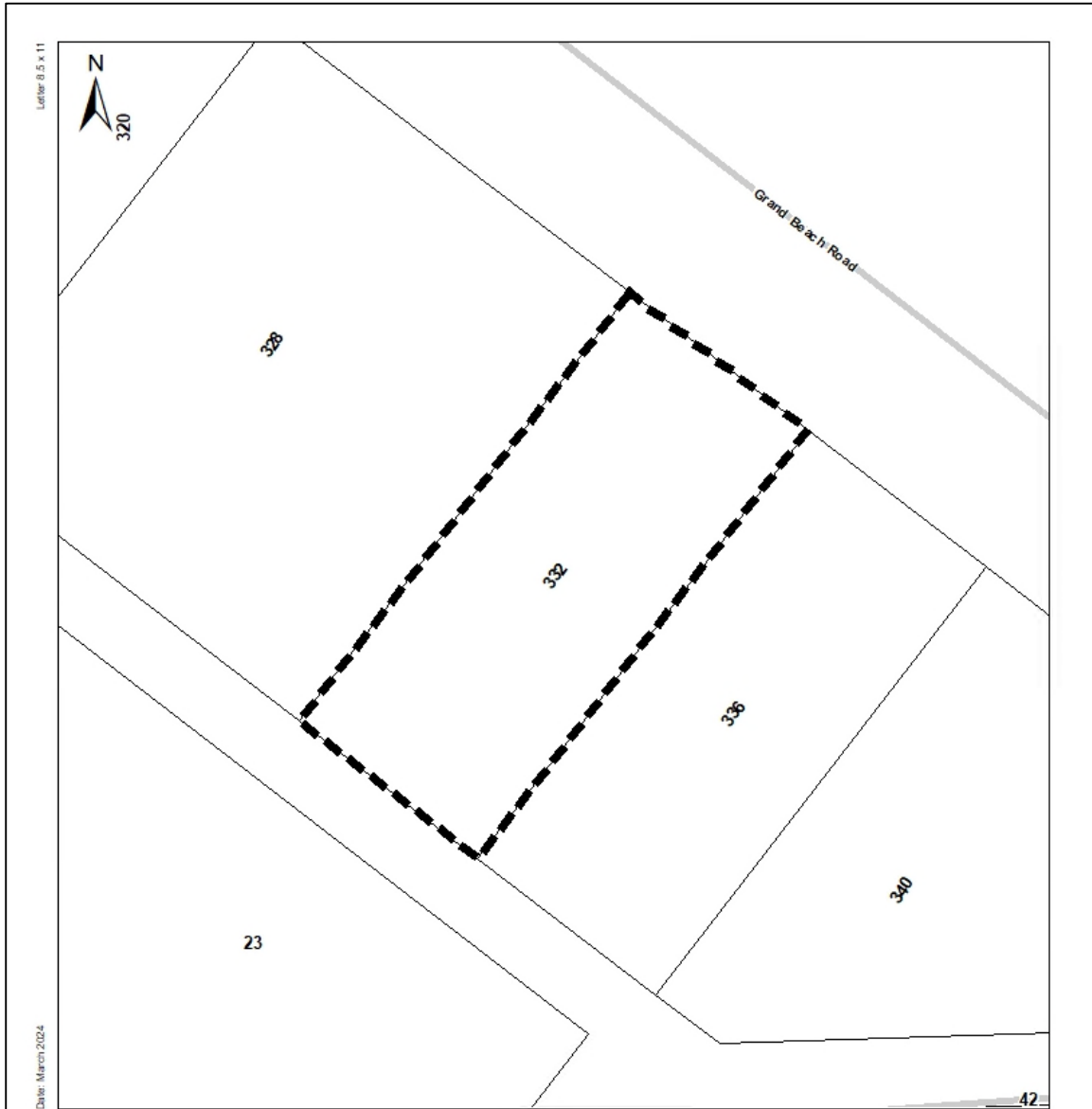
(b) require the owner of the affected property to enter into a development agreement under section 150.

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.
2. That the applicant obtain all required permits from RRPD and the municipality, if required.

RRPD LOCATION MAP
Illustrating Subject Property



SUPPORTIVE MAPPING

Variance Order VO 27, 2024
 332 Grand Beach Road, RM of St. Clements

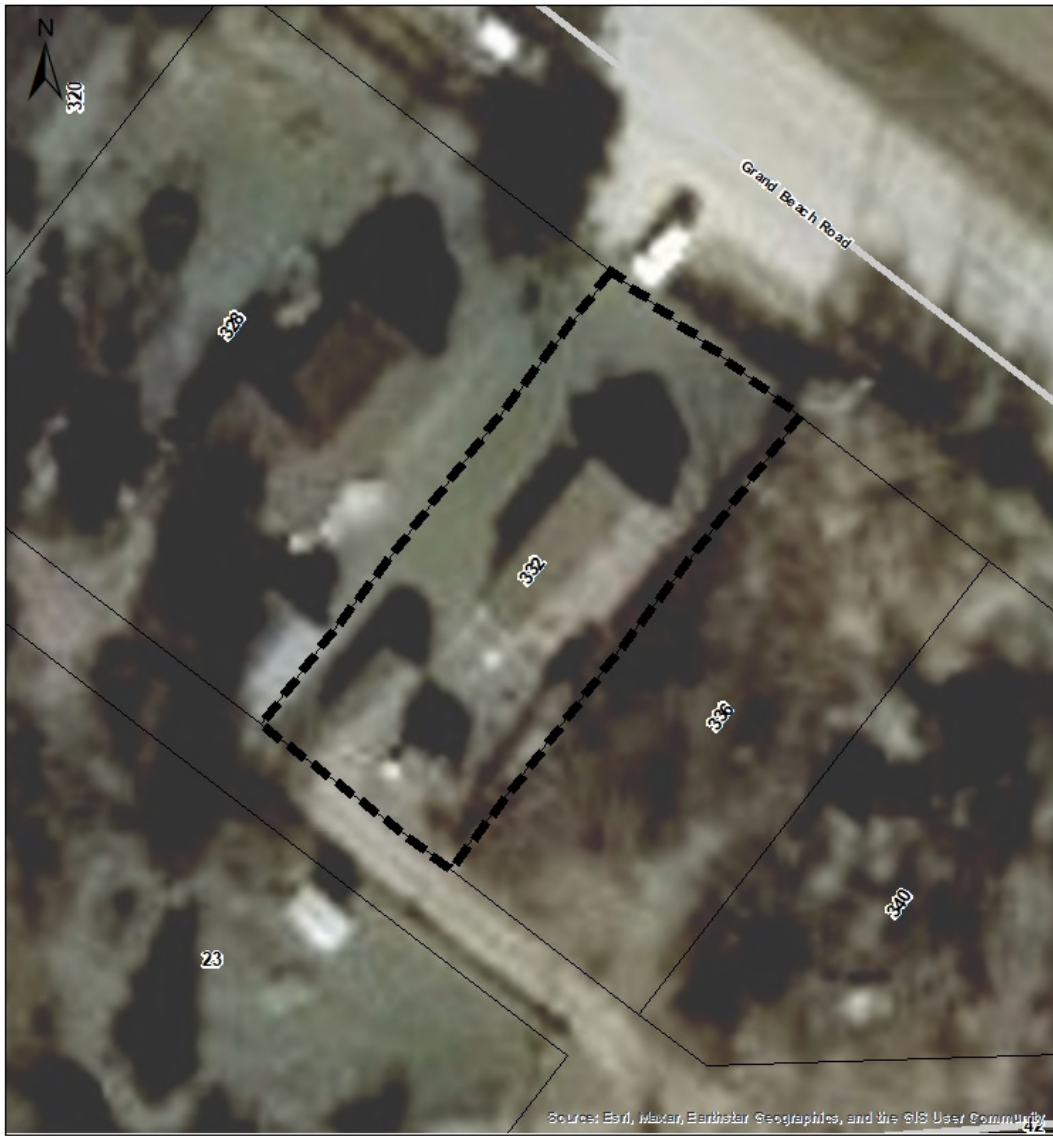
Designation: "SC" Settlement Centre
 Zoning: "SR" Seasonal Residential
 Secondary Plan: Main Street Redevelopment Area

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

-  Subject Property
-  Roads
-  Parcel Outline



Letter 8.5 x 11






Date: March 2024

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

SUPPORTIVE MAPPING

Variance Order VO 27, 2024
 332 Grand Beach Road, RM of St. Clements
 Designation: "SC" Settlement Centre
 Zoning: "SR" Seasonal Residential
 Secondary Plan: Main Street Redevelopment Area

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

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**INFO PROVIDE BY APPLICANT
(Site Plan, Letter, etc.)**

March 25th, 2024

Variance Request – Letter of Intent

To: Municipal Council or Municipal Planning Commission – Red River Planning District

From: Rick Davie & Brenda Conklin – Owners of property @ 332 Grand Beach Rd. South

We request a slight variance to reduce the south side of yard setback from 10 feet to 8.5 feet for a proposed upper-level addition to our cottage. (same foot print as existing dwelling)

Purpose of Request:

- Growing family (grand children) in need of additional living space.
- Current cottage of 650sq.ft on an 6000sq.ft lot no longer satisfies our needs.
- Wanting to remain in the Grand Marais. We would like to increase the living space in our current cottage by adding a second-floor addition that would consist of 4 larger bedrooms and a second bathroom.
- We initially thought building out the front of our property in order to increase our living room/dinning room area would sufficient for our needs, however we soon realized that this would not address our sleeping/bathroom arrangements.

The granting of this variance would have no effect on any adjoining properties. Our neighbour directly to the south owns the two lots next to us. The one lot running along our property line is a 100% treed lot. The below images show our lot on the right and our neighbor's treed lot on the left. We have also been assured by our neighbors on both sides that they have no problem whatsoever with us proceeding with our proposed renovation plan, once approved. (see provided support documents)



Undue Hardship:

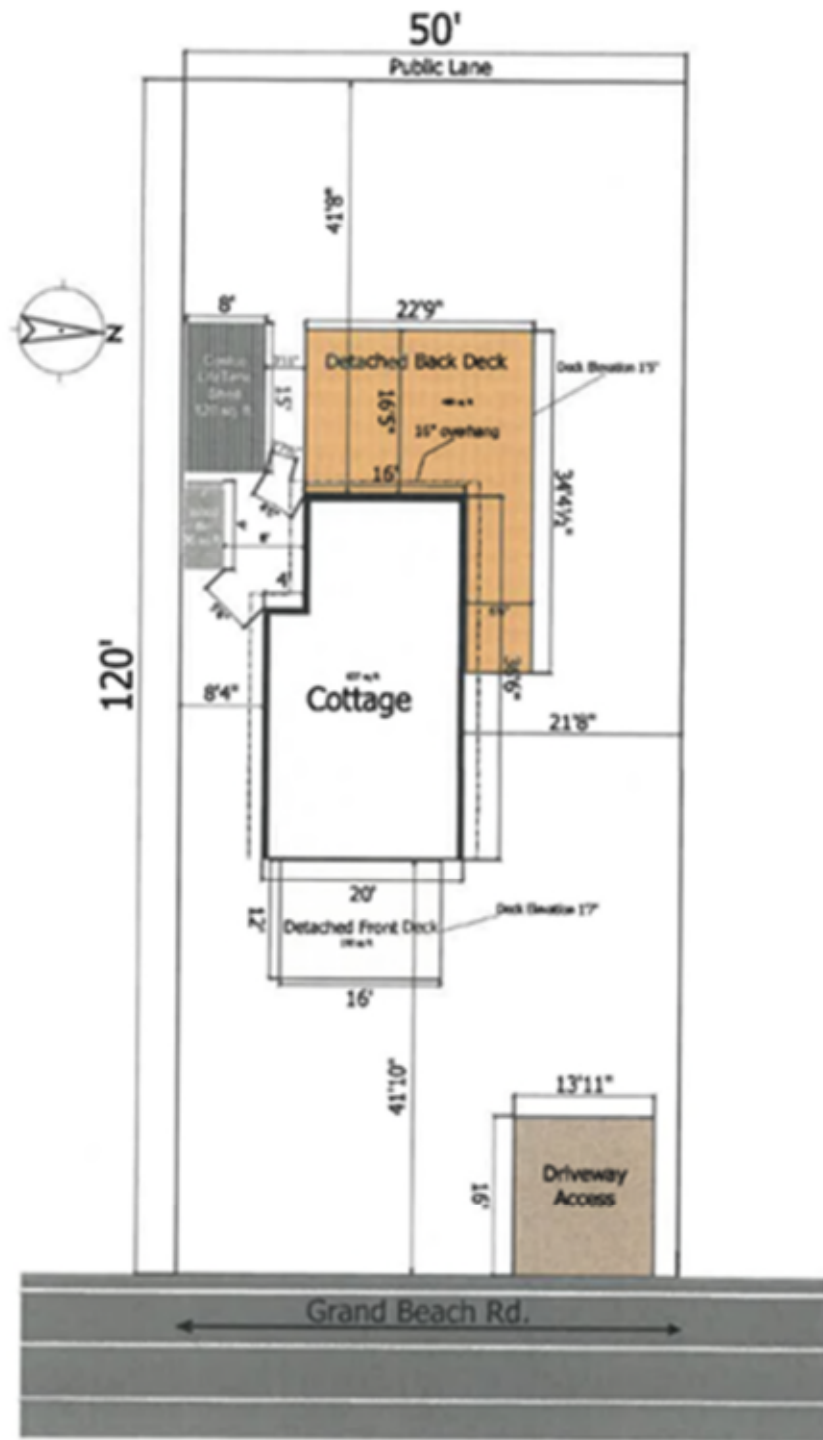
When we purchased our property on September 9th 2017, we were very excited for fact that we would actually be cottage owners for the first time, after may past years of renting cottages in the area with our young family. Now, 6 years later we see our family growing very quickly. Much quicker than we anticipated. In order to accommodate this growth, we will need to increase the size of our cottage. We would sadly, at some point, sooner that later, be forced to sell and relocate elsewhere if in fact our variance request is denied

We thank you for your care and consideration in this matter and look forward to hearing from you.

Respectfully Submitted,

Rick Davie & Brenda Conklin
332 Grand Beach Rd. South
Grand Marais Mb. ROE-OTO
Mobile: 204-799-6246

Site Plan 332 Grand Beach Rd. South



March 25th, 2024

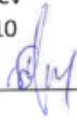
This letter of support is for Rick Davie and Brenda Conklin pertaining to their plan to build a second-floor addition to their cottage in Grand Marais Mb. I am the owner of the property located next to theirs at 328 Grand Beach Rd.

I am aware of their proposed renovation plan and fully support it.

Regards,

Vlad Andreyev
204-995-8110

X



Date:

MARCH 25, 2024

March 25th, 2024

Support Document for proposed renovation at 332 Grand Beach Rd. South

To whom it may concern:


I David Mills have had a few conversations with Richard Davie and Brenda Conklin with respect to their proposed cottage renovation (second floor addition). I understand the bylaw pertaining to the side yard setback distance from my property line, is 10 feet, and their existing cottage is at approximately 8 ½ feet. Being that their proposed addition is to add a second floor, this addition would not impede on my property any further than their existing foot print. Our cottage is situated at the southern most side of our double lot. The lot bedside them is fully treed and is nowhere near our cottage.

I fully support their request for variance.

Regards,

David Mills
204-754-2444

X



Date:

March, 24, 2024