

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION

R.M. OF WEST ST. PAUL

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 204-338-0306.

**Thursday
July 10, 2025
6:00 pm**

**Council Chambers
3550 Main Street
RM of West St Paul, MB**

Note: property owners are responsible for notifying "tenants"

APPLICATION INFORMATION

Application File: VO 56/2025

Applicant: Dharampal Jhanji

Property Location: 50 Magalas Avenue,
West St. Paul
Roll # 405714
Legal: Lot 8, Block 1,
Plan 56104

Application Purpose:

The applicant proposes to increase the maximum accessory unit area from 1,200 square feet to 2,000 square feet and to decrease the minimum corner side yard setback from 30 feet to 10 feet, in order to allow for a garage to be constructed on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
Maximum Accessory Unit Area for "RR" Zone	1,200 square feet (max.)	2,000 square feet
Minimum Corner Side Yard Setback for "RR" Zone (Section 6.3, Table 16)	30 feet (max.)	10 feet

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	June 16, 2025
Application File	VO 56/2025
Applicant	Dharampal Jhanji

SUBJECT PROPERTY INFORMATION

Property Location	
- Street Address	50 Magalas Avenue, West St. Paul
- Roll #	405714
- Legal	Lot 8, Block 1, Plan 56104
Zoning	"RR" Residential Rural zone RM of West St. Paul Zoning By-law No. 2/99P
Development Plan Designation	"RR" Rural Residential designation RRPD Development Plan By-law No. 272/19
Secondary Plan Designation	N/A
Property Size	1.38 acres in area (+/-) 249 feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
Maximum Accessory Unit Area for "RR" Zone	1,200 square feet (max.)	2,000 square feet
Minimum Corner Side Yard Setback for "RR" Zone (Section 6.3, Table 16)	30 feet (max.)	10 feet

Application Purpose

The applicant proposes to increase the maximum accessory unit area from 1,200 square feet to 2,000 square feet and to decrease the minimum corner side yard setback from 30 feet to 10 feet, in order to allow for a garage to be constructed on the subject property. The garage's façade will match that of the main residence.

The municipality did not send any conditions, but did provide the following comment:

The approved drainage plan requires a swale along the side property lines, measuring 4.57m (15 ft.) into the property. Any new structure would need to avoid impeding on the swale in order to adhere to the approved drainage requirements.

OPTIONS FOR COUNCILS' CONSIDERATION

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.


RRPD LOCATION MAP




SUPPORTIVE MAPPING

Variance Order VO 56, 2025
50 Magalas Avenue, RM of West St. Paul

Designation: "RR" Rural Residential
Zoning: "RR" Rural Residential

 Subject Property

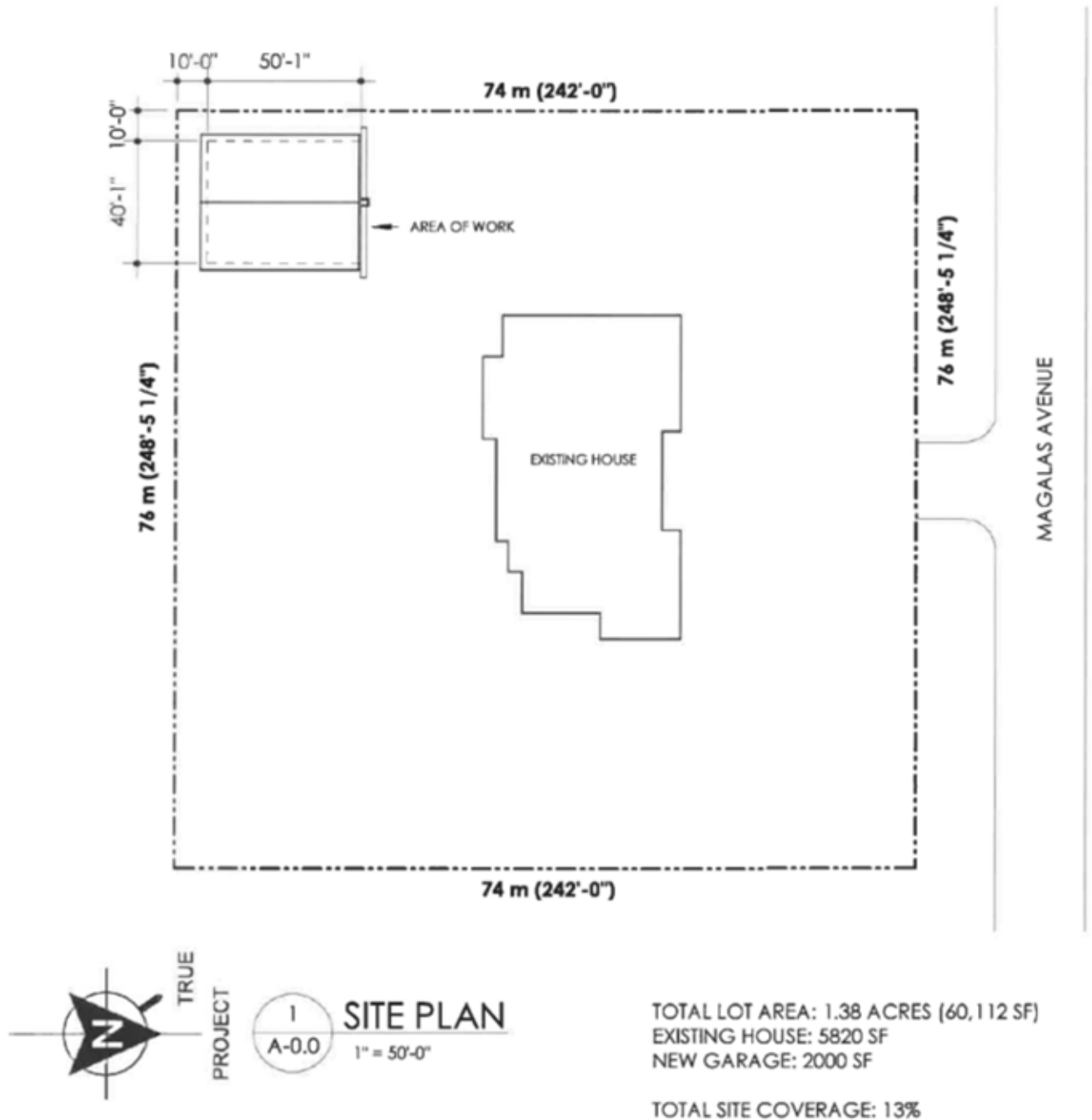
 Roads

 Parcels Outline

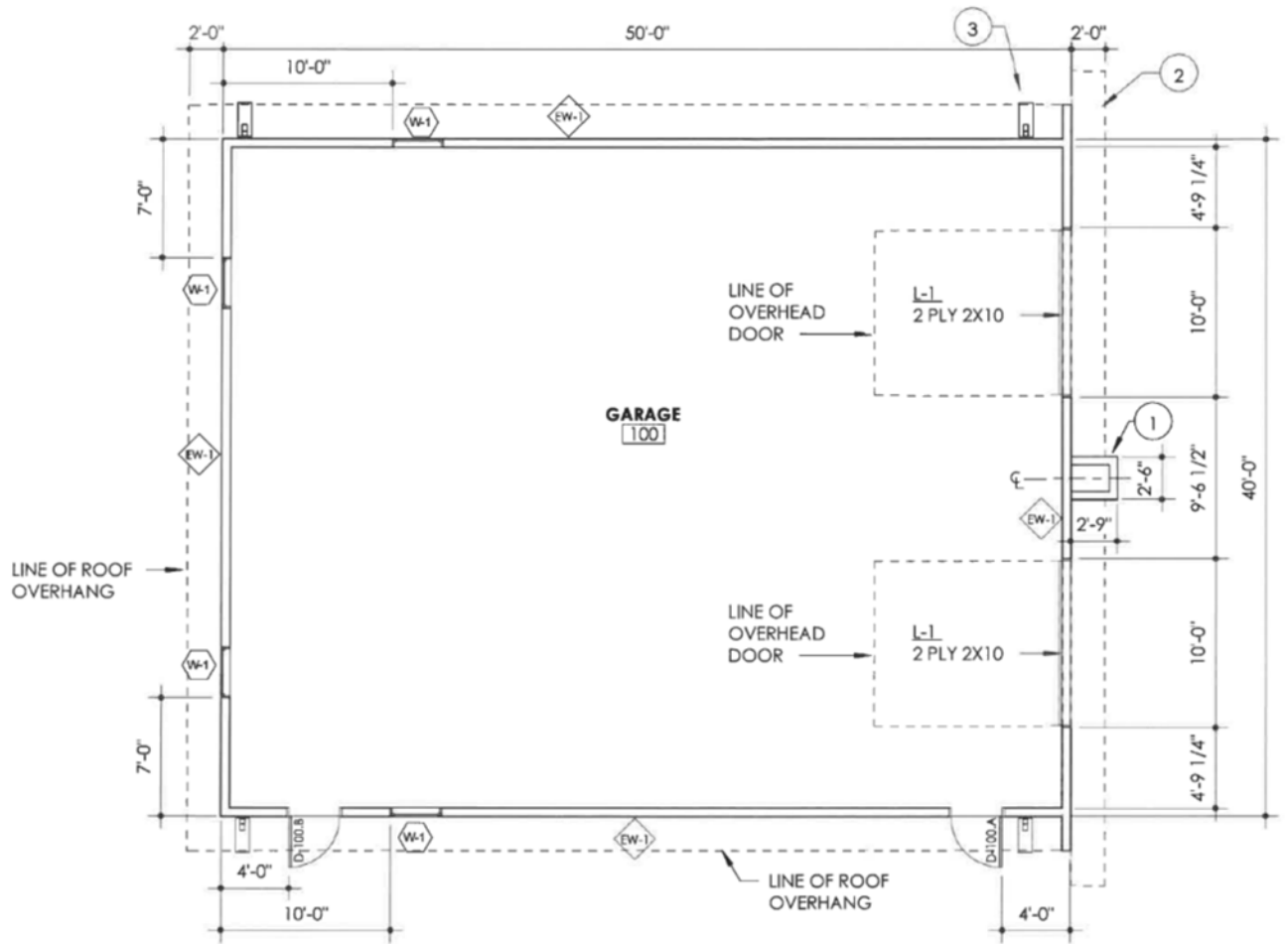
 **RED RIVER**
PLANNING DISTRICT

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

ADDITIONAL INFORMATION FROM APPLICANT – SITE PLAN



ADDITIONAL INFORMATION FROM APPLICANT – FLOOR PLAN



ADDITIONAL INFORMATION FROM APPLICANT – LETTER OF INTENT FOR UNIT AREA



John van Leeuwen Architecture and Design

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

May 20, 2025

Project Number: 2025483

Attn: Attn: Derek Eno RPP, MCIP
Manager of Planning Services,
Red River Planning District

Re: Variance

50 Magalas Avenue, West Saint Paul, MB R4A 5A9

Regarding the property located at 50 Magalas Avenue, the owner intends to build a new garage at the rear of his existing residential property. The property is zoned RR – Residential Rural.

It is understood that the allowable maximum area of an accessory building is 1200 sf. The new proposed garage is 2000 sf. The owner is requesting a variance for the additional 800 sf. Development considerations are as follows.

- The proposed building is located at the rear of the site and will have no negative impact on the neighbour's property.
- The façade is developed to match the main residence with high quality finishes.
- The main residence and the garage will not exceed the allowable percentage of site coverage. The proposed development results in 13% site coverage, less than the allowed 15%.

Three structures are permitted on the site. We maintain that a single garage will have less impact than two buildings of equivalent size.

We trust this adequately describes the intent of the project.
Please do not hesitate to call if you have any questions.

Sincerely,

John van Leeuwen, MAA, Principal
John van Leeuwen Architecture & Design

ADDITIONAL INFORMATION FROM APPLICANT – ADDITIONAL LETTER OF INTENT FOR SETBACK



John van Leeuwen Architecture and Design

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

June 18, 2025

Project Number: 2025483

Attn: Attn: Derek Eno RPP, MCIP
Manager of Planning Services,
Red River Planning District

**Re: Letter of Intent Variance-2
50 Magalas Avenue, West Saint Paul, MB R4A 5A9**

Regarding the development at 50 Magalas. We have previously applied for a variance to increase the area of the proposed garage from 1200 sq.ft to 2000 sq.ft. For this project, we have set the building back from the westerly side property line 10'-0". As we understand the side yard setback is 30'-0" because there is a road right-of-way to the west of the property line. As such we are requesting a second variance allowing a 10'-0" side yard setback in lieu of the required 30'-0" setback.

We request this variance because relocating the garage further into the site would bring the garage closer to the house and into the backyard. This is undesirable and will infringe on our clients' plans for the landscape development of this backyard.

We have reviewed the area plan of this area. We understand that a future road would not have properties that would front onto the proposed road. We understand a proposed road would be 33' wide, the road right-of-way is 80' wide this allows for a 23'-6" setback from this road to the property line on each side of the road. A future subdivision on Addis Avenue, directly behind 50 Magalas Avenue will likely front onto Addis Avenue. The adjacent properties on Addis Avenue and Magalas Avenue to the west of the road right of way front onto Addis Avenue and Magalas Avenue respectively. We maintain that the proposed variance will not negatively impact the neighbouring properties or the community.

We trust this adequately describes the variance requested. Do not hesitate to contact us if you have any questions, [REDACTED]

Sincerely,

John van Leeuwen, MAA, Principal
John van Leeuwen Architecture & Design