

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION

R.M. 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
October 22, 2024
6:00 PM

Council Chambers
RM of St. Clements
1043 Kittson Road
East Selkirk, MB

Note: property owners are responsible for notifying "tenants"

APPLICATION INFORMATION

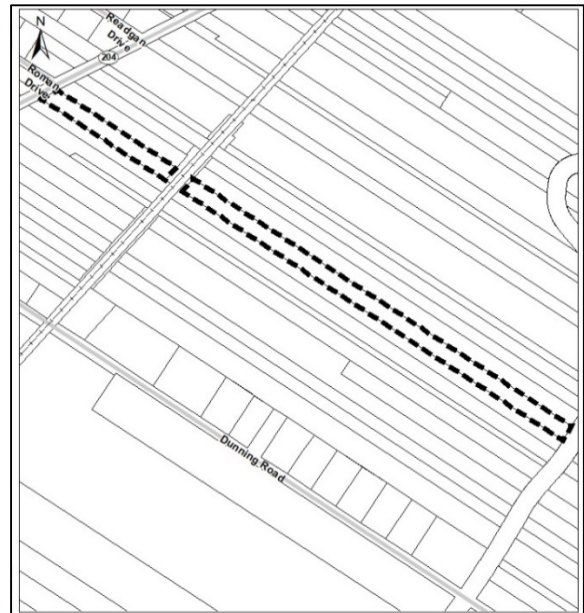
Application File: VO 102/24

Applicant: Andreja Stancer

Property Location: 4879 Henderson Hwy.,
R.M. of St. Clements
Roll # 26900
Legal *RL266-AD-3392

Application Purpose:

The applicant proposes to reduce the minimum front yard setback to the main structure, in order to allow for an attached covered deck to be constructed on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
Front Yard Setback – Main Building (Section 6.3, Table 14 “RR” Rural Residential Zone)	50 ft. (min.)	41.5 ft.

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	October 1, 2024
Application File	VO 102/24
Applicant	Andreja Stancer

SUBJECT PROPERTY INFORMATION

Property Location	
- Street Address	4879 Henderson Highway, R.M. of St. Clements
- Roll #	26900
- Legal	*RL266-AD-3392
Zoning	"RR" Rural Residential zone RM of St. Clements Zoning By-law No. 5/2002
Development Plan Designation	"GD" General Development designation RRPD Development Plan By-law No. 272/19
Secondary Plan Designation	N/A
Property Size	642,393 square feet / 4.75 acres in area (+/-) 151.8 feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
Front Yard Setback – Main Building (Section 6.3, Table 14 "RR" Rural Residential Zone)	50 ft. (min.)	41.5 ft.

Application Purpose

The applicant proposes to reduce the minimum front yard setback to the main structure, in order to allow for an attached covered deck (9.5ft x 20ft.) to be constructed on the subject property.

OPTIONS FOR COUNCILS CONSIDERATION

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

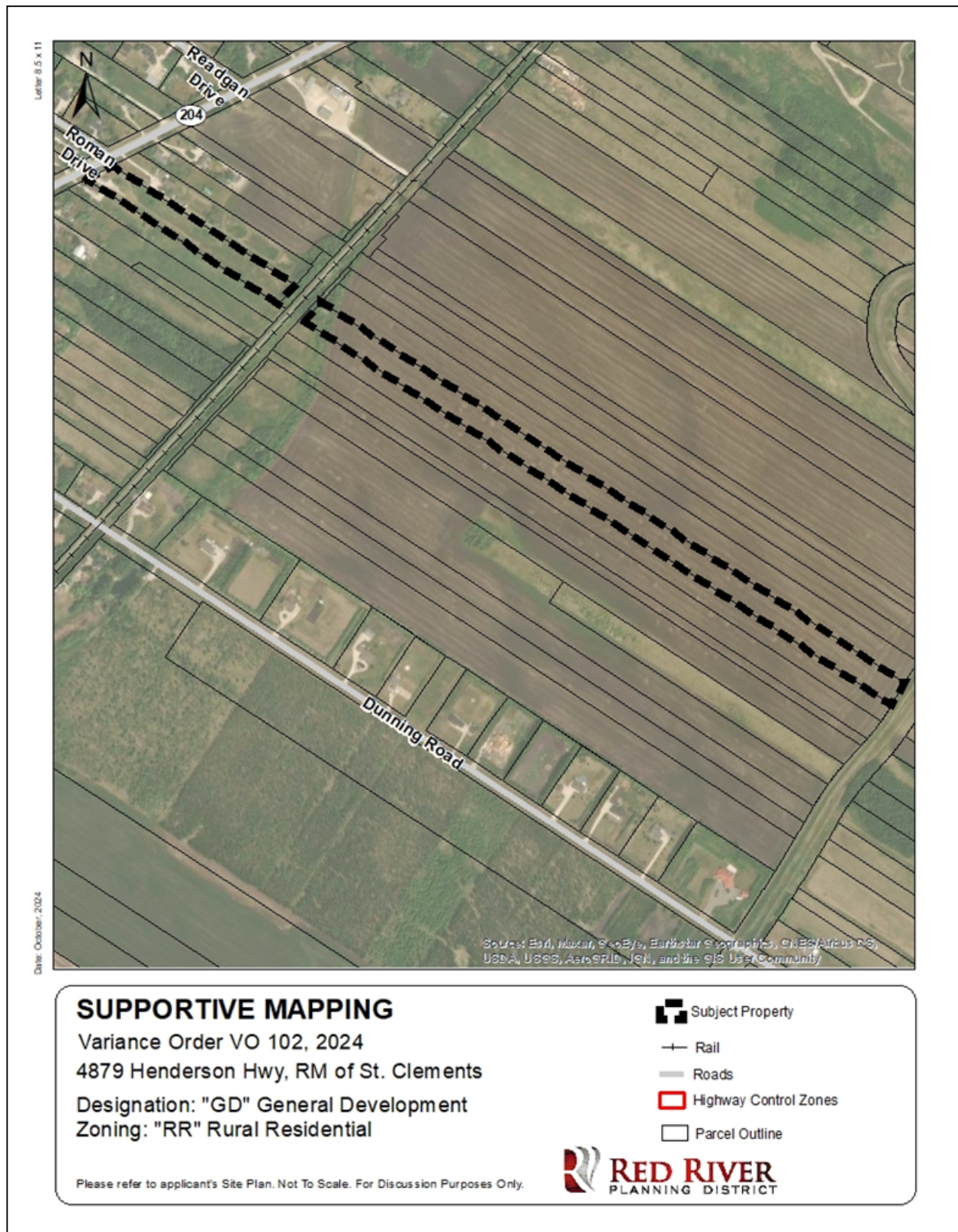
- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
 - (i) will be compatible with the general nature of the surrounding area,
 - (ii) will not be detrimental 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;
3. Applicant / owner obtains all required permits from Manitoba Transportation and Infrastructure, if required;

RRPD LOCATION MAP



ADDITIONAL INFORMATION

(from applicant, municipality, government departments, etc.)

Andreja Stancer

September 3, 2024



LETTER OF INTENT

To whom it may concern:

I am writing to request a Variance to my property, 4879 Henderson Hwy, Narol, RM St. Clements. The variance are not big if we take into consideration that I have 14 Acres of land. (a corner of the purposed deck 3 feet by 3 feet if we look straight to Henderson Hwy, or 8 feet if we look diagonal).

Recently I bought a property with a small house (400 sqf) on 4879 Henderson Hwy, St. Clements, and the existing entrance was all broken and rotten, not build properly, so I removed it. It was a safety issue.

On the same spot I would like to build entrance, covered deck, but I would like to extend it 4 feet. Previous was 16 feet long, 8 feet wide, and now I would like to have it 20 feet long, same width, entire length of the house. But there is an issue, the last 3 feet of the deck is less than 50 feet from Henderson Hwy. It is 47 feet from Henderson Hwy. Technically it is 3 feet in length and 3 feet in wide, corner 3 x 3 feet closer than 50 feet. Drawings attached. Or if we look diagonal, the corner is 8 feet and 6 inches less than 50 feet.

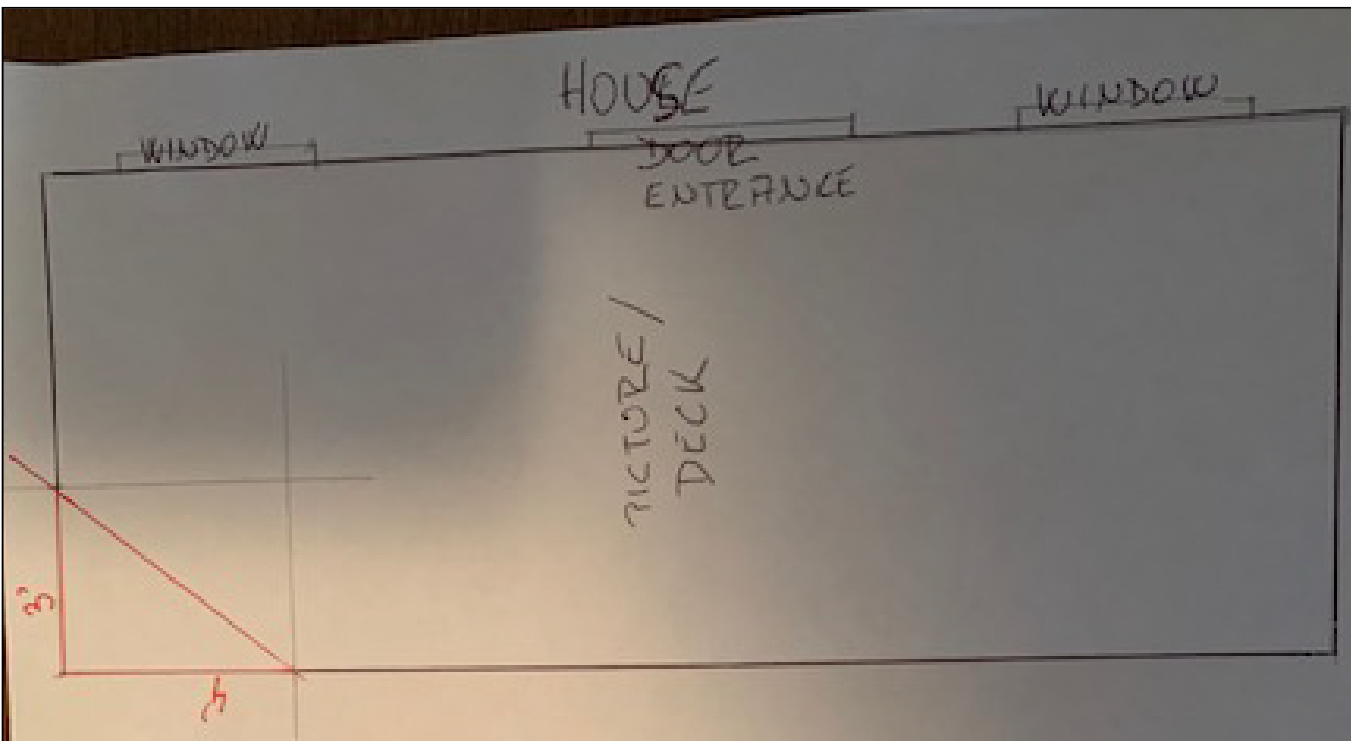
I would like to ask, kindly for the Variance that I can build a new entrance. The new entrance is necessary for the entrance of the house, as well we would like to add the roof to the entrance. Engineering drawings attached. It would be greatly appreciate to get the variance to get the permit and build a proper entrance.

I believe I fulfill the hardship requirements for a variance and kindly ask you to review and grant such variance.

Thank you for your time and consideration,

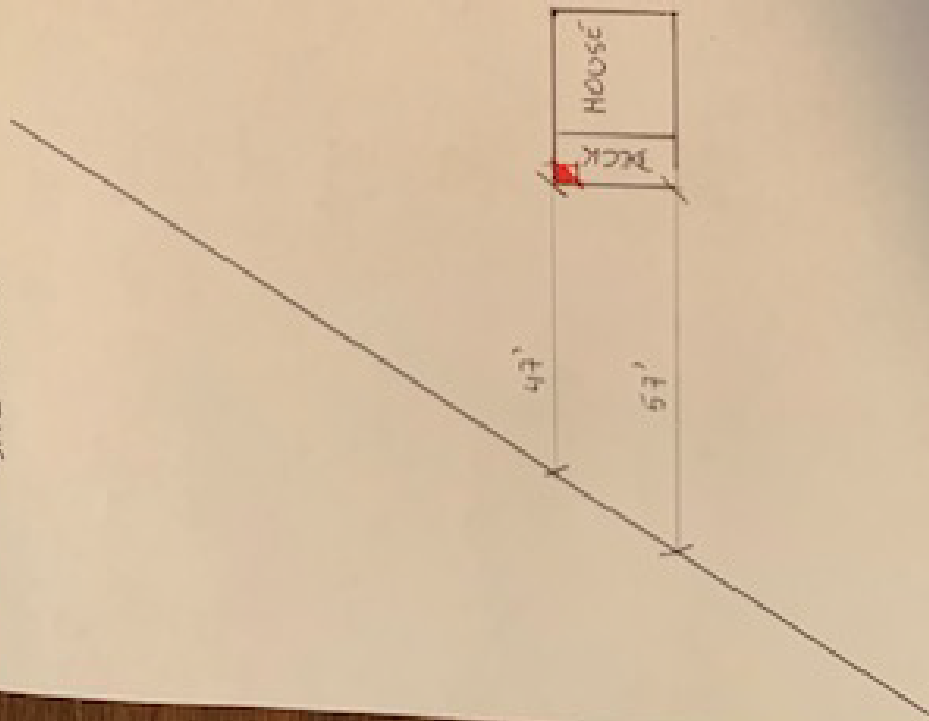
Andreja Stancer





HENDERSON

SITE PLAN



WINDOW
BATHROOM

HOUSE

DOOR
ENTRANCE

WINDOW
ENTRANCE

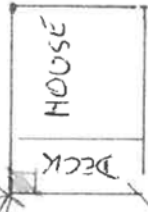
PICTURE/
DECK

3'

4'

HENDERSON

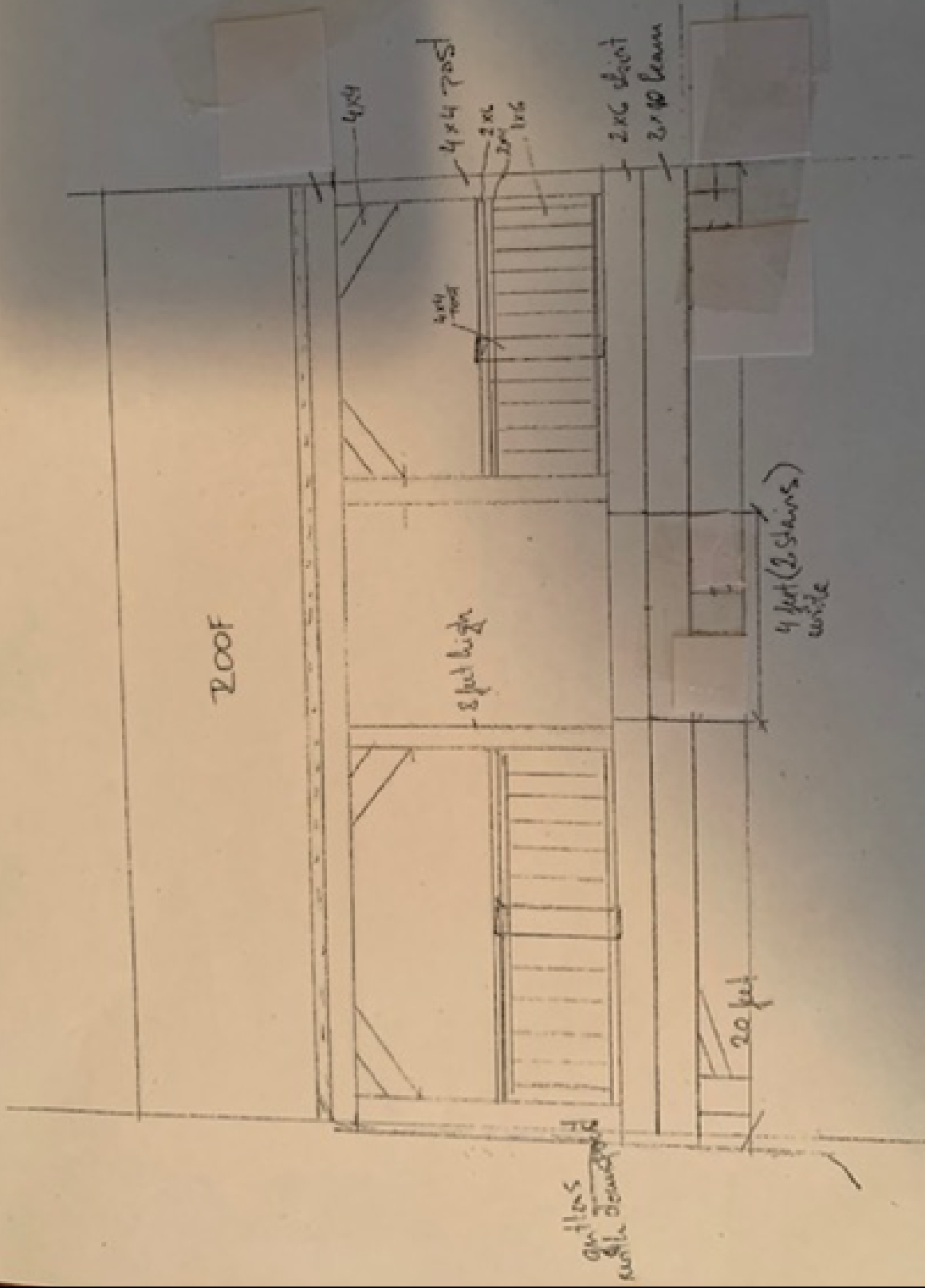
SITE PLAN



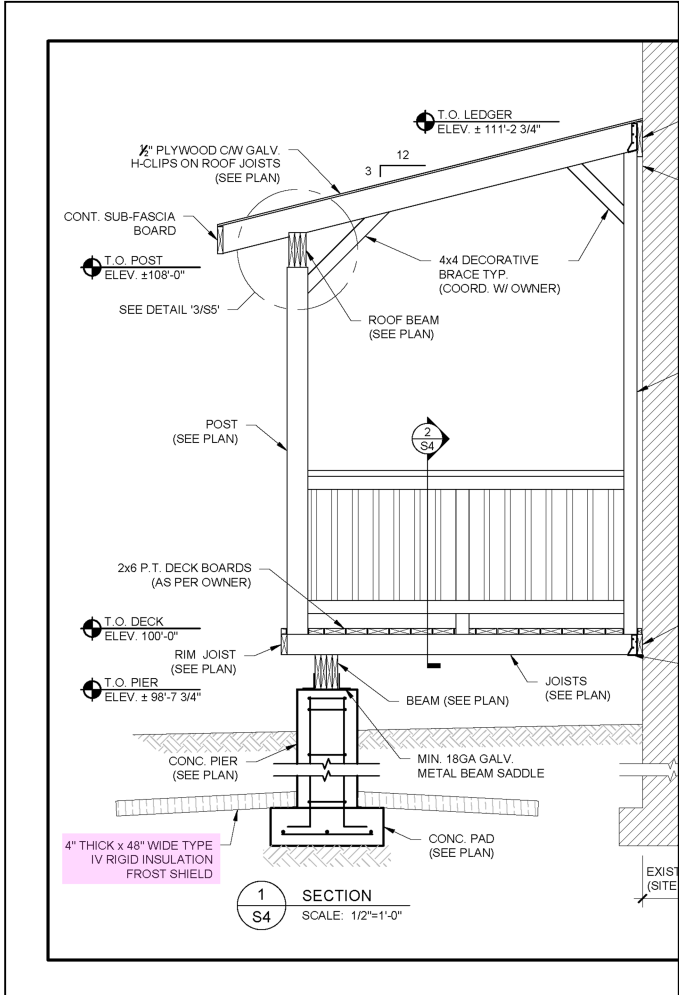
9' 14"

47'

57'



FRONT ELEVATION
 4125 HILMERSOHN HWY



Hi Ingrid,

We have reviewed VO 102, 2024 and have no concerns. Please refer to the statutory regulations below.

Please note the following statutory requirements affecting PR 204 (Henderson Hwy).

Statutory Requirements:

Under the Transportation Infrastructure Act, a permit is required from Manitoba Transportation and Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Transportation and Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within **38.1m** (125ft) controlled area from the edge of the highway right-of-way.

In addition, a permit is required from the Manitoba Transportation and Infrastructure for any planting placed within **15 m** (50 ft) from the edge of the right-of-way of this highway

Please e-mail or call if you have any questions regarding our comments.

Thank You

Jeff DiNella

*Senior Development Review Technologist
Manitoba Transportation and Infrastructure
Highway Design
Cell: (204) 430-7176*

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Winnipeg, MB R3C 3P3

