

# 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,  
December 12, 2024  
6:00 PM**

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

*Note: property owners are responsible for notifying "tenants"*

### APPLICATION INFORMATION

**Application File:** VO 119/24

**Applicant:** Daniel and Kornelija  
Mraovic

**Property Location:** 328 River Trail Dr,  
R.M. of West St. Paul  
Roll # 29871  
Legal 70-2-62857

**Application Purpose:**

The applicant proposes to increase the fence height (rear yard) requirement, in order to allow for a privacy fence to remain on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
"RS" Serviced Residential Fence Height (Rear Yard) Section 3.16.2. (Table 3)	6 ft. -6" (max)	12 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](mailto:info@rrpd.ca)



2978 Birds Hill Rd  
 East St. Paul, Manitoba R2E 1J5  
 Toll Free: 1-800-876-5831  
 Phone: 204-669-8880  
 Fax: 204-669-8882

## VARIANCE APPLICATION REPORT

<b>Date</b>	November 22, 2024
<b>Application File</b>	<b>VO 119/24</b>
<b>Applicant</b>	Daniel and Kornelija Mraovic

### SUBJECT PROPERTY INFORMATION

<b>Property Location</b>	
- Street Address	328 River Trail, R.M. of West St. Paul
- Roll #	29871
- Legal	70-2-62857
<b>Zoning</b>	"RS" Serviced Residential RM of West St. Paul Zoning By-law No. 2/99P
<b>Development Plan Designation</b>	"SC" Settlement Centre designation RRPD Development Plan By-law No. 272/19
<b>Secondary Plan Designation</b>	"Emerging Residential Neighbourhood" designation Middlechurch Secondary Plan
<b>Property Size</b>	0.26 acres in area (+/-) 82.5 feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

### APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
"RS" Serviced Residential Fence Height (Rear Yard) Section 3.16.2. (Table 3)	6 ft. -6" (max)	12 ft

#### Application Purpose

The applicant proposes to increase the fence height (rear yard) requirements, in order to allow for a privacy fence to remain on the subject property. The privacy portion of the fence is approximately 40% of the rear length of the fence and 6 ft above the fence.

The applicant's letter of intent states that the privacy fence was installed to obscure the unsightly aspects of the property, which included derelict vehicles, containers, a large steel Quonset, bright industrial outdoor lighting, and miscellaneous clutter. The property has recently been sold, with possession expected in spring 2025, and cleanup efforts are currently underway but not yet completed.

The applicant seeks to maintain the fence due to uncertainty regarding the future development plans of the new owner and the unknown timeline for cleanup.

The municipality has no concerns regarding this proposal.

### **OPTIONS FOR COUNCILS CONSIDERATION**

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

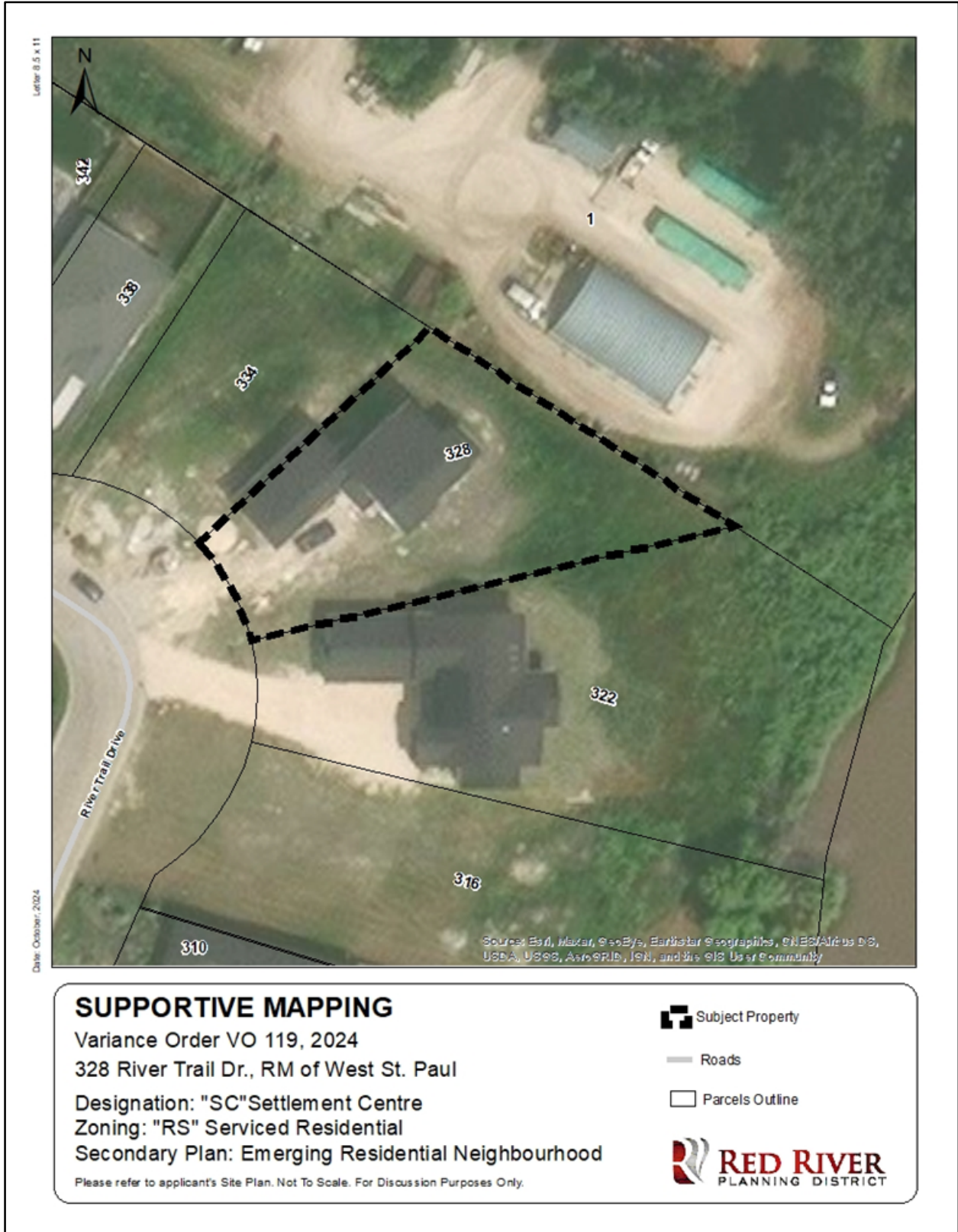
- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
  - (i) will be compatible with the general nature of the surrounding area,
  - (ii) will not be 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;

**RRPD LOCATION MAP**



## ADDITIONAL INFORMATION

September 24, 2024

Letter of Intent

**To Whom It May Concern,**

Re: Privacy Fence at 328 River Trail Drive, West St. Paul

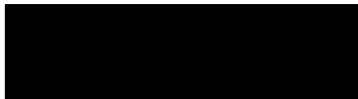
Due to the collection of derelict vehicles, containers, sheds, a very old large steel quonset with industrial outdoor lighting, which is extremely bright and miscellaneous clutter, on the property of 1 Baldock Street, we constructed a privacy fence to block out the unsightly property as much as possible. The privacy portion is 6 feet above the fence and approximately 40% of the rear length of the fence. Pictures are attached.

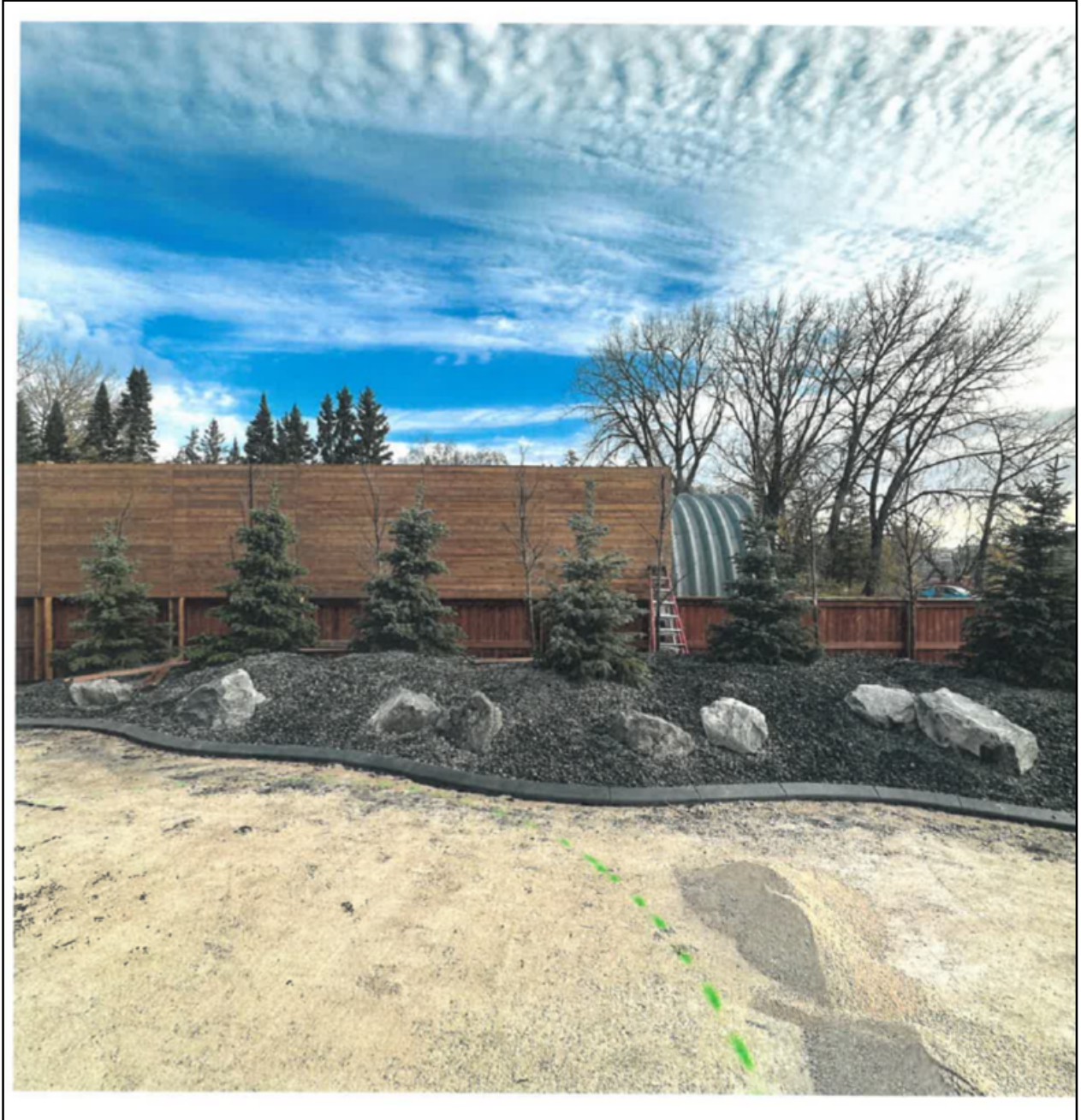
Since constructing the privacy fence, the owner of 1 Baldock Street has passed away and the property has been sold with a possession date sometime in the spring of 2025. Clean up of the property has started but is not complete.

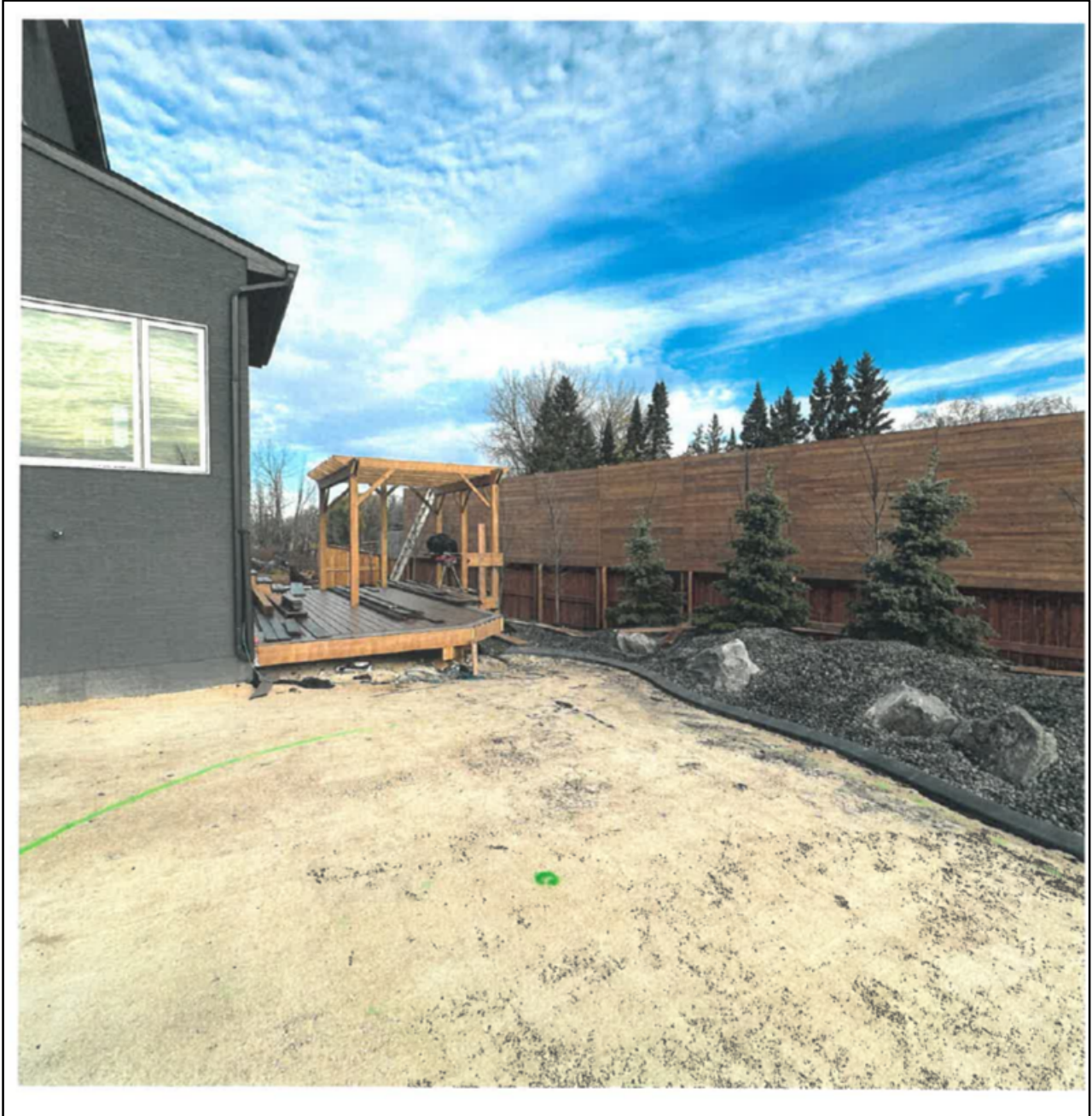
We had a realtor and an appraiser come to assess our property and with what is going on at 1 Baldock St, it was stated that the privacy fence will hold the value of our property. The section of privacy fence does not interfere with safety regulations and our immediate neighbour does not have any issues as it was professionally constructed. Their outdoor view is a true river lot and the privacy fence does not obstruct any vision according to them. It is not visible to the neighborhood, and we strongly feel that the privacy fence should have been built during the development of The Trails, especially since how unsightly the property at 1 Baldock St. was, and is now believed it will undergo some type of rezoning and possibly multi-family housing.

We are kindly asking that counsel allow us to keep the privacy fence as we are not aware of what the future development plans are by the purchaser, and we don't know how long it will take for the current resident to clean up the property and remove the quonset and remaining clutter.

Thank You for your consideration







**Archived:** November 22, 2024 10:22:57 AM

**From:** Pam Elias

**Sent:** Fri, 11 Oct 2024 20:46:44

**To:** Ingrid Zarichney

**Cc:** Derek Eno Calvin So

**Subject:** Re: VO 119, 2024

**Importance:** Normal

**Sensitivity:** None

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Thanks Ingrid,

No comment on this one.

Regards,

Pam Elias, B.E.D., M.C.P.  
Director of Planning & Economic Development  
RM of West St. Paul  
3550 Main Street, West St. Paul, MB R4A 5A3  
Phone: (204) 338-0306 (ext 109)

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**From:** Ingrid Zarichney <ingrid@rrpd.ca>  
**Sent:** Tuesday, October 8, 2024 2:41 PM  
**To:** Pam Elias <edo@weststpaul.com>  
**Cc:** Derek Eno <deno@rrpd.ca>; Calvin So <calvin@rrpd.ca>  
**Subject:** VO 119, 2024

A variation for your review.  
Thank You

**From:** no-reply@rrpd.ca <no-reply@rrpd.ca>  
**Sent:** October 8, 2024 2:00 PM  
**To:** Ingrid Zarichney <ingrid@rrpd.ca>  
**Subject:** Message from KM\_C558