

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
February 25, 2025
6:00pm

Council Chambers
RM of St. Clements
1043 Kittson Rd.

Note: property owners are responsible for notifying "tenants"

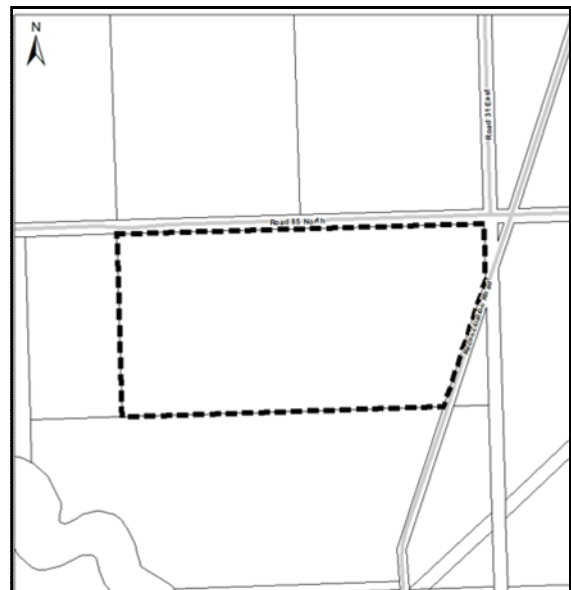
APPLICATION INFORMATION

Application File: VO 4/25

Applicant: Justin Kutzak

Property Location: 84144 Reconciliation Rd,
St. Clements
Roll # 513600
Legal NE6-15-6E

Application Purpose:
The applicant proposes to construct a Garden Suite, with a permanent foundation, on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
Garden Suite- Foundation 3.13.1.4	Temporary	Permanent

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	February 4, 2025
Application File	VO 4/25
Applicant	Justin Kutzak

SUBJECT PROPERTY INFORMATION

Property Location	
- Street Address	84144 Reconciliation Rd., St. Clements
- Roll #	513600
- Legal	NE6-15-6E
Zoning	"A80", Agricultural General zone RM of St. Clements, Zoning By-law No. 5/2002
Development Plan Designation	"RA", Resource and Agricultural designation RRPD Development Plan By-law No. 272/19
Secondary Plan Designation	N/A
Property Size	3,305,145 square feet / 75.88 acres in area (+/-) 2,645 feet in width (+/-)
	<i>NOTE: Information is based on GIS data</i>

APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
Garden Suite- Foundation 3.13.1.4	Temporary	Permanent

Application Purpose

The applicant proposes to construct a Garden Suite, with a permanent foundation, on the subject property. The purpose of the Garden Suite will be for the applicant's parents to reside, but also him and his Wife in the future. Due to the length of time the applicant wishes the structure to remain on the property, the applicant is proposing a foundation type that is more stable and secure. A Conditional Use (CU 19/24) has been approved for the Garden Suite Use.

OPTIONS FOR COUNCILS CONSIDERATION

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

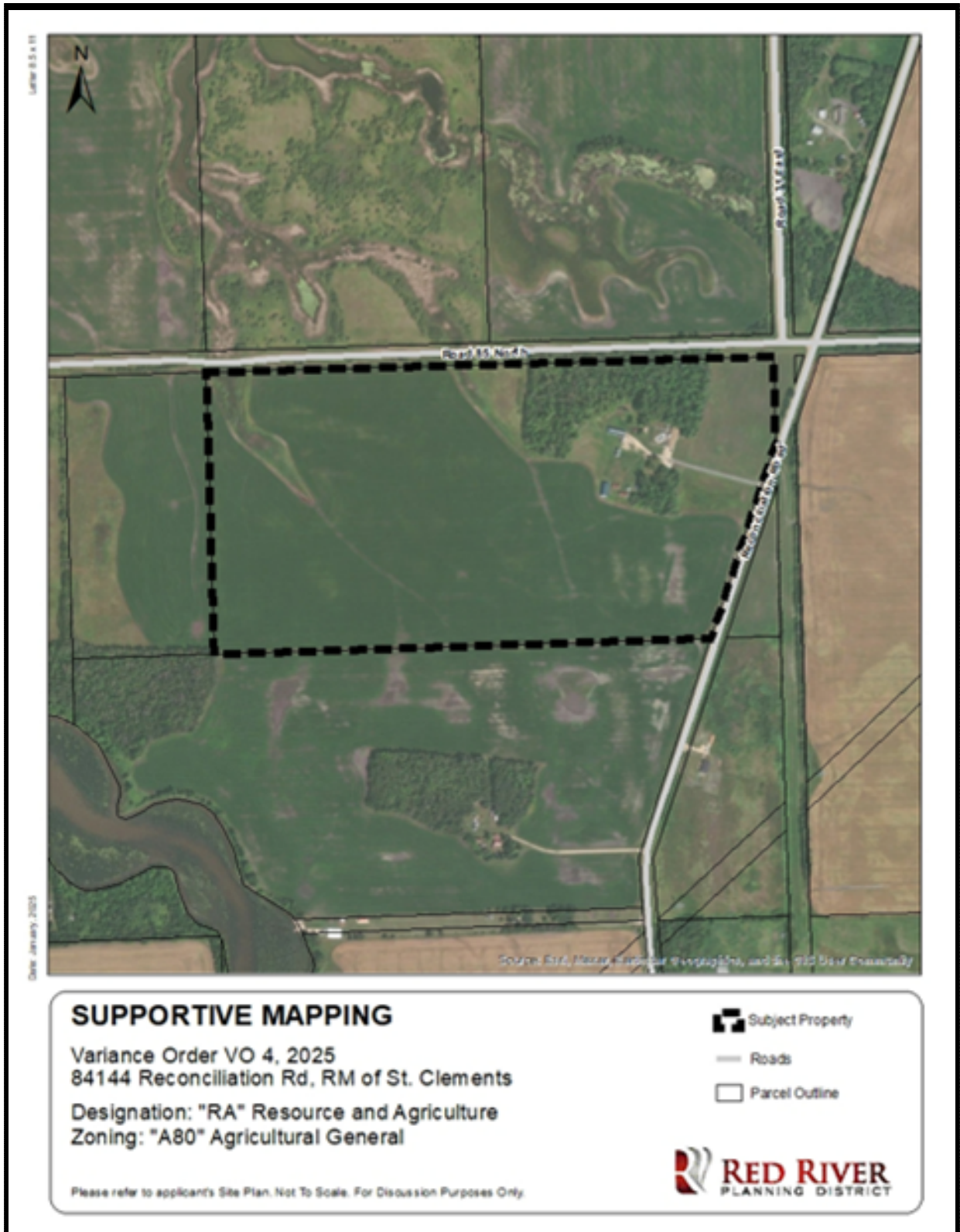
- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
 - (i) will be compatible with the general nature of the surrounding area,
 - (ii) will not be detrimental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



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

To Red River Planning District and Council,

January 21st 2025

Letter of Intent for Foundation Variance at 84 144 Reconciliation Rd, Libau Mb, R0E 1C0

This Letter is my Letter of intent for the application to receive a variance on the type of foundation to build for our garden suite on our property at 84 144 Reconciliation Rd in Libau Mb.

We, Jennifer and Justin Kutzak who currently own this property have been granted approval for conditional use under CU19-2024 by Council.

Currently under By Law 3.13.1.4 under “foundation” states “as the dwelling is temporary in nature it shall be placed on a pad and post foundations.”

We applied for and were approved for a conditional use permit in the fall of 2024 to construct a garden suite on our property for my aging parents. This would allow us to look after them physically and mentally as they age and in times of need. I have done further research and found that Manitoba Health suggests that intergenerational living is an excellent option to support aging-in-place initiatives. This is also supported by the federal government, which introduced a multigenerational home renovation tax credit in the 2022 budget. In 2023, Canada’s Deputy Prime Minister Chrystia Freeland issued a statement confirming a financial commitment to the immediate need for new housing options for Canadians, further demonstrating federal support for these types of arrangements.

With an aging population and a seeming lack of affordable housing, this garden suite aims to provide multigenerational and affordable housing—not only for my parents as they live out the rest of their lives but also for my wife and me. By the time my parents pass, my wife and I will be at a stage in our lives where we will move into the garden suite and live there for the remainder of our lives. We all know that our healthcare system is taxed, and affordable housing and care for seniors are pressing issues in our country. This garden suite not only secures housing for my aging parents but also for myself.

This garden suite has the potential to remain on-site for approximately 25 to 50 years or more. The intent behind this application is to request a variance regarding zoning bylaw 3.13.1.4 under the foundation section, which states, “as the dwelling is temporary in nature, it shall be placed on a pad and post foundation.” With advancements in building technology, we know that nearly any house can be moved, regardless of the type of foundation it sits on. What we propose is a continuous 10-inch thick, 30-inch wide concrete footing/Grade beam around the perimeter of the foundation, with 30-inch x 30-inch x 10-inch pøds in the middle to support the beam. This would be a pressure-treated wood foundation (PWF) drawn and stamped by an engineer. I’ve included proposed drawings based on the builder’s suggestions. These are not the exact drawings, but they will be very similar.

As mentioned, our garden suite has the potential to be on our property for a minimum of 25 to 50 years or more. A concrete footing with a Grade beam provides a much more stable and secure foundation for our climate, creating a much smaller risk of shifting causing other issues like possible plumbing failure. The pony walls can be built as one continuous length, as opposed to skirting, which allows for a tighter seal, making it more energy-efficient and far less susceptible to pests, rodents, and insects getting into the crawl space.

A key point I want to emphasize is that, at the end of the day, the garden suite can still be lifted off the foundation and moved. It would just require additional work on my end to either A) jackhammer and remove the concrete footing or B) bring in fill to cover it up. What I really want to stress is that, although the concrete footing is considered a more permanent foundation, the site can be cleaned up as if nothing was there, just like a pad and post foundation. It would simply require more work and expense on our end.

Given the potential lifespan of this suite, I want to ensure it is built to the highest standard. There is a lot of infrastructure involved, such as water, sewer, and hydro, and I want to ensure we get everything right to minimize headaches in the future.

I hope I have made it clear on our intent with this Garden suite Variance. Should you have any further questions please feel free to reach out and ask.

Sincerely Justin and Jennifer Kutzak

