

NOTICE OF PUBLIC HEARING

SUBDIVISION APPLICATION

Rural Municipality 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
2026-09-10
6:00 p.m.

Council Chambers
3550 Main Street, West St. Paul, MB
Rural Municipality of West St. Paul, MB

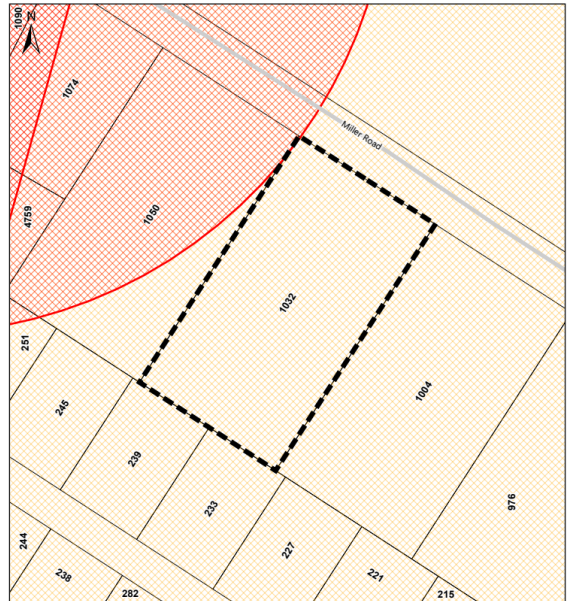
Note: property owners are responsible for notifying "tenants"

APPLICATION INFORMATION

Application File: S-2026-3152

Applicant: Jose Martizana
Mari Joy Martizana

Property Location: 1032 MILLER RD
Rural Municipality of
West St. Paul
Roll #: 228235.0
Legal:
Lot 3, Plan 21702

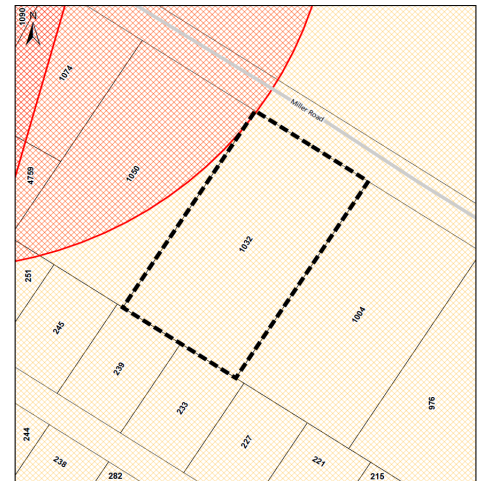


Application Purpose: The applicant proposes to subdivide the property into two (2) lots, zoned "RRO" Rural Residential Overlay.

Zoning By-law Requirement	Proposed by Applicant
"RRO" Rural Residential Overlay - Lot Size Requirement 2 ac in area, 198 ft wide (min.)	Lot 1: 2.84 ac; 199.96 ft Lot 2: 2.03 ac; 142.5 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

Subdivision: S-2026-3152
Date Prepared: 2026-08-25
Address: 1032 MILLER RD
Legal Description: Lot 3, Plan 21702
Roll Number(s): 228235.0
Zoning: "RRO" Rural Residential Overlay
Development Plan: Rural Residential
Report Prepared by: Calvin So, RPP, MCIP, Community Planning Assistant



PUBLIC HEARING REQUIRED - Yes

EXECUTIVE SUMMARY:

The applicant is seeking to subdivide the subject land into two (2) residential lots, zoned “RRO” Rural Residential Overlay. Proposed Lot 2 does not comply with the minimum lot density requirements in the Zoning By-Law, therefore a Variance is required to bring the proposed lot into compliance. Given the proposed lot sizes and the surrounding context, the subject proposal is generally consistent with the Rural Residential designation of the RRPD Development Plan.

RECOMMENDATION

Approve with Conditions

1.0 PROPOSAL:

The applicant is proposing to subdivide the subject land into two (2) lots, with the intention of selling proposed lot 2. Proposed lot 1 would contain the current dwelling and garage. Lot 1 would be 2.84 acres in size and 199.98 ft in width, and lot 2 would be 2.03 acres in size and 142.5 ft in width.

2.0 SITE CONTEXT AND BACKGROUND:

The subject land is a 4.87 acre lot with frontage onto Miller Road and is currently zoned “RRO” Rural Residential Overlay. It currently has a dwelling with an attached deck, a detached shed, and a detached garage.

The subject land is designated *Rural Residential* in the Red River Planning District Development Plan.

The area around the subject property is as follows:

- To the North – Miller Road, then undeveloped land zoned “A80” Agricultural General.
- To the South – Undeveloped subdivided land zoned “RR” Rural Residential.
- To the East – Single-family homes zoned “RRO” Rural Residential Overlay.
- To the West – Single-family homes zoned “RRO” Rural Residential Overlay.

3.0 DEVELOPMENT PLAN ():

Land Use Designation: “RR” Rural Residential

The subject property is designated *Rural Residential* in the Red River Planning District’s Development Plan. The *Rural Residential* designation allows for the establishment of rural nonfarm residential properties where residents are able to enjoy a rural lifestyle. Rural residential properties consist of small acreage lots and are typically expected to be serviced with their own on-site wastewater and drinking water systems, until municipal piped services become available in the future.

The following are *Rural Residential* policies that are relevant to the subject proposal:

Policy 4.3.2

Rural residential development shall be directed towards sites with low potential for agriculture, including livestock production, due to poor soil conditions (Agriculture Capability Class 5 to 7) or other physical constraints which make the use of the land for agriculture unfeasible, and where the proposed development will not unduly interfere with existing or proposed agricultural operations.

Policy 4.3.3

Where subdivisions are proposed in areas with significant natural vegetation, the design should protect or enhance these areas.

Policy 4.3.4

Rural residential lots should be of a size that reflects a rural character and can accommodate on-site wastewater disposal.

Policy 4.3.5.2

That the proposal is not wasteful of land.

Policy 4.3.5.4

That the proposed development will have direct frontage and legal access unto a developed all-weather public road.

Policy 4.3.5.6

The proposed development will be adequately serviced with potable drinking water and wastewater disposal, and without negatively affecting the provision of these services to existing adjacent development.

Policy 4.3.5.7

That the proposed development can accommodate local and municipal services (e.g. solid waste disposal, access to fire protection, school bus routes, etc.) with reasonable efficiency and without undue cost to the local authority.

Policy 4.3.5.8

The proposed development will have adequate surface water drainage.

The subject proposal is consistent with the general intent of the Development Plan, given that two rural lots are being proposed with a size that mirrors surrounding properties where similar subdivisions were approved (e.g: S24-3063, S24-3070).

4.0 ZONING BY-LAW (2/99P):

Section: 6.0

Zone: “RRO” Rural Residential Overlay

SITE AREA

“RRO” – 87,120 sq ft (2 ac) min required

Proposed Lot 1: 2.84 ac (In compliance)

Proposed Lot 2: 2.03 ac (In compliance)

SITE WIDTH

“RRO” – 60.35 m (198 ft) min required

Proposed Lot 1: 199.96 ft (In compliance)

Proposed Lot 2: 142.5 ft (Not in compliance)

A lot width variance would be required to bring proposed lot 2 into compliance.

5.0 SERVICES AND INFRASTRUCTURE:

Wastewater Services

- Proposed: Holding Tank
- Required: As per Province of Manitoba (MR 83/2003 Onsite Wastewater Management Regulation) standards

Drinking Water

- Proposed: Individual Well
- Required: As per municipal standards

Road Standards

- Proposed: Existing
- Required: Municipality is authority responsible for roadway

Drainage

- Proposed: Natural
- Required: Municipality is authority responsible for drainage

6.0 CIRCULATION AND COMMENTS:

Note: Comments are paraphrased. Original copy of comments are attached in the appendix.

1. MB Agriculture

The proposed subdivision resides within a designated Rural Residential Policy Area. No comments.

2. MB Transportation and Infrastructure Highways Design

We have reviewed subdivision file # S-2026-3152 (S26-3152) and have no concerns. The subject property does not have frontage along a highway under MTI jurisdiction.

3. MB Transportation and Infrastructure Hydrologic Forecasting and Water Management Branch

No comments.

4. MB Environment and Climate Change Environmental Compliance and Enforcement

No comments received.

5. MB Sport, Culture, Heritage and Tourism Historic Resources Branch

No concerns at this time.

6. MB Mines Branch

No comments received.

7. RM of West St. Paul

Administration recommends the following condition of approval:

- a. Applicant / owner submits confirmation in writing from the Chief Administrative Officer of the municipality that:
 - i. Taxes on the land to be subdivided for the current year, plus any arrears have been paid or arrangements satisfactory to Council have been made;
 - ii. Payment of any applicable development levies have been paid;
 - iii. A drainage / lot grading plan is to be prepared by a qualified engineer to the satisfaction of the municipality and is to ensure that the proposed properties do not drain into, or impede drainage from neighbouring properties;
 - iv. A Development Agreement has been entered into to address the following, but not limited to:
 1. development fees;
 2. servicing;
 3. access; and
 4. drainage / lot grading plan to be prepared by a qualified engineer and submitted prior to any development to the satisfaction of the municipality to ensure that the proposed property does not drain into, or impede drainage from neighboring properties.

Additionally, for information, the Municipality had received an engineer report in 1990 raising concern about poor drainage in this area.

8. Seven Oaks School Division

No comments.

9. Winnipeg Land Titles Office

A Plan of Subdivision as proposed is required.

10. Canada Post

No additional CMB equipment / location required.

11. Manitoba Hydro and Centra Gas

No easements required.

12. BellMTS

No comments received.

13. Valley Fiber

Upon review of the proposed subdivision and the relevant details, we confirm that Valley Fiber Ltd. does not require an easement over the subject lands.

7.0 DECISION MAKING CRITERIA AND OPTIONS:

The Planning Act (Section 123) states that a subdivision must not be approved unless it meets the following criteria:

1. The land that is proposed to be subdivided is suitable for the purpose for which the subdivision is intended; and
2. The proposed subdivision conforms with
 - a. The development plan by-law and zoning by-law,

- b. Any secondary plan, and
- c. The regulations under section 146.

Under Section 125(1) of *The Planning Act*, “where the council of a municipality receives an application pursuant to Section 124(2), it shall, after considering the application, by resolution:

- a. reject or refuse to approve the application for subdivision; or
- b. approve the application for subdivision, with or without conditions as set out in Section 135.

8.0 ANALYSIS:

This application is to create two lots from the existing parcel in the “RRO” Rural Residential Overlay zone. While one of the proposed lots do not comply with the lot density requirements of the Zoning By-Law, similar lot densities exist along Miller Road, east of the subject property.

The following policies should be taken into consideration:

Consistency with RRPD Development Plan

A policy in the Rural Residential designation of the Red River Development Plan states that “*rural residential development shall be directed towards sites with low potential for agriculture, including livestock production, due to poor soil conditions (Agriculture Class 5 to 7) or other physical constraints which make the use of the land for agriculture unfeasible, and where the proposed development will not unduly interfere with existing or proposed agricultural operations*”. This area is designated as Rural Residential, and Manitoba Agriculture has indicated no concerns with the proposed subdivision.

Under the Transportation Policies of the development plan, one of the main objectives is “*to establish a safe, efficient, integrated, and high functioning transportation network throughout the RRPD that meets the need of all uses and facilitate economic development*” (3.2.a).

In addition, policy 4.3.5.4 states that “*the proposed development will have direct frontage and legal access onto a developed all-weather public road*”.

The subject proposal aligns with the aforementioned objective and policy in that the proposed lots front onto an existing all-weather municipal public roadway (Miller Road).

The subject proposal is compatible with the existing land uses and development pattern in the area as per policy 4.3.5.9 of the RRPD Development Plan.

Municipal Services

Under the RRPD Development Plan, the Municipal Services Policy 3.4.9 states that “*new or expanded development, including subdivisions, shall be serviced with piped municipal wastewater services, where available. Extension of municipal services to the proposed development by the proponent may be required. Where piped municipal services have not yet been extended to an area, holding tanks may be used. However, holding tanks must be located to enable future connection to municipal services, and must connect to piped municipal wastewater services once available. When piped municipal wastewater services are not available and not planned for an area, on site waste treatment will be developed in accordance with provincial regulations*”.

The applicant has indicated that proposed lot 2 would be serviced by a holding tank and individual well. Lot 1 is currently serviced by holding tank, septic field, and individual well.

Compatibility with the surrounding area

The subject proposal, in terms of zoning and the sizes of the lots being proposed, is compatible with an existing lot sizes and character within the surrounding area. This is consistent with RRPD Development Plan – policy 4.3.4, which speaks to rural residential lots reflecting rural character and fronts onto an existing developed public roadway.

West St. Paul Council approved similar subdivision proposals along Willis Road and Slater Road, such as S21-2886 and S23-3005.

Other than the requirements from the municipality, other commenting agencies generally noted no concerns with the proposed subdivision.

Based on the analysis presented above, the RRPD recommends that the application be **approved with conditions**.

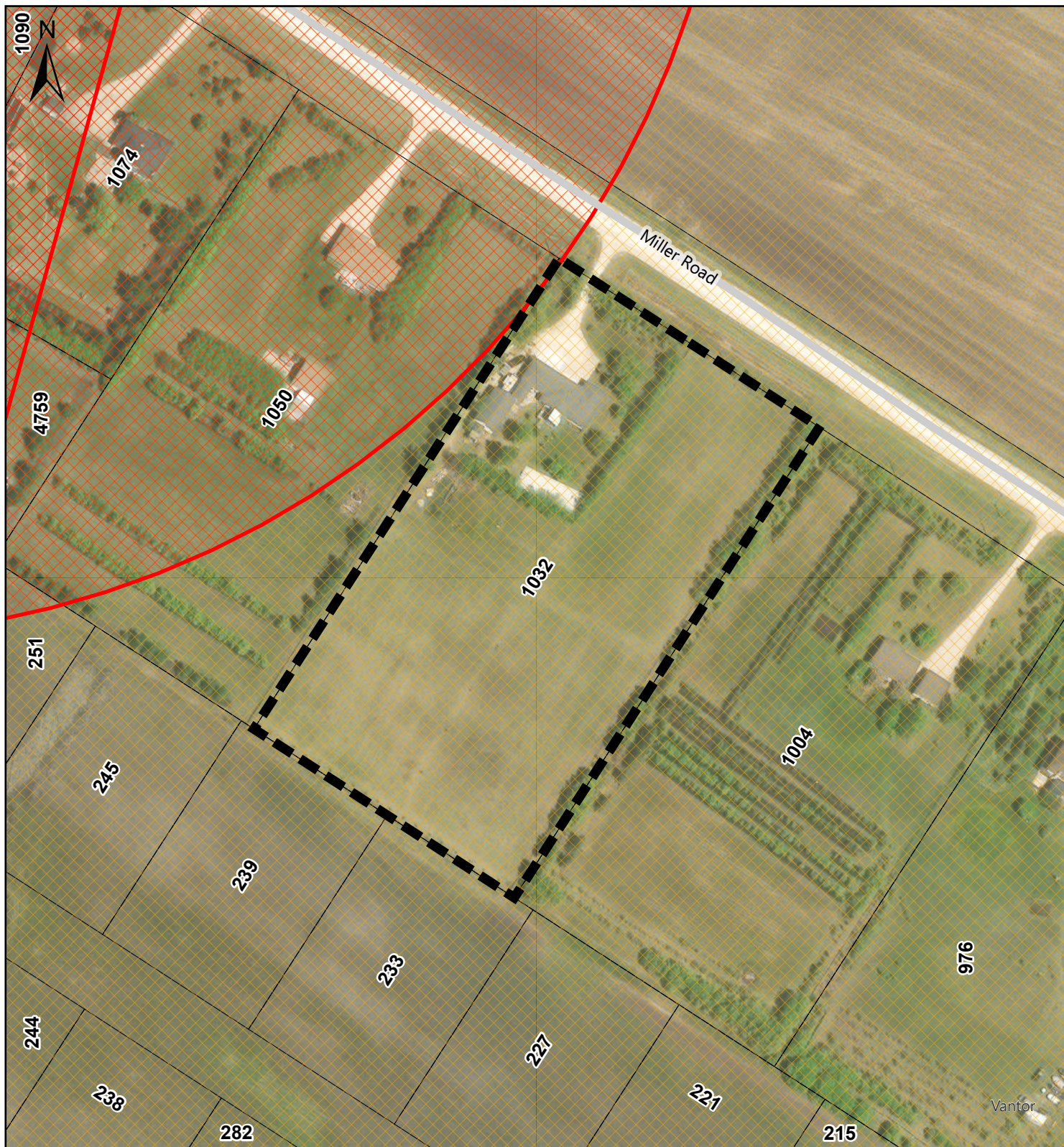
9.0 RECOMMENDED CONDITIONS:

Should Council wish to approve the application our office would recommend the following conditions:

1. Applicant / owner submits confirmation in writing from the Chief Administrative Officer of the municipality that:
 - a. Taxes on the land to be subdivided for the current year, plus any arrears have been paid or arrangements satisfactory to Council have been made;
 - b. Payment of any applicable development levies have been paid;
 - c. A drainage / lot grading plan is to be prepared by a qualified engineer to the satisfaction of the municipality and is to ensure that the proposed properties do not drain into, or impede drainage from neighbouring properties;
 - d. A Development Agreement has been entered into to address the following, but not limited to:
 - i. development fees;
 - ii. servicing;
 - iii. access; and
 - iv. drainage / lot grading plan to be prepared by a qualified engineer and submitted prior to any development to the satisfaction of the municipality to ensure that the proposed property does not drain into, or impede drainage from neighboring properties.
2. Applicant / owner obtain variances for undersized lots.

REQUIREMENTS

- A. The Winnipeg Land Titles Office will require a plan of subdivision as proposed. Please submit the surveyor's final plan tentatively approved by the Examiner of Surveys: one (1) original mylar and three (3) paper prints. If you have concerns with these requirements, please contact the District Registrar in the Winnipeg Land Titles Office.
- B. The Red River Planning District requires that the surveyor's drawing includes lot area and site width calculations, and confirmation that Crown land is not involved in the proposal.
- C. The Red River Planning District requires that the applicant provide a geo-referenced (UTM 14 NAD 83), digital plan of subdivision.
- D. The Red River Planning District requires that the applicant / owner submits a lot fee payable for each additional parcel or lot resulting from the approval of the subdivision as per the Fee Schedule at the time of Certificate of Approval issuance.



SUPPORTIVE MAPPING

Subdivision Application S-2026-3152
1032 Miller Road, RM of West St. Paul

Designation: "RR" Rural Residential
Zoning: "RRO" Rural Residential Overlay

Terms of Use/Disclaimer: All information is for display and estimate purposes only and is provided "as-is", the accuracy of information contained cannot be guaranteed and is in no way a legal representation of the municipality. Map content is not to scale.

-  Subject Property
-  Highway Control Zones
-  Roads
-  Hazard Lands - Airport
-  Parcels Outline

Letter of Authorization

Date: July 27, 2026

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

To whom it may concern:

I, Jose Martizana of 1032 Miller Road
NAME CURRENT ADDRESS
hereby give Licnel Pong
APPLICANT

Authorization to act on my behalf on all matters in relation to the application and permit for
the proposed sub division application
WORK TO BE COMPLETED

including signing of all documents relating to these matters.

Jose Martizana
1032 Miller Rd
USP, Mb.
R4A 4A4

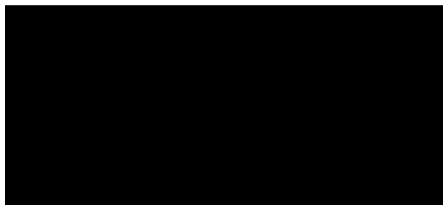
Roll No.: 228235

Legal: _____

Municipality: West St Paul

Civic Address: 1032 Miller Road.

Owner Information
including complete mailing address



SUBDIVISION APPLICATION MAP
of 1032 MILLER ROAD
R.M. of WEST ST. PAUL
MANITOBA

MILLER ROAD (gravel)

PREPARED FOR: JOSE MARTIZANA
DATE OF SURVEY: APRIL 10, 2026
ALL DISTANCES SHOWN IN FEET AND DECIMALS OF A FOOT

TITLE INFORMATION (SEARCHED APRIL 14, 2026):
MARILY JOY MARTIZANA AND JOSE MARTIZANA ARE REGISTERED OWNERS IN THE FOLLOWING
DESCRIBED LAND:
CT. 3135128: LOT 3, PLAN 21702 W.L.T.O IN RL 48, PARISH OF ST. PAUL
THE LOCATION OF THE SEPTIC FIELD HAS BEEN PROVIDED BY THE CLIENT.

HYDRO POLES SHOWN THUS
WELL
AREA AFFECTED BY THIS PROPOSAL IS SHOWN
BORDERED THUS

Signed this 15th day of April, 2026

[Signature]
Douglas T. Stevens, M.L.S., C.L.S., B.Sc. (S.E.)

[Signature]
1467 Main Street
Winnipeg, MB R2W 3V9
File No. 28/128
Professional Surveyors
Drawing: 28-128-000-000

