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## **SUBDIVISION PROCESS**

### **APPLICANT/OWNER COPY**

1. **Complete application form.** It is important that all relevant sections are filled out and that the necessary supporting documentation is provided. The application form clearly establishes the requirements. An application for subdivision can be made by any person on behalf of a landowner; however, all landowners named on Certificates of Title which form part of the application are required to sign the application form in Section 2. Common features overlooked by applicants include Section 6, the sketch map. The application requests that dimensions be provided for the land parcels, including location of buildings on site and distances between these buildings and site lines. It is also important to identify hydro poles on or abutting your property as it will aid Manitoba Hydro in providing comments on your application. Please provide a clear sketch, and if necessary, provide the sketch on a separate piece of paper.

A second common item which will delay your application is Section 9: please obtain a date stamped copy of your Certificate of Titles(s) from Winnipeg Land Titles Office, 276 Portage Ave. Winnipeg, MB. The subdivision regulations specify that the date stamp must be within 30 days of the date of subdivision application. Section 9 also requires that any encumbrances such as easements, rights-of-way and caveats for example, accompany your application. If any of the required information is incomplete or not provided, your application will be referred back to you. Please remember that the application form will be sent for comments to a minimum of 5 government departments and agencies, therefore the intent must be clear.

2. **Circulation of Application.** The District Planning office will circulate the application to receive comments. Factors such as zoning, physical features, location of property and so on will determine the agencies and departments who will receive application. At a minimum the application will be circulated to Land Titles Office, Manitoba Hydro, Manitoba Telephone System, Manitoba Conservation, Canada Post, and Community Planning Services Branch.

3. **District Planning Staff Review.** Upon the receipt of comments from the government agencies and departments, the District Planning staff will compile the information and provide the municipality and the applicant with a report which will include copies of comments received, as well as District Planning recommendations. The recommendations are based largely on comments received and conformity to zoning and Development Plan requirements.

4. **Council Decision.** At a Council meeting the application will be reviewed and may either be rejected, given conditional approval, or be deferred pending more information, such as a conceptual sector plan, or site elevations. Council will forward a certified copy of their resolution to the District Board Office.

5. **District Board Decision.** As the District Planning Board has been given subdivision approving authority by the minister of Intergovernmental Affairs, the Board issues the appropriate letter to the applicant. If Council rejects the application, it is automatically rejected by the Board. If Council conditionally approves a proposal, the Board may reject the proposal, or give conditional approval. The applicant may file an appeal to the Manitoba Municipal Board for Board rejection over Council approval, or any condition for approval imposed by the Board.

6. **Conditional Approval.** If the application was conditionally approved by the District Planning Board, the applicant is required to satisfy all the conditions and requirements in order to receive a Certificate of Approval. Conditions and requirements can include the payment of any outstanding taxes and dedication/capital development fees to the RM, surveying of the property by a Manitoba Land Surveyor, entering into an easement agreement with Hydro/MTS and/or a development agreement with the RM, and the payment of lot fees to this Board.

Once the Board issues the Certificate of Approval, the applicant may return to Land Titles Office to initiate the process of registering the subdivision. The time frame from acceptance of the application to conditional approval can be as little as 3 months. The complexity of the proposal and incomplete application forms are factors that can increase this time. Please be aware that in addition to the **\$1,775.00** application fee, any proposals creating more than 1 parcel or lot will be subject to an additional fee of **\$275.00** per lot. Additional costs will be levied if the subdivision is conditionally approved. These costs can include, but are not limited to the following:

- 1) District Board lot fees: \$380.00 for every new lot created.
- 2) Your municipality may charge a dedication fee per lot, ranging from \$4250.00 to > \$9250.00 (residential use)
- 3) If your property must be surveyed, it is required that it be done by a Manitoba Land Surveyor.
- 4) If any zoning variations are necessary, currently the charge is \$1,300.00 (plus 5% GST) = \$1,396.50 per lot.
- 5) Land Titles Office charges registration fees.
- 6) Any amendments to subdivisions are at a cost of \$635.00.
- 7) Extensions to Conditional Approvals are \$440.00.
- 8) Extensions to Certificate of Approvals are \$440.00.

Whenever a subdivision application is revoked or voluntarily withdrawn after the subdivision report has been submitted to the Board or once subdivision is advertised, there shall be **no refund**. When an application is revoked or voluntarily withdrawn prior to report to the Board, the refund may be reduced by an administration fee of 50%. There shall be **no refund** if an application for subdivision is rejected or not approved by the respective municipal council.