

Partners in
Community
Development



A Guide to the SUBDIVISION PROCESS in Manitoba

This Guide outlines the process for subdividing land in Manitoba outside the City of Winnipeg. For information on the subdivision process in the City of Winnipeg you should contact the City directly at the address listed below.

WHAT IS A SUBDIVISION?

A subdivision is the division of a parcel of land described on a Certificate of Title. A subdivision can occur when a single land title is split into two or more parts, property boundaries are rearranged, or a lease, mortgage or other instrument is registered that has the effect of subdividing the parcel.

WHEN IS SUBDIVISION APPROVAL REQUIRED?

With a few exceptions, a subdivision must be approved under *The Planning Act* before it can be accepted for registration at the Land Titles Office.

WHO APPROVES A SUBDIVISION?

The Minister of Intergovernmental Affairs is the Approving Authority for subdivisions outside of the City of Winnipeg. This responsibility has been delegated to certain planning district boards or to the regional offices of the Community Planning Services Branch of Manitoba Intergovernmental Affairs. See the map and list of offices for the subdivision approving authority in your area.

STEPS IN THE SUBDIVISION PROCESS UNDER *THE PLANNING ACT*

STEP 1 - Pre-Application

- It is recommended that you discuss your proposal with your local municipal or planning district board staff, or the Community Planning Services regional office to determine the policies and regulations that may relate to your application. The advice is free and could save you time and money.

STEP 2 - Application:

- Complete the "Application for Approval of Subdivision" available at Community Planning Services regional offices, or municipal and planning district offices.
- Make sure that all registered owners sign the application.
- For complex proposals or applications for multiple lots the approving authority may require additional information (Section 8 of the application).
- Attach a current (dated within 30 days) copy of the "Certificate of Title" or "Status of Title" certified by the Land Titles Office.
- Enclose the application fee of \$250 payable to the "Minister of Finance", or the planning district, as the case may be.
- Mail or take your completed application to the appropriate office for subdivision applications (see the map and list of offices).

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STEP 3 - Acknowledgement of Application:

- If your application is complete, you will receive a letter of acknowledgement and processing of your application will begin. If your application is incomplete, you will be asked to provide the missing information.

STEP 4 - Circulation of Application:

- Your application is circulated to various government departments and agencies for their review. The departments and agencies have 30 days to respond.
- Review comments are sent with a planning report to the municipal council, with a copy to you.
- If you want to appear before council to explain your proposal you should contact the municipality directly.

STEP 5 - Municipal Council Decision:

- The municipal council considers your application, together with the planning report, and decides by resolution either to approve it, with or without conditions, or to refuse it.
- Council's conditions may relate to such items as development agreements, drainage, driveways, additional fees, etc.
- Council sends a copy of its decision to the appropriate approving authority.

STEP 6 - Approving Authority Decision:

- The approving authority can proceed only after council's resolution has been received.
- If council has refused your application, the approving authority must do likewise.
- If council has approved your application, the approving authority must determine if the proposed subdivision: conforms with local by-laws such as development plans and zoning by-laws and Provincial policies; is suitable for the proposed use; and may be expected to be used within a reasonable period of time.



- If the approving authority determines your application meets all requirements under *The Planning Act*, it will issue you a letter of conditional approval. This letter sets out the conditions and requirements that must be met before the subdivision can be registered at the Land Titles Office. One of the requirements may be that you will have to engage a land surveyor to survey the proposed subdivision or provide a description approved by the District Registrar of the Land Titles Office.
- An approval fee of \$150 is payable for each new lot created by the subdivision.
- A conditional approval is valid for two years to permit you time to meet the conditions. This period may be extended for an additional year, upon request.

STEP 7 - Appeals:

- If the approving authority rejects your subdivision you may appeal the decision within 30 days of the date of the notice of the approving authority's decision. There is, however, no appeal if the council rejected your application.
- If the approving authority fails to make a decision within 60 days of the council resolution approving the subdivision you may consider the application as having been rejected by the approving authority and appeal.
- You may also appeal any of the conditions of your approval, including any of the conditions required by the council.
- Appeals must be made in writing to The Municipal Board of Manitoba.

STEP 8 - Certificate of Approval:

- A certificate of approval is necessary to register the subdivision. The approving authority issues the certificate of approval when all conditions and requirements noted in the letter of conditional approval have been met.
- A certificate of approval is valid for one year, but may be extended for an additional year upon request prior to the expiry date on the certificate.

Offices for SUBDIVISION APPLICATIONS

COMMUNITY PLANNING SERVICES REGIONAL OFFICES

| | | |
|----------------------------|--|--|
| Beausejour | Box 50 125-20 First Street Beausejour MB R0E 0C0 | Phone: (204) 268-6058 Fax: (204) 268-6007 |
| Brandon | Box 22147 2022 Currie Blvd. Brandon MB R7A 6Y9 | Phone: (204) 726-6267 Fax: (204) 726-6290 |
| Dauphin | 27-2nd Avenue S.W. Dauphin MB R7N 3E5 | Phone: (204) 622-2115 Fax: (204) 622-2298 |
| Deloraine | Box 389 101 Finlay Avenue E. Deloraine MB R0M 0M0 | Phone: (204) 747-3331 Fax: (204) 747-2050 |
| Morden | 323 North Railway Street Morden MB R6M 1S9 | Phone: (204) 822-2840 Fax: (204) 822-2847 |
| Portage La Prairie | 311-25 Tupper Street N. Portage la Prairie MB R1N 3K1 | Phone: (204) 239-3348 Fax: (204) 239-3459 |
| Interlake (Selkirk) | 103-235 Eaton Avenue Selkirk MB R1A 0W7 | Phone: (204) 785-5090 Fax: (204) 785-5155 |
| Steinbach | Box 2680 335- 323 Main Street Steinbach MB R0A 2A0 | Phone: (204) 346-6240 Fax: (204) 346-7305 |
| Thompson | 100-23 Station Road Thompson MB R8N 0N6 | Phone: (204) 677-6700 Fax: (204) 778-4313 |

PLANNING DISTRICT BOARD OFFICES

Brandon and Area Planning District

421-9th Street
Brandon MB R7A 4A9
Phone: (204) 729-2110
Fax: (204) 728-2406

Selkirk and District Planning Area

200 Eaton Avenue
Selkirk MB R1A 0W6
Phone: (204) 482-3717
Fax: (204) 482-3799

South Interlake Planning District

Box 1219
285 Main Street
Stonewall MB R0C 2Z0
Phone: (204) 467-5587
Fax: (204) 467-8383

CITY OF WINNIPEG

Zoning and Permits Branch
31-30 Fort Street
Winnipeg MB R3C 4K4
Phone: (204) 986-5140
Fax: (204) 942-3820

Offices for SUBDIVISION APPLICATIONS

