



The owner of land, or a person authorized in writing by the owner, may apply to the approving authority for subdivision approval in accordance with the regulations. The land that is proposed to be subdivided must be suitable for which the subdivision is intended.

# A GUIDE TO THE SUBDIVISION PROCESS IN MANITOBA

## HOW TO DIVIDE YOUR LAND

### 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 Municipal Government is the approving authority for subdivisions outside the City of Winnipeg. This responsibility has been delegated to certain planning district boards or to the regional offices of the Community and Regional Planning (CRP) Branch of Municipal Government. Refer to the map and list of offices for the subdivision approving authority in your area.

**It is recommended that you discuss your proposal with your local municipal or planning district board staff, or the CRP Regional office to determine the policies and regulations that may relate to your application. The advice is free and may save you time and money.**

Subdivisions also require approval from the affected municipality. Standard subdivisions must be granted approval by Council. Minor subdivisions may be granted approval by Council or a designated employee. The following outlines the steps for Standard and Minor Subdivisions.

### STANDARD SUBDIVISIONS

Standard Subdivisions are all subdivisions that create two or more lots (and single-lot subdivisions that do not meet the criteria of the Minor Subdivision process). The Standard Subdivision process follows nine steps:

1. The applicant submits their subdivision application and supporting information to the office of the approving authority (either the CRP regional office or Planning District office).
2. The planner reviews the subdivision application and circulates the application to government departments and agencies.
3. Government departments and agencies have 30 days to provide comments.
4. The planner reviews comments and prepares a Planning Report with recommendations for municipal council.
5. Council approves subdivision application with or without conditions, or rejects application.
6. If Council approves subdivision, the approving authority may issue a conditional approval letter and send it to the applicant. If Council approves the application despite outstanding objections from any commenting department or agency that cannot be resolved, the approving authority may reject application.
7. The conditional approval letter is divided into two parts, requirements and conditions. It is the applicant's responsibility to complete all items listed in both parts.
8. Once the applicant has completed the requirements and conditions within the required time frame, the approving authority issues the Certificate of Approval and returns the approved plan to the applicant.
9. The applicant submits the Certificate of Approval and approved Plan to the Land Titles Office (LTO) for registration.

## MINOR SUBDIVISIONS

### SINGLE LOT SUBDIVISIONS IN URBAN OR RURAL AREAS

Single-lot subdivisions that meet pre-determined government criteria may follow the Minor Subdivision process, which reduces processing time by approximately two-and-a-half months. The reduction in processing time is achieved by the approving authority issuing conditional approval prior to municipal approval. The Minor Subdivision process follows six steps:

1. The applicant submits their subdivision application to the office of the approving authority.
2. The planner reviews the subdivision application, and evaluates against the criteria.
3. If eligible, the approving authority issues a conditional approval letter and sends it with a copy of the application to the municipality. Government departments will be copied on applications and conditional approval letters.
4. If approved by the municipality it sends the approval to applicant. The applicant is responsible for completing the remaining requirements and conditions of the conditional approval letter.
5. Once all conditions and requirements are completed, the approving authority issues the Certificate of Approval.
6. The applicant submits the Certificate of Approval and approved plan or legal description to the Land Titles Office.

## SUBDIVISION FEES

### APPLICATION, EXTENSION, APPROVAL

#### General Fees:

Application fee: \$375

Revised application fee: \$200

Conditional approval/certificate of approval extension: \$200

Re-issuing certificate of approval: \$115

Approval Fees: \$200 for each new lot created

**Fees are subject to change. Planning Districts with Approving Authority may establish fees that are equal to or higher than those set out in the Subdivision Regulation. Please contact your planning district directly for up-to-date fee information. Also note additional fees will be incurred throughout the subdivision process in addition to the Provincial or Planning District fees. Additional costs to consider are: surveying costs; legal costs; land title registration cost; etc.**

The legal requirements for subdividing land are governed by Part 8 of *The Planning Act* and *The Subdivision Regulation*.



A Certificate of Approval is valid for 12 months after it has been issued, but may, within that 12 - month period, be extended by the approving authority for one additional period of not more than 12 months.