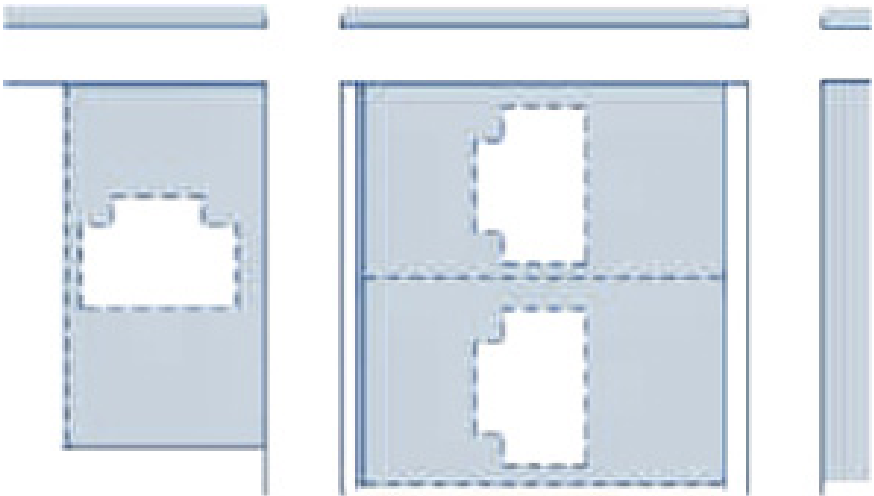




PLANNING, PROPERTY
AND DEVELOPMENT
DEPARTMENT

LONG-FORM SUBDIVISION APPLICATIONS

**Information about subdividing, severance
of parcels or consolidating property which
may include a zoning change, new public
streets or lanes**



Follow the Development Application Subdivision and Rezoning **(DASZ)** process if your proposed Plan of Subdivision:

- Creates new lots and requires a zoning change but does not create any new streets or lanes.
- Requires a zoning classification change or rezoning and creates new public streets and/or lanes.

Follow the Development Application Subdivision **(DAS)** process if your proposal includes a subdivision and the creation of new streets or lanes without a zoning change.

- A long-form subdivision application is a longer process than the short-form process due to the requirement for City Council approval.

If you are not proposing to create any new public rights-of-way and your proposed Plan of Subdivision complies with the existing zoning classification, use the short-form subdivision application **(DASSF)** procedure.

Long-Form Subdivision Application Overview

Before you subdivide land into lots or parcels to sell one or more of them, you must receive approval from the City of Winnipeg. Follow these steps:

- Submit an application with the Zoning and Permits Branch at Unit 31 - 30 Fort Street. Learn about application requirements and fees. Note: subdivision mylars are expensive and not necessary when submitting an application.
- Obtain approval from the City of Winnipeg. Do not begin work on the mylars until your application is approved.
- Fulfill all conditions adopted by the Council to obtain final approval and plan registration.
- Enter into necessary agreements with the City, as appropriate and required.
- Register a Plan of Subdivision with the Winnipeg Land Titles Office.

Every effort has been made to ensure the accuracy of information contained in this publication. However, in the event of a discrepancy between this publication and the City of Winnipeg Building By-law, the By-law will take precedence.

If your proposed plan is a secondary application to a former underlying development application that further subdivides or changes the legal description or zoning district, the underlying plan and related agreements shall be registered with the Winnipeg Land Titles Office prior to submission of the secondary application. New status of title(s) will be required for submission as proof of registration for the underlying plan to proceed with an application to further subdivide the land.

Description of Plan of Subdivision

A legal document prepared by a Manitoba Land Surveyor and registered in the Winnipeg Land Titles Office.

- Often referred to as mylars and includes:
 - The precise boundaries and dimensions of a lot or lots.
 - The location and names of any new public streets and/or lanes and existing boundary streets.
 - The basic configuration of existing lots within the immediate surrounding area.
 - Does not identify the location of existing buildings.

Time Frame

The time required to obtain final approval of your application may vary considerably, depending on the scope of your proposal and the number and type of conditions. Your application can take six to 18 months to complete depending on the nature of your application. Therefore, you should be cautious in scheduling any planned development on the land, as well as determining realistic possession dates with respect to the sale of your lot(s).

Application Review

Applications are reviewed for conformity to adopted plans and zoning by-laws.

- If your application does not conform to an adopted plan, you would be advised that an amendment to that plan is required before your subdivision could be referred for approval.
- A Zoning Development Officer determines if your proposal conforms to relevant zoning regulations.
- If a variance of the zoning regulations is required, it would have to be approved before your subdivision can be finalized.
- The District Planner provides planning advice on the application, including changes that might be recommended as desirable or necessary to gain approval.

Your application is then circulated to concerned stakeholders, such as public utilities and other civic departments, for review and comment regarding what conditions may be necessary for approval of your subdivision. Required conditions may include:

- To allow development to take place on your proposed lots, the public street or lane bordering your property may require a widening, upgrading or underground services may need to be extended, upgraded or installed to accommodate your proposed development.
- New public streets and/or lanes within your proposed Plan of Subdivision must be constructed to current City standards.
- You may be responsible for all or part of those costs.
- If your proposed development includes existing structures and/or buildings, you may need to engage the services of a Manitoba Land Surveyor to prepare your Surveyor's Building Location Certificate for Proposed Subdivision to assist the Plan Examination Branch's review for Spatial Separation compliance under the Manitoba Building Code.

Your application may be reviewed by a committee of City officials, known as the Administrative Coordinating Group (ACG). They may recommend amendments to your plan, conditions to be set on the approval, or reject your proposal.

- You can discuss ACG recommendations with the appropriate City staff members. After considering the position of the ACG and/or District Planner, you have the opportunity to request that your application be withdrawn or be further processed.
- If you wish to proceed with your application, your proposed Plan of Subdivision would be advertised for a public hearing before the applicable Community Committee. The application must be advertised by publishing the proposal once in two daily newspapers with a general circulation in the City and site posters, 14 days clear of the day of the public hearing. You are responsible for advertising costs.
- The chairperson of the ACG and the District Planner each prepare a report with recommendations, submitted to the applicable Community Committee for its consideration, at which time you or your representative may wish to appear to speak on behalf of your proposal and answer any related questions. It is important to note that there are no further public representations after the public hearing.

Hearing dates are selected by the Land Development Branch once the application review process is complete. The Branch manages and coordinates the application's review and approval processes through to completion.

Public Hearing

- The applicant and any other persons in support of the subdivision and rezoning application should be prepared to speak in favour of the proposal and to answer any questions. Any person who wishes to either support or oppose the subdivision and rezoning application may also appear. The Community Committee considers letters in support or opposition from persons who cannot attend the public meeting.
- It is useful to present drawings of the proposed development and to explain the effect on adjacent properties.
- Be prepared to address specific concerns from persons in opposition and to make changes in the proposed development to satisfy those in opposition.
- Those in opposition to the proposed zoning change should:
 - Attend the public meeting.
 - Speak about their reasons.
 - Select a limited number of spokespeople for large groups.
 - Refrain from repeating the same arguments.
 - Try to understand the details of the proposed zoning change.
 - Focus on the issues considered by the Community Committee.
- Advertisements for public meetings (in newspapers and on posters) include the telephone number of the District Planner. The District Planner can help you understand the planning rationale of the rezoning application.
- There are no public representations after the public meeting.
- If you have written to the Community Committee or registered your attendance at the public meeting, you will be advised of each step in the process by mail.
- At the conclusion of the public meeting, the Community Committee recommends approval or rejection of the development application. The approval may be only for part of the proposal or may be subject to conditions.

City Council Makes the Final Decision

The Community Committee concludes the public meeting with a recommendation to the Standing Policy Committee on Property and Development, Heritage and Downtown Development which in turn considers the development application and makes a

recommendation to the Executive Policy Committee. The Executive Policy Committee considers all previous recommendations and makes a recommendation to City Council. City Council receives the recommendation of the Executive Policy Committee and makes the final decision.

Once Your Application has Been Adopted by Council

You will be advised of the conditions to be fulfilled to obtain final approval and plan registration. These conditions may include any or all of the following:

- Submission of the legal plan mylars for by-law preparation and enactment by Council.
- Payment of fees such as cash in lieu of land dedication, agreement preparation fees, etc.
- Dedication of land for public open space.
- Construction of municipal services; rights-of-way, water mains, sewers and land drainage facilities if applicable.
- Provision of easements in favour of the City.

Where there is a zoning change associated with your proposed Plan of Subdivision, you may also be required to enter into a Zoning Agreement with the City. A Zoning Agreement may make provision that all building plans must be approved at Community Committee prior to issuance of a building permit. It may also establish special height and/or density limitations and prohibit certain land uses.

You may also be required to enter into a Development, Servicing or Subdivision Agreement to fulfill servicing and/or additional requirements as adopted by Council.

Once an application has been adopted by Council, the applicant can proceed to satisfy all conditions required in that approval.

Legal Plan Mylar Preparation

When you receive a letter from the City's Administration acknowledging Council's approval, you may proceed to have a Manitoba Land Surveyor prepare the legal plan mylars for your proposed plan, if you are prepared to meet all of the conditions of approval. Considerations of approval may include:

- Construction of rights-of-way, street or lane widening on a Plan of Subdivision.
- Payment of 10% cash dedication in lieu of land dedication or dedication of a portion of land in lieu of cash.
- Requirement to enter into a Development or Servicing Agreement, Zoning Agreement or Easement(s) with the City to

ensure items such as improvements, such as sidewalks, road upgrading or servicing requirements are provided once the plan has been registered.

- Modifications to existing buildings impacted by the proposed subdivision to comply with spatial separation under the Manitoba Building Code.

Time Limits

Council approval may include time restrictions for completion (usually two years to have a by-law enacted). Post by-law enactment, you will have one year to complete your application and register the Plan of Subdivision along with any related legal documents for the by-law to come into force and effect.

- If an extension of time is requested, your application would be reviewed to determine if circumstances affecting the application have changed.
- Payment of an extension of time application fee is required.
- Payment of fees for re-approval of your Plan of Subdivision legal plan mylars may also be necessary.
- All outstanding application fees are subject to change to reflect current rates.

Building permits for individual lots are not issued until the Plan of Subdivision, rezoning and any related agreements and/or easements have been registered with the Winnipeg Land Titles Office.

Receiving Final Council Approval of a Subdivision Plan

A subdivision plan is not approved until a sworn-to legal plan prepared by a registered Manitoba Land Surveyor is submitted and the subdivision/rezoning by-law is enacted by Council. Concurrently, any related zoning, easements, servicing and development agreements are prepared and the necessary signatures are secured.

When Subdivision Plan & Rezoning comes into Force

After Council adopts the by-law, all necessary agreements have been executed, all monies have been paid, and the related legal documents have been released to the applicant and their legal representative for final registration at the Winnipeg Land Titles Office, the subdivision plan and rezoning comes into force.

Following the posting of securities required under the Development or Servicing Agreement to guarantee maintenance warranty and builders' liens, you can proceed with the installation of the physical improvements in your subdivision and go ahead with finalizing the sale of your lots.

Public Consultation Process

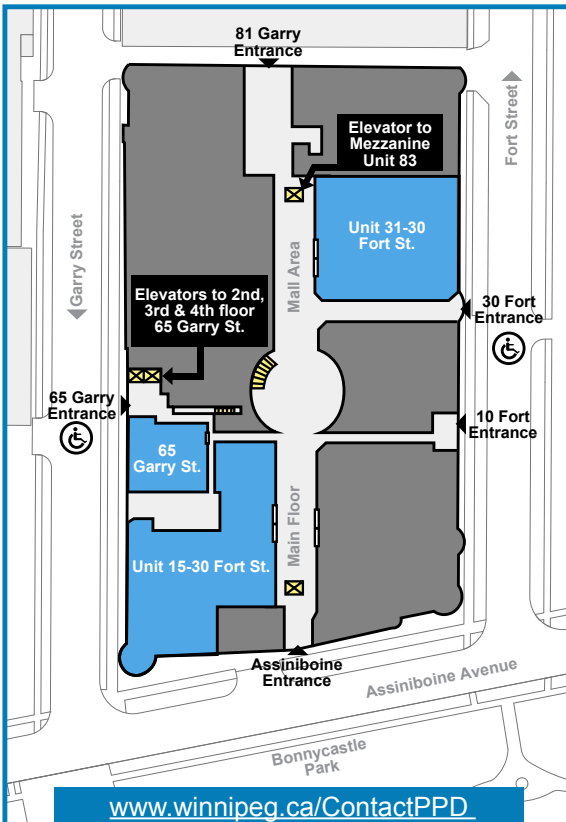
- Public engagement is an important part of the planning and development process. Receiving input from community stakeholders at the appropriate time is fundamental to the success of any project.
- The type of public consultation to be conducted (e.g. door to door canvassing, open house, or town hall format) is determined by the applicant and should take into account the nature of the proposal as well as the scope of the impact on other properties. If you have questions about what type of public consultation is best for your project, contact the District Planner.
- If you decide to host an open house, please refer to the Public Open House Guidelines on our website.
- When submitting a formal application, please include a written summary of the results of the public consultation containing at a minimum, the following:
 1. Number of people consulted as well as their addresses;
 2. Copies of all letters and other written communications received;
 3. If an event is held: a list of attendees, including names, addresses and phone numbers (where provided voluntarily);
 4. If an event is held: how people were notified of the event (i.e. newspaper advertisement, flyer in mailbox, etc.);
 5. A letter of response outlining how all the concerns and issues raised by the public were addressed.

Contact Information

To submit an application, contact the **Zoning and Permits Branch** at 204-986-5140. They will provide advice on whether your proposal complies with zoning regulations and relevant City plans.

Contact the **Urban Planning & Design Division** at 311 for planning advice on the subdivision as it relates to orderly development.

Contact the **Land Development Branch** at 311 for an explanation of the overall development application's review and approval process which they manage and coordinate on behalf of the City. They can also direct you to any other stakeholders you should consult.





For more information contact:

204-986-5140

or



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