

LAC DU BONNET PLANNING DISTRICT

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SUBDIVISION PROCESS

The first step of the subdivision process is to determine the designated land use for the property you want to subdivide. You can do this by attending or calling the Lac Du Bonnet Planning District. Please ensure that you know the legal description of the property you wish to subdivide.

If the land is not designated for the subdivision you are proposing, an amendment to the Development Plan will be required. At this time the zoning of the property will also be determined. If the property is not properly zoned, a zoning by-law amendment is required. Please contact the Lac du Bonnet Planning District for amendment fees.

Development Plan Amendment:

- i) Make application to the Lac du Bonnet Planning District.
- ii) The application will be taken to the District Board and if they agree with your proposal they will request the necessary by-law for amendment be prepared. Once by-law is received first reading will be given by the District Board at the next Planning Meeting. Three readings are required to adopt a by-law.
- iii) Once the by-law is given first reading, a public hearing must be held. To meet the requirements of the Planning Act, notice of the public hearing will be advertised in the local paper, posted on the property, posted in public places, sent to adjacent property owners within 300 feet as well as the Minister and adjacent municipalities and planning districts. At the public hearing the District Board will hear any representation and then decide to proceed or not to proceed with the amending by-law.
- iv) If the District Board decides to proceed, the by-law will then be given second reading and forwarded to the Minister of Intergovernmental Affairs for approval. The Minister can approve the by-law if there are no objections. If there are objections then a Municipal Board Hearing will be required before the Minister can approve the by-law.
- v) Once the Minister sends a letter to the District Board regarding the by-law, it can then be given third reading at the next available District Board Meeting. After third reading is given the by-law will be advertised that it has been approved.
- vi) This can take 7 – 9 months.

Zoning By-Law Amendment:

- i) Make application to the Lac du Bonnet Planning District.
- ii) The application will be given to the municipality and if they agree with your proposal they will request the necessary by-law for amendment be prepared. Once by-law is received, first reading will be given by the Council of the municipality. Three readings are required to adopt a by-law.
- iii) Once the by-law is given first reading, a public hearing must be held. To meet the requirements of the Planning Act, notice of the public hearing will be advertised in the local paper, posted on the property, posted in public places, sent to adjacent property owners within 300 feet as well as the Minister and adjacent municipalities and planning districts. At the public hearing the Municipal Council will hear any representation and then decide to proceed or not to proceed with the amending by-law.
- iv) If the Municipal Council decides to proceed, the by-law will then be given second and third readings and forwarded to the Planning District who in turns forwards it to the Minister. If there are objections then Council can only give second reading and the by-law must be forwarded to the Lac du Bonnet Planning District, who will then hold another public hearing before issuing a Board Order concerning the by-law.
- v) Upon receipt of the Board Order, Council can then give third reading.
- vi) This can take 3 – 5 months.

NOTE: The process for the Development Plan Amendment and the Zoning By-Law Amendment can overlap, but the Development Plan Amendment must be adopted prior to the zoning amendment.

Variation & Conditional use Applications

Once the zoning is in place, in some cases you may have to vary lot requirements, or obtain a conditional use permit. Application can be made at the Lac du Bonnet Planning District.

1. **Subdivision 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 8: please obtain a date stamped copy of your Certificate of Titles(s) from Winnipeg Land Titles Office, 276 Portage Avenue. The subdivision regulations specify that the date stamp must be within 30 days of the date of subdivision application. Section 8 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 Officer.

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 R.M., surveying of the property by a Manitoba Land Surveyor, entering into an easement agreement with Hydro/MTS and/or a development agreement with the R.M., and the payment of lot fees to this Board. Once all conditions have been met, the municipality notifies the Lac du Bonnet Planning District by way of a letter that all conditions have been met.

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 application fee, 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: \$250.00 for every lot created.
- 2) Your municipality/town will charge a dedication fee per lot.
- 3) If your property must be surveyed, it is required that it be done by a Manitoba Land Surveyor.
- 4) Your municipality/town may require a drainage plan to be prepared by a qualified engineer.
- 5) A fee if required for any zoning variations or if a Conditional Use is necessary for each lot created.
- 6) Land Titles Office charges registration fees.
- 7) Any amendments to subdivisions are at a cost of \$300.00.
- 8) Extensions to Conditional Approvals are \$300.00.
- 9) Extensions to Certificate of Approvals are \$300.00.
- 11) There may be a fee for any legal, engineering and other consulting services if required.

Whenever a subdivision application is revoked or voluntarily withdrawn after the subdivision report has been submitted to Council, there shall be NO refund.

SUBDIVISION APPLICATION PROCESS CHECKLIST

We require the following items to be completed before the application will proceed:

- **All sections of application completed**
- **Application signed by all landowners**
- **Sketch map including:**
 - **Dimensions for land parcels**
 - **Location of buildings on site and distances between these buildings and site lines**
 - **Identify hydro poles on or abutting property**
 - **Identify driveway connections**
 - **Identify location of septic fields to proposed property lines**
- **Date stamped copy of your Certificate of Title(s) from Winnipeg Land Titles Office (include copies of easements, rights-of-way and caveats)**

**LAC DU BONNET
PLANNING DISTRICT**

Phone (204) 345-6724 Fax 345-6716

P.O Box 309, Lac du Bonnet, MB R0E 1A0

**Application for
Approval of Subdivision**

Under The Planning Act

To subdivide land in Manitoba (outside the City of Winnipeg) send this completed form along with the other required information to the appropriate subdivision approving authority. The brochure "A Guide to the Subdivision Process in Manitoba" has a map that shows the Community Planning Services Branch regional office or the planning district responsible for reviewing subdivisions in your area.

Applications which are not complete will be returned. If you need help completing this form, or if you have any questions regarding subdivisions, contact the appropriate office as mentioned above. Please print.

1. APPLICANT(S) (Person(s) making the application and to whom correspondence should be addressed)

Name(s) _____
Attention _____ Your File No. _____
Mailing Address _____
Postal Code _____ Telephone (where you can be reached during the day) _____
Are you the registered owner? Yes. Please go to question 3.
 No. Please go to question 2.

2. REGISTERED OWNER(S)

Name(s) _____
Mailing Address _____
Postal Code _____ Telephone (where you can be reached during the day) _____

I/We, the registered owner(s) of the subject land, hereby authorize the above named applicant(s) to prepare and submit this application on my/our behalf:

Signature(s) _____ Date _____
_____ Date _____

3. LOCATION AND GENERAL DESCRIPTION OF LAND TO BE SUBDIVIDED

Name of Municipality _____ Name of Community _____
Street Address (if any) _____
Lot or Parcel No. _____ Block No. _____ Plan No. _____

Part of the NW NE SW SE 1/4 of Section _____ Township _____ Range _____ East West
of the Principal Meridian

OR,

River Lot No. _____ Parish or Settlement _____

4. LAND USE (Check appropriate boxes and describe as indicated)

a) What is the land to be subdivided presently used for?

- Agriculture Residential Seasonal Recreation (Cottage)
 Commercial Industrial Other

Describe present land use in more detail: _____

4. LAND USE (continued) ...

b) Are there any existing buildings on the land described in the certificate(s) of title? Yes No

Indicate the general location and use of all buildings on your sketch map or attach a surveyor's building certificate.

c) What is the intended use of the proposed lot(s) or parcel(s)?

- Agriculture Residential Seasonal Recreation (Cottage)
 Commercial Industrial Other

Describe the intended use in more detail _____

d) What is the physical nature of the proposed lot(s) or parcel(s)?

- Wooded/Treed Cultivated Pasture
 Hilly Level/Flat Low/Swampy

Adjacent to a Lake, River or Creek

Describe the physical nature in more detail _____

e) Are any of the following located within 1.6 km (1 mile) of the proposed lot(s) or parcel(s):

- Livestock Operation Waste Disposal Ground (in use or inactive)
 Sewage Lagoon Airport
 Historic Site or Structure Gravel Pit or Quarry (in use or inactive)

If any of these uses are within 1.6 km (1 mile), indicate direction and approximate distance, type and size of operation (if known): _____

f) Has any part of this land ever been flooded (if known)? Yes No

If yes, describe _____

5. SERVICES (Check appropriate boxes and describe as indicated)

a) SEWAGE DISPOSAL

Existing: Municipal Sewer Holding Tank Septic Field Ejector Other

Proposed: Municipal Sewer Holding Tank Septic Field Ejector Other

b) WATER SUPPLY

Existing: Piped Water Community Well Individual Well Cistern Other

Proposed: Piped Water Community Well Individual Well Cistern Other

If you answered 'Other' to any of the above, please describe: _____

Show the location of any existing or proposed septic field, ejector system or well, and the approximate distance of the facility to property lines and buildings on your sketch map.

c) ROADS

Is there public road access to the proposed lot(s) or parcel(s)? Yes No

Is there an existing driveway to the property? Yes No

Is there an existing driveway to the proposed lot(s) or parcel(s)? Yes No

Do you propose to build a new driveway connection onto any of the following:

- Provincial Trunk Highway Provincial Road Municipal Road

Show existing and proposed driveways and roads on your sketch map.

d) DRAINAGE:

How will the proposed lot(s) or parcel(s) be drained?

- Natural Ditches Curb and Gutter Storm Sewer

Do you propose to discharge surface water into a provincial highway ditch or a provincial waterway? Yes No


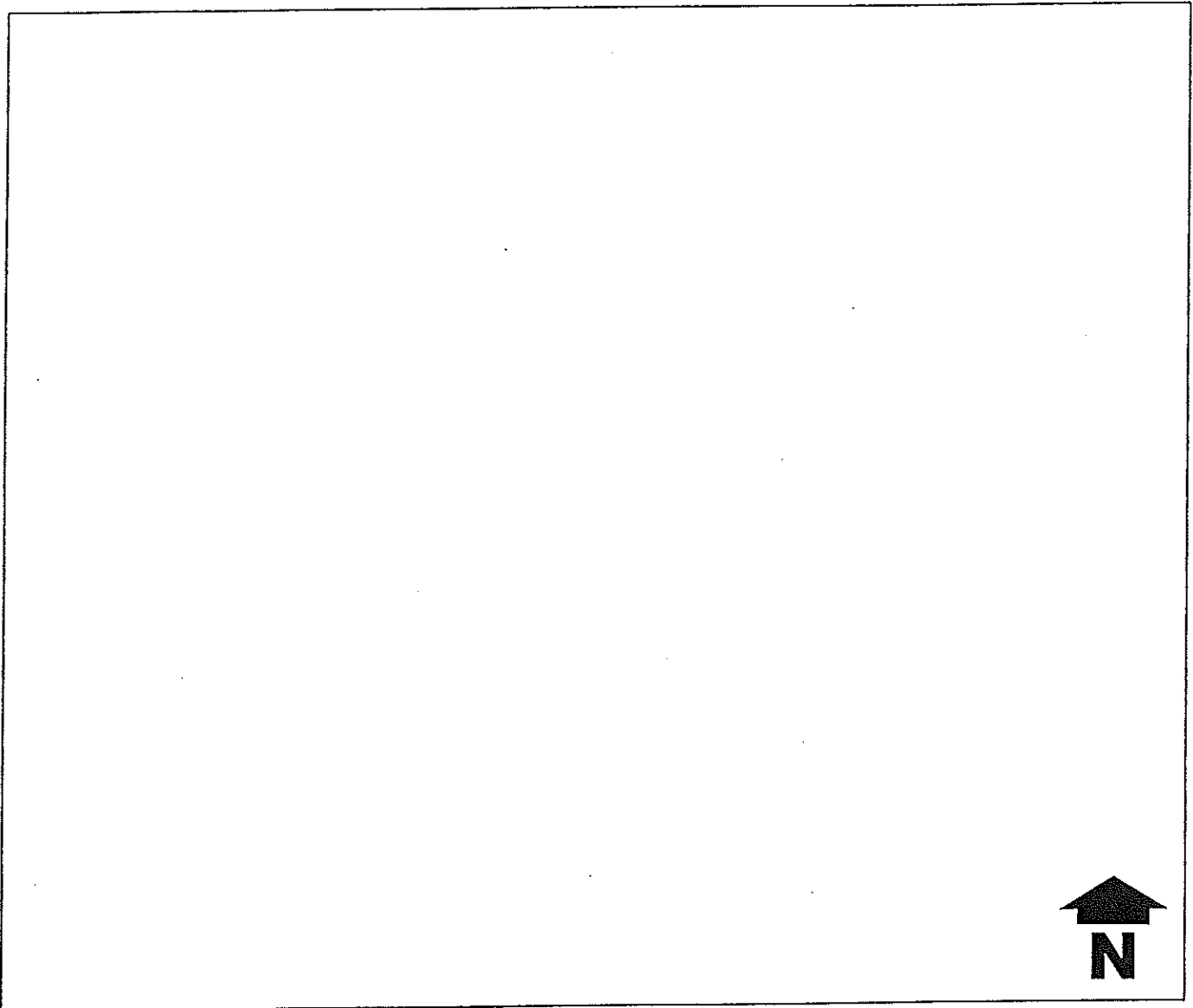
Show drainage courses on your sketch map.

6. SKETCH MAP

Draw a sketch map of your proposed subdivision to scale in the space below including the following information and features:

- a) Show all land described in the certificate(s) of title and all proposed lots or parcels. Clearly indicate which parcel(s) you are proposing to transfer, and show all existing and proposed dimensions and distances;
- b) Identify and label all existing and proposed structures and features on the lands described in the certificate(s) of title and in the immediate vicinity, including:
 - buildings, roads (including road name or number) and existing and proposed driveway connections;
 - hydro/telephone/gas lines (including poles and towers), railways, pipelines;
 - lakes, rivers, creeks, ditches, swamps, low areas, drainage courses, wooded areas, ridges;
 - gravel pits, quarries, livestock operations, air strips, waste disposal grounds, sewage lagoons, tanks, wells, septic fields, sewage ejectors.
- c) Indicate uses of all land shown on your map.

If your proposal is for 5 lots or more, contact the Planning District Board to determine what additional information may be required.



7. REASON FOR APPLICATION AND OTHER COMMENTS

Indicate the reason(s) for making this application, and provide any other information or comments you believe relevant. (Attach extra sheets if more space is required.) _____

8. OTHER REQUIREMENTS

- a) A fee of \$500 shall accompany this application. If this Application is approved, an additional fee will be charged for each new lot created. Please make cheques payable to the Lac du Bonnet Planning District.
- b) A **currently dated** (within 30 days) Land Titles status of title or photocopy of certificate of title (with photocopies of any certificates transferred out); or deed and a copy of the abstract; shall accompany the application.
- c) You may be required to provide additional information that the approving authority needs to make a decision; e.g. copies of caveats, surveyor's certificate, engineering information, etc.

9. APPLICANT(S) SIGNATURE

I/WE CERTIFY that the information provided on this form and attached hereto is full and complete and is, to the best of my/our knowledge, a true statement of the facts concerning this proposed subdivision:

Signature(s) _____ Date: _____

Signature(s) of Applicant(s)

<p>FOR INTERNAL USE ONLY</p> <p>File No. _____</p> <p>Date accepted as complete _____</p> <p>Planning District Name and No. _____</p> <p>No. of Additional New Lots _____</p> <p>Consolidation <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Date Application Received</p>
<p>Proposed <input type="checkbox"/> UR <input type="checkbox"/> RR <input type="checkbox"/> FR <input type="checkbox"/> C</p> <p>Use: <input type="checkbox"/> I <input type="checkbox"/> SR <input type="checkbox"/> A <input type="checkbox"/> O</p>	

PARCEL SIZES	
Existing Title(s) _____	Area _____ Dimensions _____
Proposed Lot(s) _____	Area _____ Dimensions _____
Residual Parcel(s) _____	Area _____ Dimensions _____
Certificate of Title No.(s) _____	Roll No.(s). _____

<p style="text-align: center;">DEVELOPMENT PLAN</p> <p>Plan adopted <input type="checkbox"/> Yes <input type="checkbox"/> No Designation _____</p> <p>Appears to Conform <input type="checkbox"/> Yes <input type="checkbox"/> No (Sec. No. _____)</p>	<p style="text-align: center;">Additional Comments/Information</p>
<p style="text-align: center;">ZONING</p> <p><input type="checkbox"/> Z.B.L. <input type="checkbox"/> P.S. <input type="checkbox"/> No Zoning</p> <p>Zone _____ Min. Area Req'd _____</p> <p>Min. Width Required _____ Permitted Use <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Appears to Conform <input type="checkbox"/> Yes <input type="checkbox"/> No (Sec. No. _____)</p> <p><input type="checkbox"/> Variation Req'd <input type="checkbox"/> Cond. Use Req'd. <input type="checkbox"/> Amendment Req'd.</p>	
<p style="text-align: center;">SUBDIVISION REGULATIONS</p> <p>Appears to Conform <input type="checkbox"/> Yes <input type="checkbox"/> No (Sec. No. _____)</p>	