

Before proceeding, it is a good idea to review the Provincial guidelines for subdivisions:  
[https://www.gov.mb.ca/mr/land\\_use\\_dev/pubs/guide\\_subpr.pdf](https://www.gov.mb.ca/mr/land_use_dev/pubs/guide_subpr.pdf)

## Background

As the registered property owner, if you want to divide an individual parcel of land into two or more properties, you will need to apply for a subdivision. The most common type of subdivision is a standard subdivision, which is any division of land creating two or more additional lots. However, in some cases where an individual parcel of land is being “split” to create one additional lot, it may be considered a minor subdivision if the District decides it meets the applicable development criteria.

## Approval Roles



Departments and Agencies review standard applications and identify potential conditions.



The District receives the application and prepares a report recommending approval or rejection to Council, in addition to acting as final approving authority.



The RM Council decides to approve or reject the application based on the above inputs and local policies.



If new roads are part of the subdivision application, a public hearing must be held.

## Contents of a Subdivision Application Map

A subdivision application map (SAM) is required to show the proposed subdivision and key physical features of the property and surrounding area. To ensure all information is accurate, the SAM must be prepared by a licensed Manitoba land surveyor. At a minimum, a SAM must include the following information to be considered a complete part of your subdivision application:

- Legal survey and contextual description of the subject lands.
- Proposed lot dimensions and area.
- Location of all existing buildings and structures, labelled according to use.
- Location of any existing driveways and current access points.
- Location of existing underground utilities.
- Location of existing and proposed roads providing access to proposed lots, including dimensions.
- Location of any easements and proposed public reserves.
- Location of onsite wastewater management systems and distance to proposed lot lines.
- Location of well(s), if applicable.
- Location of existing trees and major water bodies.
- Summary table of proposed lots, roads, and public reserves, including area totals.

## Common Conditions for Subdivision Approval

Receiving conditional approval for your subdivision application means a series of requirements still need to be satisfied before the District can issue a Certificate of Approval. Applicants have up to two (2) years to address the conditions but can request a one (1) year extension, if needed. These conditions can be onerous and should be planned for accordingly, but they are necessary to ensure development is carried out in an orderly, safe, and sustainable manner. As such, applicants should be aware that common conditions include, but are not limited to the following:

- Pay all applicable fees, levies, and taxes.
- Provide a Landscaping and Tree Planting Plan prepared by a qualified professional.
- Provide a Drainage Plan, Lot Grade Plan, Traffic Impact Study, Geotechnical Report, Municipal Servicing Plan, and/or Transportation Plan, all prepared by qualified professional engineers. >>>>>>>>
- Make changes to plans in response to comments received from Provincial departments and agencies, the District, and/or the RM.
- Enter into a right-of-way agreement with Bell MTS Inc.
- Enter into an easement agreement with Manitoba Hydro, drafted and submitted by a lawyer.
- Provide confirmation that community mailboxes comply with Canada Post standards.
- Hold a public hearing if the proposed subdivision will result in the creation of a new public road.
- Obtain an Access and Development Permit from Manitoba Infrastructure.
- Obtain a License to Construct Water Control Works from Environment, Climate and Parks Manitoba.
- Obtain a zoning amendment, conditional use, variance order, and/or other necessary development approvals.
- Dedicate lands for public roads, municipal services, public reserve (or provide cash in lieu), schools, heritage conservation, or hazard protection (e.g. riverbank erosion, flooding, etc.).
- Enter into a Development Agreement with the RM.

The need for special studies and reports is often related to the nature and complexity of the project. Development proposed in proximity to the following special areas is more likely to require these types of supporting materials:

- Assiniboine River
- Provincial Highways
- Ross Creek
- Beaudry Provincial Park
- St. François Xavier Airport

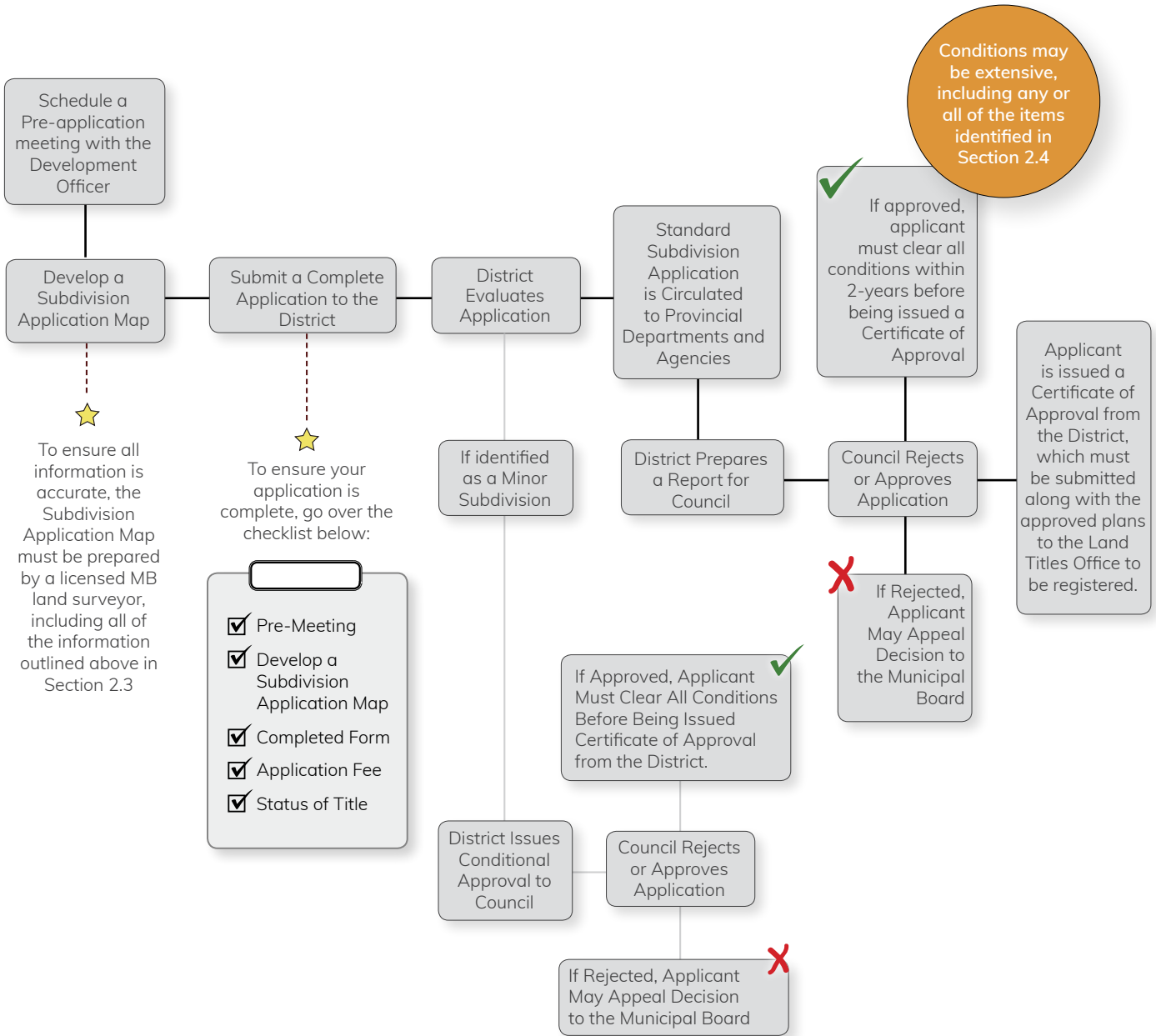
## Terms of a Development Agreement

As provided for under *The Planning Act* of Manitoba, the applicant may be required to enter into a Development Agreement with the RM as a condition of the subdivision approval. The terms of a Development Agreement would typically deal with the following matters:

- The use of the land and any existing or proposed buildings and structures.
- The timing of development within the subdivision plan area, including the construction of any features described below, as well as the transfer and occupation of proposed lots.
- The construction and maintenance – at the owner’s expense or partly at the owner’s expense – of features including sewer & >>>>>>>> water, waste removal, drainage, public roads, connecting streets, street lighting, sidewalks, traffic control, access, connections to existing services and landscaping.
- The siting and design of any proposed buildings and structures.
- The method and extent of excavation, tree and/or vegetation removals, and lot grading.
- The dedication of land for public reserve purposes.

Features must be consistent with the Municipal Standards outlined in Schedule A.

# Process Summary



## Schedule A Municipal Standards

All sanitary sewer and water works shall conform to the Manitoba Water Services Board Construction Specifications.

All Surface Works and Land Drainage Sewers shall conform to the St. François Xavier Standard Construction Specifications.

Any conflict between the two resources identified above should be brought forward to the Municipal Engineer for clarification.

Notwithstanding the above, specifications specifically for fire hydrant spacing and street light locations in the RM shall be in accordance with the following:

### Fire Hydrant Spacing

- Fire hydrants shall be constructed and installed at locations having a maximum spacing of one hundred and twenty (120) meters with overlapping seventy-five (75) meter radii for coverage, which is to be completed in accordance with applicable design and construction standards, subject to a satisfactory inspection by the Municipality prior to connecting to the Municipal water system.

### Street Light Locations

- Street lights shall be required at all street intersections and community mailboxes, as well as any other locations identified by the Municipality to improve the safety and functionality of new developments, which is to be completed in accordance with applicable design and construction standards, subject to a satisfactory inspection by the Municipality prior to transferring responsibility.

Subdivisions that are more complex than a two lot split require a stormwater management plan that limits the post development storm water flows to the pre-existing conditions. The **c value** for the site is to be determined by the developer's engineers and approved by the Municipal Engineer.

## Schedule B Tips for Using the RM Zoning By-law

The Zoning-Bylaw regulates the use, size, height, and location of buildings and structures on properties within the RM. In order to determine how these regulations apply to a specific property in the RM, the four-step process outlined below can be followed to obtain the information you need.

### Step 1 – Identify the Applicable Zoning District

- Use the **Zoning Map** to determine which zoning district applies to your property.
- Review the intent of that zoning district outlined in **Parts 4-8** of the RM Zoning By-law.
- Review the land use and development policies in the **White Horse Plains Planning District Development Plan** and the **St. François Xavier Settlement Centre Secondary Plan**.

### Step 2 – Identify Permitted and Conditional Uses in the Zoning District

- Review the **Use & Bulk Table** for the zoning district applicable to your property.
- Uses marked with the letter '**P**' are permitted and may be developed once you have a permit.
- Uses marked with the letter '**C**' are conditional and subject to the Conditional Use process.
- Uses that have special requirements are also identified in the Use & Bulk Table and described in **Part 9 (Rules for Specific Uses)** of the Zoning By-law.

### Step 3 – Identify How Your Property can be Developed

- Refer to the **Use & Bulk Tables** providing information on building heights, sizes, and required yards, as well as other site development requirements.
- Review **Part 2 (General Regulations Governing Uses)** of the Zoning By-law for details applicable to all development.
- Reference **Part 12 (Definitions)** which explains terms and uses referenced in the Zoning By-law.

### Step 4 – Identify the Permits Required to Proceed

- In most cases, you will require a **Building / Development Permit** before you can develop your property, but when in doubt you should contact the Municipal Office prior to proceeding.
- You are responsible for finding out any other **provincial or federal regulations** applying to your development, as well as any **other permits** you are required to obtain from the RM.
- Consult with Municipal staff for further information on development approval requirements for your project.