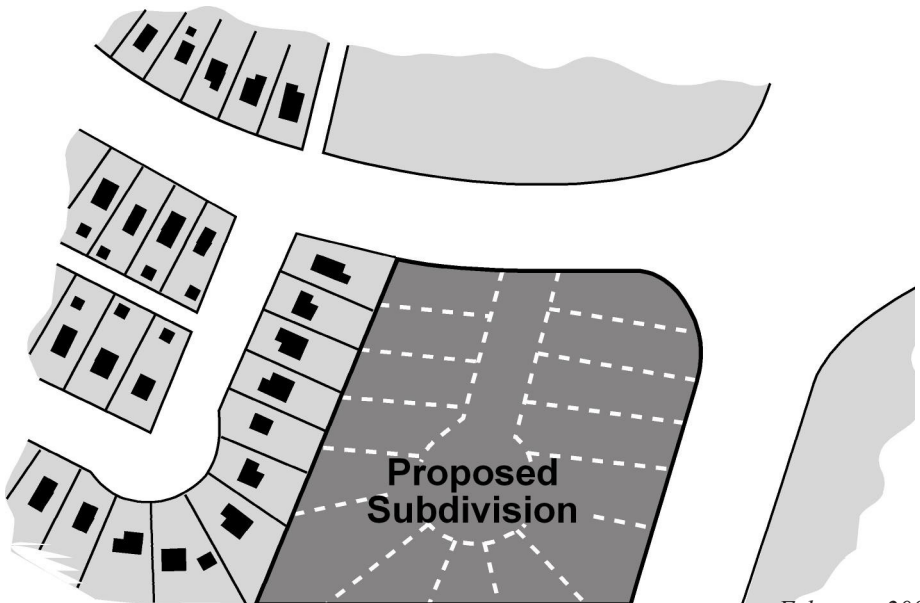




PLANNING, PROPERTY
AND DEVELOPMENT
DEPARTMENT

Long-Form Subdivision Applications (DASZ / DAS)

Application procedure for subdividing property where a new public street or lane is being created and/or a zoning change is required.



February 2008

These types of applications are a longer process due to required Council approval.

What is a Plan of Subdivision?

A Plan of Subdivision is a legal document prepared by a Manitoba Land Surveyor and registered in the Winnipeg Land Titles Office. Commonly referred to as “mylars”, the plan shows:

- the precise boundaries and dimensions of a lot or lots each of which can be sold or leased;
- 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.

A Plan of Subdivision does not identify the location of existing buildings.

What are “Long-Form” Subdivision Applications?

When you wish to subdivide land into lots in order to sell one or more of them, you must first receive approval from the City of Winnipeg. There are several different types of applications:

1. If your proposed plan of subdivision creates new lots and requires a zoning change but does not create any new streets or lanes, it must be dealt with under what is referred to as a **DASZ** (Development Application Subdivision and Rezoning).
2. If your proposed Plan of Subdivision requires a zoning classification change or rezoning (for example, the land is zoned “A” Agricultural District and you require a rezoning to an “R1” Single-Family District to establish lots for single-family development) and includes the creation of new public streets and/or lanes, it also must be dealt with under what is referred to as a **DASZ** (Development Application Subdivision and Rezoning).
3. If your proposal includes a subdivision and the creation of new streets without a zoning change (for example you wish to develop single-family homes and the land is currently zoned “R1”) it is dealt with under the “Long-Form Subdivision” process and referred to as a **DAS** (Development Application Subdivision).

How do I make an application for my proposed Plan of Subdivision?

Your application must be made with the Zoning and Permits Branch at Unit 31 – 30 Fort Street. The present fee for a Long Form Subdivision Application can be found in the Development Fees By-law.

You will also be required to submit the following documents:

1. **6 copies - Current Status of Title**, available from the Winnipeg Land Titles Office, 276 Portage Ave. at Smith St.
2. **6 copies - Letter of Authorization** from all the registered owners of the land whose name(s) appear on the title.
3. **6 copies - Current Building Location Certificate**, prepared by a Manitoba Land Surveyor.
4. **1 copy - Title Plot** – Required when there is more than one title affecting the property. The titles are plotted on a map to ensure that all lands described on the titles have been received.
5. **6 copies – Plan of Subdivision**, showing the proposed lots including lot lines, lot dimensions, lot width and area, and labeling (i.e. “Proposed Lot 1”) with no buildings.
6. **6 copies - Plans of Development** including a detailed, fully-dimensioned site plan with buildings, drawn to scale, maximum size 11” x 17”. (Larger maps may be submitted for presentation purposes as additional information only.)

A site plan shall include the following items if applicable:

- A boundary survey showing: the total acreage, present Zoning classification(s), date, north arrow, and vicinity map;
 - All existing easements and rights-of-way
 - Parking and loading areas
 - Proposed and existing screening, including walls, fences, or planting areas, as well as treatment of any existing natural features and any proposed buffers or landscaped yards at the project boundary.
 - Generalized information as to the number, height, size, or in especially critical situations, the location of structures;
 - Proposed phasing, if any, and approximate completion time of the project;
 - Site plan must be titled with project plan and proposed use;
7. **1 copy - City of Winnipeg Caveats** (if applicable) that are registered on the title.
 8. **Letter of Intent** (proposed use of land and structures)
 - for residential uses this shall include the number of units and an outline for the area within which the structures will be located;
 - for non-residential uses, this shall include approximate square

footage of structures and an outline of the area within which the structure will be located.

DO NOT have the subdivision mylars prepared at this stage.

They are expensive and work should not commence on the mylars until you have received notification from the City Clerk advising that City Council has approved your application.

How is my application processed?

When your application is received, it is first assessed for conformity to adopted By-laws and Zoning:

- If your application does not conform to adopted by-laws, you would be advised that an application for an amendment to that by-law is required before your subdivision could be referred for approval.
- A Zoning Officer will determine if your proposal conforms to the relevant Zoning regulations. If a Variance of the zoning regulations is required it would have to be approved at some point before your subdivision could be finalized.
- The Planner will provide advice on the application including changes that might be recommended as being desirable and/or necessary to gain approval.

Your application would next be circulated to public utilities and other civic departments for review and comment as to what conditions may be necessary for approval of your subdivision.

Required conditions may include:

- the public street and/or lane bordering your property may require upgrading and underground services may need to be extended to allow development to take place on your proposed lots;
- new public streets and/or lanes within your proposed Plan of Subdivision will need to be constructed to current City standards, the costs for all or part of which you may be responsible.

Your application would then be reviewed by a committee of City officials known as the Administrative Coordinating Group or “ACG”. The ACG can recommend amendments to your plan, conditions to be set on the approval, or that your proposal be denied. You will have the opportunity to discuss the recommendations of the ACG with the appropriate City staff members.

After considering the position of the ACG and/or Planner, you would have the opportunity to either request that your application be withdrawn or that it be further processed.

In the event that you wish to proceed with your application, your proposed Plan of Subdivision would be advertised for a public hear-

ing 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, 14 days clear of the day of the public hearing. You are responsible for the full costs of the newspaper advertising.

The Chairperson of the ACG and the Planner each prepare a report with recommendations which are submitted to the applicable Community Committee. You or your representative may wish to appear at the public hearing 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.

The Community Committee, after hearing all representations made at the public hearing, forwards its recommendations to the Standing Policy Committee on Property and Development which in turn forward their recommendation onto Executive Policy Committee (EPC). EPC then forwards it to Council, which is the final approval authority.

Once your application has been adopted by Council, you will be advised of the conditions to be fulfilled in order to obtain final approval and plan registration. These conditions may include any or all of the following:

- construction of municipal services such as roads, watermains, etc.;
- dedication of land for public open space or cash in lieu;
- construction of special land drainage facilities;
- provision of easements in favour of the City;

all of which may be embodied in a Servicing or Development Agreement between you and the City to ensure that the works are carried out to City specifications.

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, among other things, that all buildings 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.

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

Building Permits for individual lots will not be issued until the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

Council approval may include time restrictions for completion (usually 2 years to have a by-law prepared). If an extension of time is required, your application would be reviewed to determine if circumstances affecting the application have changed. Payment of an extension of time application fee is required.

When does my Plan of Subdivision receive final approval?

Not until a “sworn to” plan prepared by a registered Manitoba Land Surveyor is submitted and the subdivision/rezoning by-law is prepared. Concurrently, any related Zoning, Servicing and Development Agreements are prepared and the necessary signatures are secured.

When can my Plan of Subdivision be registered and work begin?

After adoption by Council of the by-law and all the necessary agreements have been executed and all monies paid, the “mylars” will be released for registration.

Following the posting of securities required under the Development Agreement to guarantee maintenance warranty and Builders’ Liens you can then proceed with the installation of the physical improvements in your subdivision and go ahead with finalizing the sale of your lots.

How long does the Long-Form Plan of Subdivision approval process take?

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

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



This booklet is published by the Planning, Property and Development Department for the City of Winnipeg. For more information please contact:

Zoning & Permits Branch
204-986-5140

or



Winnipeg
at your service.

City of Winnipeg
Planning, Property and Development Department
Unit 31 – 30 Fort Street
WINNIPEG, Manitoba
R3C 4X7

www.winnipeg.ca/ppd