



A Comprehensive Guide To Subdividing Land In The Rm of Ste. Anne

Development Department

RM of Ste. Anne

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What Is a Subdivision?

A subdivision is the splitting of a parcel of land described on a Certificate of Title. A subdivision occurs 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.

Who Can Apply?

The registered owner(s) of the land can apply for a subdivision. However, they may also appoint someone to apply on their behalf, such as a developer or family member. The applicant will need written permission from the registered owner to apply.

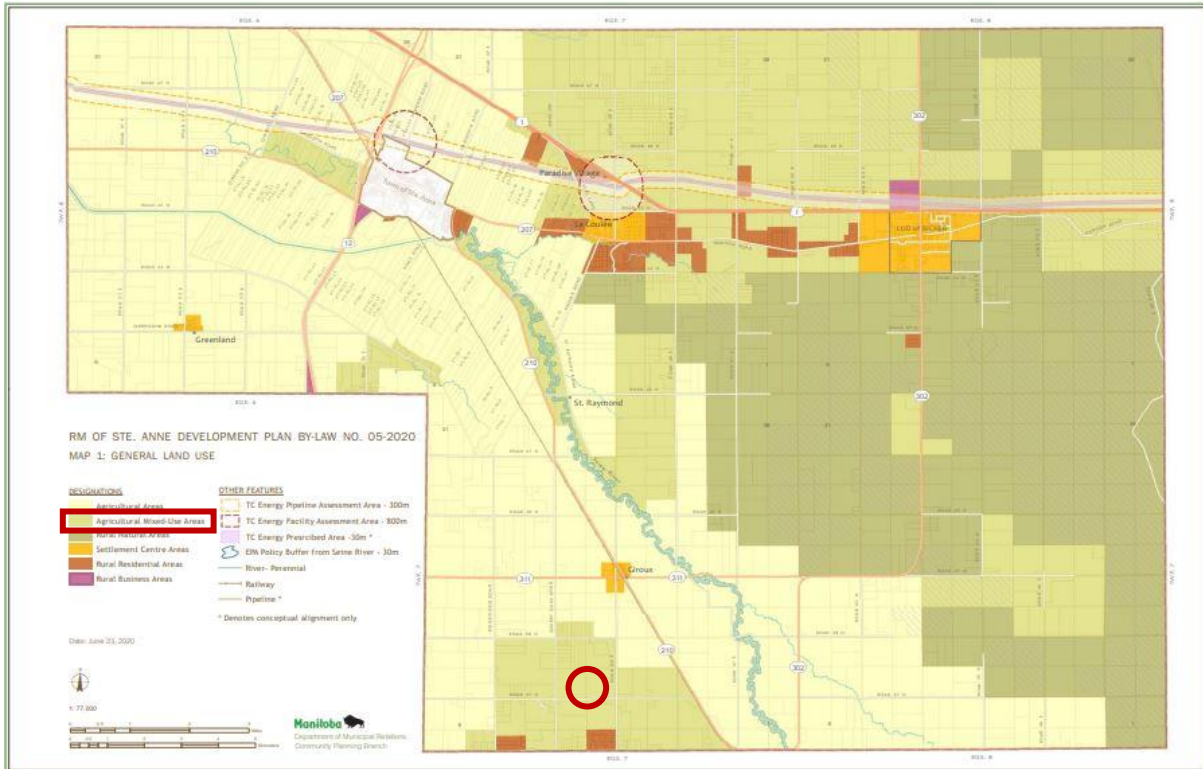
Can I Subdivide My Property?

Prior to submitting a request for subdivision, it's crucial to ascertain if you have the ability to divide your own property or a property you intend to buy. We encourage applicants to talk to a planner in Community planning Steinbach Branch before proceeding with an application. The ability to subdivide will be determined by the Municipal land use policies, the Development Plan and the Zoning By-law.

Before making any application, you must first have the answer to the question:

What is the property designation? Please refer to our Development Plan By-law #05-2020. Once you've figured out the designation, the Province and/or the Municipality can then check if the property can be split up following the guidelines laid out in the Development Plan.

Below is an example where you can find your property on the map, and based on given color find the property designation in the legend. After that you can go to our Development Plan No. 5-2020 and find what uses and what kind of subdivision is allowed for your property.



Making an Application:

All subdivision applications in the RM of Ste. Anne are made with the Community and Regional Planning Branch office in Steinbach, Manitoba. **We encourage applicants to talk to a planner in Community planning Steinbach Branch before proceeding with an application.**

Steinbach
 240-323 Main Street
 Steinbach MB R5G 1Z2
 Phone: 204-346-6240
 Email: steinbachcrp@gov.mb.ca

How much Is Creating the Application Cost?

- Province Application Fee (does not include the Municipal Application fee)
- Municipality Application Fee ([Fees and Charges By-Law](#))
- Subdivision Application Map fee (for survey)

When the Municipality receives the application from the Province of Manitoba, we contact the applicant to make payment. We require the applicant to pay prior to our staff reviewing the file or Council making a decision. Payment can be made to the RM of Ste. Anne either by cheque, debit, cash, credit card, or e-transfer.

Who Approves My Subdivision?

Subdivision files need both provincial and municipal approval. During municipal approval depending on the type of application, the Council, or the Designated Officer and CAO make decisions about your application. Also, depending on the type of application, it may need a public hearing and/or notice of subdivision to be sent to surrounding properties.

If Council approves the subdivision, the Provincial approving authority will be notified, and they may then issue a conditional approval letter and send it to the applicant. If Council approves the application despite outstanding objections from any government department or agency that cannot be resolved, the provincial approving authority may still reject the application.

What is the Public Hearing and Notice of Subdivision Process?

For most subdivisions, we send out a Notice of Subdivision, where we send a letter to all neighboring property owners within 329 feet (100 meter) of the property being subdivided. Neighbors in that area have the opportunity to share their comments, concerns or support in writing back to the Municipality. These comments are taken into consideration by Council when considering approval of the application.

When a subdivision creates a new Public Road, a formal Hearing is held. Then a Notice of Hearing is sent to all neighboring property owners within 329 feet (100 meter) of the property being subdivided with instructions to the recipients on how to participate and have their voices heard prior to the decision being made by Council.

Subdivision Approval Process Summary

Subdivision Type	Notice Required	Municipal Decision Maker
Minor	n/a	Designated Officer & CAO
Re boundary/realignment (No new Lot created)	n/a	Council
With new Public Road	Notice of Hearing	Council
Any other	Notice of Subdivision	Council

What is the Next Step After the Municipality's Decision is made?

When council makes their decision about the subdivision application, they may choose to add some conditions to the application in their resolution. The Municipality emails the council resolution to the Province of Manitoba's Community Planning Branch who will prepare the letter of conditional approval that will be sent to the Owners, the Applicants, the Municipality, and all other authorities having jurisdiction.

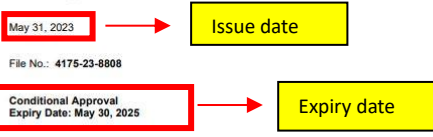
Once you receive the email of Conditional approval from Community planning, this letter includes all municipal and provincial conditions, among others that must be completed before the subdivision can be truly and completely "approved". The Conditional approval letter has a 2-year expiration deadline for these conditions to be satisfied. You can apply for only a 1-year extension before the expiry date. To apply for an

extension, you need to contact Community planning and pay Conditional approval extension fee. If the applicant can't fulfill all conditions in the letter of conditional approval in the designated time, submitting a new application will be required. If you have any questions regarding municipal conditions, please contact the Municipal Office. For any questions regarding provincial approval, please contact the Province.



Municipal Relations

Community Planning
240 - 323 Main Street
Steinbach MB, R5G 1Z2
T 204-346-6240 F 204-346-7305
steinbachcrp@gov.mb.ca



Re: Proposal to Subdivide
Part of W. [redacted]
Being Lot [redacted]
RM of Ste. Anne
Registered Owners: [redacted]

Conditional Approval:

Your subdivision application has been conditionally approved as per the attached map.
In order to complete this subdivision and obtain a Certificate of Approval, you must provide this office with proof that all **Requirements and Conditions** listed below have been met. Your Certificate of Approval is then required to register your subdivision at Teranet Manitoba.

Please confirm the dimensions and location(s) of the proposed lot(s) on the attached map meet the intent of the proposed subdivision. Any revisions to the attached map may require an amended resolution from council and will be subject to a fee of \$200.00. Any fees referenced in this letter are payable to the Minister of Finance, and must be submitted to this office.

In this section, it is stated that the applicant can appeal any condition or revise their application, and the fee is also indicated.

Please direct questions regarding this letter to the Steinbach Community Planning office.

Validation Period:

This conditional approval is valid for **two years (24 months)** from the date on this letter. If you have not met all Requirements and Conditions by the expiry date this conditional approval will expire. If requested in writing, a single one-year extension can be provided for a fee of \$200.00.

Expiry date for conditional approval is 2 years, and it is mentioned that the applicant can apply for a 1-year extension, and the fee for the extension is also indicated.

What are the General Conditions That Normally Council Needs?

Any application has specific conditions depending on the nature of the application. Below are general conditions that **may** apply to the application. The conditions are dependent on the complexity of the application, location of the land, provincial comments, and use of land, among others:

1. **Engineered Plans:** The applicant may be required to submit a lot grade and/ or road and/or drainage plan, prepared by a professional engineer, showing elevations and the overall drainage patterns on the subject lands.

Lot Grading, Road, and Drainage plans should be according to [RM of Ste. Anne Municipal Service Standards](#) (this plan will be based on your subdivision application and future building locations, not only the current drainage onsite).

When contracting an Engineer, please ensure they are familiar with the most current RM of Ste Anne Municipal Standards.

If a Drainage Plan is required, a Plan of Easement for Drainage and Drainage Easement Agreement may also be required, which will need to be registered on the titles created by this subdivision.

2. **Plan of Easement:** This is a surveyor's drawing (map) showing the location of the area required to be accessed by a 3rd party in the future for a specific purpose such as for utility infrastructure, drainage ditches, pathways, or other such access within a development. A Plan of Easement may be required in conjunction with an easement agreement and is typically registered at the Land Titles Office in series with a Plan of Subdivision.

3. **Geotechnical Report:** The concept of a geotechnical report is to find the best method, material and standard for building roads and foundations of buildings, including safe elevations, and basement design recommendations, where advisable.

For more information, visit our [RM of Ste. Anne Municipal Service Standards](#); section 2.2.8

NOTE: After you provide us with documentation prepared by Engineers, the Municipal Engineer will review these to ensure they meet our standards, and will not negatively impact surrounding properties, impede municipal operations, or increase risks to future home owners, among others. This review process may take some time, and may require the Applicant's Engineers to revise plans if deficiencies or risks are found.

4. **Development Agreement:** An agreement between RM of Ste Anne and the applicant/future owners about conditions pertaining to the development. This can include instructions for the construction of any infrastructure required (roads, drainage, street lighting, utilities, walking paths, parks, etc.), requirements for insurance and securities, future building restrictions (such as minimum elevation, foundation styles, etc.), development restrictions on hazard or sensitive lands, easements, etc.
 - a. You may be required to provide security in the form of an irrevocable letter of credit (ILOC) if there is a requirement to construction or install any infrastructure or services. This means that **25%** of the total projected cost for your development, including engineering, materials, labor, etc., must be secured, with the Municipality being able to access these funds in the event the applicant defaults on the Development Agreement conditions. This requirement is outlined in the [RM of Ste. Anne Municipal Service Standards](#) and is intended to guarantee the construction is completed to municipal standards by the Applicant, or using Applicant funds (rather than taxpayer funds) in the event of default.

5. **Plan of Subdivision or Survey:** A legal plan (map) prepared by a registered Manitoba land surveyor that creates lots and blocks, and shows the dimension of the lots created, the location of the survey pins and markers, lot areas, and other relevant information required by the Land Titles Office for registration and generation of the new Titles.

6. **Variation Order and/or Conditional use Orders:** Some subdivision applications need a variation or conditional use order because the new proposed lot's site area/width and/or building location or the use of the lands will not meet the current zoning by-law requirements. Applicants should pay the application fee for a variation order and/or conditional use order as well. Note that properties, buildings, and uses that were legally conforming to our by-laws prior to the subdivision will only require a Conditional Use or Variance if, as a result of the subdivision, they are no longer compliant with these rules.

7. **Fees:** The applicant should pay any costs which the Municipality has incurred because of their application such as engineer costs, lawyer costs, etc. as well as all application fees, and other fees as outlined in the resolution of council.
8. **Administration fee:** this fee is determined based on below table pulled from the Municipal Fees and Charges By-law, which is subject to change from time to time.

Admin Fee - Boundary Realignment & 1-4 Lot Subdivision (Payable upon Council Approval)	\$150.00
Admin Fee - 1-4 Lot Subdivision requiring Engineering or Legal Services (Payable upon Council Approval)	\$375.00
Admin Fee - Multi Lot (5+ Lots) Subdivision requiring construction of Municipal Services (Payable upon Council Approval)	\$1,100.00

9. **Per Lot fee or Capital lot levy:** Levy imposed by Council when creating new lot(s), \$2,000 for each new parcel/title being created.
10. **Land or Money in place of public reserve or school purposes:** Up to 10% of vacant land which is being developed may be required to be given to the Municipality either in cash and/or land (based on council's decision). This policy shall apply only to subdivisions where lot(s) are created that are less than 4 hectares (9.88 acres).
11. Other conditions may be required by Council where they feel it is necessary to protect the interests of the Municipality and its landowners and residents.

Final Administrative Step

Once all conditions are satisfied with both **the Province and the Municipality**, and any other authorities having jurisdiction (such as Canada Post, Manitoba Hydro, TC Energy, etc.) the Province will issue a Certificate of Approval (Refer to the example below). You will have 2 years from receiving the Certificate of Approval to register the Plan of Subdivision at the Winnipeg Land Titles Office (Teranet). The registration of new subdivisions at Winnipeg Land Titles, regardless of size, could take some time to complete and applicants are encouraged to start this process as soon as possible. If required by the Municipality and Province, any Development Agreements, Plans of Easement, Easement Agreements, or other such documents should also be registered at the same time as the Plan of Subdivision.

NOTE: While a subdivision may be completed and registered with Winnipeg Land Titles and Manitoba Assessment Services, the Municipality does encounter delays in receiving this information. To apply for any permits with the Municipality, you will need to obtain the new titles directly from Winnipeg Land Titles and submit them to our office as proof of ownership of these new legal lands.

**CERTIFICATE OF APPROVAL
OF SUBDIVISION UNDER
THE PLANNING ACT**

Certificate of Approval
No. [REDACTED]

File No: 4175-[REDACTED]

Expiry Date: September 29, 2025

Expiry date

Name of Registered Owners: MATTHEW FRANK PLETT AND TANYA MARIE PLETT

APPROVAL OF: (type of transaction)

- Plan of Subdivision
- Plan of Survey
- Bare Land Condominium
- Subdivision by Legal Description
- Other _____

CONDITIONS:

- Utility Easements
- Development Agreement
- Title Issuing Instructions (as noted below)
- Other _____

Legal Description of Subject Land:

PART OF

NE1/4 SEC [REDACTED]

Manitoba 

RM OF STE ANNE

MANITOBA

Conditions of Registration / Consolidation:

1. Development Agreement with the RM of Ste. Anne be registered in series with the plan of subdivision.

IT IS CERTIFIED THAT the PLAN OF SUBDIVISION prepared by JOHAN DYCK, Manitoba Land Surveyor, and sworn to by him at STEINBACH on the 18TH DAY OF APRIL, 2023 IS HEREBY APPROVED FOR REGISTRATION.

Issue Date: September 29, 2023

Issue date

[REDACTED]
For the Approving Authority

This approval is valid for a period of twenty-four (24) months and extensions are not permitted.

ORIGINAL DUPLICATE ORIGINAL MUNICIPALITY ADMINISTRATION FILE

Number of additional lots created (for fee calculation purposes): **ONE**

Construction Phase

If any construction is required (such as drainage work, pathways, roads, etc.) and outlined in the Development Agreement, the file can enter the Construction Phase once all documents have been registered with Land Titles. This will all be outlined in the Development Agreement for the specific project, and will follow the guidelines established in the [RM of Ste. Anne Municipal Service Standards](#).

The construction phase may take 2-5 years to complete depending on the complexity of the project, and the speed in which the requirements can be satisfied and completed by the applicant.

All costs associated with construction are to be entirely borne by the Applicant and can be quite significant depending on the specifics of the project. Applicants are recommended to thoroughly review the [RM of Ste. Anne Municipal Service Standards](#) prior to submitting an application for subdivision in order to better understand the municipal requirements and associated costs for the development.

Municipal staff may be available to meet with applicants, by appointment, to review and discuss proposed developments and help understand municipal regulations and requirements.

Interim Construction Certificate

Once the main requirements are constructed by the applicant (such as road, drainage, culverts, power, among others and depending on the project) and any remaining minor items that do not affect community safety, among other considerations, the Municipality may choose to issue an Interim Construction Completion Certificate. Upon receiving the Interim certificate, the Municipality is then able to provide Building Permits for the newly created lots should applications be received.

Construction Completion Certificate and Maintenance (Warranty) Phase

Once all requirements, both major and minor, are met by the applicant, to the Municipality's satisfaction, the Municipality will release the Construction Completion Certificate. After the applicant receives the Construction Completion Certificate, the Municipality reduces their Letter of Credit (LOC) by a percentage, typically down from 25% of the total cost of the Development, or any agreed-upon amount, reduced to 5%.

A one-year warranty period commences following the issuing of this certificate during which the applicant is responsible for maintaining the area and addressing any issues related to the subdivision that may arise. If the applicant neglects their responsibilities during this period, the Municipality will intervene and deduct the specified amount from their LOC. After the one-year warranty, if the development still meets all of the Municipality's requirements and standards, to the satisfaction of the Municipality, then the Municipality releases the remaining amount of the LOC and releases the applicant of all responsibilities and obligations regarding the planned area.