



Residential Subdivision Guidebook

The Rural Municipality of St. Andrews

Last Updated: January 1, 2022

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The Residential Subdivision Guidebook was created by the R.M. of St. Andrews to assist landowners in navigating through the subdivision process for the first time. The Guidebook will answer frequently asked questions regarding subdivisions in sections 1-6, and address the R.M.'s requirements for subdivisions in section 7.

1.0 WHAT IS A SUBDIVISION?

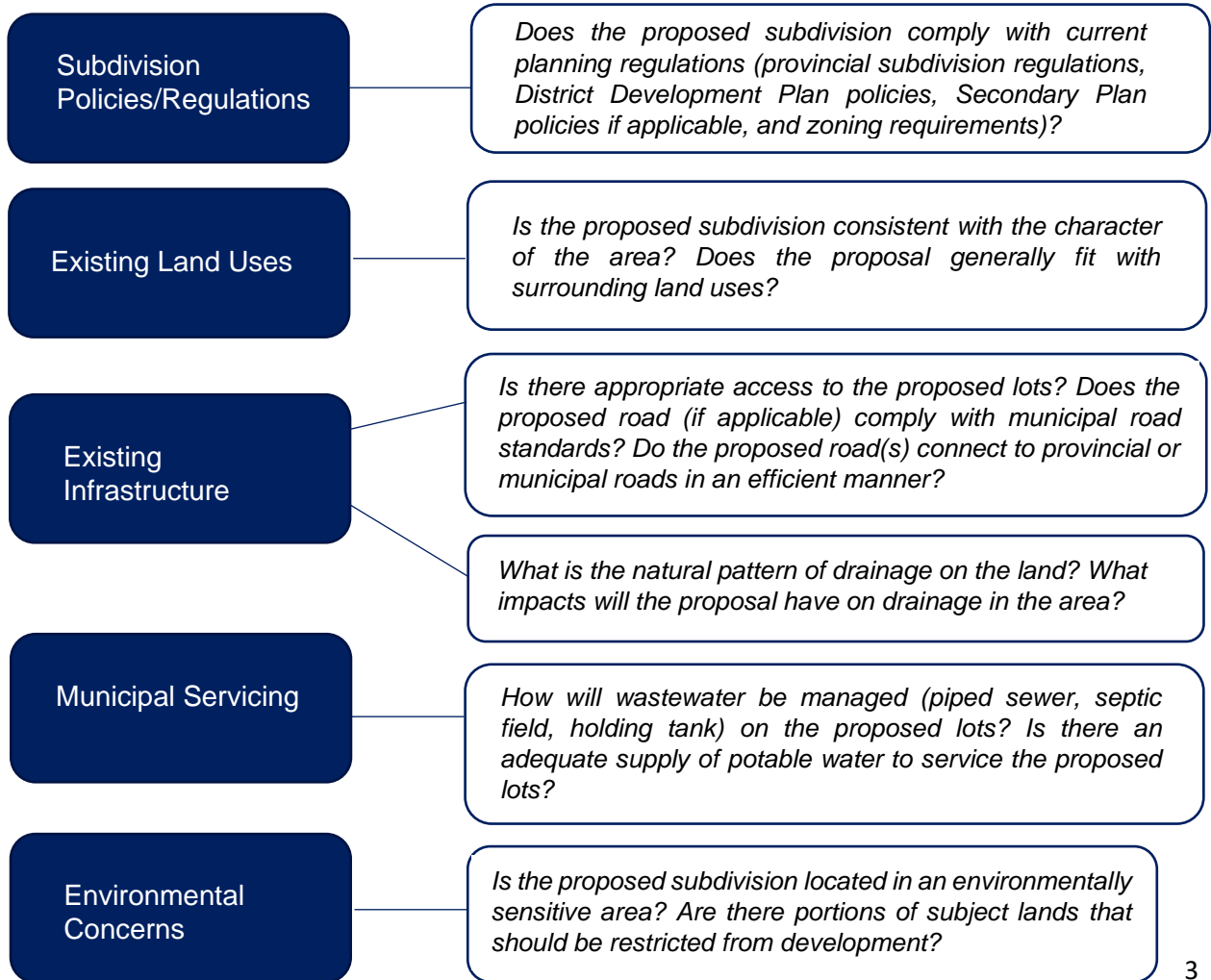
A subdivision is the division of a parcel of land (described on a single title) into two or more parts. The rearranging of property boundaries (if there are two or more titles) can also be considered a subdivision.

2.0 CAN I APPLY TO SUBDIVIDE MY PROPERTY?

The registered owner of the subject lands (or person authorized by register owner) can apply for a subdivision. In order to apply, an application form and supplemental documents must be submitted to the Red River Planning District.

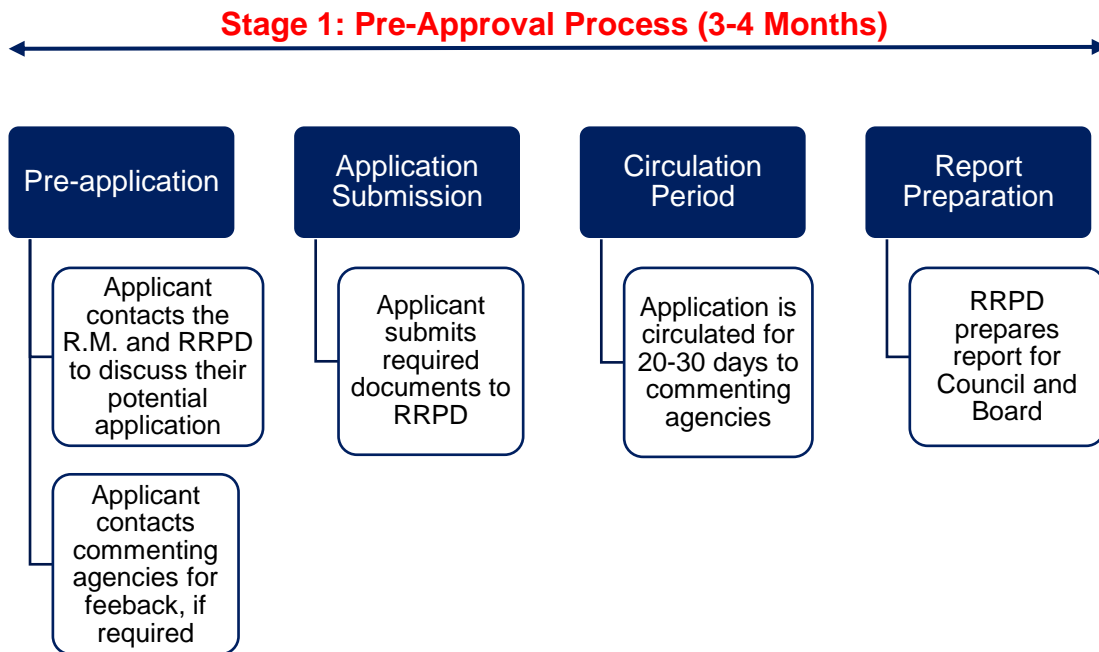
3.0 WHO DECIDES IF MY SUBDIVISION IS APPROVED?

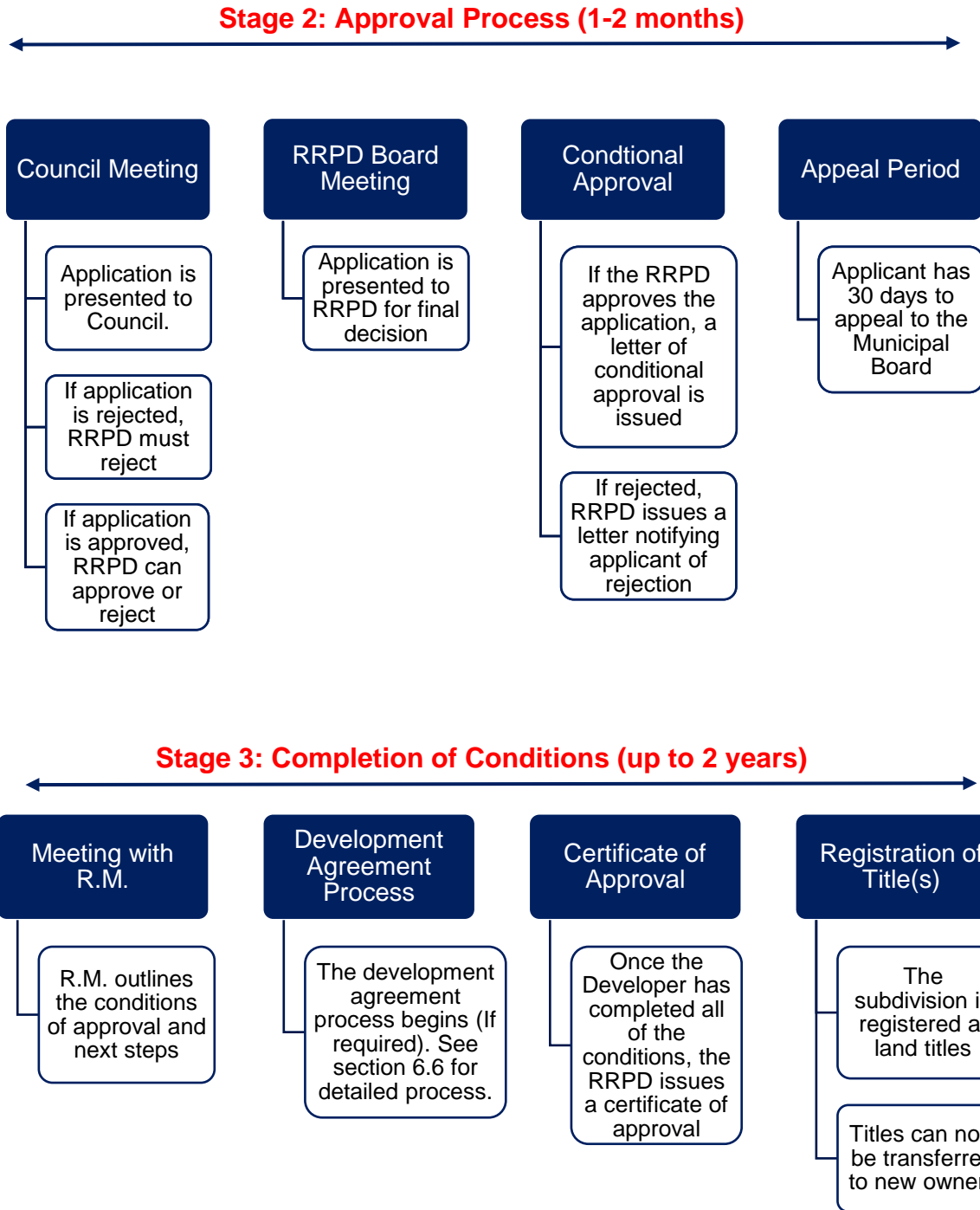
Subdivision applications in the R.M. of St. Andrews (R.M.) go through a dual approval process. The application is first presented to R.M.'s Council for consideration. Following Council's decision, the application will come before the Red River Planning District (RRPD) Board. Council and the Board have the option to approve, approve with conditions, or reject subdivision applications. However, if Council rejects the application, the RRPD Board must also reject the application. Council and the RRPD Board may consider the following factors when reviewing a subdivision application:



4.0 HOW LONG DOES THE PROCESS TAKE?

The timeline for subdivision applications varies based on the complexity of the application. A number of factors impact the timeline of an application, most notably, the Developer's ability to provide the necessary information to the R.M., RRPD, Provincial Departments, and outside agencies at each stage of the process. The below flow charts illustrate the subdivision application process in three stages. Stage one briefly describes the process from the time the application is submitted to the time it comes before Council and the RRPD Board. Stage two outlines the process by which Council and the Board make a decision on the application. Finally, stage three shows the steps from the time the application receives conditional approval to the time the subdivision is registered at the Land Titles Office. During this stage the R.M. works directly with the Developer on the conditions of approval related to the R.M., however, it is the Developer's responsibility to provide the R.M. with the necessary information in a timely manner.





5.0 HOW MUCH DOES IT COST?

The cost of subdividing land varies depending on the complexity the application. Generally, costs significantly increase if the subdivision involves the construction of a road, sewer line, major drainage works, or the completion of professional studies (i.e. traffic study, environmental impact assessment, etc). Below is a cost guide that can assist in estimating the total cost of the subdivision process based on the number of proposed lots.

Residential Subdivision (Serviced and Unserviced): Estimated Costs

FIXED COSTS in red; VARIABLE COSTS in blue

| Number of New Lots | 1 | 2 | 3 | 4 | 5 | 6 |
|---|----------|-----------|-----------|-----------|-----------|-----------|
| Municipal Fees (Wastewater Serviced Lots) | | | | | | |
| Capital Development Levy (Residential)* | \$ 7,940 | \$ 15,880 | \$ 23,820 | \$ 31,760 | \$ 39,700 | \$ 47,640 |
| Municipal Fees (Unserviced Lots) | | | | | | |
| Capital Development Levy (Res/Comm/Ind)* | \$ 4,500 | \$ 9,000 | \$ 13,500 | \$ 18,000 | \$ 22,500 | \$ 27,000 |
| Capital Development Levy (Agricultural) | \$ 3,000 | \$ 6,000 | \$ 9,000 | \$ 12,000 | \$ 15,000 | \$ 18,000 |
| Administrative Costs | | | | | | |
| Administrative Fee | \$ 500 | | | | | |
| Administrative Deposit | \$ 2,000 | \$ 2,000 | \$ 2,000 | \$ 5,000 | \$ 5,000 | \$ 5,000 |
| Cash in lieu of Land Dedication | varies | varies | varies | varies | varies | varies |
| Construction Costs | | | | | | |
| Road Construction Costs | varies | varies | varies | varies | varies | varies |
| Drainage Works Construction Costs | varies | varies | varies | varies | varies | varies |
| Wastewater Connection Costs | varies | varies | varies | varies | varies | varies |
| Wastewater Line Construction Costs | varies | varies | varies | varies | varies | varies |
| Letter of Credit/Cash Security for Construction Deposit | varies | varies | varies | varies | varies | varies |
| Planning District Fees | | | | | | |
| Planning Application Fee** | \$ 1,860 | \$ 2,135 | \$ 2,410 | \$ 2,685 | \$ 2,960 | \$ 3,225 |
| Lot Fees* | \$ 400 | \$ 800 | \$ 1,200 | \$ 1,600 | \$ 2,000 | \$ 2,400 |
| Provincial Fees (if applicable) | | | | | | |
| Water Drainage Licencing Permit Fee | varies | varies | varies | varies | varies | varies |
| Manitoba Infrastructure Permit Fee | varies | varies | varies | varies | varies | varies |
| Highway Traffic Board Permit Fee | varies | varies | varies | varies | varies | varies |
| Onsite Wastewater Licencing Fee | varies | varies | varies | varies | varies | varies |
| Utilities - eg. Hydro/Telephone Service Installation | varies | varies | varies | varies | varies | varies |
| Professional Fees | | | | | | |
| Engineering (if drainage plan or road construction is required) | varies | varies | varies | varies | varies | varies |
| Legal Services | varies | varies | varies | varies | varies | varies |
| Land Surveyor Services | varies | varies | varies | varies | varies | varies |
| Planning Consulting Services | varies | varies | varies | varies | varies | varies |
| Total Fixed Costs | varies | varies | varies | varies | varies | varies |
| Total Variable Costs | varies | varies | varies | varies | varies | varies |
| TOTAL | | | | | | |

* Note: Annual increases apply

**Note: Fees as of January 1, 2022

Base Fee - Additional fees may apply depending on application

NOTE: This guide is to be used as an estimate of costs and is subject to change depending on the application. All Red River Planning District Fees and Municipal fees are as of January 1, 2022. Please contact the R.M. for more information on costs and for budgeting assistance (this is a sample of the template, it can accommodate the creation of more than six lots and is available upon request.

6.0 WHO DO I CONTACT TO GET STARTED?

We recommend that you contact both the RRPD and R.M. if you are considering subdividing your land. Following this, we recommend contacting a Manitoba Land Surveyor as a subdivision application map prepared by a Surveyor is required for the application. You also may want to reach out to the applicable Provincial departments as they will be reviewing and commenting on the application if submitted. If you are new to the subdivision application process and have a proposal that creates five (5) or more new lots, you may want to consider hiring a registered professional planner to manage your application. You can find a listing of planning consulting firms that employ professional planners on the Manitoba Professional Planning Institute's website: <http://www.mppi.mb.ca/consultants-directory.asp>. Note, during the subdivision process you may also require legal services, engineering services, contractors, and the services of a Manitoba Land Surveyor.

| Provincial Departments | | |
|-------------------------------|---|--|
| Information Required | Department/Organization | Contact information |
| Land Titles | Winnipeg Land Titles Office | (204) 945-2042 (Main Line) (204) 945-2285 (Survey Department) |
| Highways | Manitoba Infrastructure | (204) 945-8912 (Permits) |
| Onsite Wastewater Regulations | Manitoba Sustainable Development (Environmental Stewardship Environmental Compliance and Enforcement) | (204) 785-5023 (Main Line) |
| Water Works Licensing | Manitoba Sustainable Development | (204) 467-4450 (Main Line) |
| Flood Protection | Manitoba Sustainable Development (Water Stewardship Division) | 1-800-214-6497 (Main Line) |
| Agriculture | Manitoba Agriculture | (204) 945-4521 (Main Line) |
| Hydro | Manitoba Hydro | 1-888-MB-HYDRO (Main Line) |
| Gas | Centra Gas Ltd. | 1-888-MB-HYDRO (Main Line) |
| Telephone and Internet | Bell MTS | 1-866-756-7642 (Main Line) |

| Red River Planning District | | |
|--|--------------------------------|----------------------------|
| Information Required | Department/Organization | Contact information |
| Application Status/general questions | Planning Department | (204) 482-3717 |
| Certificate of Approval/status of conditions of approval | Planning Department | (204) 482-3717 |

7.0 MUNICIPAL REQUIREMENTS

After a subdivision application has been submitted, it is circulated to the R.M. to identify concerns, requirements, or recommendations from the R.M.'s perspective. The Public Works department, the Fire Department, and Administration (R.M.'s Planner) typically consider the following in the review of a subdivision application:

7.1 Public Works Department

The Public Works department will look at the municipal infrastructure requirements for new subdivisions. Depending on where your subdivision is located and the nature of your proposal, Public Works may comment on the following:

- Road upgrades;
- Road dedication for widening;
- New road construction standards;
- Drainage infrastructure (regrading of existing ditch, existing drainage measures, lot grading, etc.)
- Sewer infrastructure

Note, at the discretion of the R.M. the application may be circulated to the R.M.'s engineer for review.

If the Department requires any of the above listed items, the applicant will be required to enter into a development agreement with the R.M., as outlined in Section 6.6.

7.2 Fire Department

The Fire Department assesses the layout of subdivisions to ensure the proposed lots are accessible in emergency situations. Of primary concern is whether or not the proposed lots have adequate emergency access. This includes access to an all-weather road and access to a water supply to service the area in the event of an emergency.

More specifically, the Fire Department may require:

- The driveway(s) be a minimum of 14 feet wide to ensure emergency vehicles can access the residence (if proposed lots are heavily treed);
- A secondary access point (if the proposed lots front on a loop road with a single access point);
- Proposed cul-de-sac(s) have a 14 meter radius to allow for emergency vehicle turnaround.

7.3 Administration

After compiling the Public Works, Fire, and Engineer (if applicable) comments, the R.M.'s Economic Development Department reviews the application to determine if a development agreement is required. Generally, development agreements are required when the subdivision involves:

1. The construction or maintenance of works:
 - a. sewer and water;
 - b. waste removal;

- c. drainage;
 - d. public roads and connecting streets;
 - e. street lighting;
 - f. sidewalks;
 - g. access and traffic control;
 - h. connections to existing services; and
 - i. fencing and landscaping.
2. Construction or payment by the owner of all or part of the capacity of works in excess if the capacity required for the proposed subdivision; and
 3. The use of the land and any existing or proposed building.

More information about development agreements with the R.M. can be found in section 7.6.

7.4 Payment of Taxes

The payment of outstanding land taxes on the property to the R.M. is standard condition of subdivision approval. Payment is due prior to the issuance of the certificate of approval.

7.5 Capital Development Levies

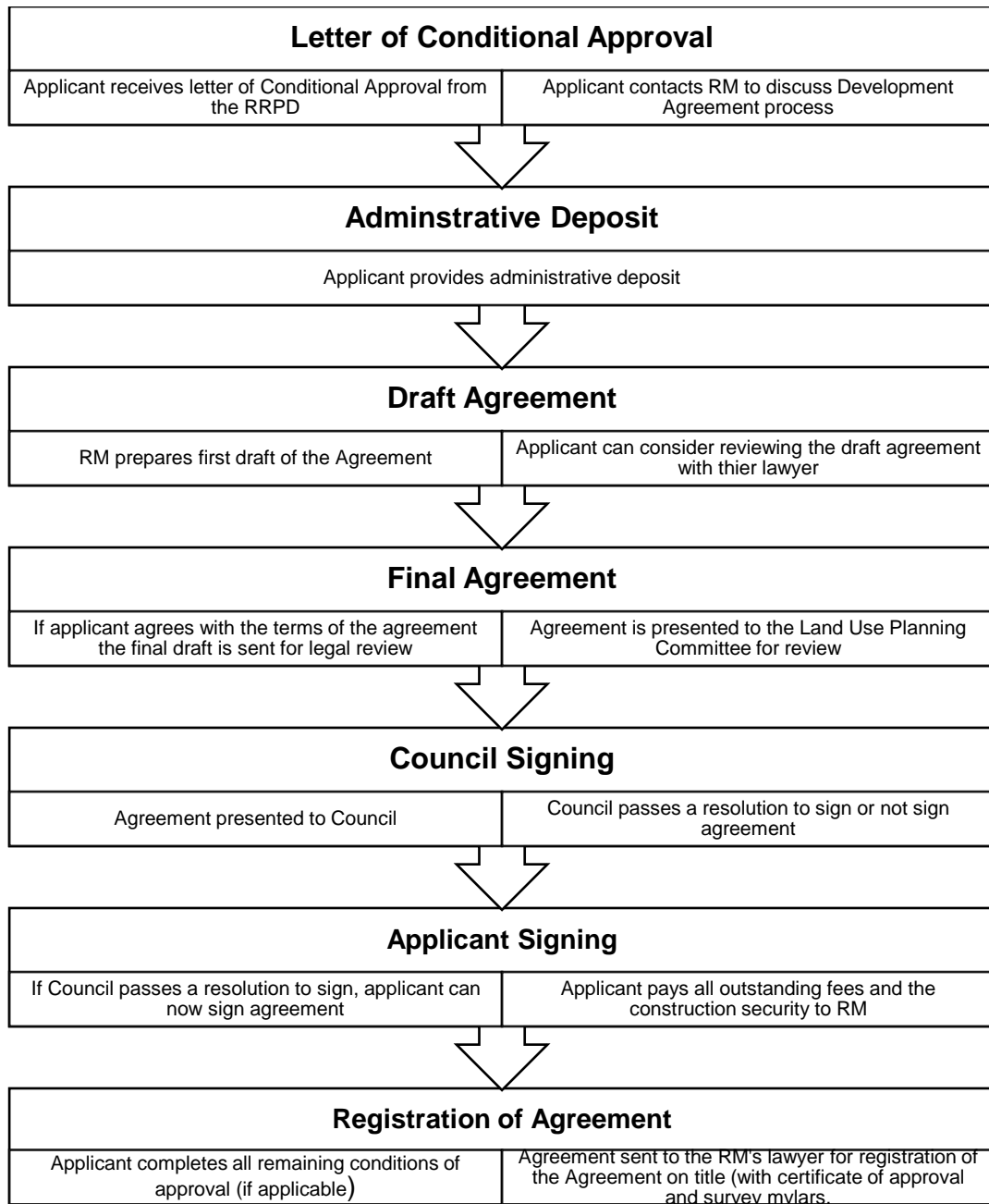
The payment of capital development levies is required for all subdivisions creating 1 or more new lots. The levies collected help pay for future costs the R.M. may incur to provide municipal services to the new development. These services include road maintenance, drainage systems maintenance, wastewater system upgrade and maintenance, recreation facilities, fire and protective services, solid waste management, and other capital works.

Payment of capital development levies are due at the time the development agreement is signed, or if there is no development agreement, prior to the issuance of the certificate of approval.

7.6 Development Agreements

The R.M. may require a development agreement as a condition of subdivision approval. A development agreement is an agreement between the developer and the municipality outlining the developer's responsibilities. Generally a development agreement is required when the subdivision involves the construction of works (drainage, roads, sewer, etc.), dedication of lands, or restriction of land use or development. The following sections (6.3.1-6.3.6) will describe some common sections found within a development agreement. Note, the development agreement is registered as a caveat on title and runs with the land. Because the agreement runs with the land, it can hold the future purchaser of the lot(s) responsible for requirements within the agreement. Homeowner obligations are usually limited to development restrictions or standards, or in some cases, the connection to services.

Generally, it can take from 4 months to 1-2 years to complete a development agreement depending on the complexity of the development and the Developer's ability to provide the necessary information to the R.M. For reference, the development agreement process is outlined below.



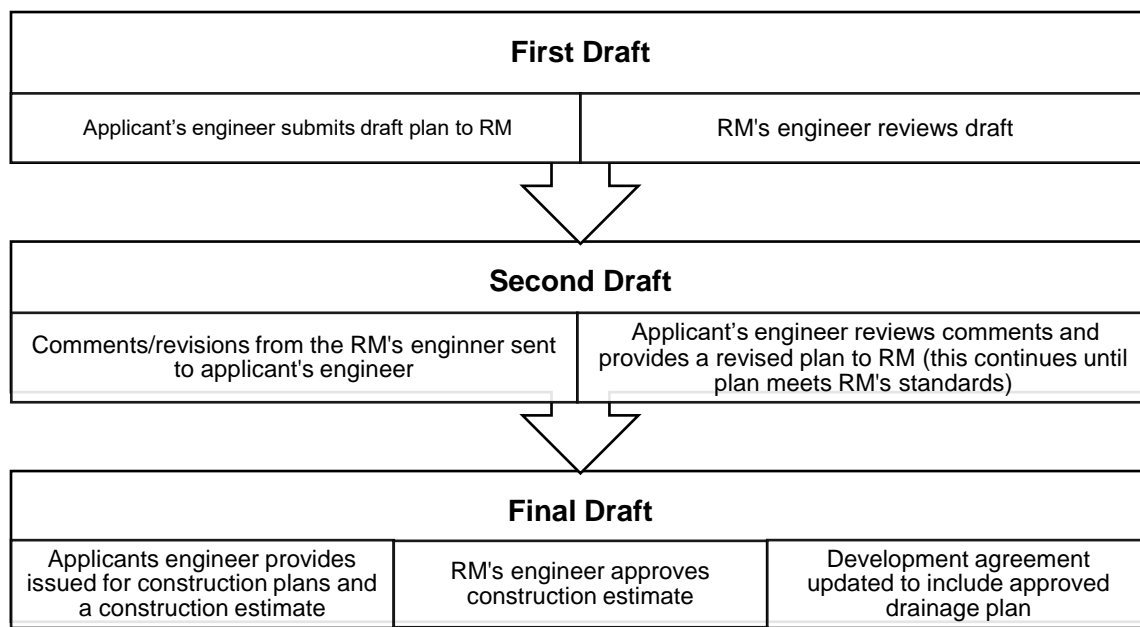
7.6.1 Drainage Works

In order to ensure the proposed lots drain properly and do not have a negative impact on the overall drainage of the area a drainage plan may be required. Typically a drainage plan is required for subdivisions significantly altering the use of the land (subdivisions creating more than two lots), or if the subdivision is located in an area with historic drainage issues. Note, properties within the Bruneau Drain Study Area have specific drainage requirements. Drainage/Lot Grading Plans usually include the following information:

- existing topography of the planned area and surrounding area;
- existing and proposed drainage routing within and surrounding the development;

- proposed and existing culvert elevations and sizes;
- estimated peak surface runoff discharging from the existing property;
- drainage ditch and swale cross-section, slope and elevation;
- estimated peak surface runoff discharging from the property post development and culvert flow capacities;
- anticipated capacity surface run-off discharging into the ditches and culvert flow capacity;
- volumes of the proposed ditches required for storage;
- drainage of lots and proposed ground level of buildings.

The R.M.'s Engineer's review for subdivisions (creating less than 6 lots) may take 2 – 3 weeks. Review time for subdivisions creating more than 6 lots may take 7 weeks or longer. The graphic below outlines the drainage plan process that occurs during the development agreement process (if required).



It is important to note, if a drainage plan is required the Developer may have to provide easement rights to the R.M. This process involves the preparation of a plan of easement by a Surveyor and an easement agreement by the R.M. If the drainage plan shows private drainage rights, the Developer will be required to provide a declaration of such rights to be registered with the plan of subdivision.

7.6.2 Roads

As mentioned in the Public Works Department section, the road requirements depend on the location and layout of the proposed subdivision. If the proposed new lot(s) do not have access on an all-weather road, the construction of a public road will be required at the expense of the developer. New roads must be constructed to the R.M.'s road construction standards and specifications. Generally the R.M. requires that proposed new roads match the surrounding area in surface material (gravel or asphalt).

If road construction is not required, the R.M. may determine that an existing road within or adjacent to the planned area requires widening and/or improvements. The developer

typically obtains a contractor to construct any required road improvements. If the road is slated for future road widening, the developer may also be required to dedicate a strip of land adjacent to the road to the R.M.

7.6.3 Wastewater and Water Servicing

Properties in the R.M. are primarily serviced by onsite wastewater systems such as holding tanks, septic fields, or ejector systems. New holding tanks and septic fields are required to comply with the Provincial *Onsite Wastewater Management Regulations*. You can contact the Environment Officer at Manitoba Sustainable Development for more information about the regulations that apply to your property.

In South St. Andrews, new lots will be required to connect to the low pressure wastewater system where services are available. In this area, the developer is responsible for the construction of the wastewater line to the planned area and may be responsible for all associated wastewater connection fees.

The R.M. currently does not have a piped water system. Typically it is the homeowner's responsibility for the installation of a private well on the new lot.

7.6.4 Utilities

Utility service requirements are determined by utility agencies such as Manitoba Hydro, Bell MTS, and Centra Gas Ltd. Installation of all hydro, gas and telephone utilities are generally the responsibility of the developer. Although requirements for utilities are set out by the respective agency, the R.M. normally requires the developer to provide telephone and hydro services to the planned area.

7.6.5 Letter of Credit

The letter of credit (or cash security) provides the R.M. with the financial resources to complete the construction of works for a subdivision in the event the developer is unable to complete the job to municipal standards.

The letter of credit (or cash security) is equal to or a portion of the total construction costs for works required for the subdivision and is held by the R.M. until the municipal engineer has inspected the works and confirmed municipal standards are met. The letter of credit is provided by the developer at the time the development agreement signed. Alternatively, the developer can provide a cash security, however, the R.M. does not pay interest on the security when it is released. A portion of the credit may be released at the beginning of the warranty period (subject to Council approval).

7.6.6 Warranty Period

The R.M. requires the developer to maintain services for 1-2 years after the R.M.'s engineer has inspected the works and issued the construction completion certificate. During the warranty period the constructed works must be maintained free of defects by the developer (with the exception of snow-plowing). At the end of the warranty period the R.M.'s engineer will complete a final inspection. If the works still meet municipal standards, an acceptance certificate is issued and the R.M. assumes responsibility for the works. When the warranty period ends the remaining letter of credit or cash security is released.