

# Application to Subdivide Land

1.	Location of	Land to be Sub	divided:		2.	The Propo	sed Subdivisi	on involves:
						O Plan of	Proposed Subdivi	ision
	Municipality (C	City, Town, Village	, RM)			O Parcel	Tie Removal	
	1/4	Sec Tw	oRge	Mer		(describe and include parcel pictures)		cel pictures)
		Jec I w	p			O Other 9	Subdividing Instru	ment (lease
	Lot(s)	Block(s)	Plan/Parcel No	<del></del>		easeme	<del>-</del> '	ment (lease,
					,			
3.	Legal and Ph	iysical Access to	o the Subdivision	is via:	⊃ Paved	O Grav	rel O Unin	nproved
	☐ Grid Road		Highway	☐ Resour	ce Road		Northern C	rown Land
	☐ Main Farm A	Access	Urban Street	Road A	Allowance		☐ Trail	
4.]	Physical Nati	re of the Land	to be Subdivideo	ì:				
	ŭ		re of the propose	-	rcel(s)?	)		
	□ Wooded/Tre			☐ Hilly	☐ Level		w/Swampy 🗆	Adjacent to a Lake, River,
1		cu 🗀 cum	iou 🗀 rusiare					or Creek
	Describe the physical nature in more detail:							
	b) Drainage: How will the proposed lot(s) or parcel(s) be drained?							
	How will the	proposed lot(s						
	☐ Natural ☐	] Ditches [] (	Curb and Gutter	Storm Sewer				
	, , ,	•	e surface water in Proposed Subdivision		ditch o	or waterway	?	□ No
5.	Land Use:				•			•
	a) What is the	land presently	used for?					
	☐ Agriculture	☐ Residential	☐ Seasonal Recu	reation (Cottage)	. $\square$	Commercial	☐ Industrial	☐ Other
	Describe the present land use in more detail:							
	b) What is the	intended use	of the proposed l	ot(s) or parce	 :l(s)?			
	☐ Agriculture	☐ Residential	☐ Seasonal Recr		• •	Commercial	☐ Industrial	☐ Other
	Describe the intended use in more detail:							
	ے c) Are there an	v buildings on	the land being su	abdivided?		☐ Yes	□ No	
	Indicate the location	•	property boundary and		ngs and ut			Subdivision/
+ $i$	Parcel Picture.							}

6	. Services:	enne yn tyt	□ Proceed	□ Nat Dagwin				
:	a) Water Supply is:	☐ Existing	☐ Proposed	☐ Not Requir	ea			
	·	☐ Communal System	☐ Cistern	☐ Lake/Wate	erbody			
		☐ Municipal Well	☐ Private Well	☐ Other				
	Describe / specify proposed water source:							
	b) Sewage Disposal is	.   Existing	Proposed	☐ Not Require	ed			
	☐ Municipal	☐ Private-On-site (ple	ase specify below)					
	•	☐ Mound	☐ Chamber	☐ Holding Ta	nnk			
		☐ Jet Type	☐ Absorption Field	☐ Other				
	Describe / specify proposed	sewage disposal system:						
	**							
	Please show all set back dista	nces from the property bou	ndary, house, well and wat	er course(s) on the	e plan of proposed subdivision.			
	Utility Services:							
7.	1	Existing   Propo	sed	red 🔲 No	t Available			
		Existing Propo		red 🔲 No	t Available			
	!	existing Propo	sed 🔲 Not Requir	red 🔲 No	t Available			
8.	Surrounding Land Use	s:						
	If the proposed subdivision is If in an Urban Municipality, a							
					If checked, please state distance			
l	☐ Airport							
	☐ Intensive Livestock Opera							
	Sewage Treatment Facility	<del></del>						
	☐ Sewage Treatment Facility ☐ Landfill for disposal of ga	y or Sewage Lagoon						
		y or Sewage Lagoon						
	☐ Landfill for disposal of ga	y or Sewage Lagoon rbage or refuse smission Line						
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (spe	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (speeration (specify)	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify)	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					
	☐ Landfill for disposal of gar ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re ☐ Residential Lot(s)	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re ☐ Residential Lot(s) ☐ Water Body or Course	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re ☐ Residential Lot(s) ☐ Water Body or Course ☐ Cemetery	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re ☐ Residential Lot(s) ☐ Water Body or Course ☐ Cemetery ☐ School Bus Route	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					
	☐ Landfill for disposal of gai ☐ High Voltage Power Trans ☐ High Pressure Gas Transm ☐ Industrial Commercial Ope ☐ National, Provincial, or Re ☐ Residential Lot(s) ☐ Water Body or Course ☐ Cemetery ☐ School Bus Route ☐ Urban Municipality	y or Sewage Lagoon rbage or refuse smission Line nission Line, Oil Line (specration (specify) egional Park	cify)					

₽.]	Additional Comments:							
1								
7								
)	Other Requirements:							
1	1. Applications must include a copy of the title to the land being subdivided and the Basic Fees. Also include any relevant permits or approvals obtained from other agencies or a municipality.							
	2. Basic Fees are \$100 per proposed lot (non-refundable) plus \$150 for a issuance of a Certificate of Approval.							
1	The fees are exempt from GST & PST. Make a cheque or money order payable to the Minister of							
	<ul> <li>Finance.</li> <li>3. Applicants may be asked for additional fees and information if found to be needed during the review of an application.</li> <li>4. Until the review of an application is done and a decision is issued, no binding contracts for the land should be made and no construction or site preparation work should be started.</li> <li>5. Personal information given on this form is collected pursuant to The Freedom of Information and Protection of</li> </ul>							
	Privacy Act and will be shared with other agenc	ies involved in rev	iewing subdivision	applications. If you do				
	not want your personal information to be shared concerns before submitting a completed form.	, contact the Comm	nunity Planning Bra	anch to discuss your				
_	concerns octore submixing a completed form							
Υ_				.,,,				
-	Applicant(s): (persons making the application and to whom correspondence should be addressed)							
l	a) Name of registered owner of land	to b) L	and Surveyor /	Planner / Lawyer /Agent (speci				
1	be subdivided:	1						
1	Name:	Na	me:	Company Name:				
	Address:	Add	drece:					
	City/Town/Village:	City	y/Town/Village:					
	Prov.:Postal Code:	Pro	v.:	Postal Code:				
	Email:Tel.:							
		Em	all:	Tel.:				
	c) Declaration by registered owner:							
	I, hereby certify that I  (Full name in block capitals)							
	am the registered owner of the land proposed for subdivision.							
	am authorized, in writing, to act as the registered owner per Sections 2(b.2) and 5(3) of <i>The Subdivision Regulations</i> , I hereby swear that all statements contained with this application are true, and I make this solemn declaration							
	conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and							
	by virtue of the Canada Evidence Act.							
	Signature:	Date:	e e					
	Name:	Address:						
			•					
	C. 177 77 77 77 77 77 77 77 77 77 77 77 77	n	Postal Code	Tel.:				



### **Completing Subdivision Applications**

Under The Planning and Development Act, 2007

### Introduction

Subdivision approval is required:

- To obtain a new title to part of an existing parcel;
- To move an existing property line;
- To divide land into lots and roadways;
- To subdivide property by removing a 'parcel tie';
- To separate title to a "legal subdivision" (LSD);
- To secure an interest in part of a parcel for a mortgage, sale or easement;
- To secure an interest for a lease of part of a parcel with a term of 10 or more years.

Subdivision applications submitted to the Community Planning Branch must contain:

- 1. a completed Application to Subdivide Land form;
- 2. a plan of proposed subdivision;\*
- 3. titles to the land being subdivided; AND
- 4. a payment covering the basic fees.

Incomplete applications are returned unprocessed. During the review of an application, additional information and fees may be required.

A plan of proposed subdivision must be prepared by a Saskatchewan Land Surveyor or Community Planner (see listings in telephone directory Yellow Pages).

\*Note: Parcel pictures may be accepted in lieu of a plan of proposed subdivision only where it is proposed to remove a parcel tie from linked parcels:

- separated by a road, railway or water course;
- containing no buildings or utility lines;
- having suitable topography; and
- where no road widening is required.

Titles and parcel pictures can be obtained from the Information Services Corporation (ISC) 10 Research Drive, REGINA SK S4P 3V7 or from the ICS website at www.isc.ca.
The ISC Help Line number is 1-866-275-4721.

Contact the ISC to confirm if a parcel tie is valid.

An Application to Subdivide Land form must be fully completed and signed by the registered landowner or a person authorized by the landowner. An authorized person may be a future owner who has a written agreement with the landowner, or a lawyer, surveyor, planner or other agent hired by the landowner or authorized person. All agreements should be conditional to approval being granted.

A plan of proposed subdivision must show the existing and proposed:

- subdivision or property lines with dimensions and lot, block, or parcel designations;
- buildings, structures, utility lines and other development on or near the land;
- well and sewer sites with distances to boundaries;
- roads, streets, lanes, driveways, trails, and highway approaches; and
- topographical details and natural features (e.g. lakes, rivers, creeks, hills, slopes, and trees).

Basic Fees are \$100 per proposed lot plus \$150 for issuance of a Certificate of Approval. The fees are exempt from GST and PST. Make a cheque or money order payable to the Minister of Finance. Additional fees for land titles documents may be required.

Until the review of an application is done and a decision is issued, no binding contracts for the land should be made and no construction or site preparation work should be started.

#### **Review Process**

The Community Planning Branch will send applicants a letter acknowledging receipt of their applications. The letter will explain applicable standards and options, advise if more information is required, and identify who has been sent a copy of the application for comments.

Applications are referred to the local municipal council, utility companies, and other government offices which may contact applicants for more details. Letters and permits from these offices should be submitted with a subdivision application.

Applications are reviewed for conformance with provincial and municipal planning standards. Some standards involve:

- planning and zoning bylaw land use controls;
- minimum and maximum site dimensions;
- utility and servicing requirements;
- health requirements (e.g. plumbing systems);
- compatibility with surrounding land uses;
- every parcel connecting to a public road;
- traffic safety and highway access;
- protection of heritage resources and rare species;
- flood protection and slope stability; and
- provision of public lands (e.g. roads, parks).

### Municipal Requirements

Applicants should consult a municipality about its requirements. A subdivision proposal must conform to all provisions in an official community plan and zoning bylaw. These bylaws may limit permitted land uses, specify minimum lot or parcel sizes, and regulate building locations.

A municipality may require a servicing agreement covering the construction of new roads or other services necessitated by a subdivision.

Subdivision applicants must provide municipal reserve land for public use. Exceptions exist for the first parcel in a quarter section, agricultural parcels larger than four hectares, or property line relocations.

Subdivisions for residential purposes must provide 10% of the gross area as municipal reserve; other subdivisions must provide 5%. Applicants may be able to defer the requirement or, in lieu of dedication, make a monetary settlement with the municipality. Any flood prone or unstable land may be required as environmental reserve.

### **Utility Requirements**

Utility companies are asked to comment on extending and protecting service lines. Line locations must be shown on a plan of proposed subdivision. Utility companies may ask subdivision applicants to enter into easement, installation or relocation agreements.

People planning new construction or excavations must contact all utility companies for line locations and service connections. Assistance is available at Sask1stCall at 1-866-828-4888 or on-line at www.sask1stcall.com.

### Water Supply and Waste Disposal

Residential development must be served by acceptable water, sewer and garbage systems. Multiple lots should be connected to communal systems.

For a rural or isolated site, health regulations require a residence using a sewage lagoon, seepage pit or jet disposal, to have a minimum parcel size of four hectares. A lagoon must be 30 metres from property lines, a pit 3 metres and a jet 60 metres. Otherwise, a mound or buried absorption system must be installed, or sewage must be hauled to an approved disposal site.

### **Highway Requirements**

Ministry of Highways and Infrastructure permits are required to build highway approaches, or other development within 90 metres of a highway. Land may be required for highway widening or service roads. Landowners are responsible for road or driveway construction.

### Notice of Decision

Once a review is done, a written decision is issued. Approved applications are issued a Certificate of Approval that must be sent with a plan of survey and other documents to the ISC to register the subdivision.

Community Planning staff will explain options for applications approved with conditions, approved in part, or refused. Some decisions may be appealed by filing a written notice of appeal and a \$50 fee with the Saskatchewan Municipal Board - Planning Appeals Committee.

### Send completed applications to:

Northern Saskatchewan & Central Regions
Ministry of Municipal Affairs
Community Planning
Room 978, 122 Third Avenue North
SASKATOON SK S7K 2H6
Phone: (306) 933-6937 Fax: (306) 933-7720

#### Southern Region

Ministry of Municipal Affairs Community Planning 420 - 1855 Victoria Avenue REGINA SK S4P 372

Phone: (306) 787-2725 Fax: (306) 798 -0194



### Saskatchewan Ministry of Municipal Affairs

# A STEP-BY-STEP GUIDE TO SUBDIVISION

This guide applies to anyone subdividing land where the Province of Saskatchewan is the subdivision approving authority. In this situation, subdivisions are reviewed by the Community Planning Branch (CPB) of the Saskatchewan Ministry of Municipal Affairs (MA). The subdivision approval process is similar whether you are a private land developer or a municipality. All subdivisions must comply with The Subdivision Regulations and the Dedicated Lands Regulation, 2009 as set out under The Planning and Development Act, 2007 (PDA).

Understanding the issues that may arise, the government agencies involved and the information they require will help facilitate the subdivision process and avoid or limit delays.

### Do I require subdivision approval?

An application for subdivision approval is required to:

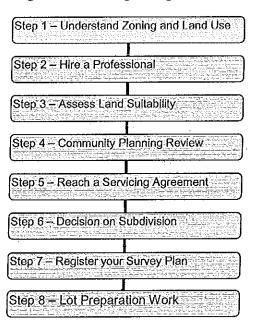
- obtain a title to part of an existing parcel;
- · move an existing property line;
- · divide land into lots or roadways;
- · remove a parcel tie;
- secure an interest in part of a parcel for mortgage, sale or easement; or to

 secure an interest for lease of part of a parcel with a term of 10 or more years.

Applications to subdivide require a plan prepared by either a Saskatchewan Land Surveyor (SLS) or a Professional Community Planner (PPS).

# Remember subdivision approval is required BEFORE any work is undertaken or lots are sold.

The following step-by-step guide explains the subdivision process, to save time and money and help developers identify unexpected costs. The information in this guide is organized into eight steps:



### Step 1

Understand Zoning and Land Use If a municipality has a zoning bylaw, it will establish zoning districts for areas within the municipality and list the permitted and discretionary uses in each zone. If a use is not listed within a zone as "permitted" or "discretionary" it is considered to be prohibited.

Permitted Use – A permitted use is a use of land or buildings, or form of development that is allowed in a zoning district. It also needs to comply with specific requirements in that particular zone. If all requirements are met, a request for a permitted use must then be approved by the development officer.

Discretionary Use – A discretionary use is a use of land or buildings, or a form of development that may be allowed in a zone if certain standards or conditions can be met. Prior to making a decision, council must evaluate the use's compatibility against criteria in the zoning bylaw, notify the public and hold a public hearing. Council may approve a discretionary use, and may attach standards or conditions to the approval. The standards and conditions can be appealed to the local Development Appeals Board, but the decision on the use cannot.

If your proposed development is in an area which is not zoned for that particular use, you may wish to apply to council for a bylaw amendment. Depending on the situation, council will consider adding the use to the list of permitted or discretionary uses

within the existing zone, or rezoning the land for a different use. For example, land may be rezoned from Agriculture to Residential to accommodate new housing developments.

Alternatively, you may revise your proposal to meet the existing bylaw requirements or relocate your proposal to a different zone where it is a permitted or discretionary use.

### Step 2

#### Hire a Professional

Hiring a professional SLS or PPS is necessary in most cases to obtain approval. Land surveyors and community planners deal with subdivision proposals regularly; their experience and technical expertise can help speed up the process.

The Survey or Planning Firm can:

- prepare an application and plan of proposed subdivision;
- submit the application for subdivision for CPB to review;
- help you acquire additional information requested by government agencies reviewing the subdivision; and
- assist you with any revisions to your subdivision application that may be needed.

Depending on the nature and complexity of the project, developers may also require the services of other professionals, such as engineers to prepare geotechnical reports.

*Note:* when a removing a parcel tie, survey plans are not required.

### Step 3

### **Assess Land Suitability**

Before purchasing land for subdivision a developer should assess land suitability. Many of the problems that delay subdivisions may be avoided if the land chosen is suitable for subdivision and development.

### Land Assessment Checklist

This checklist identifies the factors considered by the CPB when reviewing a subdivision and will help you recognize potential issues that may arise in an application. You may not be able to answer all the questions without seeking professional advice; however the questions do identify the issues which should be addressed. Developers should be aware that each subdivision is unique and additional information may be required during the subdivision process.

If the answer to any of the following questions is "yes" seek advice from the agency or professional organization listed.

*Note:* A glossary of agency and organization abbreviations appears at the end of Step 3.

### Topography

Are there obvious topographic issues that could affect your ability to develop or potentially cause structural failure:

- o steeply sloping land
- o building sites on or near a dropoff, like a hill, cliff or coulee; or
- o slumping, creeping or other indicators of slope instability?

For information contact: CPB, MUN.

### Soils

- ♦ On the proposed site, is there any evidence of:
- o loose or swampy soils;
- soils shifting, heaving or cracking,
   e.g. damaged foundations in the
   area:
- o showing evidence of expansive soil conditions; or
- o soils which may be polluted by a prior use or adjacent to a potentially polluting use?

For information contact: CPB, MUN, ENV, SWA

### Surface and Sub-surface drainage The street obvious evidence of:

- o streams, ditches or natural drainage pathways;
- pooling of water where buildings are existing / proposed;
- o drainage, which may or may not be polluted, from neighbouring lands onto your property;
- o possibly polluted drainage onto the land from adjacent uses; or
- o drainage from your property onto adjacent lands?

For information contact: CPB, SWA, ENV, MUN.

- 4) Potential for flooding, subsidence, landslides or erosion
- ♦ Is there:
- o a history of flooding in the area;
- o land below the safe building elevation (1:500 year flood elevation plus ½ metre for wave action);
- building proposed near a water body;

- o swampy or wet soils; or
- o evidence of previous landslides or erosion?

For information contact: CPB, DFO, MUN, ENV, SWA.

#### **Easements or Interests**

♦ Are there any registered or nonregistered easements/interests on the land?

*Note*: Utility companies are not required by law to register all interests on title.

- o For information on registered easements/interests contact ISC.
- o For information on NON registered easements, contact Sask 1<sup>st</sup> call.

### Communal Water Supply, Sewage Disposal and Solid Waste Disposal Systems

- ♦ Will the municipality require the subdivision to provide:
- o water;
- o sewage disposal;
- o solid waste disposal; and/or
- o on-site septic requirements?

For information contact: CPB, ENV, RHA, SWA, SWC, MUN.

### Servicing

- Does your subdivision proposal address:
- o road access;
- o fire, police and ambulance services;
- o water or sewer connections;
- o power lines;
- o phone lines;
- o gas lines (where available);

- o surface drainage systems; or
- a temporary or permanent disruption to services elsewhere in the municipality?

Note: In order to facilitate servicing which meet development timelines, developers should contact utility companies as early as possible to discuss processes and scheduling requirements.

For information contact: CPB, MUN, SKP, SKT, SKE, TG.

### Existing and proposed uses of land in the vicinity

♦ Is there a neighbouring, existing or proposed land use that could conflict with your development as a result of odour, dust, noise, traffic, or light pollution, such as:

- o a sewage treatment plant;
- o an industrial development;
- o a mining facility;
- o a large farming or intensive agricultural operation;
- o a storage site for gas, oil, mining materials, or other flammable liquids on your property;
- o residential subdivisions; or
- o large entertainment complexes?

For information contact: CPB, MUN, AG, SWA, ENV, RHA.

### Streets, lanes, traffic flow and public safety

♦ Does your proposal include new streets, roads or lanes?

If so, the design of the infrastructure is required to meet the standards set out in Section 16 of *The Subdivision Regulations*, found at:

### http://www.qp.gov.sk.ca/documents/ English/Regulations/Regulations/P13 -1R1.pdf

- ♦ Is your proposal adjacent to a provincial highway?
- ♦ Does your subdivision comply with the local zoning bylaw concerning:
- o sidewalk locations and designs;
- o intersections and access points;
- o walkways; and
- o curb crossings?

### Site design and orientation

- ♦ Does your subdivision comply with the local zoning bylaw concerning:
- o site size and shape;
- o site location;
- o site frontage;
- o site shape;
- o minimum front, side and back yard setbacks with a building;
- number of buildings allowed on a single site;
- o building location and utility lines;
- o minimum and maximum building size and height requirements; or
- o maximum developable area for the proposed building(s)?

For information contact: CPB, MUN, Sask 1st call, SKE, SKP, SKT, TG.

### The protection of fish and wildlife habitats

- ♦ Is your proposed subdivision:
- o close to a wildlife reserve, protected wetland, environmental reserve land or other protected natural ecosystem;
- o draining into a lake or water body containing fish and wildlife; or

o adjacent to a lake, river, or other tributary?

For information contact: CPB, MUN, SWA, DFO, or ENV.

### The protection of significant natural or historical features

♦ Have you submitted a description of your subdivision for a heritage resource assessment?
(www.tpcs.gov.sk.ca/SensitiveLocations)

For information contact: CPB, MUN, HER.

### Setbacks

- ♦ Is your proposed residential subdivision:
- within 1500 metres of the water intake for a water treatment plant;
- between the reservoir and a line established for flood control or reservoir/water supply protection;
- o less than 457 metres from a landfill;
- less than 300 metres from a sewage treatment plant or sewage lagoon; or
- o within 300 metres of an intensive livestock operation?

For information contact: CPB, MUN, RHA, ENV, SWA, AG.

#### **Public Lands**

- ♦ Have you:
- o made arrangements to provide land for Municipal Reserve, cash in lieu of land or have the requirement deferred; or
- o discussed where and how reserve must be given with council?
- ♦ Will the proposed subdivision:

- o require a school, park or recreational facility;
- o stress the capacity of existing civic facilities; or
- o require additional civic facilities?

For information contact: CPB, EDU, MUN.

Although this checklist will not guarantee you will avoid delays in the subdivision and approval process, it will help you to avoid common mistakes and predict possible issues.

### Glossary of Abbreviations:

CPB- Community Planning Branch DFO- The Department of Fisheries and Oceans Canada ENV- Ministry of Environment ER- Ministry of Energy and Resources HER- Heritage Branch of the Ministry of Tourism, Parks, Culture and Sport HI- Ministry of Highways and Infrastructure ISC – Information Services Corp MA - Ministry of Municipal Affairs MUN- Municipality SWA- Saskatchewan Watershed Authority SWC- Saskatchewan Water Corporation RHA- Regional Health Authority SKE- SaskEnergy SKP-SaskPower SKT- SaskTel Sask 1st call (1-866-828-4888) to request line locations and verify

utility ownership

TG - Trans Gas

### Step 4

Community Planning Review
Subdivision applications are assigned to a Planning Consultant at CPB who works with the applicant and the municipality throughout the process. For more information on who to contact see:
<a href="http://www.municipal.gov.sk.ca/CPM">http://www.municipal.gov.sk.ca/CPM</a>
ap-Planning-Consultant-Areas

The Planning Consultant will review the application for:

- compliance with any local or district official community plans and zoning bylaws;
- compliance with the PDA, The Subdivision Regulations and Dedicated Lands Regulation, 2009.
- · site suitability; and
- access and servicing requirements.

The Planning Consultant also refers the application to ministries and agencies determined to have an interest in the proposal for comment. The applicant will be advised of the need for any additional information.

### Step 5

### Reach a Servicing Agreement

A servicing agreement is a legal contract a municipality may require a subdivision applicant to enter into under the PDA. The servicing agreement establishes the developer's responsibility to install, or pay for, services in a subdivision, which will be maintained and operated by the municipality once installed.

The agreement may cover services and facilities that directly or indirectly serve the subdivision. It ensures that capital costs of servicing are paid for by the new development and that services are installed to municipal specifications and standards. Overall, it provides certainty and transparency for the developers, municipalities and homebuyers.

When establishing a servicing fee, municipalities should also consider the impact of the development on off-site infrastructure. For example additional wastewater requirements from a new subdivision may require a new or expanded sewage lagoon. The total cost is then proportioned among existing and expected development that will use the lagoon. Off-site fees must be assigned to a separate account, along with accrued interest and may only be withdrawn for the specified construction projects.

A servicing agreement should have performance guarantees, construction specifications, time limits, and a completion date. The agreement terminates when the developer completes construction of the services listed to the specifications of the municipality.

A servicing agreement will typically require the construction of the following on-site services:

- grading and leveling of the land;
- graded, graveled or paved roads, streets and lanes connecting to the subdivision;
- sidewalks, boulevards, curbs, gutters, lighting;

- storm sewers, sanitary sewers, drains, water mains, laterals, service connections, and fire hydrants;
- street name plates and poles;
- landscaping of parks and boulevards;
- · public recreation facilities; or
- any other public works that a council may require (e.g. power, gas, telecommunication lines).

An agreement may also require the developer to pay servicing fees or off-site fees to the municipality to cover the capital costs of altering, expanding or upgrading infrastructure or services which directly or indirectly serve the subdivision. In this case the municipality installs the services, which typically include:

- sewer, water, drainage or other utility systems;
- municipal streets and roads; or
- park and recreation space and facilities.

Most servicing agreements contain a warrantee period where the developer is required to repair any construction deficiency.

Note: Outside of the servicing agreement, developers should be aware that they will need to enter into a separate agreement with the individual utility companies, detailing the location and installation of services. Utility companies require approval from both the developer and the municipality before they will begin construction.

If a municipality requires a servicing agreement, the applicant has 90 days

to enter into the agreement. The time limit may be extended by mutual agreement.

Before a servicing agreement is signed, the developer has the right to appeal the need for a servicing agreement or the terms of an agreement to the Saskatchewan Municipal Board.

The approving authority cannot approve the subdivision application if the servicing agreement is unresolved.

### Step 6

### **Decision on Subdivision**

At this point in the process, you have likely resolved any issues, provided all appropriate information and signed a servicing agreement, should one be required.

If your land is properly zoned and you have addressed provincial and municipal requirements, a decision can now be made on your application.

Your subdivision application may be:

- approved;
- · approved with conditions; or
- · refused.

The decision is sent to the subdivision applicant (which may be the surveyor), the municipality, and any other parties (usually ministries or agencies) who were determined to have an interest in the application.

### Revisions and Appeals

If the developer disagrees with any conditions of approval, they can file

an appeal with the Saskatchewan Municipal Board.

If a subdivision application is denied, the developer may reapply once the issues have been resolved or they can appeal the decision to the Saskatchewan Municipal Board.

Information on appeals and an appeals guide can be found at: <a href="http://www.municipal.gov.sk.ca/Programs-Services/Community-Planning/Appeals/">http://www.municipal.gov.sk.ca/Programs-Services/Community-Planning/Appeals/</a>

### Step 7

### Register your survey plan

Once your subdivision has been approved and you have accepted the conditions of the approval, you or your surveyor may contact ISC to register your survey plan and apply for new titles to your subdivided lands. This is the last step in the subdivision process.

### Step 8

### Site preparation work

Once the subdivision is registered site, improvements can begin. After registering your survey plan you will need to prepare the site for building.

The developer is responsible for:

- acquiring any necessary permits and or granting easements associated with the installation of utilities, infrastructure development or services;
- contouring as defined in engineering plans;
- arranging for the installation of gas, telephone and electrical services (contact with service

- agencies should be made in advance of final approval);
- arranging for the relocation of any existing utilities that do not conform to the purposed subdivision plan;
- installation of infrastructure outlined in the servicing agreement – e.g. streets, curbs, lighting, or sewer; and
- all applicable costs associated with joint use servicing charges.

Note: Do not wait until this final step to contact utility companies. Utility installation must be staged, and shallow utilities (e.g. phone) cannot be installed until the development is to final grade and deep utilities (e.g. gas) have been installed and the roads are completed to the sub-base stage.

At this point, the developer may also:

- · begin marketing lots;
- · develop sales contracts;
- · obtain building permits;
- · develop show structures; and
- begin municipal reserve development.

#### Conclusion

The subdivision process can be straightforward however delays may arise. Developments requiring rezoning may take time as they involve a legislated public process. Good relationships between developers and municipalities will help facilitate timely decisions.

By working together, the developer, municipality and community will ensure the development is a good fit and will meet the present and future needs and interests of the community.

The Ministry of Municipal Affairs, gratefully acknowledges the contributions made by the Regina & Region Home Builders' Association, SaskPower, SaskEnergy and SaskTel in the preparation and review of this information.



### SaskTel

For more information contact the Community Planning Branch, Saskatchewan Ministry of Municipal Affairs.

### Southern Region

420 – 1855 Victoria Avenue REGINA SK S4P 3T2 Telephone: (306) 787-2725

Fax: (306) 798-0194

### Central and Northern Regions

Room 978, 122 3rd Avenue N Saskatoon SK S7K 2H6 Telephone: (306) 933-6937

Fax: (306) 933-7720 www.municipal.gov.sk.ca

### **Subdivision Application Approval Process**

