

Agricultural Crown Lands

POLICY TITLE Lease and Permit Splitting

BRANCH Sustainable Agriculture
DIVISION Agriculture Production, Innovation and Resilience
Policy Number ACL 23-06
Effective Date January 1, 2024, until rescinded or amended
ADM/Director Patti Rothenburger/Andrea McLean

Approved by July 29, 2024 - Original signed by

Brenda DeSerranno, Deputy Minister - MB Agriculture

Policy Objective:

Establish terms acceptable for the approval of splitting a legacy lease, renewed legacy lease or legacy renewable permit.

Relevant Legislation, Regulation, and Agreements:

Application of this policy or interpretations thereof must comply with all sections of the Crown Lands Act (the Act) and the Agricultural Crown Lands Leases and Permits Regulation (the Regulation).

Sections 3(1) outlines eligibility to acquire and hold a lease. Section 5 refers to Director’s restrictions. Section 6.1(5) and Section 8.4(2)(c) outline related fees.

Policy

- 1) Only legacy leases, renewed legacy leases, legacy permits and renewed legacy permits are eligible to be split¹.
- 2) The Director may deny an application for lease or permit splitting.
- 3) Splitting must support agricultural productivity and use of the leased or permitted land.
- 4) The Director will only consider applications for lease or permit splitting from lease or permit holders eligible to hold and acquire a lease or permit and that are in good standing.
- 5) A lease or permit holder must apply to the Director in a format acceptable to the Director to request a lease or permit split.

¹ See Definitions Policy ACL 23-09 for types of leases and permits

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- 6) Lease or permit splits will only be considered by the Director at time of lease and permit renewal.
- 7) New leases or permits resulting from a split are issued to the lease or permit holder that makes the application for lease or permit splitting.
- 8) New leases or permits resulting from a split are Renewed Legacy Leases or Renewed Legacy Permits².
- 9) The Director may apply restrictions to new leases or permits resulting from a split.
- 10) The Director will consider lease holder proposals as to the parcel composition of new leases or permits resulting from a split. The Director may approve or deny proposed parcel composition and may propose parcel composition to the applicant.
- 11) New leases or permits resulting from a split will be composed of whole parcels.
- 12) Lease or permit splits must not result in parcels or groups of parcels in a unit becoming inaccessible and must remain marketable on a stand alone basis.

² See Definitions Policy ACL 23-09 for types of leases and permits