

POLICY TITLE Term Length of an Agricultural Lease or Permit

BRANCH Sustainable Ag Branch
DIVISION Agriculture Production, Innovation and Resilience
Policy Number ACL 23-07
Effective Date January 1, 2024, until rescinded or amended
ADM/Director Patti Rothenburger/Andrea McLean
 July 29, 2024 - Original signed by
Approved by _____
 Brenda DeSerranno, Deputy Minister - MB Agriculture

Policy Objective:

To provide farmers with the length and tenure of terms, and renewability of agricultural leases and permits on agricultural Crown lands (ACL).

Relevant Legislation, Regulation, and Agreements:

Agricultural Crown Lands Leases and Permits Regulation, M.R. 99/2023 Sections 6 and 7 describe lease and permit term lengths. It also describes other lease and permit features including renewability, lease extensions and powers of the Director.

Policy

- 1) The length of term is associated with the type of ACL lease or permit.
 - a) The standard cropping lease term is five years. Cropping lease terms of other than five years in length may be issued at the Director’s discretion.
 - b) Standard modern forage leases are 15 years in length. Forage lease terms of less than 15 years in length may be issued at the Director’s discretion, including when competing infrastructure or alternate resource use requires a shorter term.
 - c) Legacy Leases expire when the holder reaches age 65. For partnerships, a Legacy Lease expires when the oldest partner reaches age 65.
 - d) Legacy Leases and Renewed Legacy Leases may be renewed in terms of up to 15 years.
 - e) A renewable permit for haying or grazing is issued for a term of up to one year in length, expiring on December 31 in the year of issuance. The permit is renewable for up to 14 consecutive terms (maximum 15 terms to align with forage leases), provided the land is still available for agricultural use, and the permit holder has complied with the terms and conditions of the permit. Terms and conditions of the permit are subject to change at renewal.

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- f) A casual permit for cropping, haying, or grazing is issued for a term of up to one year in length, expiring on December 31 in the year of issuance, and is not eligible for renewal.
 - g) A special lease may be issued for the purpose of research, stewardship, or other needs as determined by the department, for a term of up to 21 years in length, at the discretion of the Minister. Terms and conditions of a special lease may vary from a standard lease agreement.
 - h) Renewals of legacy renewable permits are automatically administered if the permit holder pays the annual rent and fees associated with the annual permit unless the permit holder is found to be non-compliant.
- 2) Where there is a sales application under review for ACL, the terms of the disposition will be extended in one-year intervals, until such time there is a government decision made regarding the sales application.
- a) If the sales application is approved, and the applicant proceeds with the purchase of the agricultural Crown land, the land is no longer available for allocation in the ACL program.
 - b) If the sales approval is in relation to only part of the disposition, only the approved lands are no longer available for allocation in the ACL program.
 - c) If the sales application is denied, or there are other ACL parcels within the disposition that are not approved, or the applicant does not proceed with the purchase of the agricultural Crown land, the land remains part of the ACL program.
- 3) Where there are lands being managed by Manitoba on behalf of a municipality, and they are subject to the return to the municipality, terms may be modified to facilitate the return of the lands. Efforts will be taken by Manitoba to facilitate the transfer of lands with minimal impact on existing lease agreements.
- 4) The Director may modify or extend terms, as required in relation to:
- a) alternate resource use (e.g. pending use or development by government)
 - b) administrative efficiencies (e.g. regional grouping of agricultural Crown land to become available for auction at the same time).