



Rural Municipality of Whitehead
July 13, 2026 - Regular Meeting of Council - 08:30 AM

- 1 CALL TO ORDER**
- 2 ADOPTION OF THE AGENDA**
- 3 ADOPTION OF MINUTES AS CIRCULATED**
 - 📎 Regular Minutes - June 8, 2026
 - 📎 Special Minutes - June 11, 2026
- 4 DECLARATION OF CONFLICT OF INTEREST**
- 5 PUBLIC HEARINGS**
 - 5.1 Conditional Use Application CO2026-02 - Parks
 - 📎 CO2026-02 Application Package
 - 5.2 Variance V2026-04 - Partridge
 - 📎 VO2026-04 Application Package
 - 5.3 By-law No. 2026-03 - To Amend the Zoning By-law
 - 📎 ZBLA 2026-03 - Application Package
- 6 PRESENTATIONS AND DELEGATIONS**
- 7 BYLAWS AND POLICIES**
 - 7.1 By-law No. 2026-03 - To Amend The Zoning By-law - 2nd Reading
 - 7.2 By-law No. 2026-03 - To Amend The Zoning By-law - 3rd Reading
- 8 SUBDIVISION**
- 9 UNFINISHED BUSINESS**
- 10 NEW BUSINESS**
 - 10.1 2026 Flood Situation
 - 10.2 Roseland Tailgate Cook Off - Community Event Designation
 - 10.3 Regular Bill Payments
 - 10.4 Tile Drainage Tender
 - 📎 Precision Land Solutions - Submission
 - 📎 Impact Tile Drainage - Submission
- 11 ACCOUNTS**
 - 11.1 Accounts
 - 📎 June 2026 Cheque Register

- 11.2 Bank Reconciliation
 -  June 2026 Bank Reconciliation
- 11.3 Budget to Actual
 -  June 2026 Budget to Actual
- 12 **COMMITTEE AND BOARDS REPORTS**
- 12.1 AMM Western District Annual Meeting
- 13 **CORRESPONDENCE**
 -  RCMP Policing Report
 -  Lyle Patterson - Land Purchase Request
 -  Manitoba Habitat Conservancy - Notice of Intent to File a Caveat
- 14 **NOTICE OF MOTION**
- 15 **IN CAMERA**
- 16 **Adjournment**



Rural Municipality of Whitehead
Meeting Minutes

Regular Meeting of Council June 8, 2026 - 05:30 PM

In attendance: Reeve Trevor Tuttosi, Councillor Jeff Owens, Councillor Curtis Storey, Councillor Chris Semeschuk, Councillor Dennis Foerster, Councillor Kaley Mykula

Regrets: Councillor Kevin Klassen

- 2026-114

1

CALL TO ORDER
- 2026-114

2

ADOPTION OF THE AGENDA
Councillor Mykula - Councillor Foerster
Resolved that the Agenda be adopted as presented.
CARRIED UNANIMOUSLY
- 2026-115

3

ADOPTION OF MINUTES AS CIRCULATED
Councillor Foerster - Councillor Owens
Resolved that the regular minutes from May 11, 2026 and the special minutes from May 25, 2026 be approved as presented.
CARRIED UNANIMOUSLY
- 4

DECLARATION OF CONFLICT OF INTEREST
- 5

PUBLIC HEARINGS
- 6

PRESENTATIONS AND DELEGATIONS
- 2026-116

6.1

MLA Colleen Robbins
Councillor Storey - Councillor Mykula
That the delegation by Spruce Woods MLA Colleen Robbins be received.
CARRIED UNANIMOUSLY
- 7

BYLAWS AND POLICIES
- 2026-117

7.1

By-law No. 2025-06 - To Amend the Development Plan By-law 2018-08 - 3rd Reading
Councillor Owens - Councillor Foerster
Be it resolved that By-law No. 2025-06 to amend the Development Plan By-law No. 2018-08 be read a third and final time.

In accordance with Section 137 of the Municipal Act, a recorded vote was taken in the motion to give by-law no. 2025-06 third reading.

Name	Yes	No	Abstained	Absent
Dennis Foerster	✓			
Kevin Klassen				✓
Kaley Mykula	✓			
Jeff Owens	✓			
Chris Semeschuk	✓			
Curtis Storey			✓	
Trevor Tuttosi	✓			
CARRIED				

- 2026-118 **7.2 GG-08 - Digital Communication Policy**
 Reeve Tuttosi - Councillor Storey
- Be it resolved that GG-08, being a policy for the use of digital methods of public communication, be approved and come into immediate effect.
- CARRIED UNANIMOUSLY**
- 8 SUBDIVISION**
- 2026-119 **8.1 Subdivision 4202-26-8827 - McLachlan - NW 29-10-20 W**
 Councillor Mykula - Councillor Owens
- That the pending motion with respect to Subdivision File No. 4202-26-8827 be taken from the table.
- CARRIED UNANIMOUSLY**
- 2026-097 **8.1.1 Tabled Motion**
 Councillor Storey - Councillor Owens
- Whereas David McLachlan, on behalf of registered owners of Parcels A & B, Plan 34982 BLTO NW 29-10-20 W, Darcy & Tracy Wyborn and David & Noreen McLachlan respectively, made an application for subdivision;
- The intent of the subdivision application is to re-align the boundaries of existing subdivided lots to accommodate some uses in Lot 1 and Lot 2.
- Therefore, be it resolved that Subdivision File No. 4202-26-8827 be approved with the following conditions:
1. Unless there is sufficient indication of pre-existing approval, that a variance order be obtained for the residual land to allow for a reduced size from 80 acres to 64 acres within the "AG" Agricultural Zone as necessary to ensure compliance with the Zoning By-law.
 2. That a single-lot subdivision application fee of \$110.00 be paid to the Rural Municipality of Whitehead;
 3. That a financial levy of \$750.00 be made to the Rural Municipality of Whitehead Capital Reserve Fund for the formation of each new certificate of title incurred by the subdivision as per By-law No. 2111;
 4. That any new or restored survey monuments required due to the subdivision are to be paid by the applicant;
- CARRIED UNANIMOUSLY AS AMENDED**
- 2026-120 **8.1.2 Amending Motion**
 Councillor Foerster - Councillor Storey
- That the above motion be amended to replace Condition (1) in its entirety with the following:
1. Unless there is sufficient indication of pre-existing approval, that a variance order be obtained for the residual land to allow for a reduced size from 80 acres to 64 acres within the "AG" Agricultural Zone as necessary to ensure compliance with the Zoning By-law.
- CARRIED UNANIMOUSLY**
- 9 UNFINISHED BUSINESS**
- 9.1 AMM Resolutions**
- Resolutions received past the AMM deadline were presented for consideration in advance of the Western District Meeting.

10 NEW BUSINESS**10.1 Assiniboine West Watershed District**

Council discussed requests for support by Assiniboine West Watershed District member municipalities seeking a forensic audit of the watershed district operations. Consideration was given to the lack of consensus amongst member municipalities and concerns regarding excessive cost to undertake a forensic audit. AWWD had committed to providing a report to members and Council deemed it prudent to withhold any determination until such report had been received.

11 ACCOUNTS**11.1 Accounts**

2026-121

Councillor Storey - Councillor Foerster

Resolved that the List of Accounts as paid for May 2026, cheques numbers #16903 to #16939, EFT numbers #191 to #209 (both inclusive) and 3 auto withdrawals for a total of \$16261.79 and Direct Deposit Register totaling \$34,526.72 inclusive of payroll and council indemnity as per By-law No. 2023-01 be approved.

CARRIED UNANIMOUSLY

11.2 Bank Reconciliation

2026-122

Councillor Storey - Councillor Owens

Resolved that the April & May 2026 Bank Reconciliations be approved as presented.

CARRIED UNANIMOUSLY

11.3 Budget to Actual

2026-123

Councillor Owens - Councillor Storey

That the May 2026 year-to-date budget to actual report be approved as presented.

CARRIED UNANIMOUSLY

12 COMMITTEE AND BOARDS REPORTS**12.1 LUD Report - May 2026****13 CORRESPONDENCE**

2026-124

Reeve Tuttosi - Councillor Mykula

Resolved that the Correspondence listed below be received;

- Nature Conservancy Canada
- Alexander & Area Event Planning Committee
- Manitoba Transportation and Infrastructure

CARRIED UNANIMOUSLY

14 NOTICE OF MOTION**15 IN CAMERA**

2026-125

Councillor Storey - Councillor Owens

BE IT RESOLVED THAT this regular meeting now adjourns to an “in camera” meeting to discuss matters in the preliminary stages as per Subsection 152(3)(b)(iii) of The Municipal Act and all matters discussed in-camera are confidential until discussed in an open meeting as per Section 83(1)(d) of The Municipal Act.

CARRIED UNANIMOUSLY

15.1 Legal

15.2 BACK TO OPEN SESSION

2026-126 Reeve Tuttosi - Councillor Mykula

BE IT RESOLVED THAT this ‘in camera’ meeting does now resume back to a regular meeting.

CARRIED UNANIMOUSLY

16 Adjournment

2026-127 Reeve Tuttosi - Councillor Mykula

Resolved that we now adjourn to meet again on July 13, 2026 at 8:30 a.m. for a Regular Council meeting or at the call of the Reeve.

Time: 7:29 p.m.

CARRIED UNANIMOUSLY

DRAFT



Rural Municipality of Whitehead
Meeting Minutes

Special Meeting of Council June 11, 2026 - 12:00 PM (Microsoft TEAMS)

In attendance: Reeve Trevor Tuttosi, Councillor Curtis Storey, Councillor Chris Semeschuk, Councillor Dennis Foerster, Councillor Kaley Mykula

Regrets: Councillor Jeff Owens, Councillor Kevin Klassen

- 1

Call to Order
- 2026-128

2

Adoption of The Agenda

Reeve Tuttosi - Councillor Foerster

Resolved that the Agenda be adopted as presented.

CARRIED UNANIMOUSLY
- 2026-129

3

IN CAMERA

Reeve Tuttosi - Councillor Storey

BE IT RESOLVED THAT this regular meeting now adjourns to an “in camera” meeting to discuss matters in the preliminary stages as per Subsection 152(3)(b)(iii) of The Municipal Act and all matters discussed in-camera are confidential until discussed in an open meeting as per Section 83(1)(d) of The Municipal Act.

CARRIED UNANIMOUSLY
- 2026-130

3.1

Legal

3.1.1

Back to Open Session

Reeve Tuttosi - Councillor Storey

BE IT RESOLVED THAT this ‘in camera’ meeting does now resume back to a regular meeting.

CARRIED UNANIMOUSLY
- 2026-131

3.1.2

Offer Authorization

Reeve Tuttosi - Councillor Storey

Be it resolved that the RM of Whitehead Council approves the letter of offer, received in draft on June 9, 2026, as presented by legal counsel;

And further be it resolved that, if agreed to by both parties, Administration is directed to execute an agreement prepared by legal counsel as per the letter as presented.

CARRIED
- 2026-132

4

Adjournment

Reeve Tuttosi - Councillor Foerster

Resolved that we now adjourn to meet again on July 13, 2026 at 8:30 a.m. for a Regular Council meeting or at the call of the Reeve.

Time: 12:10 p.m.

CARRIED UNANIMOUSLY



Conditional Use

Name of Property Owner: Tyler + Teahna Parks

Name of Applicant: Tyler + Teahna Parks

Civic Address of Property: _____

Legal Description of Property: _____

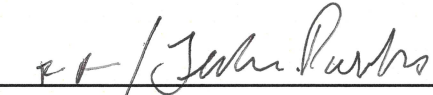
References:

Whitehead Development Plan
Zoning By-law no. 2021-04

Conditional Use Request:

Non-farm dwelling in AG Zone

As the applicant, I confirm and verify to the municipality of Whitehead that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, Zoning by-law and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant:  Date: 06/24/20

Address: 251 Dennis Street, Brandon, MB Postal Code: R7A 5C9

Phone No: 204-619-3995 Email Address: Tyler.Parks39@gmail.com

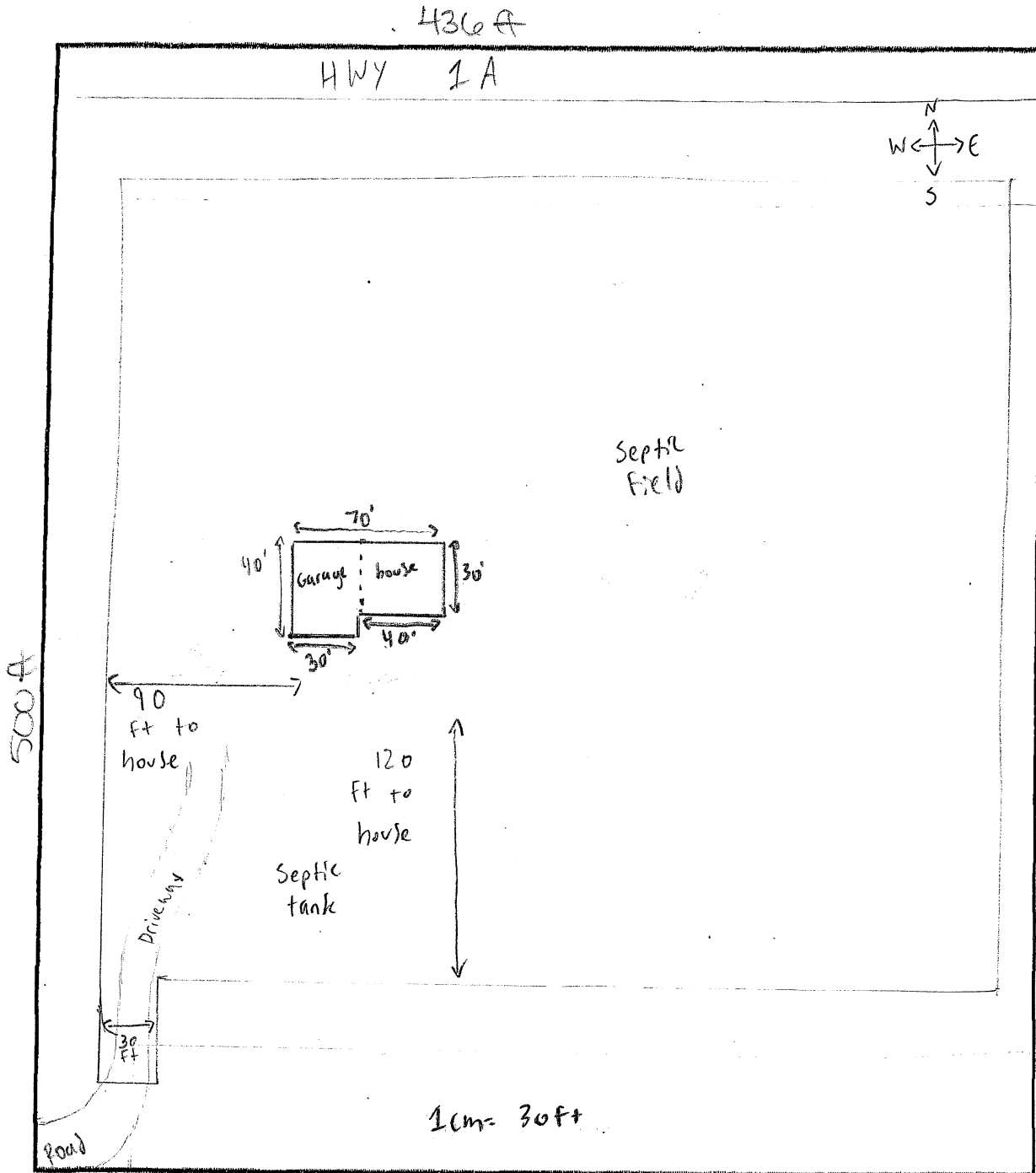
OFFICE USE ONLY:

Date Application Received: _____

Payment Received: _____ Amount Received: _____

File No: _____

SITE PLAN for: _____



- A Site Layout Plan is to be done including the size of house and distances to all property lines along with the front property line defined and a drive way and any out buildings drawn in

CONSTRUCTION SET WITH MEP - 378SVD



3 BED | 2 BATH | GARAGE | STICK FRAME - 1400 SF



NOTICE OF PUBLIC HEARING

UNDER THE PLANNING ACT

Application for Conditional Use under the Rural Municipality of Whitehead Zoning By-law No. 2021-04

NOTICE IS HEREBY GIVEN that Council of the Rural Municipality of Whitehead will be conducting a Public Hearing to receive representation on:

CONDITIONAL USE APPLICATION NO. CO2026-02 – NE 13-10-20 W – TO ALLOW FOR A NON-FARM DWELLING LOCATED IN THE “AG” AGRICULTURAL GENERAL ZONE

DATE OF HEARING: Monday, July 13, 2026

TIME OF HEARING: 8:30AM

LOCATION: Council Chambers, Municipal Office, 517 Second Avenue

COMMONLY ASKED QUESTIONS

What happens at the hearing?

At the time and date noted above, the Reeve will ask if anyone would like to speak either for or against the proposed application. Council will also receive and consider any and all written representation on the matter.

Do I have to attend the hearing?

Your attendance at the Public Hearing is welcomed; however, you are not required to attend. You may make representation to Council in writing by the deadline noted below.

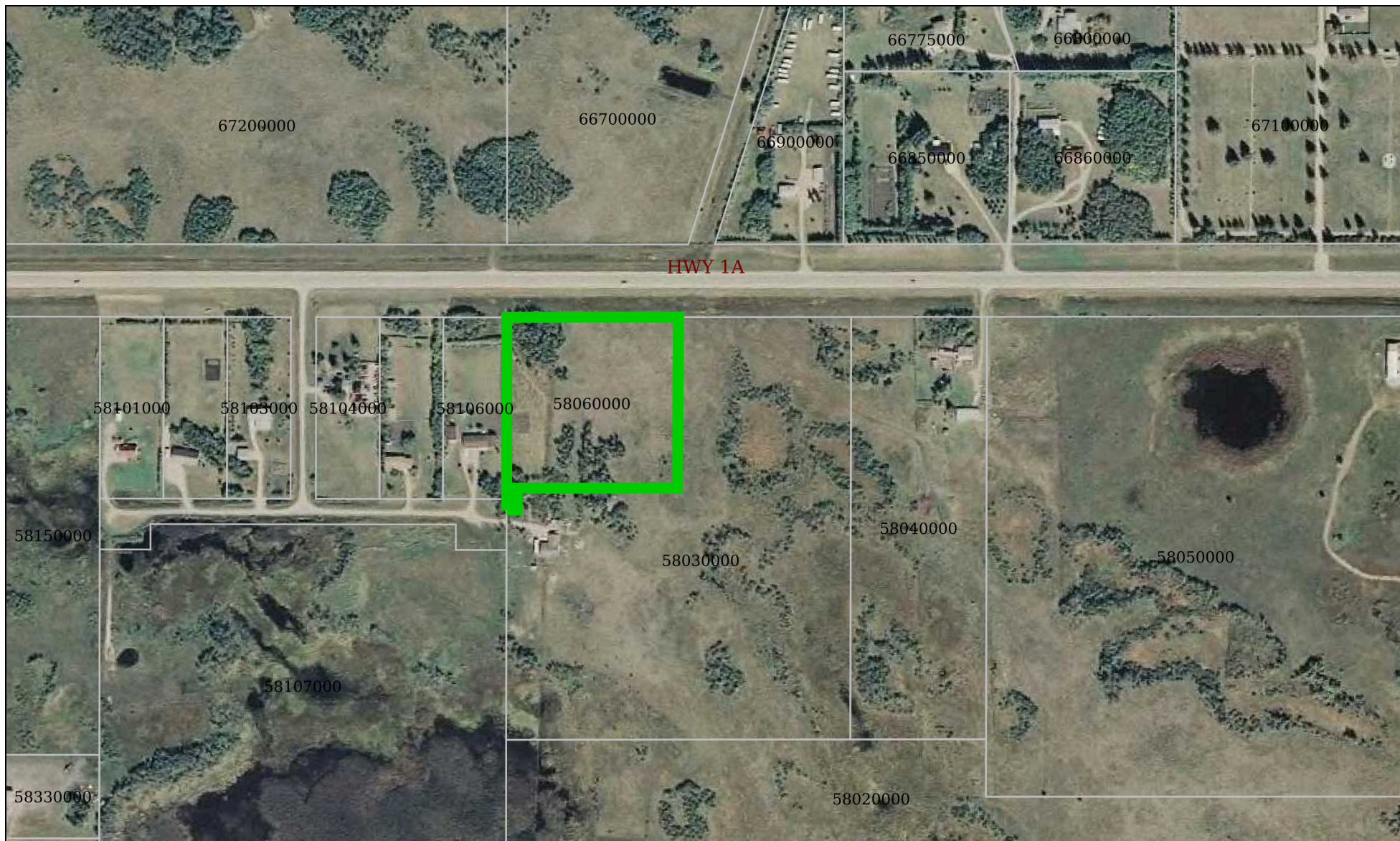
Where can I get more information?

If you would like more information, you may contact the municipal office during regular business hours at 204.752.2261.

What if I have something to say but cannot attend the hearing?

You may submit written comments to the Chief Administrative Officer not later than **July 10, 2026** (cao@rmofwhitehead.ca). Be advised that all correspondence becomes public information, therefore personal information {names, addresses etc.} contained in the correspondence could be released to the public.

Dated this 24th day of June 2026
James Maxon, CAO



Scale 1: 4,634



100 yd 100 m



The RM of Whitehead makes no representation or warranties regarding the information contained in this document, including without limitation, whether said information is accurate or complete. Persons using this document do so at their own risk, and the RM of Whitehead shall have no liability to such person for any loss or damage whatsoever. This document shall not be copied or distributed to any person without the express written consent of the RM of Whitehead. Copyright RM of Whitehead. All Rights Reserved.

Variance to Zoning By-law No. 2021-04

Name of Property Owner: Brian and Tammy Partridge

Name of Applicant: Brian Partridge

Civic Address of Property: RR3 Box 43B, Brandon, \manitoba, R7A 5Y3

Legal Description of Property: NE33-10-20 W1

Variance Request: We are requesting two variances. The first to reduce the setback from the road allowance from 125feet to 65 feet to accommodate a detached two-car garage. The second variance is to allow the garage to be located in front of the residence, or between the residence and the road.

Please see the attached letter for a more detailed explanation of the two variance requests.

As the applicant, I confirm and verify to the municipality of Whitehead that the information provided in this application is true and complete, and I undertake to observe and perform all provisions of The Planning Act, the Development Plan, Zoning by-law and the provisions of other relevant laws, by-laws or agreements.

Signature of Applicant:



Date: 2026-06-15

Address: RR3 Box 43B Brandon, Mb

Postal Code: R7A 5&3

Phone No: 204-573-9047

Email Address: bpartridge108@gmail.com

Signature of Owner:



Date: 2026-06-15

Address: RR3 Box 43B, Brandon Mb

Postal Code: R7A 5Y3

Phone No: 204-5739047

Email Address: bpartridge108@gmail.com

OFFICE USE ONLY:

Date Application Received:

Payment Received Date: Amount Received:

File No:

To: Development Officer and Council Rural Municipality of Whitehead

Re: Request for Variances – Detached Garage

Property Address: RR3 Box 43B, Brandon, Manitoba R7A 5Y3

Legal Description: NE 33-10-20 W1

We respectfully request approval of two variances to permit the construction of a detached garage on our property.

The first variance requested is a reduction to the required setback from the road allowance. We are requesting permission to locate the garage approximately 65 feet from the road allowance rather than the required 125 feet.

The second variance requested is permission to locate the detached garage in a position that is technically considered to be in front of the principal dwelling. Under the zoning by-law, accessory buildings are generally required to be located beside or behind the residence. Due to the manner in which the front yard is defined under the by-law, our proposed garage location is considered to be in front of the house even though it is the most practical and functional location for the building.

The proposed location has been selected to align with the existing driveway access and the way the property is used on a daily basis. Locating the garage in this area provides the most practical access, minimizes additional driveway construction and site disturbance, and allows the garage to complement the existing residence and overall property layout.

When the residence was originally constructed approximately 30 years ago, a variance was approved to permit the house to be located closer to the road allowance than would otherwise have been permitted. As a result, the existing dwelling is already situated within the same general setback area for which this variance is being requested. The proposed garage would therefore be consistent with the established development pattern on the property and would not introduce a new land use or development concept that has not previously been considered and approved.

The property consists of approximately 12 acres and is situated such that neighbouring residences do not have a direct view of either the existing dwelling or the proposed garage location. As a result, the proposed garage will have no meaningful visual impact on neighbouring properties and will not alter the character or enjoyment of surrounding lands.

We believe the requested variances are minor in nature and will not negatively affect neighbouring properties or the character of the area. The proposed garage will not create traffic concerns, sightline issues, drainage impacts, or any other adverse effects.

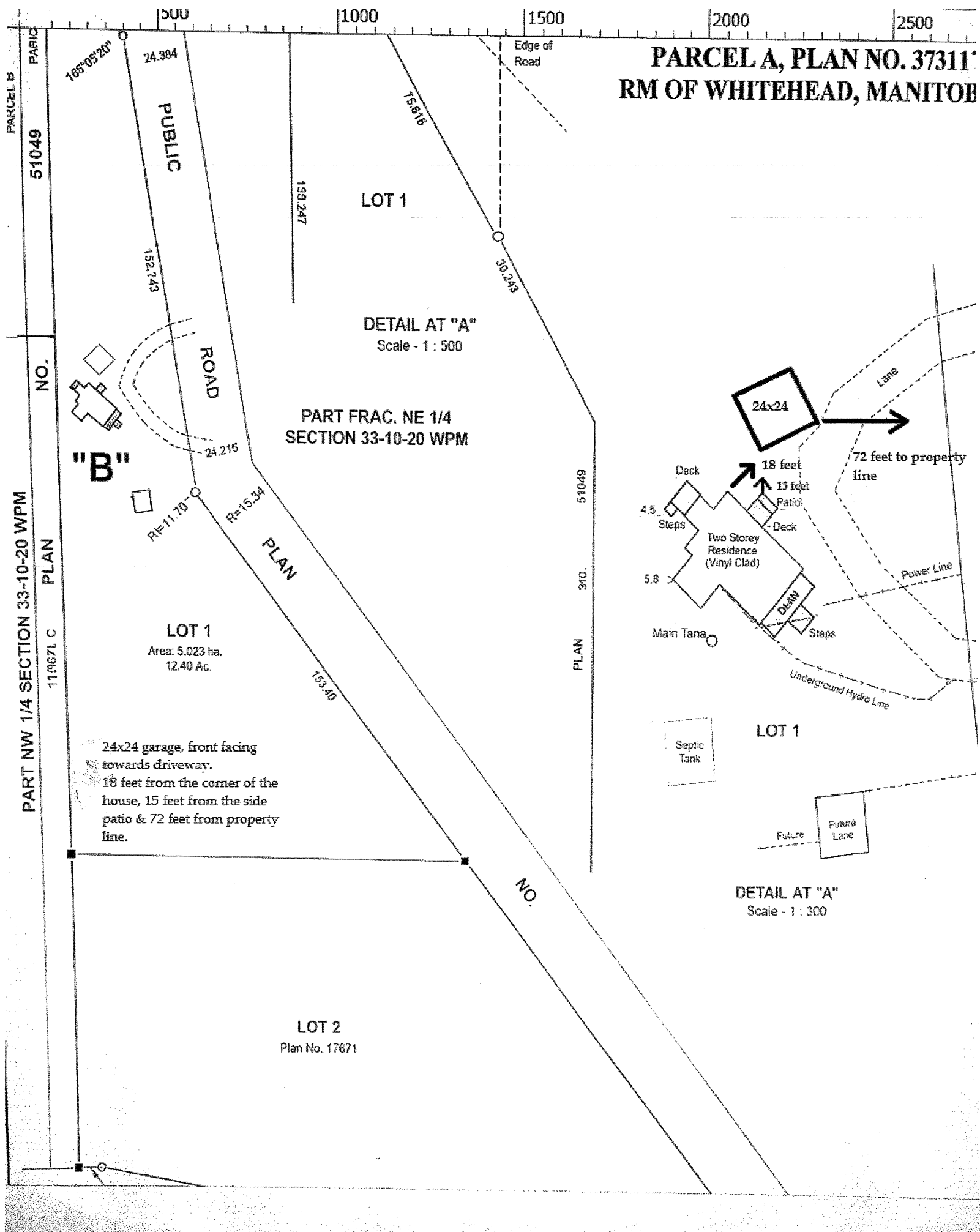
The requested variances would allow us to construct a modest 24-foot by 24-foot detached garage in the most practical location while maintaining the intent of the zoning by-law and preserving the overall rural character of the property.

We respectfully request Council's favourable consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Partridge". The signature is fluid and cursive, with the first name "Brian" and last name "Partridge" clearly distinguishable.

Brian Partridge Tammy Partridge







NOTICE OF PUBLIC HEARING

UNDER THE PLANNING ACT

Application for Variation Order under the Rural Municipality of Whitehead Zoning By-law No. 2021-04

NOTICE IS HEREBY GIVEN that Council of the Rural Municipality of Whitehead will be conducting a Public Hearing to receive representation on:

VARIATION APPLICATION NO. VO2026-04 – NE 33-10-20 W1 – TO ALLOW FOR REDUCED FRONT YARDS IN THE “RR2” RURAL RESIDENTIAL ZONE DOWN FROM 125FT TO 65 FT.

DATE OF HEARING: Monday, July 13, 2026

TIME OF HEARING: 8:30 AM

LOCATION: Council Chambers, Municipal Office, 517 Second Avenue

COMMONLY ASKED QUESTIONS

What happens at the hearing?

At the time and date noted above, the Reeve will ask if anyone would like to speak either for or against the proposed application. Council will also receive and consider any and all written representation on the matter.

Do I have to attend the hearing?

Your attendance at the Public Hearing is welcomed; however, you are not required to attend. You may make representation to Council in writing by the deadline noted below.

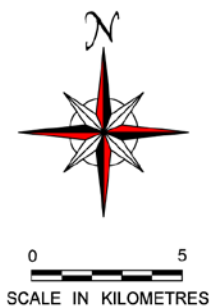
Where can I get more information?

If you would like more information, you may contact the municipal office during regular business hours at 204.752.2261.

What if I have something to say but cannot attend the hearing?

You may submit written comments to the Chief Administrative Officer no later than **July 10, 2026** (cao@rmofwhitehead.ca). Be advised that all correspondence becomes public information, therefore personal information {names, addresses etc.} contained in the correspondence could be released to the public.

Dated this 22nd day of June 2026
James Maxon, CAO



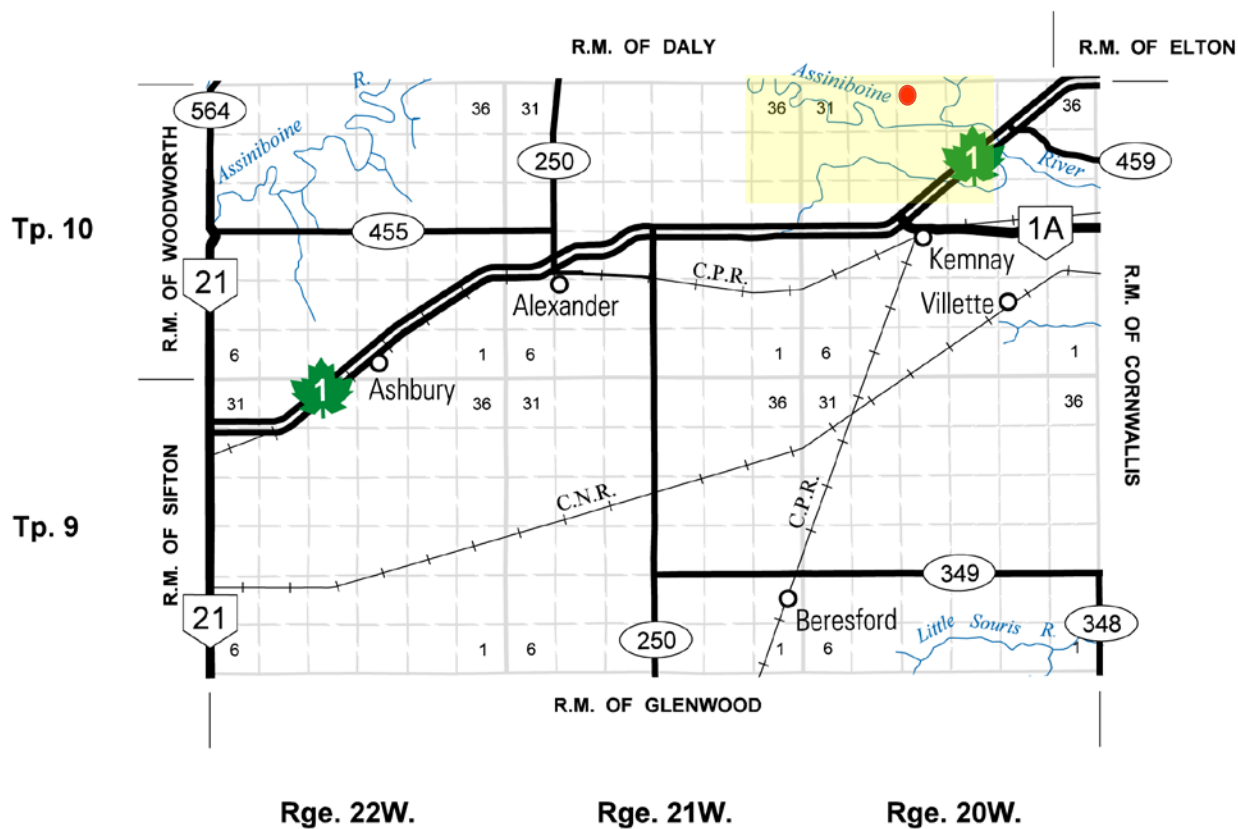
R.M. OF WHITEHEAD

MAP REVISED:-

MANITOBA
TRANSPORTATION AND GOVERNMENT SERVICES
HIGHWAY PLANNING AND DESIGN BRANCH
DRAFTING SECTION
WINNIPEG
JANUARY, 2004

LEGEND

TRANS-CANADA HIGHWAY		ACCESS ROADS	
PROVINCIAL TRUNK HIGHWAYS		RAILWAYS	
PROVINCIAL ROADS			



RURAL MUNICIPALITY OF WHITEHEAD
BY-LAW NO. 2026-03

BEING a By-law of the Rural Municipality of Whitehead to amend the Rural Municipality of Whitehead Zoning By-law No. 2021-04, as amended.

WHEREAS it is necessary to pass a By-law to amend the Rural Municipality of Whitehead Zoning By-law;

AND WHEREAS Section 80 of *The Planning Act* provides that a Zoning By-law may be amended;

THEREFORE BE IT RESOLVED that the Council of the Rural Municipality of Whitehead, in open meeting duly assembled, enacts as follows:

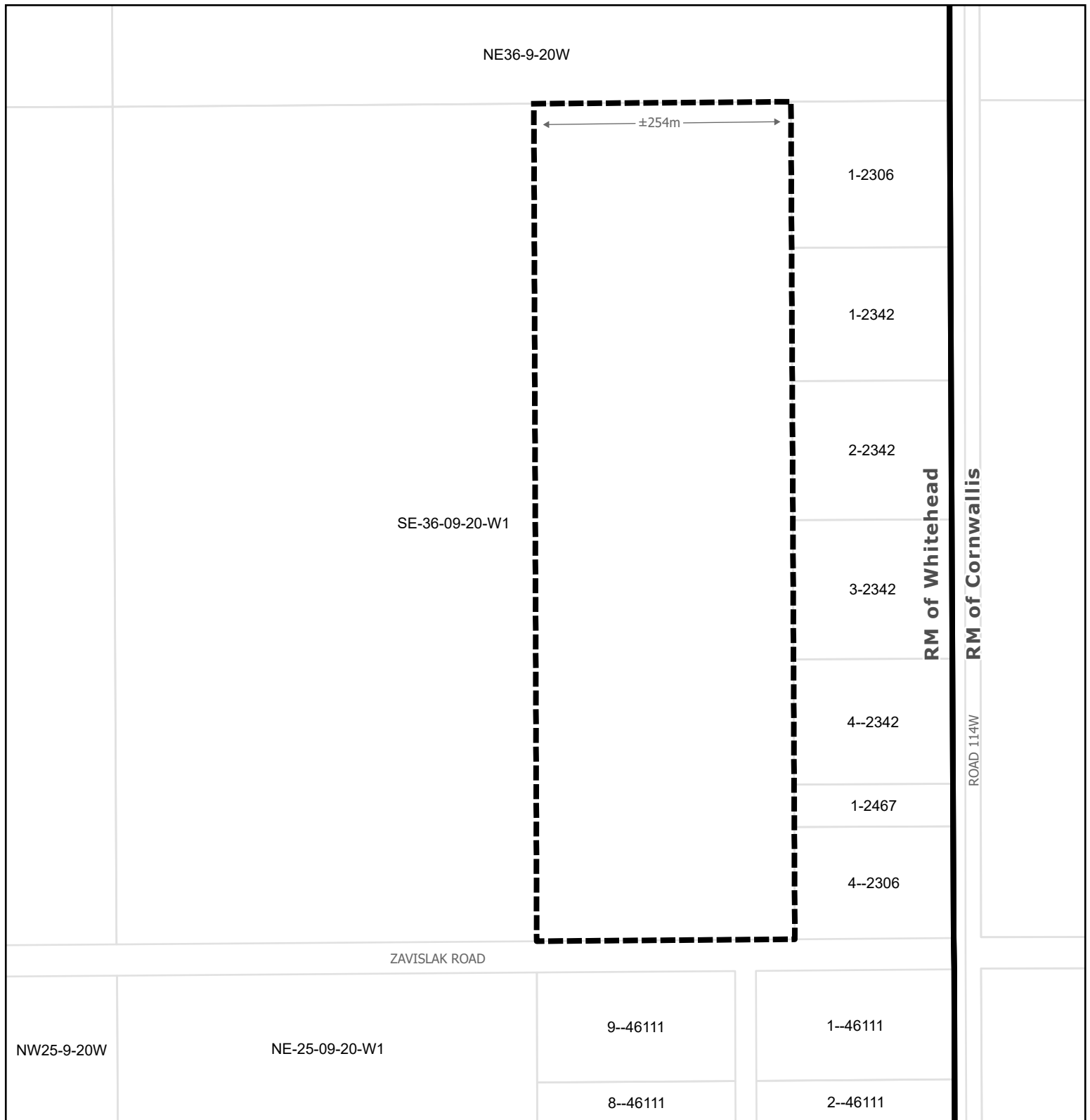
1. Appendix “A”: Zoning Map 1 of By-law No. 2021-04 is hereby amended as follows:
- a. Parcel: Part of the SE ¼ 36-9-20 WPM which lies west of Plan No 2342 BLTO as shown on the map attached hereto and marked as Schedule “A” of this by-law is hereby re-zoned:

FROM: “RR5” Rural Estate Residential

TO: “RR2” Rural Residential

DONE AND PASSED by the Council of Rural Municipality of Whitehead in meeting duly assembled at Alexander, Manitoba, this ____ day of _____ A.D.

_____ Reeve	_____ Chief Administrative Officer
Read a first time this	13 th day of April A.D. 2026
Read a second time this	day of A.D.
Read a third time this	day of A.D.



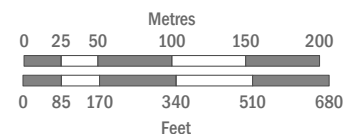
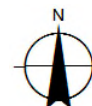
Appendix "A"

Attached to By-law No. 2026-03 of the Rural Municipality of Whitehead amending Map 1 of the Rural Municipality of Whitehead Zoning By-law No. 2021-04.

 Limit of affected area

From: "RR5" Rural Estate Residential
To: "RR2" Rural Residential

Being Pt. of SE-36-9-20-WPM



Date: Apr-10-2026
Map name:
WZBLA_2026-03

Manitoba
Community Planning Services
Municipal and Northern Relations





Municipal and Northern Relations
Brandon Community Planning Branch
Unit 1B – 2010 Currie Blvd
Brandon, Manitoba R7B 4E7
T 204-726-6267 F 204-726-7499
BrandonCRP@gov.mb.ca

May 27, 2026

Mayor and Members of Council
Rural Municipality of Whitehead
517 – 2nd Avenue
Box 107
Alexander, MB R0K 0A0

**RE: Rural Municipality of Whitehead
Bylaw No. 2026-03
Amendment to Zoning By-law 2021-04**

The above noted bylaw has been circulated to government departments and agencies for review and comment following first reading on April 13, 2026. All comments are attached in Appendix A. NOTE: Council should provide a copy of this report and copies of all comments received to the development proponent for review and consideration at the public hearing. This report summarizes all provincial departmental responses received. There are no formal provincial objections to the bylaw.

Next Steps:

Between first and second reading of a zoning bylaw, council must hold a public hearing. If there are no local or provincial objections raised at the required public hearing, council may choose to give the bylaw second and third reading after it closes the hearing. If objections are made orally or in writing at the hearing and council gives the bylaw second reading with outstanding objections, it must provide written notice of the bylaw having received second reading to objectors. This is outlined in section 77(3) and (4) of *The Planning Act*. If council receives several objections, as identified in 77(5), and meets the definition of sufficient objections under the Act (73.1(1-4)), council must then issue notice of second reading. If sufficient objections are received in response to notice of second reading, council must then refer the bylaw and objections to the Municipal Board.

Sincerely,

Isaac Omonaiye
Community Planner

Appendix A

I have reviewed this proposed re-zoning for the RM of Whitehead on behalf of Manitoba Agriculture. The subject lands are designated Rural Residential by Development Plan By-law 2018-08 and the proposed re-zoning from RR5 to RR2 is consistent with the designated area. No concerns from an agricultural perspective.

Regards,
Sheila

Sheila Cook, P.Ag.
Agricultural Planning Specialist
Sheila.Cook@gov.mb.ca
T: 204-365-0923

Bell MTS has no concerns with the above noted By-law Amendment No. 2026-03.

If removal, relocation or adjustment of existing Bell MTS facilities is required, charges will be at the expense of the developer and/or property owner.

Any existing Bell MTS services, easement agreements and/or caveats affecting the land will be brought forward on the new plan unless otherwise specified.

Note – Updated information for associated File No. 4202-18-8031:

Developer responsibilities (Bell MTS Pre-Service Charges etc.) can be made available by contacting the Bell MTS Network Engineering Control Centre at neteng.control@bellmts.ca.

The contact for proceeding with the Right-of-Way Agreement is:

Bell MTS Property Acquisition Department
Attention: Mr. Gregory Sim
PROPERTYACQUISITION@bellmts.ca

Thank-you,
Heather Dixon
Network Services Associate
subdivisions@bellmts.ca

cc. Bell MTS Property Acquisitions

The responsibility lies with the local government or planning district to ensure that all bylaws, zoning bylaws, development plans, and amendments thereof are in compliance with the Water Rights Act, the Water Rights Regulation, and the policies, procedures and requirements of the Drainage and Water Rights Licensing Branch – Drainage Section. Water Control Works associated with any future development require authorization under the Water Rights Act prior to construction or installation.

Note #1 - Any filling or draining of regulated wetlands (Class 3, 4 or 5) constitutes the construction of water control works.

Note #2 – Class 6, 7 and Unimproved organic soils (ag capability) cannot be drained.

Rick Pemkowski CD

Water Resource Officer
Rick.pemkowski@gov.mb.ca Cel: 204 761-0013

Please be advised of the following Manitoba Hydro/Centra Gas conditions on file :

1. Manitoba Hydro and Centra Gas Manitoba Inc. have no concerns with the Zoning By-Law amendment.
2. If this application is revised at any time, it will be necessary for Manitoba Hydro/Centra Gas Manitoba Inc. to review the file to determine if our concerns remain the same.
3. If there are existing Manitoba Hydro and/or Centra Gas easements on the titles, any building and/or construction affecting our easements will require approval prior to work beginning and can be applied for through SecondaryLandUse@hydro.mb.ca.
4. Visit Click Before You Dig <http://clickbeforeyoudigmb.com/> in advance of any excavating.
5. Any removal or relocation of Manitoba Hydro and/or Centra Gas Manitoba Inc. existing facilities as a result of the proposed will be at the expense of the developer and/or customer.
6. Future electrical and or gas service can be obtained by submitting the online form on the [Manitoba Hydro](http://ManitobaHydro.com) website.

Any inquiries can be sent to HCSC@hydro.mb.ca.

Subdivision Coordination Team
Manitoba Hydro, Property Department
12th Floor – 360 Portage Ave
Winnipeg, MB
R3C 0G8 Canada





NOTICE OF PUBLIC HEARING

UNDER THE PLANNING ACT

NOTICE IS HEREBY GIVEN that Council of the Rural Municipality of Whitehead will be conducting a Public Hearing to receive representations from any persons who wish to make them in respect to the following matter:

BY-LAW NO. 2026-03

BEING AN AMENDMENT TO THE RM OF WHITEHEAD ZONING BY-LAW NO. 2021-04

**TO REZONE A PORTION OF THE SE ¼ OF 36-9-20 WPM WHICH LIES
TO THE WEST OF PLAN NO 2342 BLTO**

FROM: "RR5" RURAL ESTATE RESIDENTIAL

TO: "RR2" RURAL RESIDENTIAL

DATE OF HEARING: Monday, July 13, 2026

TIME OF HEARING: 8:30 AM

LOCATION: Council Chambers, Municipal Office, 517 Second Avenue

COMMONLY ASKED QUESTIONS

What happens at the hearing?

At the time and date noted above, the Reeve will ask if anyone would like to speak either for or against the proposed application. Council will also receive and consider any and all written representation on the matter.

Do I have to attend the hearing?

Your attendance at the Public Hearing is welcomed; however, you are not required to attend. You may make representation to Council in writing by the deadline noted below.

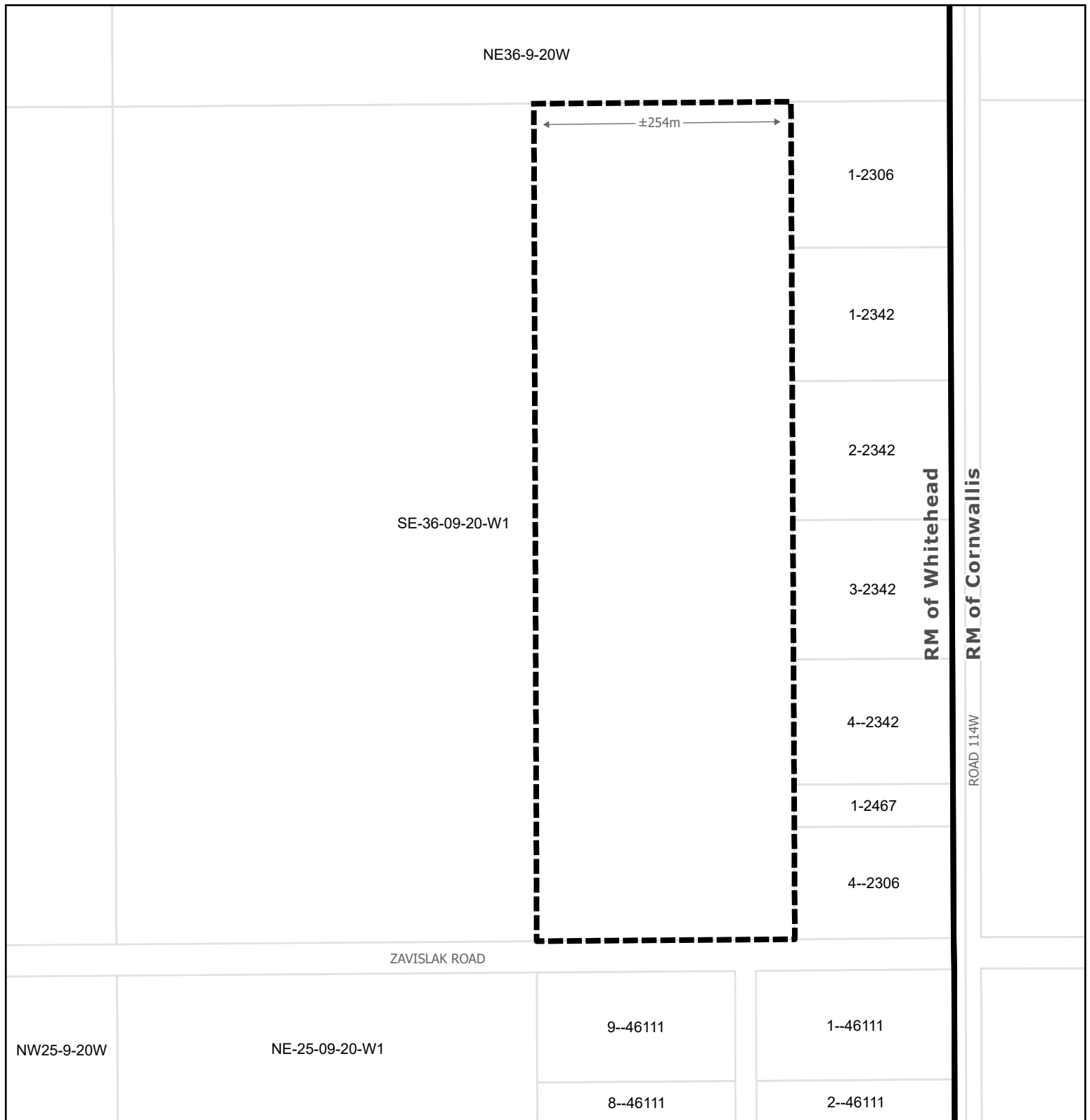
Where can I get more information?

If you would like more information, you may contact the municipal office during regular business hours (at 204.752.2261).

What if I have something to say but cannot attend the hearing?

You may submit written comments to the Chief Administrative Officer no later than **July 10, 2026** (cao@rmofwhitehead.ca). Be advised that all correspondence becomes public information, therefore personal information {names, addresses etc.} contained in the correspondence could be released to the public.

Dated this 15th day of June 2026
James Maxon, CAO



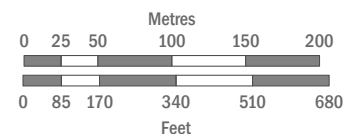
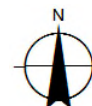
Appendix "A"

Attached to By-law No. 2026-03 of the Rural Municipality of Whitehead amending Map 1 of the Rural Municipality of Whitehead Zoning By-law No. 2021-04.

 Limit of affected area

From: "RR5" Rural Estate Residential
To: "RR2" Rural Residential

Being Pt. of SE-36-9-20-WPM



Date: Apr-10-2026
Map name:
WZBLA_2026-03

Manitoba 
Community Planning Services
Municipal and Northern Relations



PROJECT DETAILS

Client: RM of Whitehead
Project Number: WRMRD54W
Project Description: ID2

Date: June 3, 2026
Location: S-6-10-21 / N-31-9-21
Sales Contact: Mike Dueck 1-431-775-3332

This estimate is for installation of a tile drainage network. Included in the scope of work is the installation of all mains, sub-mains, laterals, outlet(s), any required excavation, tile stringing, trench closing, and rough finishing.

SPECIFICATIONS

Total footage	9,756	Drainage Coefficient	0.250	inches/day
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TILE

4" HD Filter Tile (roads)	9,716	ft @	\$1.25 /ft	\$12,145
4" Dual Wall	40	ft @	\$2.90 /ft	\$116
				Tile Subtotal
				\$12,261

TILE INSTALLATION

4" HD Filter Tile (roads)	9,716	ft @	\$1.85 /ft	\$17,974
4" Dual Wall	40	ft @	\$3.50 /ft	\$140
				Install Subtotal
				\$18,114

OTHER COSTS

French Drain Surcharge	9,716	ft @	\$1.00 /ft	\$9,716
Gravity Outlet(s)	4	ea @	\$200.00 /ea	\$800
Crushed Rock (Avg. depth of 4')	500	yds @	\$0.00 /yd	\$0 < RM to supply.
Galvanized Outlet w/ Rodent Grate	4	ea @	\$275.00 /ea	\$1,100
Ditching at Outlet (budget)	2	hrs @	\$240.00 /hr	\$480
Mobilization	1	ea @	\$2,400.00 /ea	\$2,400
				Other Costs Subtotal
				\$14,496
				Total
				\$44,870
				Plus GST

Notes & Conditions:

- PLS recommends the use of 4" HD (Heavy Duty) pipe in high-traffic areas due to its **approximately 45%** greater strength and enhanced ability to withstand vehicle loading.
- As required by the tender documents, all applicable Provincial water licensing requirements shall be obtained by the RM of Whitehead prior to commencement of work.
- **Bookings & Scheduling:** A signed contract and a 25% deposit are required to secure the proposed installation window.
- **Estimate Accuracy:** Final quantities may vary by $\pm 10\%$. Pricing and quantities are subject to adjustment if the final survey information is incomplete or differs from the information provided at the time of tender.
- **Fuel & Material Volatility:** Fuel and pipe pricing are subject to market conditions and supply-chain fluctuations. Fuel surcharges and/or material price adjustments may apply if significant cost increases occur prior to project commencement.



T: 204-331-3003
W: precisionlandsolutions.com



2-24149 PTH #3,
Stanley MB, R6P 0H1

Title Drainage Plan

Client: RM of Whitehead

Location: RD 54 N

Description: ID1

Date: June 02, 2026

Contractor: Precision Land Solutions

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Specifications

Tile Type: Filtered Laterals

Average Lateral Depth: 4.0 ft

Project Depth: 2.4-6.0 ft

Drainage Coefficient: 1/4"/day

Project Coordinator/Designer: MP/NS

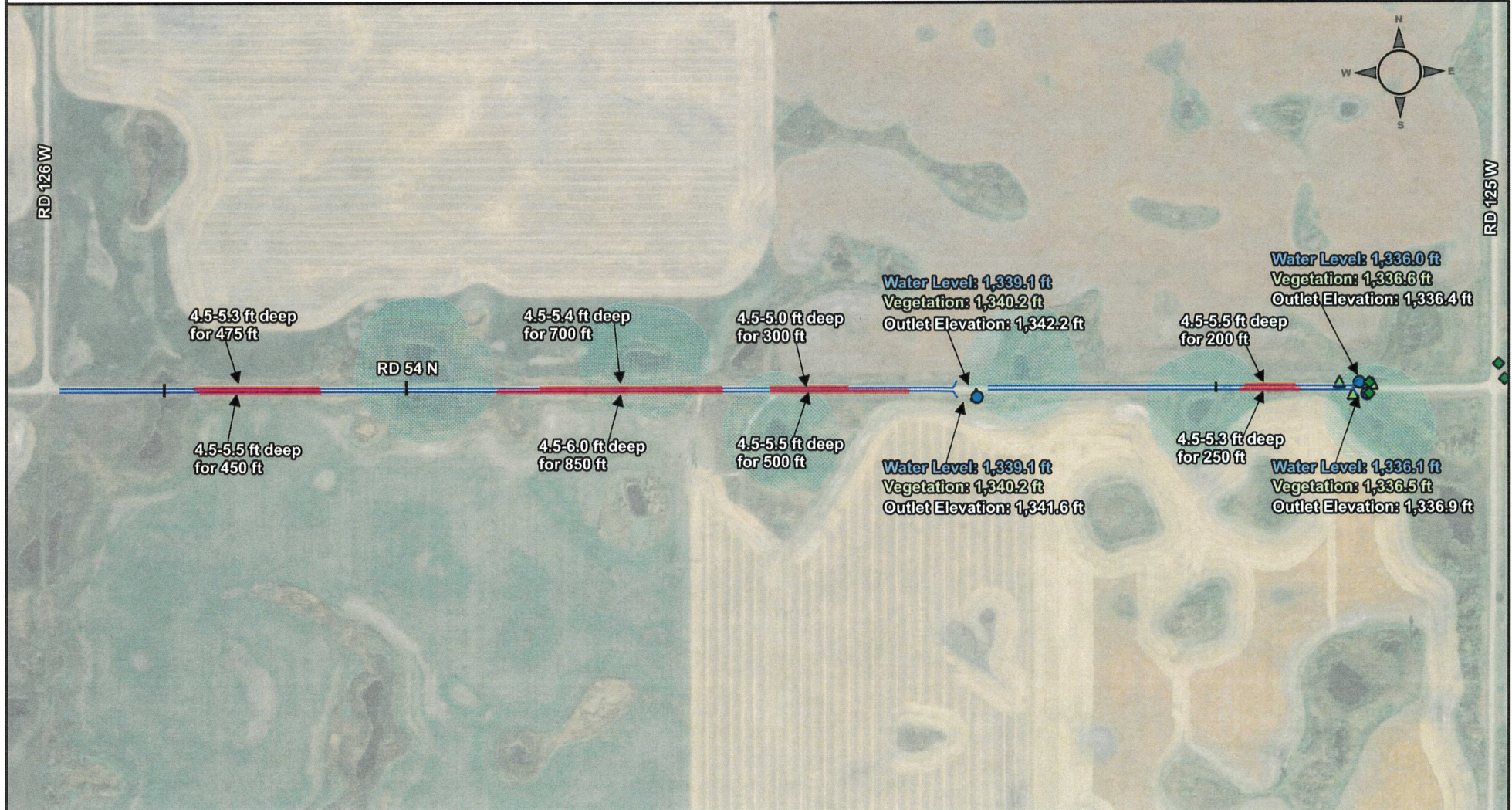
Surveyed in: International ft

Legend

18" DW Main:	—	Grade Break:	---
15" DW Main:	—	Culverts:	◆
12" DW Main:	—	Wetland Buffer	
12" SW Main:	—	Vegetation at Outlets	▲
10" SW Main:	—	Water Level at Outlets	●
8" SW Main:	—		
6" SW Main:	—		
4" SW Lateral:	—		
French Drain:	---		

Notes

- * Based on current water levels and wetland vegetation, there is a risk of outlets backfilling. Because these outlets discharge into a wetland, heavy rain events or seasonal high water will potentially submerge the outlets, reducing the system's effectiveness when drainage is needed most.





Tile Quote

Customer	RM of Whitehead
Project ID	RD 54N Road Tile Project
Location	Alexander
Date	May1st 2026
Salesperson	Hudson Mealy

Terms	25% Down on Install + Material Upon Commitment of Tile Project
	Invoices Due within 30 Days - Late payments subject to 2% interest
	All quotes valid for 30 days only
	Final Prices subject to 10-15% change.

Quote includes the estimated price associated with installing a complete drainage system. This includes tile main and lateral installation + material, connections, pre-ripping, rock removal, outlet installation, utility crossings, lift station installation/electrical, overcuts and any other processes required to complete said project.

Project Details		
Footage	Acres	Connections
9113'		

Tile Install	Feet	Unit Cost	Totals
4"	9113'	\$1.35	\$12,302.55
		\$0.00	\$0.00

Tile Sub-Total \$12,302.55

Region:	MB / SE SK		
Material	Feet/Ea	Unit Cost	Totals
4" Perf Filter (Heavy Wall)	9113'	\$1.15	\$10,479.95
		\$0.00	\$0.00

Material Sub-Total \$10,479.95

Connections	Units	Unit Price	Totals
4" Tee Connection	2	\$79.50	\$159.00
		\$0.00	\$0.00

Connections Sub-Total \$159.00

Other Costs	Units	Unit Price	ea/hrs	Totals
Mobilization	1	\$3,000.00		\$3,000.00
Gravity Outlet	2	\$550.00		\$1,100.00
Permit and Design	1	\$3,500.00		\$3,500.00
Utility Crossing (Budget)	2	\$500.00		\$1,000.00
		\$0.00		\$0.00

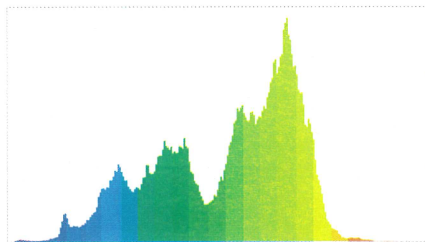
Other Costs Sub-Total \$8,600.00

Sub Totals	\$31,541.50
GST	\$1,577.08
Total	\$33,118.58

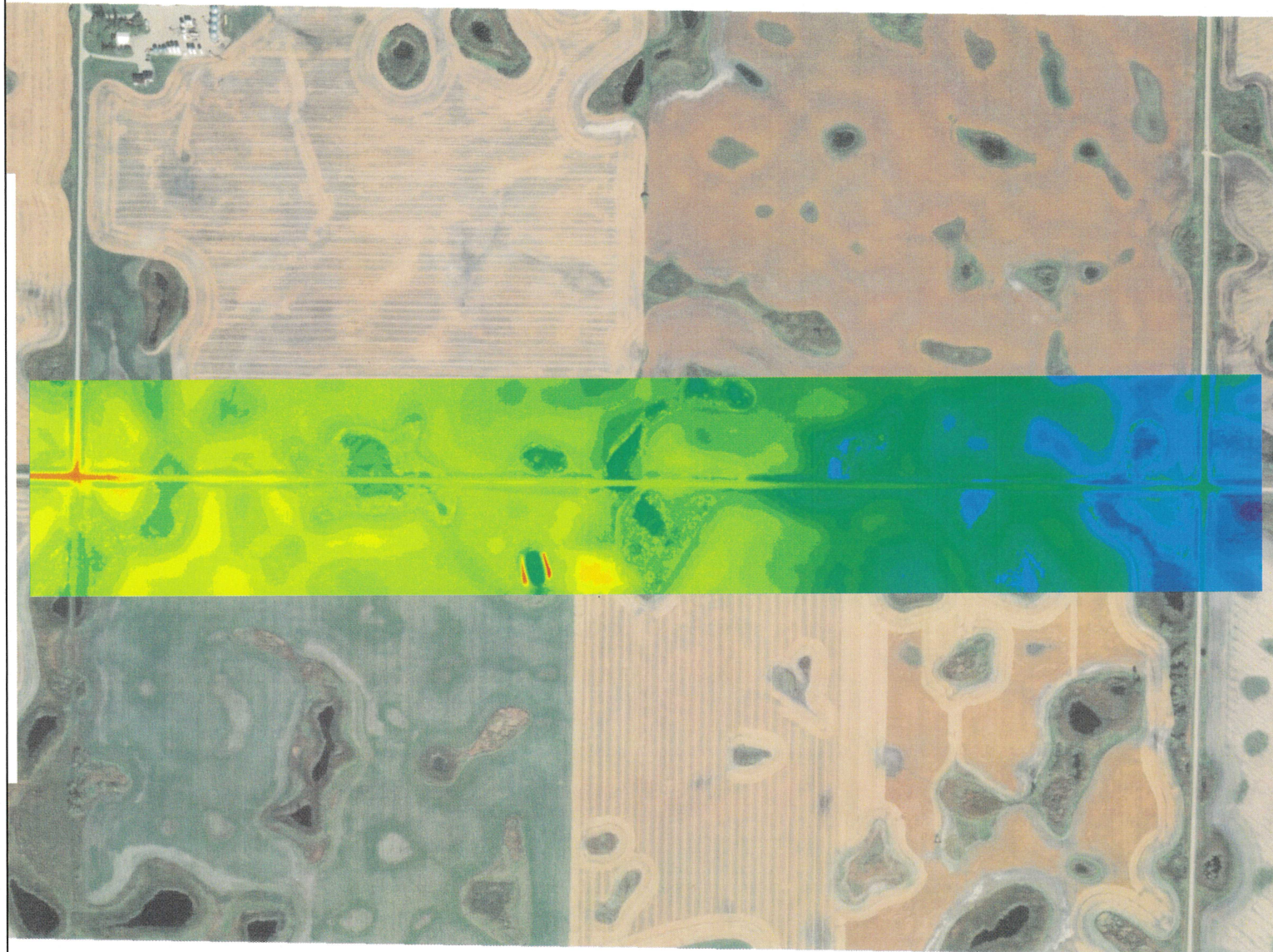
RM of Whitehead Levi Black RD 54N

RD 54N LiDAR 1ft Clipped

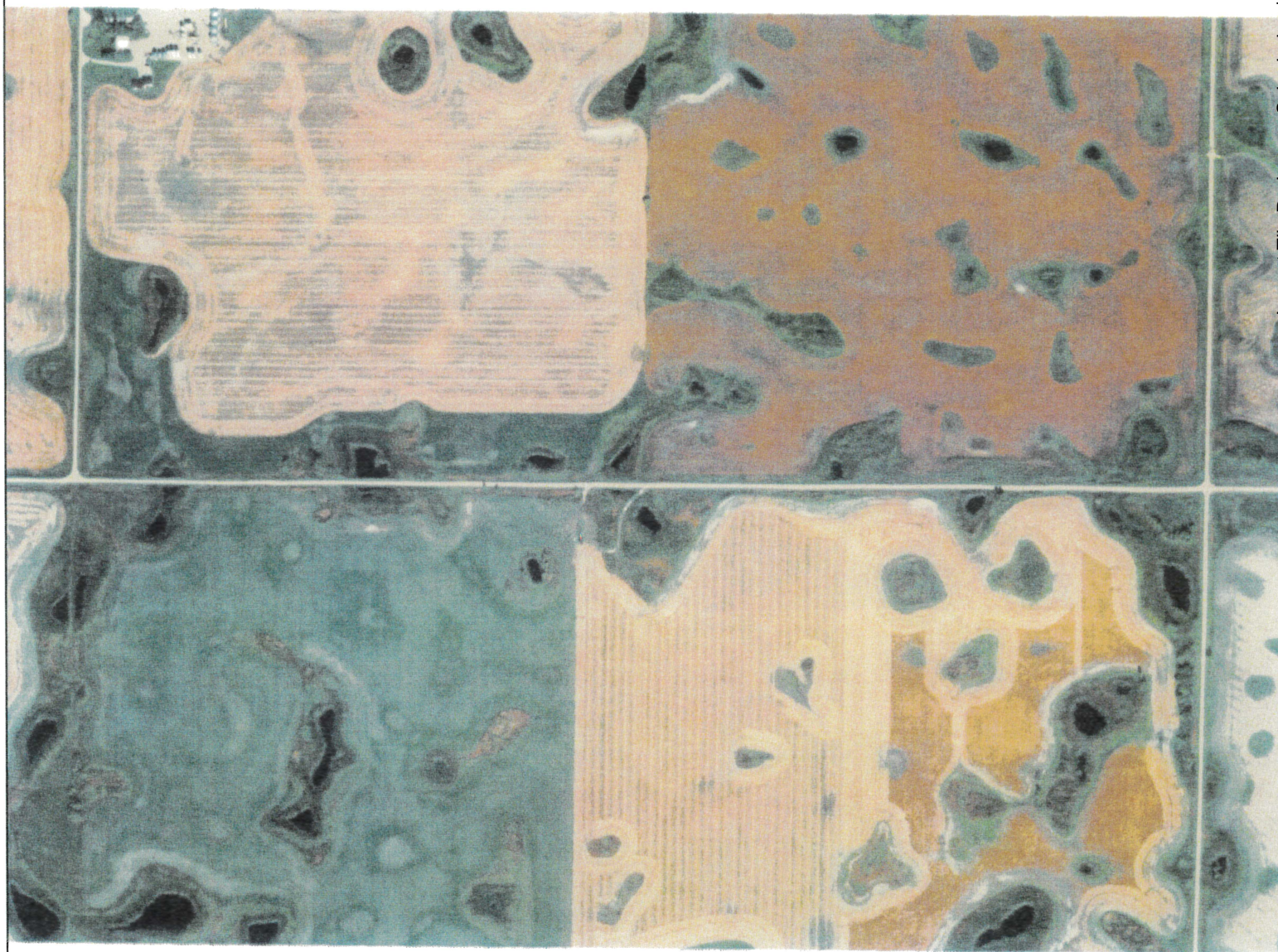
1417.42	0.2 Acres
1419.61	1.6 Acres
1421.53	5.2 Acres
1423.47	13.5 Acres
1425.43	17 Acres
1427.37	15.6 Acres
1429.5	18.8 Acres
1431.42	28.1 Acres
1433.43	36.1 Acres
1435.3	5.2 Acres
1437.35	0.3 Acres
1439.42	0 Acres



Average: 1428.893 Area: 141.52 Ac
Std Dev : 3.923 Total: 202219



RM of Whitehead
Levi Black
RD 54N



RM of Whitehead
Levi Black
RD 54N



— 0.4 inch Pipe - 9113 ft

IMPACT
TILE DRAINAGE

Report Date
2026-06-26 11:38 AM

RM of Whitehead
Payment Register
Batch: 2026-00060 to 2026-00071

Page 1

Bank Code: AP - AP-GENERAL OPER

Payment #	Vendor	Date	Amount
Computer Cheque			
16940	ALS Canada Limited	2026-06-04	136.50
16941	Brandon Extreme Clean	2026-06-04	64.20
16942	Enns Brothers Limited	2026-06-04	403.20
16943	Jen Kondejewski	2026-06-04	75.00
16944	Manitoba Hydro	2026-06-04	1,253.47
16945	Protelec Alarms Ltd	2026-06-04	94.47
16946	The Public Utilities Board	2026-06-04	100.00
16947	Sundance Farms Ltd	2026-06-04	203.27
16948	RBC Royal Bank	2026-06-08	5,191.49
16949	ALS Canada Limited	2026-06-11	124.95
16950	Brandon Bearing Ltd.	2026-06-11	69.33
16951	C & E Locksmiths	2026-06-11	27.78
16952	Fillmore Riley	2026-06-11	3,508.89
16953	Heritage Co-Op 1997 Ltd.	2026-06-11	5,324.71
16954	Manitoba Hydro	2026-06-11	67.24
16955	Guardian Fencing	2026-06-15	12,430.07
16956	MB Municipal Employees	2026-06-15	5,807.50
16957	Receiver General Of Canada	2026-06-15	11,490.61
16958	Hazel Thorne	2026-06-15	443.52
16959	Town of Melita	2026-06-15	75.00
16960	Brandon Bearing Ltd.	2026-06-23	445.76
16961	Carberry Signs	2026-06-23	1,508.64
16962	Heritage Co-Op 1997 Ltd.	2026-06-23	4,106.53
16963	Bell MTS	2026-06-23	389.29
16964	Manitoba Hydro	2026-06-23	4,804.44
16965	Rural Municipality of Elton	2026-06-23	125.00
16966	Thompson Dorfman Sweatman	2026-06-23	324.80
Total for Computer Cheque:			58,595.66
EFT			
210	Catalis Technologies Canada	2026-06-09	2,240.00
211	Kelly Crosson	2026-06-09	3,419.20
212	Custom Auto & Truck Accessorie	2026-06-09	179.15
213	Duracan	2026-06-09	37.80
214	Trevor Pod	2026-06-09	1,422.52
215	Princess Auto Ltd.	2026-06-09	227.00
216	Air Liquide Canada Inc	2026-06-09	176.70
217	RFNow Inc	2026-06-09	705.43
218	David Roberts	2026-06-09	80.00
219	Sea Hawk	2026-06-09	302.40
220	Duracan	2026-06-17	37.80
221	Keystone Planning District	2026-06-17	490.30
222	Daniel Long	2026-06-17	787.50
223	Municipal Waste Management	2026-06-17	8,002.62
224	Julie Bean	2026-06-30	120.00
225	Cook Kelsey	2026-06-30	74.43
226	Kelly Crosson	2026-06-30	78.29
227	Todd Delaurier	2026-06-30	712.32
228	Wendy Petersen	2026-06-30	700.00

Report Date
2026-06-26 11:38 AM

RM of Whitehead
Payment Register
Batch: 2026-00060 to 2026-00071

Page 2

Payment #	Vendor	Date	Amount
Total for EFT:			19,793.46
Other			
Jun2026	John Deere Financial	2026-06-15	16,261.79
Jun2026	RCAP Leasing	2026-06-15	151.20
Jun2026	Western Financial Group	2026-06-15	1,450.02
Total for Other:			17,863.01
Total for AP:			96,252.13

Bank Code: RB Visa - Royal Bank Visa

Payment #	Vendor	Date	Amount
Other			
1	Brandon Computers	2026-06-08	1,364.16
1	Brandon Sun	2026-06-08	17.80
1	Canada Post	2026-06-08	18.48
1	Canadian Tire	2026-06-08	167.94
1	Home Hardware	2026-06-08	145.86
1	Manitoba Association of Fire Chiefs	2026-06-08	1,648.50
1	Ooma Office	2026-06-08	115.69
1	Rocky Mountain Equipment	2026-06-08	712.07
1	Sadlers Creek Green House	2026-06-08	44.23
1	Sobkow Technologies Inc	2026-06-08	10.45
1	Titan Certified Tracking Solutions	2026-06-08	144.31
1	Western Financial Group	2026-06-08	802.00
Total for Other:			5,191.49
Total for RB Visa:			5,191.49

Payments Printed: 61

RM of Whitehead
Bank Reconciliation - Detailed

Westoba Operating Account #XXXXXXXX80361
For Ending Date 2026-06-30

110-100-120 - Cash on Deposit - General

General Ledger		Bank Statement	
Previous Balance (2026-05-31)	2,106,070.99	Previous Balance (2026-05-31)	2,106,070.99
Debits:	268,862.60	Transactions in statement period:	156,711.52
Credits:	-130,436.66		
Balance 2026-06-30	2,244,496.93	Balance 2026-06-30	2,262,782.51
Service Charges:	-66.43	Deposits in transit:	
Interest Charges:	0.00	1 2026-0055	4,326.70
Interest Revenue:	4,317.33	Subtotal:	4,326.70
		Outstanding payments:	
		1 Ch 16934	-287.28
		2 Ch 16957	-11,490.61
		3 Ch 16958	-443.52
		4 Ch 16959	-75.00
		5 Ch 16961	-1,508.64
		6 Ch 16962	-4,106.53
		7 Ch 16965	-125.00
		8 Ch 16966	-324.80
		Subtotal:	-18,361.38
		Total Uncleared:	-14,034.68
Adjusted Book Balance	2,248,747.83	Adjusted Bank Balance	2,248,747.83

Notes

RM of Whitehead
Budgetary Control as of June 30, 2026
REVENUE

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
PROPERTY TAXES					
410-100-110 - Taxes Added to Roll	0.00	0.00	7,000.00	-7,000.00	-100.00
410-100-120 - Tax and Redemption Penalties	2,663.98	19,419.37	30,000.00	-10,580.63	-35.27
Total PROPERTY TAXES:	<u>2,663.98</u>	<u>19,419.37</u>	<u>37,000.00</u>	<u>-17,580.63</u>	<u>-47.52</u>
USER FEES					
420-100-105 - Pasture Leases	0.00	29,820.00	29,820.00	0.00	0.00
420-100-106 - Pasture Leases - Provincial	0.00	716.26	1,100.00	-383.74	-34.89
420-100-110 - Sales of Service/Goods - Gen Gov't	0.00	30.00	0.00	30.00	0.00
420-100-111 - Sales of Service - Tax Certificate	275.00	1,925.00	3,300.00	-1,375.00	-41.67
420-100-120 - Sales of Service - Fire Rescue	6,217.69	11,237.81	25,000.00	-13,762.19	-55.05
420-100-130 - Sales of Service - Transportation	0.00	4,701.50	7,500.00	-2,798.50	-37.31
420-100-141 - Sales of Service - Recycling	312.48	14,879.52	30,000.00	-15,120.48	-50.40
420-100-151 - Cemetery Plot Purchase	0.00	0.00	1,000.00	-1,000.00	-100.00
420-100-181 - Sales of Service - Whitehead Hall	225.00	935.00	1,500.00	-565.00	-37.67
420-100-190 - Sales of Goods	60.00	210.00	500.00	-290.00	-58.00
430-100-100 - Provincial - Municipal Operating Grant	181,459.52	181,459.52	215,000.00	-33,540.48	-15.60
430-100-101 - Provincial - One MB Growth Revenue Fund	15,710.14	15,710.14	0.00	15,710.14	0.00
Total USER FEES:	<u>204,259.83</u>	<u>261,624.75</u>	<u>314,720.00</u>	<u>-53,095.25</u>	<u>-16.87</u>
CONDITIONAL GOVERNMENT TRANSFERS					
440-100-100 - Conditional Grants - Federal Government	0.00	0.00	97,257.00	-97,257.00	-100.00
440-100-110 - Conditional Grants - Provincial Governme	0.00	0.00	2,000.00	-2,000.00	-100.00
Total CONDITIONAL GOVERNMENT TRANSFERS:	<u>0.00</u>	<u>0.00</u>	<u>99,257.00</u>	<u>-99,257.00</u>	<u>-100.00</u>
FEES, PERMITS, LICENSES AND FINES					
450-100-100 - Licenses - Business	0.00	600.00	500.00	100.00	20.00
450-100-141 - Fines - Police	257.06	257.06	500.00	-242.94	-48.59
450-100-150 - Admin Fee - Building Permit	0.00	65.00	0.00	65.00	0.00
450-100-151 - Admin Fee - Taxes/Utilities	0.00	2,400.00	2,200.00	200.00	9.09
450-100-160 - Conditional Use/Variation Fee	812.50	3,230.00	5,200.00	-1,970.00	-37.88
450-100-161 - Development Plan Application Fees	1,200.00	1,200.00	0.00	1,200.00	0.00
Total FEES, PERMITS, LICENSES AND FINES:	<u>2,269.56</u>	<u>7,752.06</u>	<u>8,400.00</u>	<u>-647.94</u>	<u>-7.71</u>

Account #/Description	Current	Year to Date	Budget	Variance	%
INVESTMENT/OTHER INCOME					
460-100-100 - Investment Income	4,317.33	33,929.50	70,000.00	-36,070.50	-51.53
490-100-100 - Miscellaneous Revenue	0.00	60.00	3,000.00	-2,940.00	-98.00
Total INTERST/OTHER INCOME:	<u>4,317.33</u>	<u>33,989.50</u>	<u>73,000.00</u>	<u>-39,010.50</u>	<u>-53.44</u>
Revenue Totals:	<u>213,510.70</u>	<u>322,785.68</u>	<u>532,377.00</u>	<u>-209,591.32</u>	<u>-39.37</u>

RM of Whitehead
Budgetary Control as of June 30, 2026
EXPENSES

GG - General Government Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
510-100-101 - GG - Legislative Indemnity (Council)	6,020.00	37,670.00	78,700.00	41,030.00	52.13
510-100-110 - GG - General Administrative - Salaries	15,627.26	92,172.16	188,670.00	96,497.84	51.15
510-110-100 - GG - Legislative - CPP	236.73	1,512.59	4,680.00	3,167.41	67.68
510-110-110 - GG - General Administrative - MEBP	1,461.96	7,863.04	17,280.00	9,416.96	54.50
510-110-111 - GG - General Administrative - Blue Cross	1,042.35	6,254.10	12,550.00	6,295.90	50.17
510-110-120 - GG - Canada Pension Plan	874.78	5,155.48	11,200.00	6,044.52	53.97
510-110-130 - GG - Employment Insurance	355.46	2,097.16	4,300.00	2,202.84	51.23
510-200-200 - GG - Office - Contract Services/Computer	3,587.26	33,806.30	60,435.00	26,628.70	44.06
510-200-210 - GG - Legal - Contract Services	3,662.54	3,662.54	50,000.00	46,337.46	92.67
510-200-220 - GG - Audit - Contract Services.	0.00	0.00	22,150.00	22,150.00	100.00
510-200-230 - GG - Assessment - Contract Services	0.00	0.00	37,500.00	37,500.00	100.00
510-200-240 - GG - Taxation - Contract Services	1,441.29	2,135.29	4,500.00	2,364.71	52.55
510-300-200 - GG - Office - Utilities	416.57	6,452.21	13,600.00	7,147.79	52.56
510-400-110 - GG - General Administrative - Equipment	0.00	2,507.58	7,000.00	4,492.42	64.18
510-400-200 - GG - General Administr - Office Supplies	201.59	4,630.90	12,000.00	7,369.10	61.41
510-400-300 - GG - General Administrative - Education	365.18	3,716.77	16,500.00	12,783.23	77.47
510-400-310 - GG - Elections	0.00	4,698.75	10,600.00	5,901.25	55.67
510-400-320 - GG - Legislative - Conventions/Membershi	182.50	4,936.54	17,500.00	12,563.46	71.79
510-400-321 - GG - Legislative - Tuttosi - Allowance	25.00	50.00	2,000.00	1,950.00	97.50
510-400-322 - GG - Legislative - Foerester Allowance	0.00	0.00	1,500.00	1,500.00	100.00
510-400-323 - GG - Legislative - Owens Allowance	0.00	70.00	1,500.00	1,430.00	95.33
510-400-324 - GG - Legislative - Storey Allowance	25.00	25.00	1,500.00	1,475.00	98.33
510-400-325 - GG - Legislative - Semeschuk Allowance	0.00	25.00	1,500.00	1,475.00	98.33
510-400-326 - GG - Legislative - Klassen Allowance	0.00	0.00	1,500.00	1,500.00	100.00
510-400-327 - GG - Legislative - Mykula Allowance	0.00	0.00	1,500.00	1,500.00	100.00
510-400-330 - GG - Damage Claims & Liability Insurance	0.00	25,605.86	28,000.00	2,394.14	8.55
510-400-360 - GG - Other General Government - Cell	175.00	1,050.00	2,100.00	1,050.00	50.00
510-500-500 - GG - Municipal Grants and Contributions	0.00	-150.00	1,000.00	1,150.00	115.00
Expenditure Totals:	<u>35,700.47</u>	<u>245,947.27</u>	<u>611,265.00</u>	<u>365,317.73</u>	<u>59.76</u>

PS - Protective Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
PROTECTIVE SERVICES					
520-100-110 - PS - Fire - Salaries	22,503.09	28,519.79	46,000.00	17,480.21	38.00
520-100-112 - PS - Fire - WCB	0.00	0.00	550.00	550.00	100.00
520-100-200 - PS - Bylaw Enforcement Retainer	700.00	4,700.00	10,800.00	6,100.00	56.48
520-100-210 - PS - Building Inspection - Salaries	490.30	2,385.55	4,000.00	1,614.45	40.36
520-200-110 - PS - Fire - Contract Services (911)	0.00	0.00	8,500.00	8,500.00	100.00
520-200-130 - PS - Emergency Measures Organization - C	125.00	545.00	5,500.00	4,955.00	90.09
520-200-140 - PS - Flood Control - DFA	0.00	0.00	20,000.00	20,000.00	100.00
520-200-160 - PS - Emergency Measures Other - Contract	0.00	1,224.04	0.00	-1,224.04	0.00
520-200-260 - PS - Animal & Pest Control - Contract Se	0.00	0.00	500.00	500.00	100.00
520-300-110 - PS - Fire - Utilities	1,199.80	3,981.94	8,800.00	4,818.06	54.75
520-300-111 - PS - Fire - Insurance	802.00	13,326.78	14,450.00	1,123.22	7.77
520-400-110 - PS - Fire - Operations & Manitenance	9,741.59	18,628.90	31,050.00	12,421.10	40.00
520-400-111 - PS - Fire - Equipment Purchase	288.90	288.90	0.00	-288.90	0.00
Expenditure Totals:	<u>35,850.68</u>	<u>73,600.90</u>	<u>150,150.00</u>	<u>76,549.10</u>	<u>50.98</u>

TS - Transportation Servies

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
530-100-110 - TS - WCB	0.00	1,505.00	4,000.00	2,495.00	62.38
530-100-120 - TS - Public Works - Salaries	275.29	79,897.63	188,110.00	108,212.37	57.53
530-100-130 - TS - Road Maintenance - Labour	0.00	0.00	305,350.00	305,350.00	100.00
530-100-140 - TS - Road Reconstruction - Labour	0.00	0.00	72,400.00	72,400.00	100.00
530-100-160 - TS - Ditches and Road Drainage - Labour	0.00	0.00	80,000.00	80,000.00	100.00
530-100-210 - TS - Street Lighting - MB Hydro	314.74	1,573.70	4,000.00	2,426.30	60.66
530-110-110 - TS - MEBP	1,410.68	8,291.64	16,800.00	8,508.36	50.64
530-110-111 - TS - Blue Cross Benefits	407.67	2,446.02	4,900.00	2,453.98	50.08
530-110-112 - TS - CPP	1,219.10	5,678.96	13,100.00	7,421.04	56.65
530-110-113 - TS - Employment Insurance	500.84	2,317.78	5,100.00	2,782.22	54.55
530-200-016 - TS - Workshop & Yard Insurance	0.00	0.00	4,500.00	4,500.00	100.00
530-200-050 - TS - Shop Upgrades/Repairs	0.00	3,214.63	5,000.00	1,785.37	35.71
530-200-116 - TS - Equipment Insurance	0.00	24,765.27	26,000.00	1,234.73	4.75
530-200-120 - TS - GPS Monitoring	137.87	689.35	1,680.00	990.65	58.97
530-200-240 - TS - Other Trans Services - CPR Flashers	0.00	6,052.50	19,400.00	13,347.50	68.80

TS - Transportation Servies continued

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
530-300-116 - TS - Workshop & Yard Operations - Utilit	2,590.43	11,602.14	15,650.00	4,047.86	25.86
530-400-010 - TS - Equip Rprs & Mtce - General	-842.24	258.48	1,000.00	741.52	74.15
530-400-011 - TS - Equip Rprs & Mtce 772 Grader/872GP	483.20	8,779.99	6,000.00	-2,779.99	-46.33
530-400-012 - TS - Equip Rprs & Mtce - 872 Grader	0.00	14,101.18	45,000.00	30,898.82	68.66
530-400-013 - TS - Equip Rprs & Mtce - Case Tractor	568.74	1,972.47	5,000.00	3,027.53	60.55
530-400-015 - TS - Equip Rprs & Mtce - Schulte Mower	117.02	2,401.22	10,000.00	7,598.78	75.99
530-400-016 - TS - Equip Rprs & Mtce - Snow Blower	0.00	8.98	1,000.00	991.02	99.10
530-400-017 - TS - Equip Rprs & Mtce - Skid Steer	0.00	666.41	3,000.00	2,333.59	77.79
530-400-018 - TS - Equip Rprs & Mtce - Hotsey/Trailer	0.00	127.42	200.00	72.58	36.29
530-400-019 - TS - Equip Rprs & Mtce - Trailers	0.00	219.92	300.00	80.08	26.69
530-400-020 - TS - Equip Rprs & Mtce - '06 Chevy 1Ton	0.00	263.63	2,000.00	1,736.37	86.82
530-400-021 - TS - Equip Rprs & Mtce - '14 Ram Truck	0.00	260.60	2,000.00	1,739.40	86.97
530-400-022 - TS - Equip Rprs & Mtce - I-Mulcher	0.00	0.00	1,000.00	1,000.00	100.00
530-400-023 - TS - Equip Rprs & Mtce - Dump Truck 8000	0.00	0.00	2,000.00	2,000.00	100.00
530-400-024 - TS - Equip Rprs & Mtce - Backhoe	0.00	88.66	3,000.00	2,911.34	97.04
530-400-100 - TS - Equip Rprs & Mtce - Blades	0.00	8,827.61	23,500.00	14,672.39	62.44
530-400-111 - TS - Equipment Fuel	2,680.56	34,699.72	100,000.00	65,300.28	65.30
530-400-116 - TS - Shop & Yard Operations - Supplies	1,265.76	2,485.28	11,000.00	8,514.72	77.41
530-400-131 - TS - Road Maintenance - Materials	0.00	167,500.00	355,000.00	187,500.00	52.82
530-400-191 - TS - Snow & Ice Removal - Materials and	0.00	0.00	2,000.00	2,000.00	100.00
530-400-220 - TS - Traffic Services - Signs	0.00	869.74	7,500.00	6,630.26	88.40
530-400-300 - TS - Shop - Training	0.00	1,250.00	7,500.00	6,250.00	83.33
530-400-500 - TS - Equipment Purchases	0.00	30,000.25	30,000.00	-0.25	0.00
Expenditure Totals:	11,129.66	422,816.18	1,383,990.00	961,173.82	69.45

EH - Environmental Health Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
540-100-110 - EH - Nuisance Grounds - Wages	7,484.52	11,592.23	31,475.00	19,882.77	63.17
540-110-112 - EH - CPP	25.25	182.90	0.00	-182.90	0.00
540-110-113 - EH - Employment Insurance	16.34	110.12	0.00	-110.12	0.00
540-200-110 - EH - Nuisance Grounds - Household	5,116.46	23,101.28	55,000.00	31,898.72	58.00
540-200-111 - EH - Nuisance Grounds - Recycling	2,053.21	9,990.31	30,000.00	20,009.69	66.70
540-200-150 - EH - Other - Contract Services	0.00	750.00	0.00	-750.00	0.00
540-300-330 - EH - Utilities - Municipal Wells	100.34	291.64	1,000.00	708.36	70.84
540-400-110 - EH - Nuisance Grounds - General Expenses	0.00	2,853.15	10,000.00	7,146.85	71.47
540-400-150 - EH - Gravel Pit - Materials & Supplies	0.00	0.00	11,400.00	11,400.00	100.00
Expenditure Totals:	<u>14,796.12</u>	<u>48,871.63</u>	<u>138,875.00</u>	<u>90,003.37</u>	<u>64.81</u>

H&W - Health & Welfare Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
550-100-110 - H&W - Cemeteries - Alexander	6,052.23	12,401.74	12,750.00	348.26	2.73
550-200-120 - H&W - Other Public Health - Contract Ser	0.00	0.00	2,500.00	2,500.00	100.00
550-500-501 - H&W - Socail Welfare Servcies	0.00	0.00	2,640.00	2,640.00	100.00
Expenditure Totals:	<u>6,052.23</u>	<u>12,401.74</u>	<u>17,890.00</u>	<u>5,488.26</u>	<u>30.68</u>

ED - Enviromental Development Svc

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
560-400-100 - ED - Planning & Zoning	0.00	0.00	4,000.00	4,000.00	100.00
Expenditure Totals:	<u>0.00</u>	<u>0.00</u>	<u>4,000.00</u>	<u>4,000.00</u>	<u>100.00</u>

EC - Economic Development Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
570-200-140 - EC - Rural Area Weed Control - Contract	0.00	31,650.00	85,000.00	53,350.00	62.76
570-200-160 - EC - Veterinary Services - Contract Serv	0.00	2,700.40	3,500.00	799.60	22.85
570-200-170 - EC - Water Resources & Conservation - Co	0.00	9,593.46	11,000.00	1,406.54	12.79
Expenditure Totals:	<u>0.00</u>	<u>43,943.86</u>	<u>99,500.00</u>	<u>55,556.14</u>	<u>55.84</u>

R&C - Recreation & Cultural Services

Account #/Description	Current	Year to Date	Budget	Variance	% remaining
580-200-100 - R&C - Recreation Commission & Administra	0.00	0.00	10,750.00	10,750.00	100.00
580-300-110 - R&C - Community Centre - Whitehead	279.71	7,213.00	11,655.00	4,442.00	38.11
580-300-120 - R&C - Community Centre - Kemnay	246.16	10,272.06	11,325.00	1,052.94	9.30
580-300-130 - R&C - Community Centre - Roseland	89.83	1,301.25	2,140.00	838.75	39.19
580-300-140 - R&C - Skating Rinks - Alexander	85.59	11,680.14	12,960.00	1,279.86	9.88
580-400-190 - R&C - Other Cultural - FWorks/PGround/Si	0.00	0.00	12,200.00	12,200.00	100.00
Expenditure Totals:	<u>701.29</u>	<u>30,466.45</u>	<u>61,030.00</u>	<u>30,563.55</u>	<u>50.08</u>
Total Expenditures:	<u>104,230.45</u>	<u>878,048.03</u>	<u>2,466,700.00</u>	<u>1,588,651.97</u>	<u>64.40</u>

RM WHITEHEAD

Occurrence Stats (All Violations)

Mayor's Report
From 2026/05/01 to 2026/05/31

Violation group - Traffic Offences - Provincial Traffic Offences				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
9900 0030 Moving Traffic - Speeding Violations - Provincial/Territorial	11	0	11	11	0	100.0%
9900 0040 Other Moving Traffic Violations - Provincial/Territorial	5	0	5	1	0	20.0%
9900 0070 Other Non-Moving Traffic - Provincial/Territorial	5	0	5	5	0	100.0%
	21	0	21	17	0	81.0%
Violation group - Traffic offences - Impaired Operation Related Offences				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
9230 0070 Operation while impaired (alcohol)/equal to or exceeds 80 mg% of motor vehicle	2	0	2	1	0	50.0%
	2	0	2	1	0	50.0%
Violation group - Provincial Statutes {except traffic}				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8840 0306 Family Law Act – Other Activities	1	0	1	0	0	0.0%
8840 0311 Fire Prevention Act - Other Activities	2	0	2	0	0	0.0%
	3	0	3	0	0	0.0%
Violation group - Other Criminal Code - Other Criminal Code				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
3430 0010 Disturbing the peace/Causing a disturbance	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - National Survey Codes				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8999 3064 Written Traffic Offence Warnings - Provincial/Territorial	1	0	1	1	0	100.0%
	1	0	1	1	0	100.0%
Violation group - FES - Public Safety				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8840 0051 Aeronautics Act - Other Activities	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%

Occurrence Stats (All Violations)

Mayor's Report
From 2026/05/01 to 2026/05/31

Violation group - FES - Other FES Statutes				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8840 0121 Corrections & Conditional Release Act - Other Activities (including Parole Violations)	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - Common Police Activities - Related Police Activities				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8500 0150 Emergency Protection Order (EPO) / Emergency Intervention Order (EIO)	1	0	1	0	0	0.0%
8550 0020 Abandoned Vehicles	2	0	2	0	0	0.0%
8550 0030 Suspicious Person/ Vehicle/ Property	3	0	3	0	0	0.0%
8550 0040 Animal Calls	4	0	4	0	0	0.0%
	10	0	10	0	0	0.0%
Violation group - Common Police Activities - Assistance to General Public				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8550 0190 Wellbeing Check	3	0	3	0	0	0.0%
	3	0	3	0	0	0.0%
Totals				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
	43	0	43	19	0	44.2%

Occurrence Stats (All Violations)

Violation group - Traffic Offences - Traffic Accidents				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
9930 0040 Traffic Collision(s) - Property Damage - Non - Reportable	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - Traffic Offences - Provincial Traffic Offences				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
9900 0030 Moving Traffic - Speeding Violations - Provincial/Territorial	5	0	5	5	0	100.0%
9900 0040 Other Moving Traffic Violations - Provincial/Territorial	4	0	4	0	0	0.0%
9900 0070 Other Non-Moving Traffic - Provincial/Territorial	3	0	3	3	0	100.0%
	12	0	12	8	0	66.7%
Violation group - Traffic Offences - Other Traffic Related Duties				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8840 0386 Motor Vehicle Act - Other Activities (except traffic warnings)	2	0	2	0	0	0.0%
	2	0	2	0	0	0.0%
Violation group - Provincial Statutes {except traffic}				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8840 0336 Mental Health Act - Other Activities	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - Crimes Against the Person - Robbery/Extortion/Harassment/Threats				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
1620 0025 Sextortion	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - Crimes Against Property - Theft under \$5000.00				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
2140 0080 Theft of electric/gas/telecommunication service under or equal to \$5000	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%

Occurrence Stats (All Violations)

Violation group - Common Police Activities - Related Police Activities				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8550 0030 Suspicious Person/ Vehicle/ Property	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Violation group - Common Police Activities - Assistance to General Public				Clearance		
	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
8550 0190 Wellbeing Check	1	0	1	0	0	0.0%
	1	0	1	0	0	0.0%
Totals	Reported	Unfounded	Actual	By Charge	Otherwise	Rate
	20	0	20	8	0	40.0%

July 6/2026

Lyle PATTERSON
204 748-8160

I AM INTERESTED IN BUYING THE
ROAD ALLOWANCE BETWEEN 31-9-22E $\frac{1}{2}$
AND 32-9-22W $\frac{1}{2}$ ~~IS~~ IF THAT'S
SOMETHING THE COUNCIL WOULD CONSIDER
I OWN 31-9-22E $\frac{1}{2}$ PRESENTLY



Notice of Intent to File a Caveat

under subsection 7(3) of The Conservation Agreements Act (C.C.S.M. c. 59)

To: Municipality of Whitehead
Box 107, 517 2nd Avenue
Alexander, MB, R0K 0A0

ATTN: Trevor Tuttosi, Reeve

PLEASE TAKE NOTICE that the Manitoba Habitat Heritage Corporation o/a Manitoba Habitat Conservancy (MHC) (hereinafter referred to as the Holder) intends to file a caveat in the Land Titles Office at Brandon against the title of the land described below to give notice of a Conservation Agreement dated June 19, 2026 between Patricia Carol Pollock of Brandon, Manitoba (herein after referred to as the Owner) and the Holder.

Under the Conservation Agreement, the Owner has agreed to donate a conservation interest for the protection and conservation of 12.9 acres (5.2 hectares) of wetland and 23.3 acres (9.4 hectares) of upland habitat on the lands (see Schedule A) owned by the Owner legally described as follows:

Title #: 1425958/2

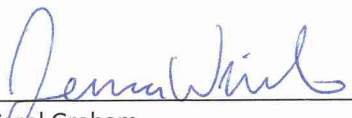
PARCEL 2: SE 1/4 30-10-20 WPM

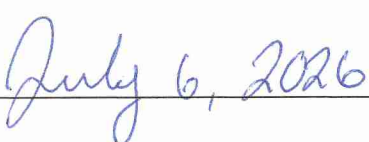
EXC ALL THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN ELY LIMIT OF SAID QUARTER SECTION 278 FEET NORTH THEREON FROM SE CORNER OF SAID QUARTER SECTION; THENCE WLY IN A LINE PARALLEL TO SLY LIMIT OF SAID QUARTER SECTION 954 FEET TO A POINT; THENCE NLY ON A LINE DRAWN PARALLEL TO SAID ELY LIMIT 291 FEET TO A POINT; THENCE NELY IN A STRAIGHT LINE TO A POINT IN A LINE DRAWN PARALLEL TO ELY LIMIT OF SAID QUARTER SECTION AND RUNNING 408 FEET WEST OF SAID LIMIT WHICH POINT IS DISTANT 333 FEET FROM SLY LIMIT OF THE HEREIN DESCRIBED LAND; THENCE SLY IN A LINE PARALLEL TO SAID ELY LIMIT 293 FEET TO A POINT; THENCE ELY IN A LINE PARALLEL TO SLY LIMIT OF SAID QUARTER SECTION TO ELY LIMIT THEREOF 408 FEET MORE OR LESS; THENCE SLY ALONG SAID ELY LIMIT 40 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT

In accordance with Section 7(4) of The Conservation Agreements Act, a party served with this notice who wishes to object to the registration of the caveat shall make application within thirty (30) days of being served, to the Conservation Agreements Board by email to:

- (a) Chair of the Conservation Agreements Board
c/o Manitoba Economic Development, Investment, Trade and Natural Resources
315-1181 Portage Avenue, Winnipeg MB R3G 0T3
Fax: 204-945-1621
Attention: CAB secretariat
A copy may be emailed to: NRNDPolicy@gov.mb.ca
- (b) serve the Holder with notice of the application. Please send a copy to:
Manitoba Habitat Conservancy
Attn: Habitat Stewardship Coordinator
302-140 Bannatyne Ave Winnipeg
Winnipeg MB R3B 3C5
A copy may be emailed to: info@mbhabitat.ca

A copy of *The Conservation Agreements Act* and the *Conservation Agreement Board Procedure Regulation* is attached. Should you require further information, please call Taylor Toffan, MHC's Habitat Stewardship Coordinator, at (204)990-8199.

For: 
Carol Graham
Director of Conservation
Manitoba Habitat Heritage Corporation
o/a Manitoba Habitat Conservancy


Date

WINNIPEG OFFICE:

302 – 140 Bannatyne Avenue
Winnipeg, MB R3B 3C5
204.784.4350
info@mbhabitat.ca

BRANDON OFFICE:

930 Victoria Avenue East
Brandon, MB R7A 2A4
info@mbhabitat.ca

MBHABITAT.CA

July 6, 2026

Municipality of Whitehead
Box 107, 517 2nd Avenue
Alexander, MB R0K 0A0

Attention: Trevor Tuttosi, Reeve

Dear Reeve and council members,

Please find attached a Notice of Intent to file a caveat on a property owned by Patricia Carol Pollock of Brandon, Manitoba. This Notice of Intent has been sent to inform you that The Manitoba Habitat Heritage Corporation o/a Manitoba Habitat Conservancy (MHC) intends to sign a Conservation Agreement with Patricia Pollock to conserve wildlife habitat located in your Municipality. The legal description of the land is:

1. PARCEL 2: SE 1/4 30-10-20 WPM

EXC ALL THAT PORTION DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN ELY LIMIT OF SAID QUARTER SECTION 278 FEET NORTH THEREON FROM SE CORNER OF SAID QUARTER SECTION; THENCE WLY IN A LINE PARALLEL TO SLY LIMIT OF SAID QUARTER SECTION 954 FEET TO A POINT; THENCE NLY ON A LINE DRAWN PARALLEL TO SAID ELY LIMIT 291 FEET TO A POINT; THENCE NELY IN A STRAIGHT LINE TO A POINT IN A LINE DRAWN PARALLEL TO ELY LIMIT OF SAID QUARTER SECTION AND RUNNING 408 FEET WEST OF SAID LIMIT WHICH POINT IS DISTANT 333 FEET FROM SLY LIMIT OF THE HEREIN DESCRIBED LAND; THENCE SLY IN A LINE PARALLEL TO SAID ELY LIMIT 293 FEET TO A POINT; THENCE ELY IN A LINE PARALLEL TO SLY LIMIT OF SAID QUARTER SECTION TO ELY LIMIT THEREOF 408 FEET MORE OR LESS; THENCE SLY ALONG SAID ELY LIMIT 40 FEET MORE OR LESS TO THE POINT OF COMMENCEMENT

With title number 1425958/2

In July of 1998, the Manitoba Government passed the Manitoba Conservation Agreements Act (see attached), enabling conservation organizations to enter into an agreement with landowners to purchase a "conservation interest" on their property. This "conservation interest" is designed to protect natural ecosystems, fish and wildlife habitat, and plant or animal species. Areas that are the subject of a "conservation interest" are usually marginal for farming and typically include sloughs, woodlands and unimproved prairie. These areas are generally the least productive agricultural portions of the land that have not been developed for agricultural purposes because of limited capability. In most cases these conservation lands are not cultivated.

A Conservation Agreement allows landowners to use their cultivated land to its full agricultural capacity, while protecting the important wildlife habitats in perpetuity. The landowner retains control of the land

WINNIPEG OFFICE:

302 – 140 Bannatyne Avenue
Winnipeg, MB R3B 3C5
204.784.4350
info@mbhabitat.ca

BRANDON OFFICE:

930 Victoria Avenue East
Brandon, MB R7A 2A4
info@mbhabitat.ca

MBHABITAT.CA

and continues to be responsible for weed control, the management of pests such as beaver, control of access to the land and payment of municipal taxes. The landowner may sell the land under the Agreement, but like an easement, the conditions of the Agreement "run with the land" and will apply to all future owners of the property for the term of the Agreement, unless terminated under provisions outlined in the Conservation Agreements Act.

Manitoba Habitat Conservancy plans to enter into a Conservation Agreement with Patricia Pollock involving 36.2 acres of their property (see attached aerial photo). If the Conservation Agreement is completed, a caveat will be placed on the land title. This caveat will restrict Patricia Pollock and all subsequent owners of the property from breaking, burning, cultivating, draining, degrading, converting or in any other way disrupting the ecosystem components of habitats on the Conservation Lands outlined and hatched on the attached aerial photo. This caveat will also restrict the establishment of any commercial or residential buildings or facilities on the aforementioned Conservation Lands.

If you have any questions regarding this procedure, please contact Amanda Hopcraft, MHC's Southwest Manitoba Habitat Conservation Specialist, at (431)542-1150.

Sincerely,



Carol Graham
Director of Conservation

Attachments

cc: Patricia Pollock
Amanda Hopcraft

WINNIPEG OFFICE:

302 – 140 Bannatyne Avenue
Winnipeg, MB R3B 3C5
204.784.4350
info@mbhabitat.ca

BRANDON OFFICE:

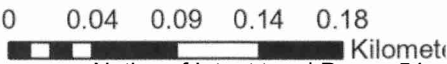
930 Victoria Avenue East
Brandon, MB R7A 2A4
info@mbhabitat.ca

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chedule A

- Conservation Lands
- Parcel





MANITOBA

THE CONSERVATION AGREEMENTS ACT

C.C.S.M. c. C173

LOI SUR LES ACCORDS DE CONSERVATION

c. C173 de la C.P.L.M.

As of 8 Feb. 2024, this is the most current version available. It is current for the period set out in the footer below.

Le texte figurant ci-dessous constitue la codification la plus récente en date du 8 févr. 2024. Son contenu était à jour pendant la période indiquée en bas de page.

LEGISLATIVE HISTORY***The Conservation Agreements Act, C.C.S.M. c. C173*****Enacted by**

SM 1997, c. 59

Amended by

SM 1999, c. 33, s. 13

SM 2000, c. 35, s. 29

SM 2018, c. 6, s. 40

SM 2021, c. 5, s. 30

Proclamation status (for provisions in force by proclamation)

whole Act: in force on 1 Jul 1998 (Man. Gaz.: 27 Jun 1998)

in force on 1 Jan 2020 (proc: 20 Dec 2019)

HISTORIQUE***Loi sur les accords de conservation, c. C173 de la C.P.L.M.*****Édictée par**

L.M. 1997, c. 59

Modifiée par

L.M. 1999, c. 33, art. 13

L.M. 2000, c. 35, art. 29

L.M. 2018, c. 6, art. 40

L.M. 2021, c. 5, art. 30

État des dispositions qui entrent en vigueur par proclamationl'ensemble de la Loi : en vigueur le 1^{er} juill. 1998 (Gaz. du Man. : 27 juin 1998)en vigueur le 1^{er} janv. 2020 (proclamation : 20 déc. 2019)

CHAPTER C173
THE CONSERVATION AGREEMENTS ACT

TABLE OF CONTENTS

Section

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CHAPITRE C173
**LOI SUR LES ACCORDS
DE CONSERVATION**

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CHAPTER C173

THE CONSERVATION AGREEMENTS ACT

(Assented to June 28, 1997)

WHEREAS it is in the best interests of the people of Manitoba, and consistent with the principles of sustainable development; that land owners and conservation agencies be able to enter into conservation agreements for the protection and enhancement of

- (a) natural ecosystems;
- (b) wildlife or fisheries habitat; and
- (c) plant or animal species;

AND WHEREAS these conservation agreements will allow for protection and enhancements of these interests while enabling the continued use and development of the land by a landowner;

THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

CHAPITRE C173

LOI SUR LES ACCORDS DE CONSERVATION

(Date de sanction : 28 juin 1997)

ATTENDU QU'il y va de l'intérêt de la population manitobaine et qu'il est conforme aux principes du développement durable que les propriétaires fonciers ainsi que les organismes de conservation puissent conclure des accords de conservation pour la protection et la mise en valeur :

- a) d'écosystèmes naturels;
- b) d'habitats fauniques ou du poisson;
- c) de plantes ou d'espèces animales;

ATTENDU QUE les accords de conservation contribueront à la protection et à la mise en valeur de ces intérêts tout en permettant aux propriétaires fonciers d'utiliser et de développer de façon continue leurs biens-fonds,

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative du Manitoba, édicte :

Definitions

1 In this Act,

"board" means the Conservation Agreements Board established under subsection 8(2); (« Commission »)

"court" means the Court of King's Bench; (« tribunal »)

"holder" means an eligible conservation agency that holds a conservation agreement; (« cocontractant »)

"land" means land in Manitoba that is the subject of a conservation agreement; (« bien-fonds »)

"landowner" means the owner of an estate in fee simple of land; (« propriétaire foncier »)

"minister" means the member of the executive council charged by the Lieutenant Governor in Council with the administration of this Act. (« ministre »)

Conservation agreement

2(1) A conservation agreement is a written agreement between a landowner and a holder that creates a conservation interest in land.

Conservation interest

2(2) A conservation interest is an interest that imposes one or more restrictions on the use of land for the protection and enhancement of

- (a) natural ecosystems;
- (b) wildlife or fisheries habitat; or
- (c) plant or animal species.

Term of conservation agreement

2(3) A conservation agreement shall remain in force for the term specified in the agreement.

Optional terms of conservation agreement

3(1) As part of a conservation interest, a conservation agreement may grant to the holder rights and privileges that relate to a conservation purpose, including the right to enter on the land to do anything related to a conservation purpose.

Définitions

1 Les définitions qui suivent s'appliquent à la présente loi.

« **bien-fonds** » Bien-fonds situé au Manitoba et faisant l'objet d'un accord de conservation. ("land")

« **cocontractant** » Organisme de conservation admissible qui est partie à un accord de conservation. ("holder")

« **Commission** » La Commission des accords de conservation créée en vertu du paragraphe 8(2). ("board")

« **ministre** » Le membre du Conseil exécutif chargé par le lieutenant-gouverneur en conseil de l'application de la présente loi. ("minister")

« **propriétaire foncier** » Propriétaire en fief simple d'un bien-fonds. ("landowner")

« **tribunal** » La Cour du Banc du Roi. ("court")

Accord de conservation

2(1) L'accord de conservation est conclu par écrit par un propriétaire foncier et un cocontractant et crée un intérêt de conservation dans un bien-fonds.

Intérêt de conservation

2(2) L'intérêt de conservation impose au moins une restriction quant à l'utilisation d'un bien-fonds en vue de la protection et de la mise en valeur :

- a) d'écosystèmes naturels;
- b) d'habitats fauniques ou du poisson;
- c) de plantes ou d'espèces animales.

Durée des accords de conservation

2(3) Les accords de conservation demeurent valides pour la durée qui y est précisée.

Options des accords de conservation

3(1) Les accords de conservation peuvent, à titre d'intérêt de conservation, accorder aux cocontractants des droits et des privilèges relatifs à la conservation, notamment le droit d'entrée sur un bien-fonds et d'y effectuer toute chose à des fins de conservation.

Conservation interest runs with the land

3(2) A conservation interest is an interest in land and, subject to section 7, runs with the land.

Multiple conservation agreements

4 A landowner may enter into more than one conservation agreement respecting the same land if no conflict exists between the provisions or the effects of the conservation agreements.

Eligible conservation agencies

5 The following conservation agencies may hold a conservation agreement:

- (a) a corporation without share capital that is incorporated under Part XXII of *The Corporations Act* and designated by regulation as being authorized to enter into conservation agreements;
- (b) a not-for-profit corporation that is incorporated under an Act of Parliament and designated by regulation under this Act as being authorized to enter into conservation agreements;
- (c) the Crown in right of Canada;
- (d) the Crown in right of Manitoba;
- (e) a federal or provincial Crown corporation or agency;
- (f) a municipality;
- (g) a local government district;
- (h) a watershed district established or continued under *The Watershed Districts Act*.

S.M. 2018, c. 6, s. 40.

Land description in conservation agreement

6(1) Subject to subsection (2), land that is the subject of a conservation agreement is sufficiently described if its boundaries are shown, or its area is indicated, on a map attached to the conservation agreement.

Intérêt se rattachant au bien-fonds

3(2) Un intérêt de conservation est un intérêt foncier qui, sous réserve de l'article 7, est rattaché à un bien-fonds.

Accords de conservation multiples

4 Les propriétaires fonciers peuvent conclure plus d'un accord de conservation à l'égard d'un bien-fonds pourvu que les dispositions et les effets des accords ne soient pas incompatibles.

Organismes de conservation admissibles

5 Peuvent être cocontractants à des accords de conservation les organismes de conservation suivants :

- a) les corporations sans capital-action constituées en vertu de la partie XXII de la *Loi sur les corporations* et qui font l'objet d'une désignation par règlement les autorisant à conclure des accords de conservation;
- b) les corporations à buts non lucratifs constituées en vertu d'une loi fédérale et qui font l'objet d'une désignation par règlement les autorisant à conclure des accords de conservation;
- c) la Couronne du chef du Canada;
- d) la Couronne du chef du Manitoba;
- e) les corporations de la Couronne fédérale ou provinciale ou les organismes fédéraux ou provinciaux;
- f) les municipalités;
- g) les districts d'administration locale;
- h) les districts hydrographiques établis ou maintenus en vertu de la *Loi sur les districts hydrographiques*.

L.M. 2018, c. 6, art. 40.

Description du bien-fonds dans l'accord

6(1) Sous réserve du paragraphe (2), le bien-fonds qui fait l'objet d'un accord de conservation y est suffisamment décrit si sa superficie ou ses limites sont indiquées sur une carte annexée à cet accord.

Land description for caveat

6(2) For the purpose of subsection 7(1), a conservation agreement shall contain the legal description set out in the certificate of title of the land or in which the land is included.

Registration of notice of agreement

7(1) Subject to subsections (3) to (8), the holder may give notice of the conservation agreement by filing a caveat against the certificate of title of the land or in which the land is included.

Agreement shall be filed with caveat

7(2) A copy of the conservation agreement shall be filed as a schedule to a caveat filed under subsection (1).

Notice of intent to be served

7(3) At least 45 days before filing a caveat against the land, the holder shall serve a notice of intent to file a caveat, in a form and in the manner prescribed by regulation, on the following parties:

(a) all persons who appear from the certificate of title

(i) to have an interest in the land,

(ii) to have a registered charge, lien or judgment against the land, or

(iii) to have a security interest in the land;

(b) the municipality or local government district in which the land is located;

(c) the minister responsible for the administration of *The Northern Affairs Act*, if the land is in northern Manitoba as defined by that Act;

(d) the board of a watershed district if the land is in a watershed district.

Application to board re objection to caveat

7(4) A party served with a notice under subsection (3) who wishes to object to the registration of the caveat shall

Description du bien-fonds dans l'opposition

6(2) Pour l'application du paragraphe 7(1), les accords de conservation contiennent la description officielle énoncée dans le certificat de titre du bien-fonds auquel ils se rapportent.

Enregistrement d'un avis

7(1) Sous réserve des paragraphes (3) à (8), un cocontractant peut aviser de l'existence d'un accord de conservation en déposant une opposition à l'égard du certificat de titre du bien-fonds.

Dépôt de l'accord et de l'opposition

7(2) Une copie de l'accord de conservation est annexée à l'opposition déposée en vertu du paragraphe (1).

Signification d'un avis d'intention

7(3) Au moins 45 jours avant le dépôt d'une opposition à l'égard d'un bien-fonds, le cocontractant fait signifier, en la forme et de la manière que prévoient les règlements, un avis d'intention de déposer une opposition aux parties suivantes :

a) toutes les personnes qui, sur le certificat de titre, sont indiquées comme ayant :

(i) un intérêt dans le bien-fonds,

(ii) un privilège, une charge ou un jugement enregistré et grevant le bien-fonds,

(iii) une sûreté à l'égard du bien-fonds;

b) la municipalité ou le district d'administration locale dans lequel se trouve le bien-fonds;

c) le ministre chargé de l'application de la *Loi sur les affaires du Nord* si le bien-fonds est, au sens de cette loi, situé dans le Nord du Manitoba;

d) le conseil d'un district hydrographique si le bien-fonds est situé dans un tel district.

Contestation de l'opposition

7(4) Les parties auxquelles a été signifié l'avis visé par le paragraphe (3) qui désirent contester l'enregistrement de l'opposition :

(a) within 30 days after being served, apply to the board in accordance with the regulations for its assistance in resolving the objection; and

(b) serve the holder with notice of the application in accordance with the regulations.

Application to court re objection to caveat

7(5) Where the objection is not resolved before the board under subsection (4) and the party still wishes to object to the registration of the caveat, the party, within 30 days after the failure to resolve the objection, shall apply to court by way of notice of application for an order that the caveat not be registered.

Caveat shall not be filed after service of notice

7(6) A holder who is served

(a) with notice of an application to the board in accordance with subsection (4) shall not file a caveat until at least 45 days after the holder and applicant fail before the board to resolve the objection the applicant has regarding the caveat; or

(b) with a notice of application under subsection (5) shall not file a caveat until the application is dismissed or the holder is otherwise permitted by the court to file the caveat.

Application to court after caveat filed

7(7) Where a caveat has been registered, a party required to be served with a notice under subsection (3) who was not served in accordance with that subsection, or any other person with an interest in the land, who objects to the registration of the caveat, may apply to court by way of notice of application for an order that the registration of the caveat be vacated.

Court order

7(8) On hearing an application made

(a) under subsection (5), the court may order that the caveat not be registered; or

a) présentent, dans les 30 jours qui suivent la signification, une demande à la Commission de la manière que prévoient les règlements en vue d'obtenir son aide pour résoudre la contestation;

b) font signifier au cocontractant un avis de présentation d'une demande conformément aux règlements.

Requête au tribunal — contestation de l'opposition

7(5) Lorsque les parties n'arrivent pas à régler devant la Commission la contestation que vise le paragraphe (4), la partie qui désire toujours contester l'opposition dépose, dans les 30 jours qui suivent l'échec de résolution de la contestation, un avis de requête au tribunal en vue d'obtenir une ordonnance interdisant l'enregistrement de l'opposition.

Opposition

7(6) Les cocontractants auxquels est signifié :

a) l'avis de présentation d'une demande à la Commission que vise le paragraphe (4) ne peuvent déposer une opposition avant que ne se soit écoulé un délai de 45 jours depuis l'échec de la résolution de la contestation de l'opposition à la Commission;

b) l'avis de requête que vise le paragraphe (5) ne déposent l'opposition qu'après le rejet de la demande ou l'obtention de l'autorisation du tribunal.

Demande présentée au tribunal après dépôt

7(7) Lorsqu'une opposition a été enregistrée, toute partie ou toute personne ayant un intérêt dans le bien-fonds qui s'oppose à cet enregistrement, partie ou personne à qui aurait dû être signifié l'avis que vise le paragraphe (3) en conformité avec ce paragraphe, mais qui ne l'a pas été, peut demander au tribunal, par voie d'avis de requête, une ordonnance annulant l'enregistrement de l'opposition.

Ordonnance

7(8) S'il croit que l'accord de conservation puisse nuire aux intérêts du requérant, le tribunal peut, après avoir entendu la demande :

a) visée par le paragraphe (5), ordonner que l'opposition ne soit pas enregistrée;

(b) under subsection (7), the court may order that the registration be vacated;

if it finds that the conservation agreement would adversely affect the interests of the applicant, or may make such other order as it considers just.

S.M. 2000, c. 35, s. 29; S.M. 2018, c. 6, s. 40; S.M. 2021, c. 5, s. 30.

Definition

8(1) In this section "interested party" means a landowner, holder, municipality, local government district or other party that is potentially affected by a conservation agreement.

Conservation Agreements Board

8(2) The Conservation Agreements Board is established and shall consist of persons appointed by the minister, including at least one representative of each of the following:

- (a) a conservation agency;
- (b) the government of Manitoba;
- (c) a municipality or local government district, which representative must be approved by the Association of Manitoba Municipalities;
- (d) an agricultural producers' organization.

Chairperson

8(3) In addition to the persons appointed to the board under subsection (2), the minister shall appoint a chairperson.

Functions of board

8(4) The board shall

- (a) provide a forum for discussion for interested parties regarding conservation agreements;
- (b) assist interested parties who apply to the Board to consider the implications of a conservation agreement;
- (c) assist in the resolution of disputes between interested parties regarding conservation agreements; and

b) visée par le paragraphe (7), ordonner l'annulation de l'enregistrement de l'opposition.

Le tribunal peut également rendre toute ordonnance qu'il estime indiquée.

L.M. 2000, c. 35, art. 29; L.M. 2018, c. 6, art. 40; L.M. 2021, c. 5, art. 30.

Définition de « partie intéressée »

8(1) Pour l'application du présent article, « **partie intéressée** » s'entend des propriétaires fonciers, des cocontractants, des municipalités, des districts d'administration locale et des autres parties qui sont susceptibles d'être touchées par un accord de conservation.

Commission des accords de conservation

8(2) La Commission des accords de conservation est créée et se compose des personnes que le ministre nomme; elle comprend notamment au moins un représentant :

- a) d'un organisme de conservation;
- b) du gouvernement du Manitoba;
- c) d'une municipalité ou d'un district d'administration locale, représentant qui doit être approuvé par l'Association des municipalités du Manitoba;
- d) d'un organisme de producteurs agricoles.

Présidence

8(3) En plus des personnes visées par le paragraphe (2), le ministre nomme le président.

Fonctions de la Commission

8(4) La Commission :

- a) organise des forums afin de permettre aux parties intéressées de discuter des accords de conservation;
- b) aide les parties intéressées qui présentent une demande à la Commission à examiner la portée des accords de conservation;
- c) aide à résoudre les conflits entre les parties intéressées au sujet des accords de conservation;

(d) fulfill functions prescribed by regulation.

d) exerce les attributions que prévoient les règlements.

Report of the board may be considered

8(5) If the interested parties do not resolve their dispute with the assistance of the board, the board shall, at the request of any of the interested parties, prepare a report specifying its conclusions and recommendations about the matter.

Rapport de la Commission

8(5) Si les parties intéressées ne parviennent pas à régler leur différend avec l'aide de la Commission, cette dernière, à la demande d'une partie intéressée, rédige un rapport et y précise ses conclusions ainsi que ses recommandations sur la question.

Report may be filed in a proceeding

8(6) A report prepared under subsection (5) may be filed by any party to a proceeding under subsection 7(5) or (7) or 9(2) or (3) and may be considered by the court.

S.M. 1999, c. 33, s. 13.

Dépôt du rapport

8(6) Le rapport rédigé en vertu du paragraphe (5) peut être déposé par une partie à des poursuites engagées en vertu des paragraphes 7(5) ou (7) ou 9(2) ou (3) et être pris en considération par le tribunal.

L.M. 1999, c. 33, art. 13.

Termination of conservation agreement

9(1) A conservation agreement may be terminated

(a) by written agreement between the landowner and the holder; or

(b) by an order of the court made under subsection (5).

Fin de l'accord de conservation

9(1) Il peut être mis fin aux accords de conservation :

a) par convention écrite du propriétaire foncier et du cocontractant;

b) par ordonnance que le tribunal rend en vertu du paragraphe (5).

Landowner may apply to terminate

9(2) A landowner may, at any time, apply to court by way of notice of application for an order to terminate a conservation agreement to which he or she is a party on any of the following grounds:

(a) that the conservation interest no longer exists;

(b) that the holder no longer exists and no successor to the holder is specified in the conservation agreement;

(c) that the conservation interest is no longer required by the holder for the purposes identified in the conservation agreement.

Cessation demandée par les propriétaires fonciers

9(2) Les propriétaires fonciers peuvent présenter en tout temps un avis de requête au tribunal en vue d'obtenir une ordonnance mettant fin à un accord de conservation auquel ils sont parties pour les motifs suivants :

a) l'intérêt de conservation n'existe plus;

b) il n'y a plus de cocontractant et aucun successeur n'est désigné dans l'accord de conservation;

c) le cocontractant n'a plus besoin de l'intérêt de conservation aux fins précisées dans l'accord.

Application to terminate due to hardship

9(3) In addition to an application under subsection (2) and subject to subsection (4), a landowner may apply to court to terminate a conservation agreement on the ground that the continued existence of the conservation agreement is an unreasonable hardship for the landowner but, after the

Demande de cessation — préjudice

9(3) En plus de la demande visée par le paragraphe (2) et sous réserve du paragraphe (4), les propriétaires fonciers peuvent présenter une demande au tribunal en vue de mettre fin à un accord de conservation au motif que l'accord leur cause un préjudice excessif. Une fois qu'une décision a été

disposition of an application made under this subsection, no further application to terminate the same conservation agreement on that ground may be made until 20 years have elapsed from the date of the first application.

Application to board before court

9(4) A landowner shall not be entitled to apply to court for an order under subsection (3) until the landowner has applied to the board to attempt to resolve any dispute about termination of the agreement and the board has fulfilled its functions in respect of the application.

Termination order

9(5) On hearing an application under this section, the court may

- (a) terminate the conservation agreement on terms or conditions that it considers fair and reasonable; or
- (b) make such other order as it considers just.

Regulations

10 The minister may make regulations

- (a) for the purposes of clause 5(a) or (b), designating eligible conservation agencies as being authorized to enter into conservation agreements;
- (b) prescribing the form of
 - (i) a conservation agreement,
 - (ii) a notice of intent to file a caveat, and
 - (iii) any other form required by the Act;
- (c) respecting the responsibilities and functions of the board;
- (d) respecting board procedure;
- (e) respecting the procedures for applications to the board;

rendue relativement à la demande, aucune autre demande de cessation à l'égard du même accord de conservation et pour les mêmes motifs ne peut être présentée avant qu'un délai de 20 ans ne se soit écoulé depuis la date de la première demande.

Démarches préalables à la Commission

9(4) Les propriétaires fonciers n'ont pas le droit de présenter une demande au tribunal en vue d'obtenir une ordonnance en vertu du paragraphe (3) s'ils n'ont pas d'abord présenté une demande à la Commission en vue d'en arriver à un règlement du différend relatif à la cessation de l'accord et si la Commission n'a pas exercé ses attributions à l'égard de la demande.

Ordonnance de cessation

9(5) Le tribunal, après avoir entendu une demande visée par le présent article, peut :

- a) mettre fin à l'accord de conservation suivant les conditions qu'il estime justes et équitables;
- b) rendre toute autre ordonnance qu'il estime indiquée.

Règlements

10 Le ministre peut, par règlement :

- a) pour l'application des alinéas 5a) ou b), désigner les organismes de conservation admissibles qui sont autorisés à conclure des accords de conservation;
- b) régir la forme :
 - (i) des accords de conservation,
 - (ii) des avis d'intention de déposer une opposition,
 - (iii) de toute autre formule prévue par la présente loi;
- c) prendre des mesures concernant les attributions de la Commission;
- d) prendre des mesures concernant la procédure que suit la Commission;
- e) prendre des mesures concernant les modalités de présentation des demandes à la Commission;

(f) defining any word or expression used but not specifically defined in this Act;

f) définir toute expression utilisée et non définie dans la présente loi;

(g) prescribing a matter that is required or authorized by this Act to be prescribed by regulation.

g) régir les questions que nécessite ou permet la présente loi.

Crown bound

11 The Crown is bound by this Act.

Couronne

11 La présente loi lie la Couronne.

C.C.S.M. reference

12 This Act may be referred to as chapter C173 of the *Continuing Consolidation of the Statutes of Manitoba*.

Codification permanente

12 La présente loi constitue le chapitre C173 de la *Codification permanente des lois du Manitoba*.

Coming into force

13 This Act comes into force on a day fixed by proclamation.

Entrée en vigueur

13 La présente loi entre en vigueur à la date fixée par proclamation.

NOTE: S.M. 1997, c. 59 was proclaimed in force July 1, 1998.

NOTE : Le chapitre 59 des L.M. 1997 est entré en vigueur par proclamation le 1^{er} juillet 1998.

As of 8 Feb. 2024, this is the most current version available. It is current for the period set out in the footer below.

Last amendment included: M.R. 154/2007

Le texte figurant ci-dessous constitue la codification la plus récente en date du 8 févr. 2024. Son contenu était à jour pendant la période indiquée en bas de page.

Dernière modification intégrée : R.M. 154/2007

THE CONSERVATION AGREEMENTS ACT
(C.C.S.M. c. C173)

**Conservation Agreement Board Procedure
Regulation**

Regulation 150/98
Registered August 21, 1998

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Definitions

1 In this regulation, "**Act**" means *The Conservation Agreements Act*.

LOI SUR LES ACCORDS DE CONSERVATION
(c. C173 de la C.P.L.M.)

**Règlement sur les règles de la Commission
des accords de conservation**

Règlement 150/98
Date d'enregistrement : le 21 août 1998

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Définitions

1 Pour l'application du présent règlement, « **Loi** » s'entend de la *Loi sur les accords de conservation*.

Application to board

2 An application to the board under subsection 7(4) or 9(4) of the Act shall be in writing and shall be served by registered mail or fax on:

Chairperson
Conservation Agreements Board
Province of Manitoba
Box 11, 200 Saulteaux Crescent
Winnipeg MB R3J 3W3
Fax # (204) 945-7419

M.R. 154/2007

Time for service of application

3 An application to the board under subsection 7(4) of the Act shall be served within 30 days of the date the applicant was served with a notice of intent under subsection 7(3) of the Act.

Content of application under subsection 7(4) of the Act

4 The following information shall be included in an application to the board under subsection 7(4) of the Act:

- (a) the name of the applicant or applicants;
- (b) whether the applicant is a person who appears from the Certificate of Title to have an interest in land, a registered charge, lien or judgment against the land, or a security interest in the land;
- (c) the date the applicant was served with a notice of intent under subsection 7(3) of the Act;
- (d) the applicant's reasons why the caveat should not be filed.

Content of application under subsection 9(4) of the Act

5 The following information shall be included in an application to the board under subsection 9(4) of the Act:

- (a) the name of the applicant;
- (b) a copy of the conservation agreement that is the subject of the application;

Demandes présentées à la Commission

2 Les demandes présentées à la Commission en vertu du paragraphe 7(4) ou 9(4) de la *Loi* sont faites par écrit et signifiées par courrier recommandé ou par télécopieur à l'adresse suivante :

Président de la Commission des accords de conservation
200, croissant Saulteaux
Case postale 11
Winnipeg (Manitoba) R3J 3W3
N° de télécopieur : 204-945-7419

R.M. 154/2007

Délai de signification des demandes

3 Les demandes présentées à la Commission en vertu du paragraphe 7(4) de la *Loi* sont signifiées dans un délai de trente jours suivant la date à laquelle l'avis d'intention que prévoit le paragraphe 7(3) de la *Loi* est signifié au demandeur.

Contenu de la demande — paragraphe 7(4)

4 Les demandes que vise le paragraphe 7(4) de la *Loi* comprennent les renseignements suivants :

- a) le nom du ou des demandeurs;
- b) la mention du fait que le certificat de titre du bien-fonds indique que le demandeur a un intérêt dans le bien-fonds ou un privilège, une charge ou un jugement enregistré grevant le bien-fonds ou une sûreté sur le bien-fonds;
- c) la date à laquelle l'avis d'intention a été signifié au demandeur en application du paragraphe 7(3) de la *Loi*;
- d) les raisons pour lesquelles, selon le demandeur, l'opposition ne devrait pas être déposée.

Contenu de la demande — paragraphe 9(4)

5 Les demandes présentées à la Commission en vertu du paragraphe 9(4) de la *Loi* comprennent les renseignements suivants :

- a) le nom du demandeur;
- b) une copie de l'accord de conservation faisant l'objet de la demande;

(c) the applicant's reasons why the continued existence of the conservation agreement constitute an unreasonable hardship.

Chairperson may dismiss application

6 The chairperson of the board may dismiss an application made under subsection 7(4) or 9(4) of the Act before it is considered by the board where

(a) the application is made under subsection 7(4) of the Act and

(i) the applicant is not a party required to be served with a notice of intent under subsection 7(3) of the Act, or

(ii) the application was not served within 30 days after the applicant was served with a notice of intent under subsection 7(3) of the Act;

(b) the application is made under subsection 9(4) of the Act and

(i) the applicant is not a landowner, or

(ii) the applicant is a landowner and has made an application under subsection 9(4) with respect to the same conservation agreement within twenty years preceding the date of the present application; or

(c) the chairperson is of the opinion that the reasons for the application are frivolous and vexatious.

c) les raisons pour lesquelles, selon le demandeur, la continuation de l'accord de conservation constitue un préjudice excessif.

Rejet de la demande

6 Le président de la Commission peut rejeter une demande présentée en vertu du paragraphe 7(4) ou 9(4) de la *Loi*, avant même que la Commission ne l'examine, lorsque :

a) la demande est présentée en vertu du paragraphe 7(4) de la *Loi* et que, selon le cas :

(i) le demandeur ne fait pas partie des personnes que le paragraphe 7(3) mentionne comme celles à qui un avis d'intention doit être signifié,

(ii) la demande n'a pas été signifiée dans les trente jours qui ont suivi la signification au demandeur de l'avis d'intention que vise le paragraphe 7(3);

b) la demande est présentée en vertu du paragraphe 9(4) de la *Loi* et que :

(i) le demandeur n'est pas un propriétaire foncier,

(ii) le demandeur est un propriétaire foncier et qu'il a déjà présenté, au cours des vingt années qui ont précédé la date de la demande actuelle, une demande en vertu du paragraphe 9(4) à l'égard du même accord de conservation;

c) il estime que les raisons qu'invoque le demandeur sont sans fondement et vexatoires.

Time of hearing

7 Where the Chair does not dismiss an application under subsection (1), the Board shall hear the application within 60 days of the date of service of the application.

Date de l'audition

7 Si une demande n'est pas rejetée par le président en vertu du paragraphe (1), la Commission entend celle-ci dans les 60 jours qui suivent la date de sa signification.

Le ministre des
Ressources naturelles,

August 11, 1998

J. Glen Cummings
Minister of Natural
Resources

Le 11 août 1998

J. Glen Cummings