

First-Come, First-Served
Cottage Lot Program

Information Package

Rules

Application Form

Frequently Asked Questions

For additional information and updates,
please visit our website at:
www.manitoba.ca/conservation/cottaging

For questions please contact our Public
Information Line at:

Winnipeg: 204-945-6784
Toll Free: 1-800-214-6497
Email: cottaging@gov.mb.ca

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First-Come, First-Served
Cottage Lot Program

Program Rules

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First-Come, First-Served Cottage Lot Program Rules

Section 1.0 Introduction

Cottage lots in listed Crown land and Provincial Park subdivisions are being made available for sale or lease under this program in accordance with the rules outlined in this document. Interested applicants are strongly encouraged to visit and inspect the lot that interests them prior to submitting an application.

The listing of available lots can be found on our website (www.manitoba.ca/conservation/cottaging/index.html) or in the document titled *First-Come, First-Served Cottage Lot Program Lot Availability*. Subdivision information and mapping can also be found on our website.

Except for development of roads, hydro, and certain other site-specific improvements, subdivisions are generally provided in their natural state, with future lot clearing and development being the responsibility of the purchaser or lessee.

Take appropriate precautions when visiting a subdivision or inspecting a lot. The Manitoba government is not responsible for any damage to personal property, or loss or injury incurred while accessing and inspecting subdivisions. Some general safety tips:

- Wear appropriate footwear and clothing.
- Be wary of natural hazards such as hanging trees and branches.
- In some instances construction and/or survey work may be in progress. Keep clear of work crews and construction equipment.
- Do not smoke while visiting sites as there may be brush piles, dead grass, and trees that pose a natural fire hazard. Forests are particularly susceptible to fire during dry periods.

Prior to inspection, applicants may wish to contact the Land Manager at the Regional Conservation and Water Stewardship office for details on the state of the area for Crown cottage lots and the District Park Supervisor for Provincial Park cottage lots. Please check our website (www.gov.mb.ca/conservation/fcfs_cottaging/index.html) for subdivision specific contact information.

Section 2.0 Lots Available for Sale and Lease

Cottage lots that have been offered for sale or lease through previous public draws under the Cottage Lot Program, but were not selected are being made available on a first come, first served basis.

Cottage lots that have been selected once in a previous public draw but subsequently became available for re-allocation due to cancellation, termination or failure to enter into a purchase or lease agreement, shall be reserved until the next scheduled public draw. If the lots are not selected in that next draw, they may then be made available on a first come, first served basis.

Cottage lots acquired by applicants under this program that subsequently become available for purchase or lease due to cancellation, termination or failure to enter into a purchase or lease agreement shall be added back into inventory and will be made available for first come, first served applications.

For a listing of available lots, please refer to the document titled **First-Come, First-Served Cottage Lot Program Lot Availability**.

The Manitoba government reserves the right to remove any lots from the First-Come, First-Served Cottage Lot Program at any time for any reason.

Section 3.0 Eligibility

Eligibility for New First-Come, First-Served Inventory

New inventory added to the First-Come, First-Served Cottage Lot Program are subject to rules for residents and non-residents of Manitoba. Residents of Manitoba only may apply to purchase or lease new inventory for the first 120 days from the Application Acceptance Date specified for Manitoba residents. On the 121st day from the Application Acceptance Date for Manitoba residents, non-residents of Manitoba may apply to lease or purchase any lots listed as available on the Lot Inventory. Specific Application Acceptance Dates for residents and non-residents of Manitoba will be identified on our website (www.manitoba.ca/conservation/cottaging/fcfs/new.html) and Lot Inventory Packages for each announcement.

Manitoba Residents

A resident of Manitoba who is 18 years of age or over is eligible to apply to purchase or lease a cottage lot under this program beginning on the Application Acceptance Date specified for residents of Manitoba.

For the purposes of the First-Come, First-Served Cottage Lot Program, a person will be classified as a resident of Manitoba if he or she regularly, normally or customarily lives at a residence within the Province of Manitoba.

Non-residents of Manitoba (includes non-residents of Canada)

A non-resident of Manitoba who is 18 years of age or over is eligible to apply to purchase or lease a cottage lot under this program beginning on the Application Acceptance Date specified for non-residents of Manitoba.

Eligibility for Existing First-Come, First-Served Inventory

Residents and non-residents of Manitoba who are 18 years of age or older are eligible to apply to purchase or lease a cottage lot from existing First-Come, First-Served cottage lot inventory.

Government Employees

Government of Manitoba employees and their immediate families are eligible to apply to purchase or lease a cottage lot under this program subject to such further approvals as may be required under *The Crown Lands Act* for department employees.

Corporations

Corporations registered in Manitoba, including partnerships, sole proprietorships, associations and not-for-profit organizations are eligible to apply for a cottage lot through the First-Come, First-Served Cottage Lot Program, subject to a condition of sale or lease that the lot shall be used only for single family residential purposes.

Previous Successful Cottage Lot Draw Applicants

Applicants who were successful in acquiring a cottage lot in a previous Cottage Lot Draw are eligible to apply for a lot through the First-Come, First-Served Cottage Lot Program, provided they still meet the above eligibility requirements.

The Manitoba government reserves the right to apply additional eligibility criteria.

Section 4.0 Application Process

Application Form

The approved Manitoba Infrastructure and Transportation application form must be used. No other forms or modifications to the approved forms will be accepted. New inventory added to the First-Come, First-Served Cottage Lot Program are subject to additional application rules. Specific Application Acceptance Dates will be identified on our website (www.manitoba.ca/conservation/fcfs_cottaging/index.html) and Lot Inventory Packages for each announcement.

APPLICATION PROCESS FOR NEW FIRST-COME, FIRST-SERVED INVENTORY

Residents of Manitoba

Residents of Manitoba only may apply to purchase or lease new inventory for the first 120 days from the Application Acceptance Date specified for Manitoba residents.

First Two Weeks

For the initial 10 business days, beginning on the Application Acceptance Date specified for residents of Manitoba, applicants or their authorized representatives must apply in person at Manitoba Conservation and Water Stewardship, 200 Saulteaux Crescent, Winnipeg, MB. No mail-in applications will be considered during this period.

Each applicant must take a sequential number upon arriving at the Central Information Unit desk at 200 Saulteaux Crescent. This number will determine the order in which an applicant is called to choose a lot.

If applicants are not present when their number is called, a government representative will announce the next number and that person will have the opportunity to choose a lot. The applicant who was passed will be slotted into the next available position.

Each applicant will have the opportunity to select from the lots available at the time the applicant's number is called.

Once an applicant selects a lot the decision is final and changes will not be accepted. Applicants will be required to cancel their current application and re-apply.

Mail-in Applications

Upon completion of the first two weeks from the Application Acceptance Date specified for residents of Manitoba, mail-in applications will be accepted. See "Application Process for Existing First-Come, First-Served Inventory" for mailing details.

Number of Applications per Individual

Applications are restricted to one per person for the first 30 days from the Application Acceptance Date specified for residents of Manitoba. Upon completion of the first 30 days there will be no restriction on the number of lots an eligible individual may apply to purchase or lease.

Non-residents of Manitoba (includes non-residents of Canada)

The Application Acceptance Date for non-residents of Manitoba begins on the 121st day from the Application Acceptance Date specified for residents of Manitoba.

APPLICATION PROCESS FOR EXISTING FIRST-COME, FIRST-SERVED INVENTORY

After new First-Come, First-Served inventory has been made available to Manitoba residents for 120 days, the lots will be considered existing First-Come, First-Served inventory.

Applicants who are 18 years of age or older are eligible to apply to purchase or lease a cottage lot from existing First-Come, First-Served inventory.

Mail-in Applications

Applications must be mailed or delivered to the address below. Applications will not be accepted at any other government office. Applications submitted by facsimile transmission (fax) or electronic mail (email) will not be accepted.

Manitoba Conservation and Water Stewardship
Box 22, 200 Saulteaux Crescent
Winnipeg, Manitoba R3J 3W3

Mail-in applications will be date stamped for the following day and will be processed before 8:30 a.m. of the date stamped. In the event two mail-in applications are received on the same day for the same lot, the successful applicant shall be determined through the random computerized draw process administered by Manitoba Conservation and Water Stewardship.

Representative Selecting on Behalf of the Applicant

If a representative is making the lot selection on behalf of the applicant, through the First-Come, First-Served Cottage Lot Program, the representative must present:

- valid identification
- written authorization from the applicant authorizing the representative to select a lot on behalf of the applicant (authorization form for delegation of authority)
- photocopy of the applicant's valid identification (identifying date of birth, Manitoba address, and signature)

Notification

Successful applicants will be notified by letter with confirmation of lot selected, instruction on how to proceed and a sale or lease agreement.

Application Fees

An application must be accompanied with full payment of the required application fee of \$100.00 plus GST.

Payment options for the application fee include cash, debit card, credit card (Visa and MasterCard), personal cheque, certified cheque, bank draft or money order. Cheques, bank drafts and money orders are to be made payable to the Minister of Finance, Manitoba. Credit cards, cash and debit cards are accepted only in person at 200 Saulteaux Crescent. Credit card transactions are not permitted by phone, mail, facsimile, or over the internet.

Application fees are non-refundable. If you apply for a lot, but do not complete the purchase or lease, you will forfeit the application fee.

Rejection of Applications

It is the responsibility of the applicant to read and understand the rules and ensure all information is completed on the application submitted.

Applications will be rejected for the following reasons:

- They are on a form other than the Manitoba Infrastructure and Transportation Application Form.
- They are illegible or required information is missing or incomplete.
- The application is not signed.
- They do not meet published eligibility guidelines.
- They do not contain the required application fee.
- They are not the original signed application form (facsimile and photocopies are not permitted).
- They are delivered to any office other than Manitoba Conservation and Water Stewardship's head office located at 200 Saulteaux Crescent in Winnipeg, MB R3J 3W3.
- The payment cheque is returned by the applicant's bank [ex: non-sufficient funds (NSF)].
- Upon request by the Manitoba government, the applicant failed to provide supporting documentation for eligibility requirements.

Rejected applications will be returned by mail with an explanation as to why the application was rejected.

The Manitoba government is not responsible for any applications that are lost, misdirected, illegible, and incomplete or delayed for any reason.

Section 5.0 Agreements

Crown Lands Sale Agreement

A valid purchase and sale of Crown land will only occur upon the Minister or other government official responsible for execution of agreements, or his designate, affixing his signature to the Conditional Sale Agreement (in the form set out by the Manitoba government) and the delivery of such fully executed Agreement to the successful applicant.

The successful applicant is required to enter into a written Conditional Sale Agreement with the province of Manitoba and pay the balance of the established lot price and any other required occupation, service or administrative fee within 30 days from the date of the notice from the province. The lot prices are firm and are non-negotiable. Subject to the government's sole discretion, all terms and conditions of the Conditional Sale Agreement are non-negotiable.

Failure to pay the purchase price and any other required occupation, service or administrative fee by the payment date indicated in the Sales Journal from Manitoba may result in cancellation of all rights and privileges to the lot. The deadline for payment will be clearly indicated on the correspondence.

Fees that the applicant may be required to pay include the following:

- a. Purchase Price and GST
- b. Lands Application Fee \$100.00 (includes GST)
- c. License of Occupation Fee \$10.20 (plus GST)
- d. Purchase Agreement Fee \$200.00 (plus GST)
- e. Legal Description/Titles Fee \$100.00 (plus GST)
- f. Transfer Document Fee \$50.00 (plus GST)

Provincial Park Lease Agreement

A successful applicant will be required to enter into a cottage lot lease agreement and pay the balance of the one-time lot development fee within 30 days of the date of notice from the Manitoba government.

Annual land rental and service fee for the first year is pro-rated from the date the application is approved to March 31st and are prescribed by the Park Fees Regulation (M.R. 148/96) under *The Provincial Parks Act*.

Subject to the province's sole discretion, all terms and conditions of the Lease Agreement are non-negotiable. Failure to pay the lot development fee and any other required land rental or service fees by the payment due date indicated in the letter from the Manitoba government may result in cancellation of all rights and privileges to the lot and the application fee for the lot will be forfeited. The deadline for payment will be clearly indicated in the correspondence.

Section 6.0 Assignments

Applications

In the case of the death of an applicant, the applicant's estate may continue the application process.

Provincial Park Lot Lease Agreements

The Provincial Parks Lease Agreement may not be assigned until the cottage or vacation home is constructed to the lock-up stage, except:

- a) where an assignment is necessary to arrange financing, or
- b) in the case of death of the lessee, the lessee's estate may continue

Crown Land Lot Sale Agreements

The Crown Lands Conditional Sale Agreement may not be assigned except:

- a) where an assignment is necessary to arrange financing, or
- b) where a purchaser wants to add a person for estate planning purposes, and the person to be added meets the eligibility criteria of the First-Come, First-Served Cottage Lot Program Rules, or
- c) in the case of death of the purchaser, the purchaser's estate may continue

Anyone wishing to assign a lease or sale agreement in accordance with the above criteria must complete an Application for Assignment or Application for Assignment for Collateral Purposes Only and submit the completed application to:

The Cashier
Manitoba Conservation and Water Stewardship
Box 22, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Assignment application forms for Crown land are available on the Crown Land and Property Agency Website: <http://www.clp.gov.mb.ca/forms/index.html> and are subject to a fee of \$50.00 plus GST under The Crown Land Fee Regulation.

Assignment application forms for Provincial Park leases are available on the Crown Land and Property Agency website http://www.clp.gov.mb.ca/forms/park_lands_forms.html and are subject to a fee of \$40.00 plus GST under the Provincial Parks Fee Regulation.

Section 7.0 Taxes

Where applicable, the successful applicant will be responsible for the payment of any municipal realty taxes, GST, assessments and charges for the land commencing on the date of the Agreement, and for any land transfer tax relating to the transfer of the lot.

Please note that Manitoba Land Titles Office will have fees (Land Transfer Tax) related to the registration of the transfer document. Further details related to their fees can be obtained by contacting the Land Titles Office directly.

Call: 204-945-2042
Email: lto@tprmb.ca

Also, if the cottage subdivision is located within a rural municipality (RM), the applicant will be responsible for payment of annual municipal taxes to the RM.

If the cottage subdivision is located outside of an RM, there may be taxes or service fees assessed through Manitoba Aboriginal and Northern Affairs. For more information, contact:

Northern Region: 204-679-6579 or
North Central Region: 204-622-2363

Section 8.0 Construction Of Cottages

The development time frame requirement is waived for the Crown land lots offered for sale through the First-Come, First-Served Cottage Lot Program. See Section 9.0 - Title Transfer for more information.

It is a condition of the Lease Agreement (Parks) that the applicant must construct a cottage and complete the exterior of the cottage to "lock-up stage" within two years.

The date will be set out in the Lease Agreement indicating when the two-year time frame begins.

A cottage is considered to be completed to lock-up stage when doors, windows, finished exterior siding, and shingles or other roofing material have been installed.

Provincial Parks

Construction of cottages and vacation homes in Provincial Parks must comply with "The Cottager's Handbook" available at:
http://www.gov.mb.ca/conservation/parks/pdf/cottagers_handbook_3rd_edition.pdf

Individual lots offered for lease may not be combined or amalgamated with adjacent lots for the purposes of creating a joint or "double lot". One suitable cottage or vacation home is required on each lot.

Development Time Frame Extension Requests

Failure of the applicant to construct a cottage or vacation home to lock-up stage prior to the deadline may result in the termination of the Lease Agreement. However a lessee may apply for an extension of the development time frame if there were valid extenuating circumstances that occurred that prevented completion of construction to lock-up stage. The granting of an extension is at the sole discretion of the Manitoba government.

Crown Lands

The construction of cottages and vacation homes must comply with all applicable legislation, regulations, building standards and zoning by-laws that can be obtained from the local rural municipality office, Aboriginal and Northern Affairs or the Office of the Fire Commissioner.

The sale of lots is for the purposes of the development of a cottage only. The purchaser shall construct the cottage in accordance with the applicable Rural Municipalities building time restrictions, if any. The purchaser also agrees not to park a trailer, travel trailer, fifth wheel, or erect a tent on the lot for use as a cottage.

Individual lots offered for sale or lease may not be combined or amalgamated with adjacent lots for the purposes of creating a joint or "double lot". One suitable cottage or vacation home is required on each lot.

If the lot falls within a Rural Municipality, the purchaser may provide a site plan, with a Building Permit Application to the local municipal office.

If the lot falls within Aboriginal and Northern Affairs jurisdiction, the purchaser may provide a site plan, with a Building Permit Application to the Office of the Fire Commissioner for further review.

The site plan should show approximate dimensions of the building(s), location on the lot and distances in relation to lot boundaries. The purchaser will be notified if the site plan is approved or if changes are required.

A Work Permit may be required to manage debris created by lot clearing work. All debris is to be managed appropriately to eliminate fire hazards and not create a nuisance to adjacent lot owners. All merchantable timber such as firewood must be salvaged. Disposal of lot debris may vary depending upon your subdivision and time of year. Please contact your local Manitoba Conservation and Water Stewardship office to determine if burning is allowed or where debris can be hauled.

Section 9.0 Title Transfer

Upon entering into a Conditional Sale Agreement for the purchase of a lot and payment of the lot price and associated fees, the purchaser's lawyer will be issued a Transfer Document. The lawyer can file the Property Registry Application to the Land Titles Office to register title in the name of the purchaser.

Section 10.0 Lot Pricing

Lots in the First-Come, First-Served Cottage Lot Program are based on current appraised values as determined by an accredited Manitoba appraiser or other method of fair market valuation as determined by the Minister at the time they are placed in the First-Come, First-Served Cottage Lot Program. Lot prices are not negotiable.

Section 11.0 Representations and Warranties

The acceptance of an application by the province of Manitoba does not constitute a binding Agreement for the sale or lease of the Crown lot.

The province makes no warranties or representations, except those stated in the Conditional Sale Agreement or Lease Agreement, and the applicant acknowledges reliance solely on the applicant's own knowledge and inspection of the Crown land and that the applicant has not received or relied on any representations or warranties made with respect to the Crown land.

In particular, the applicant acknowledges that the province of Manitoba makes no representations or warranties to the applicant as to the fitness of any of the Crown land for any particular purpose.

Section 12.0 Revisions to Printed Package

The province has made every effort to ensure the information provided is accurate and complete. If errors are discovered after publication of the handouts and website, the website will be corrected and a notice of correction will be placed on the home page of the website.

Applicants are encouraged to visit the website on a regular basis to keep well informed of any changes.

Section 13.0 Contact Information

For detailed information on site locations, rules and guidelines, applications, agreements and copies of the "Cottager's Handbook", please visit:
www.manitoba.ca/conservation/cottaging/index.html

If You Require Additional Information:

Call 204-945-6784 (Winnipeg), or 1-800-214-6497 (toll free)

Visit our Cottage Lot Program home page to view new announcements:

www.manitoba.ca/conservation/cottaging/

Email inquiries to: cottaging@gov.mb.ca

Manitoba Infrastructure and Transportation – Application for Lease/Purchase /Licence of Occupation (under <i>The Crown Lands Act</i> c.C340)		Date Received: Received by Mail: <input type="checkbox"/> Received in Person: <input type="checkbox"/>
Please check one (✓)		Crown Lands and Property Agency First-Come, First-Served Cottage Lot Program
<input type="checkbox"/> Lease	Lease - \$100 (plus GST)	
<input type="checkbox"/> Purchase	Purchase - \$100 (plus GST)	

1 (a) PRIMARY APPLICANT (Individual):

(Go to 1(b) if a Corporation or Government Department/Agency)

Name: _____
 Mr. / Ms. / Mrs. / Dr. LAST (Please Print) FIRST MIDDLE (no initials)

Mailing Address: _____

Postal Code: _____

Telephone: Home: _____ Work: _____ Fax No.: _____

E-mail address: _____ Name of Employer: _____

GST Registration No.: _____ Are you a resident of Manitoba?: Yes No Canada: Yes No

Are you over 18? Yes No Proof of age and Manitoba residency: MB Driver's License **or** MB Health Card
(please attach a photocopy of your license or health card with application if submitting by mail)

Office Use Only: Proof of age and Manitoba residency verified by: _____

SECONDARY APPLICANT (If applicable):

Name: _____
 Mr. / Ms. / Mrs. / Dr. LAST (Please Print) FIRST MIDDLE (no initials)

Mailing Address (if different from above): _____

Postal Code: _____

Telephone: Home: _____ Work: _____

E-mail address: _____ Name of Employer: _____

GST Registration No.: _____ Are you a resident of Manitoba? Yes No Canada: Yes No

Are you over 18? Yes No Proof of age and Manitoba residency: MB Driver's License **or** MB Health Card
(please attach a photocopy of your license or health card with application if submitting by mail)

Office Use Only: Proof of age and Manitoba residency verified by: _____

If two applicants – Please Specify:

Specify: As Joint Tenants – Two or more people who hold an undivided equal interest in the entire property; after death, the survivor acquires the deceased's interest.

As Tenants in Common- Two or more people who each have an undivided interest in the property; each of them may occupy all the land in common with the others. Each tenant may dispose of their interest by will or deed. There is no right of survivorship as in a joint tenancy.

FOR LANDS/PARKS/CLPA USE ONLY: CQ/MO/CAS\$ _____ MRO _____ CD: _____ CN: _____ Rev Code: _____ Signature: _____ Parcel ID # _____ Disposition Type & # _____	FOR CASHIER USE ONLY: Crown Lands: 8-50 Parks: C-50-1
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1(b) CORPORATE OR GOVERNMENT APPLICANT

Registered Name: _____ Phone No.: _____ Fax No.: _____

Mailing Address: _____

Authorized Signing Officers: _____
(Please print) (Attach a Current Copy of Certificate of Status, if applicable)

Type of Organization: Corporation Government Department Government Agency Other: _____

2. LOCATION AND LEGAL DESCRIPTION OF LAND APPLYING FOR:

Lot or Parcel No. _____ Block No. _____ Plan No. _____ LTO _____

Name of Subdivision: _____

The lot is within a Provincial Park

3. OTHER REQUIREMENTS

The appropriate application fee must accompany this application. If this application is approved, additional fees may be charged for preparation of documents and other administrative services in accordance with the Administration Fee Regulation under *The Crown Lands Act*.

Lawyer Contact Information (For Purchases Only)

(The land transfer document will be sent through a designated lawyer to file the transfer document and a Property Registry Application with the Land Title Office to register the title.)

Lawyer Name: _____ Law Firm Name: _____

Phone No.: _____ Fax No.: _____

Mailing Address: _____

4. PERSONAL INFORMATION PROVISIONS

This personal information is being collected under the authority of *The Crown Lands Act* and will be used for future communications and establishing a client account.

This information is protected by the privacy provisions of *The Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of this information, contact the Access and Privacy Coordinator, 17th Floor, 215 Garry Street, Winnipeg MB R3C 3Z1 Phone: 204-945-3881

5. NOTES TO APPLICANT(S)

1. Separate applications and fees are required for each separate or surveyed parcel of land.
2. Applicable fees MUST accompany this form.
3. Forms that have not been completed in full will be returned.
4. A maximum of two (2) individuals are permitted to be named as holders of a permit, lease or license for Crown land.

6. DECLARATION FOR APPLICANTS

Definitions:

"Employee" means a person employed in the departments of Manitoba Conservation and Water Stewardship, Manitoba Agriculture, Food and Rural Development or Manitoba Infrastructure and Transportation, and includes casual, departmental, part-time, term, and regular employees.

"Immediate Family Member" of an Employee or Officer means his or her mother, father, brother, sister, son, daughter, spouse, common-law partner, ward, or relative permanently living in the Employee's or Officer's household.

"Officer" means a person who holds an office under *The Crown Lands Act*.

6 (a) DECLARATION PRIMARY APPLICANT – please complete this section

Individual applicants (this includes any unincorporated business entity) must answer the following questions:

Are you: - An Employee of Manitoba Conservation and Water Stewardship? Yes No
- An Employee of Manitoba Agriculture, Food and Rural Development? Yes No
- An Employee of Manitoba Infrastructure and Transportation? Yes No

Do you: Hold an office under *The Crown Lands Act*? Yes No

Are you: - An immediate family member of an employee
or officer of Manitoba Conservation and Water Stewardship? Yes No
- An immediate family member of an employee
or officer of Manitoba Agriculture, Food and Rural Development? Yes No
- An immediate family member of an employee
or officer of Manitoba Infrastructure and Transportation? Yes No

If yes: Name of employee: _____
Relationship to primary applicant: _____

(A separate form of declaration may be required to be completed by the employee).

I hereby certify that all information given in this application is true in substance and in fact; that I am over the age of 18 years, and that I will not commence any construction development on the site until I have received written approval of this application.

Signature of Primary Applicant

Date (YYYY/MM/DD)

Witness

Signature

Date (YYYY/MM/DD)

6 (b) DECLARATION – SECONDARY APPLICANT (if applicable)

Individual applicants (this includes any unincorporated business entity) must answer the following questions:

Are you: - An employee of Manitoba Conservation and Water Stewardship? Yes No
- An employee of Manitoba Agriculture, Food and Rural Development? Yes No
- An employee of Manitoba Infrastructure and Transportation? Yes No

Do you: Hold an office under *The Crown Lands Act*? Yes No

Are you: - An immediate family member of an employee
or officer of Manitoba Conservation and Water Stewardship? Yes No
- An immediate family member of an employee
or officer of Manitoba Agriculture, Food and Rural Development? Yes No
- An immediate family member of an employee
or officer of Manitoba Infrastructure and Transportation? Yes No

If yes: Name of employee: _____
Relationship to secondary applicant: _____

(A separate form of declaration may be required to be completed by the employee).

I hereby certify that all information given in this application is true in substance and in fact; that I am over the age of 18 years, and that I will not commence any construction development on the site until I have received written approval of this application

Signature of Secondary Applicant

Date (YYYY/MM/DD)

Witness

Signature

Date (YYYY/MM/DD)

6 (c) DECLARATION - PRIVATE CORPORATE APPLICANTS must answer the following questions:

Is any shareholder of the applicant corporation:

- An employee of Manitoba Conservation and Water Stewardship? Yes No
- An employee of Manitoba Agriculture, Food and Rural Development? Yes No
- An employee of Manitoba Infrastructure and Transportation? Yes No
- An officer under *The Crown Lands Act*? Yes No

Is any shareholder of the applicant corporation:

- An immediate family member of an employee or officer of Manitoba Conservation and Water Stewardship? Yes No
- An immediate family member of an employee or officer of Manitoba Agriculture, Food and Rural Development? Yes No
- An immediate family member of an employee or officer of Manitoba Infrastructure and Transportation? Yes No

If yes: Name of employee: _____ Relationship to shareholder: _____

(A separate form of declaration may be required to be completed by the Employee).

If the answer to any questions under 6c) is "No", the following undertaking is applicable and the applicant corporation agrees to comply with it: The applicant corporation hereby undertakes not to permit any of its shares to be issued or transferred to an employee or officer or immediate family member, as defined herein, without first obtaining the approval of the Province of Manitoba.

Please attach a current Corporation Status Report verifying that your company is in valid status.

I hereby certify that all information given in this application is true in substance and in fact; that I am over the age of 18 years, and that I will not commence any construction development on the site until I have received written approval of this application.

Date

Signature of Authorized Signing Authority

Fees:

Lease - \$100.00 (plus GST)
Purchase - \$100.00 (plus GST)

Inquiries/Assistance:

Manitoba Conservation and Water Stewardship
Box 22, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Phone (Toll free): 1-800-214-6497
Phone (Winnipeg) 204-945-6784

Submit Application and Fees to:

Manitoba Conservation and Water Stewardship
Box 42, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Please do not send cash.
Cheque or money order should be made
payable to: *Minister of Finance of Manitoba*

Regional Land Managers (Manitoba Conservation and Water Stewardship):

Central Region (Gimli)	204-642-6074
Eastern Region (Winnipeg)	204-945-6660
Western Region (Brandon)	204-761-7538
Northwest Region (The Pas)	204-627-8252
Northeast Region (Thompson)	204-679-0987
Provincial Parks (Winnipeg)	204-945-4545

Fees:

Lease - \$100.00 (plus GST)

Purchase - \$100.00 (plus GST)

Submit Application and Fees to:

Manitoba Conservation and Water Stewardship
Box 42, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Please do not send cash.

Cheque or money order should be made
payable to: The Minister of Finance

Inquiries/Assistance:

Manitoba Conservation and
Water Stewardship
Box 42, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Phone (Toll free): 1-800-214-6497

Phone (Winnipeg) 204-945-6784

Regional Land Managers (MB Conservation):

- Central, Eastern and Western Regions – 204-945-6301
- Northwest Region – The Pas: 204-627-8252
- Northeast Region – Thompson: 204-679-0987
- Parks – Winnipeg: 204-945-4545

Delegation Of Authority – Authorized Representative

First-Come, First-Served Cottage Lot Program

I, _____ am giving the following individual authorization to select and place a deposit on a lot on my behalf through the First-Come, First-Served program.

Full Name of Authorized Representative:

Name: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

Because I am unable to attend, please find attached a copy of proof of age, Manitoba address, and signature with my identification (such as both parts of Manitoba Driver's License, or Manitoba Health Card) for your records.

Print Name

Signature

Date

/copy of identification attached

Please Note

This letter and a copy of identification should accompany the Authorized Representative when purchasing a lot through the First-Come, First-Served program. It is not necessary to notify Manitoba Conservation and Water Stewardship in advance that a Representative will be attending on your behalf.

Frequently Asked Questions

What dates should I be aware of? (for new inventory only)

When new inventory is added to the First-Come, First-Served Cottage Lot Program, specific Application Acceptance Dates will be identified on our website(www.manitoba.ca/conservation/cottaging/fcfs/new.html) and Lot Inventory Packages for each announcement.

The Application Acceptance Date specified for residents of Manitoba is the date on which Manitoba Conservation and Water Stewardship will begin to accept applications. For the initial two weeks, beginning on the Application Acceptance Date specified for residents of Manitoba, applicants or their authorized representatives must apply in person at Manitoba Conservation, 200 Saulteaux Crescent, Winnipeg, MB. No mail-in applications will be considered during this period.

After the initial two weeks, applications can be mailed or delivered to the address below. Applications submitted by facsimile transmission (fax) or electronic mail (e-mail) will not be accepted.

Manitoba Conservation and Water Stewardship
Box 22, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

Manitoba Conservation and Water Stewardship will begin to accept applications from non-residents on the Application Acceptance Date specified for non-residents.

NOTE: Applications will not be accepted at any other government offices.

On what grounds will an application be rejected?

Applications will be rejected and will not be accepted for the First-Come, First-Served Cottage Lot Program if:

- they are on a form other than the official Manitoba Transportation and Infrastructure Application Form
- they are illegible or any areas of the application are not fully completed
- The application is not signed
- they do not meet published eligibility guidelines
- they are not accompanied by the required application fee
- they are not the original signed application form (facsimile and photocopies are not permitted)
- they are delivered or mailed to any office other than Manitoba Conservation's head office located at Box 22, 200 Saulteaux Crescent, Winnipeg, MB R3J 3W3
- the application fee cheque is returned by your bank [ex: non-sufficient funds (NSF)]
- upon request of the Manitoba government the applicant failed to provide supporting documentation in relation to eligibility requirements

What are my payment options for the \$100.00 (plus GST) application fee?

Payment options for First-Come, First-Served cottage lot application fee include cash, debit card, credit card (Visa and MasterCard), personal cheque, certified cheque, bank draft or money order. Cheques, bank drafts and money orders are to be made payable to the Minister of Finance, Manitoba. Credit cards, cash, and debit cards are accepted only in person at 200 Saulteaux Crescent. Credit card transactions are not permitted by phone, mail, facsimile, or over the internet.

How many lots can I purchase or lease through the First-Come, First-Served Cottage Lot Program?

In order to give every Manitoban a fair opportunity to apply for new First-Come, First-Served inventory, an applicant may apply to purchase or lease one lot only for the first 30 days from the Application Acceptance Date specified for residents of Manitoba. Following the initial 30 days, there will be no limit on the number of lots an eligible applicant can apply to purchase or lease, subject to availability.

There is no limit on the number of lots from existing First-Come, First-Served inventory that an eligible applicant can apply to purchase or lease, subject to availability.

If I am not a resident of Manitoba, can I purchase or lease a lot through the First Come First Served Cottage Lot Program?

If you are applying for new inventory added to the First-Come First-Served Cottage Lot Program and you are not a resident of Manitoba, you must wait 120 days from the Application Acceptance Date specified for residents of Manitoba. On the 121st day, the First-Come, First-Served Cottage Lot Program will open to all non-residents of Manitoba, including non-residents of Canada. This date is referred to as the Application Acceptance Date for non-residents.

If you are applying for existing First-Come, First-Served Cottage Lot Program inventory, residents and non-residents of Manitoba are eligible to apply for a lot through the program at any time.

Is a corporation able to purchase or lease a lot through the First-Come, First-Served Cottage Lot Program?

A corporation can apply to purchase or lease a lot through the First-Come, First-Served Cottage Lot Program as long as it is a valid corporation authorized to carry on business in Manitoba.

I am unable to make the trip to Winnipeg to apply in person. Am I able to mail an application?

Applications for new First-Come, First-Served inventory are only accepted in-person at 200 Saulteaux Crescent, Winnipeg, Manitoba for the first two weeks from the Application Acceptance Date specified for residents of Manitoba. An authorized representative may select a lot on your behalf as long as the Application Form, Authorization Form, application fee and proper identification are provided.

Mail-in applications will be accepted following the initial two weeks from the Application Acceptance Date specified for residents of Manitoba and for existing First-Come, First-Served inventory. Mail-in applications will be accepted at:

Manitoba Conservation and Water Stewardship
Box 22, 200 Saulteaux Crescent
Winnipeg, MB R3J 3W3

What information am I required to provide when purchasing or leasing a lot?

Applications for new First-Come, First-Served inventory are only accepted in-person for the first two weeks from the Application Acceptance Date specified for residents of Manitoba. The applicant (or authorized representative) must be present to select a lot. The applicant (or authorized representative) must present proof of identity and eligibility (valid photo or other identification that identifies your date of birth, Manitoba address, and signature). If a representative will be attending on your behalf, see next question.

If you are mailing in your application after the initial two week period, or mailing an application for existing First-Come, First-Served inventory, you must include a photocopy of proof of identity and eligibility (valid photo or other identification that identifies your date of birth, Manitoba address, and signature).

Am I able to purchase or lease a lot on someone's behalf?

Yes, you may act as a representative to select a lot on someone's behalf however you must:

- provide valid identification
- present written authorization from the applicant authorizing the representative to select a lot on behalf of the applicant (please use the attached authorization form for delegation of authority)
- provide a photocopy of the applicant's valid identification (that identifies his/her date of birth, Manitoba address and signature)

Will there always be an initial two week period where applications are only accepted in person and there is a limit on the number of lots one person is able to apply to purchase or lease?

The stated rules apply to new inventory added to the First-Come, First-Served Cottage Lot Program. The rules and process will be reviewed prior to releasing any new lots on a first come, first served basis in the future.

Existing inventory in the First-Come, First-Served Cottage Lot Program are not subject to the special rules for the first two weeks and there is no limit on the number of existing lots that an eligible individual can apply to purchase or lease.

How do I know which lots are available in which subdivisions through the First Come First Served program?

All of the lots that are available for sale or lease will be listed on Manitoba Conservation and Water Stewardship's website at www.manitoba.ca/conservation/cottaging or in the document titled First-Come, First-Served Cottage Lot Program Lot Availability. The information is also available at Manitoba Conservation and Water Stewardship offices throughout the province.

How often will the website be updated with a listing of available lots?

The website will be updated at the end of the business day to provide a current listing of available lots each morning.

Can the Crown Lands Conditional Sale Agreement be assigned to more than one individual?

The Crown Lands Conditional Sale Agreement may not be assigned except:

- where an assignment is necessary to arrange financing
- where a purchaser wants to add a person for estate planning purposes, and the person to be added meets the eligibility criteria of the First-Come, First-Served Cottage Lot Program Rules, or
- in the case of death of the purchaser, the purchaser's estate may continue

How do I withdraw from the process, and will I be refunded my \$100.00 (plus GST) application fee?

If you select a lot, and do not follow through with the purchase or lease, you will forfeit your \$100.00 (plus GST) application fee.

If I have chosen a lot in a previous cottage lot draw and select an adjacent lot through the First Come First Served program, can I treat the two lots as one and develop a vacation home?

If you have selected a lot within a Provincial Park, you will be responsible for two separate lease agreements and will not be allowed to combine them into one lot. You will also be required to construct a vacation home on each lot within the respective two-year period.

If you have selected a Crown lot (outside of a Provincial Park), the construction of cottages and vacation homes must comply with all applicable legislation, regulations, building standards and zoning by-laws. Please check with the local rural municipality office, Aboriginal and Northern Affairs or the Office of the Fire Commissioner for more information.

What happens to cottage lots that have been sold through the First-Come, First-Served process but later become available?

They will be returned to the First-Come, First-Served inventory and will immediately become available for purchase or lease.

If I was successful in previous cottage lot draws, can I apply to purchase or lease a cottage lot through the First-Come, First-Served Cottage Lot Program?

Yes, applicants who entered previous Cottage Lot Draws are eligible to apply under the First-Come, First-Served Cottage Lot Program, whether or not they were successful in previous draws, provided they still meet the eligibility criteria.

If I am an employee of the Government of Manitoba, immediate family member of a Government of Manitoba employee or an officer under *The Crowns Lands Act*, can I apply for a cottage lot through the First-Come, First-Served Cottage Lot Program?

Yes, you can apply for a cottage lot if you are an employee, immediate family member of a Government of Manitoba employee or officer mentioned above and:

- you have completed the Applicant Declaration section located on the application form, or have indicated that you are an employee or an immediate family member of an employee (definitions provided on the application form).

What costs will I incur if I select a cottage lot in a Provincial Park?

The successful applicant will be required to sign a cottage lot lease application form and pay the balance of the one-time lot development fee within 30 days of the date of notice from Manitoba Conservation and Water Stewardship. The annual land rental and service fee for the first year is pro-rated from the date the application is approved to March 31st and are prescribed by the Park Fees Regulation (M.R. 148/96) under *The Provincial Parks Act*. Subject to the sole discretion of the Manitoba government, all terms and conditions of the Lease Agreement are non-negotiable. Failure to pay the development fee and any other required occupation, service or administrative fee by the payment date indicated in the notice from the province may result in cancellation of all rights and privileges to the lot and the payment for the lot will be forfeited.

What cost will I incur if I select a cottage lot on Crown land?

Please see the Frequently Asked Questions – Constructing a Cottage on Crown Land (Not within a Provincial Park) for further details.

If I have entered into a Conditional Sale Agreement (Crown lands) for a lot, may I withdraw any time and receive a refund of the purchase price?

No, you may not. When you enter into the Conditional Sales Agreement, you are agreeing to the terms and conditions therein. Some of those conditions being:

- The cottage will conform to the specified minimum standards..
- You agree to purchase the land for a specified sum including Administration fees.

Further, in accordance with the Sale Agreement, there is no provision for you to withdraw and receive a refund of the purchase price. The Sale Agreement states that the province may terminate the Agreement if the purchaser fails to comply with any term or condition; or if any attempt is made to offer for sale or to sell the land prior to closing date; or if the purchaser becomes bankrupt or insolvent.

What are the guidelines I have to follow to construct a cottage?

The development time frame requirement is waived for the Crown lots offered for sale through the First-Come, First-Served Cottage Lot Program.

It is a condition of the lease agreements that the successful applicant must construct a cottage and complete the exterior of the cottage to "lock-up stage" within two years. The date the two-year time frame begins will be indicated in the lease or sale agreement. In subdivisions where road construction has not been completed, a separate notice will be sent at a later date once the road is completed. The two-year time frame will then begin as of the date of that notice. The exterior shall be considered complete and at "lock-up stage" when doors, windows, finished exterior siding, and shingles or other roofing material have been installed.

Construction of cottages in Provincial Parks must comply with "The Cottager's Handbook", available at:

http://www.gov.mb.ca/conservation/parks/pdf/cottagers_handbook_3rd_edition.pdf

Construction of cottages outside of provincial parks (all lots offered for sale on Crown land) must comply with all applicable legislation, regulations, building standards and zoning by-laws which can be obtained from the local rural municipality office or the Office of the Fire Commissioner. Please see the Frequently Asked Questions – Constructing a Cottage on Crown Land for further information.

If requested in writing prior to the construction deadline, a lessee may be granted an extension of the time to construct if extenuating circumstances exist that prevented completion of construction to lock-up stage. The granting of an extension is at the sole discretion of the province.

Frequently Asked Questions

What approvals do I need to build on lots outside of rural municipalities?

You must provide a site plan with your Building Permit Application to the Office of the Fire Commissioner and you will then be notified of approval or changes required.

What do we do with the debris created by lot clearing work?

A Work Permit may be required to manage debris created by lot clearing work. All debris is to be managed appropriately to eliminate fire hazards and not create a nuisance to adjacent lot owners. All merchantable timber such as firewood must be salvaged. Disposal of lot debris may vary depending upon your subdivision and time of year. Please contact your local Manitoba Conservation and Water Stewardship office to determine if burning is allowed or where debris can be hauled.

How do I register my holding tank?

Holding tanks are commonly used for wastewater collection. Holding tanks are normally single compartment tanks that need to be regularly pumped out by a registered sewage hauler.

Onsite wastewater management systems must be registered before construction, modification or replacement. To register your system, you must complete and submit an application to register to your local environment officer. A site plan, indicating the location of the system and the distances to buildings, property boundaries, wells and watercourses must accompany the application. The application and site plan template is available at http://www.gov.mb.ca/conservation/envprograms/wastewater/pdf/application_to_register_pg1_2_3_rev_11_1_mg5585_web.pdf.

A registration fee must also be paid in full at the time of registration. The fee varies with the type of system registered and is indicated on the application.

What types of foundations are acceptable?

All building plans must be submitted to the rural municipality or the Office of the Fire Commissioner, who will then advise as to what would be acceptable for that particular subdivision.

Is there a minimum square footage for the cottage?

The construction of cottages and vacation homes must comply with all applicable legislation, regulations, building standards and zoning by-laws. Please check with the local rural municipality office, Aboriginal and Northern Affairs or the Office of the Fire Commissioner for more information.

Are multiple stories allowed?

The construction of cottages and vacation homes must comply with all applicable legislation, regulations, building standards and zoning by-laws. Please check with the local rural municipality office, Aboriginal and Northern Affairs or the Office of the Fire Commissioner for more information.

What types of buildings are allowed on the lot?

The construction of cottages and vacation homes must comply with all applicable legislation, regulations, building standards and zoning by-laws. Please check with the local rural municipality office, Aboriginal and Northern Affairs or the Office of the Fire Commissioner for more information.

How much of my lot or the Crown Reserve can be cleared to view the lake?

Any clearing of the Crown Reserve will require an application for a Work Permit including details relative to what is planned.

A Work Permit must be obtained from the local Natural Resource Officer at the Manitoba Conservation and Water Stewardship District Office prior to any clearing.

Are docks, boathouses, etc. allowed?

This will vary from subdivision to subdivision and depend on local municipal policies. Please contact the municipality or the Regional Land Manager for information on specific subdivisions.

Are house trailers or mobile homes acceptable as cottages?

No, mobile homes, travel trailers, garage packages, yurts or other similar non-permanent structures do not meet the requirements for a cottage. All cottages must be permanent, fixed non-portable structures.

Can we move an old house or a ready-to-move (RTM) on to the lot?

Municipal restrictions may apply to relocation of previous lived-in homes or RTMs. Please contact the rural municipality or the Office of the Fire Commissioner for further information.

What costs will I incur if I select a cottage lot on Crown land?

Fees that you may be required to pay include the following:

- a. Application Fee = \$100 (plus GST)
- b. Licence of Occupation Fee = \$10.20 (plus GST)
- c. Purchase Agreement Fee = \$200.00 (plus GST)
- d. Legal Description/Titles Fee = \$100.00 (plus GST)
- e. Transfer Document Fee = \$50.00 (plus GST)

Please note that there will be fees associated with building permits, Manitoba Hydro and MTS hook-ups. In addition, the Land Titles Office will have fees (Land Transfer Tax) related to the registering of the Transfer document. Further details related to their fees can be obtained by contacting the Land Titles Office at:

Call: 204-945-2042
Email: lto@tprmb.ca

Also, if the cottage subdivision is located within a rural municipality, you will be responsible for payment of annual municipal taxes to the Rural Municipality. If the cottage subdivision is located outside of a Rural Municipality, there may be service fees applied through Manitoba Aboriginal and Northern Affairs.