

Crown Lands Processes / Update

**Presentation to the Western/Northern Regional Meeting
Municipalities NL**

Department of Fisheries and Land Resources

June 2019

Crown Land

- Crown Lands are administered and controlled by the Minister of Fisheries and Land Resources for the social and economic benefit of the residents of Newfoundland and Labrador (**Lands Act**)
- There is no complete list or mapping inventory available that identifies all of the Crown land in the province
- It is an applicants responsibility to complete the research to determine if the land you want to apply for is available Crown land and is not privately owned

Did You Know?

88% of the 40.57 million hectares of land in Newfoundland and Labrador is Crown land including some of the seabed and beds of freshwater lakes

Identification of Crown Land

There are several sources of information that can be used to assist in determining Crown land availability:

1. Local Knowledge
 - ✓ Community residents may be aware of the history of land ownership
 - ✓ Physically walking over the land can provide clues (e.g. fences, building remains, gardens) as to whether the land was previously occupied

2. Municipalities
 - ✓ Municipal Councils may have property taxation records identifying land ownership

Identification of Crown Land

3. Registry of Deeds

- ✓ Should you be able to identify the individual(s) connected to or listed as adjacent to the land you are interested in, the Registry of Deeds may have records of registered land claims, including surveys and land descriptions identifying individual names associated with the land

4. Regional Crown Lands Offices

- ✓ The Crown Lands Office in your region may be able to provide you with access to maps showing the most recent Crown lands issued titles and relevant surveys
- ✓ Older land ownership maps compiled between the 1940-60's and aerial photos may also be available for viewing

Identification of Crown Land

5. Provincial Archives

- ✓ The Provincial Archives located at The Rooms in St. John's holds records of Crown land purchases from 1830 to 1930

6. Court Records

- ✓ Court records may also serve as a supplementary source for land ownership identification

7. Land Use Atlas

- ✓ <https://www.flr.gov.nl.ca/gis/lua.html>

Applying For Crown Land

- Forms are available at:
 - <https://www.flr.gov.nl.ca/lands/forms/>
- Recent Changes:
 - Fillable PDF
 - Primary and secondary contact
 - Email address
 - Improved selection options
- Future Changes:
 - Fully online/integrated application process as part of the enhanced government services available 'digitally by design' (The Way Forward)

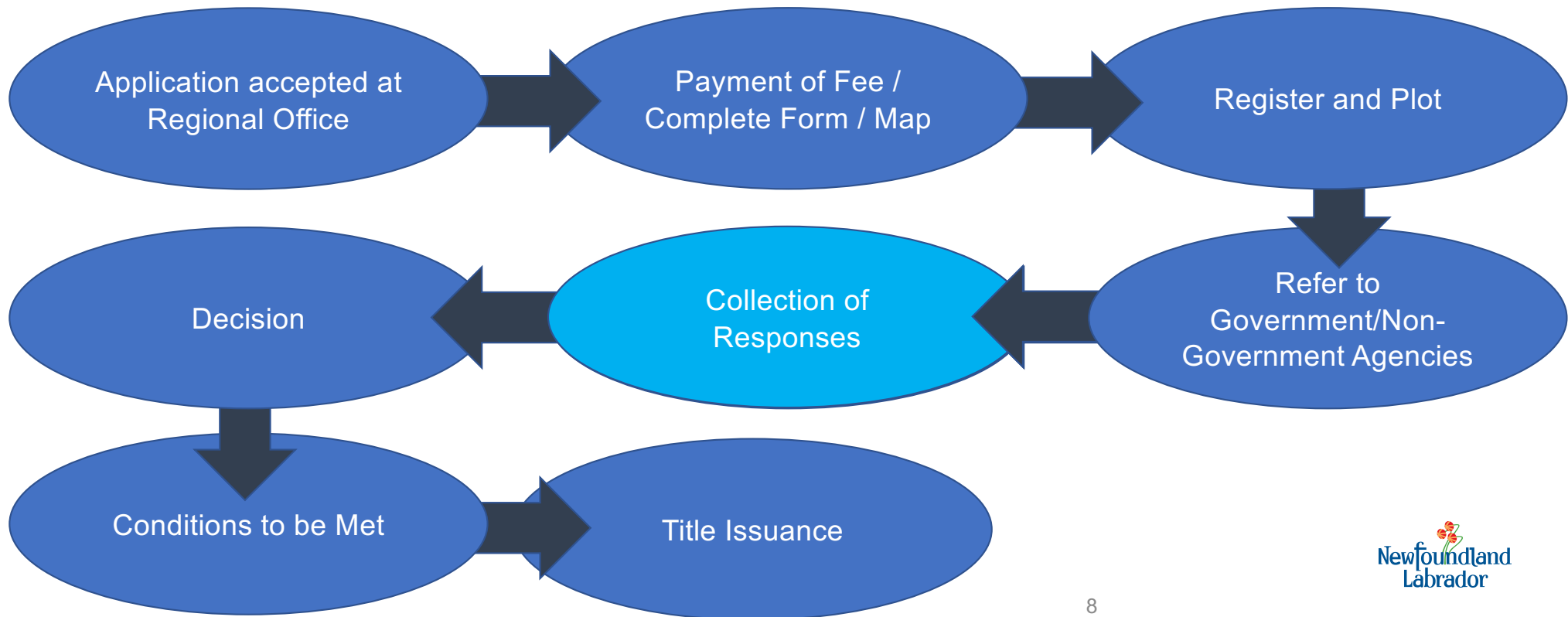
Did You Know?

The Crown Lands Division receives approximately 3600 applications per year.

Review/Application Process

- Due Diligence
- Legal Land Transaction – heightened responsibility of government to ensure usability

Review/Application Process



Municipalities Act, 1999

- Property Acquisition (S.201)
 - A council may acquire and hold real and personal property which is not necessary for the operations of the council with prior written approval of the minister.
- Criteria Considered:
 - Purpose/need for the property
 - Information such as are the lots serviced; will the Town carry liability insurance on the land, and how has the Town ensured that the purposes for which the land will be used or disposed of do not violate Section 221 of the Municipalities Act, 1999, which prohibits towns from competing with the private sector.

Municipalities Act, 1999

- Sale of Property Valued at \$500 or more (S.201.2)
 - Additional requirements around notification and advertising
 - Approval from the Minister is also required
- Process:
 - Requests to be sent directly to the Minister of Municipal Affairs and Environment

Improvements

- The Way Forward addressed Crown Lands processes
 - Modernize, electronic processes, digitization, efficiency
 - Creation of the Department of Fisheries and Land Resources
 - Introduction of a 90 day service standard
 - Hiring priority to fill vacancies
 - Policy and procedure review
 - Improved application process
 - Improved information on website
 - Inquires Line
 - **1-833-891-3249**
 - **crownlandsinfo@gov.nl.ca**

Municipal Leasing Policy

- Economic development purposes
- Regular application process
- Decision to be made after approval
- Market Value
- 3 options:
 - Lease-to-own for a set term (10 years maximum), with varying annual payments to be negotiated
 - Lease-to-own for a set term (10 years maximum), at 50% now / 50% later
 - Lease-to-own for a set term (10 years maximum), with payments deferred

Municipal Crown Lands Reserves

- At the request of a municipality a reserve can be created
- 5 years
- Only applications from the municipality can be accepted
- Prefer an application accompany the request
 - Area of land (map)
 - Purpose
 - Location o roads
 - Confirmation the municipality will accept ownership

Tax Sales

- Significant time to review
- Process under review
 - No interest (ie: land has already been granted)
 - May be Crown Land, area not adequately identified or review could not be completed in the time required and further consultation is needed
- Section 36 application may still be required

Take-Aways

- Valued relationship
- Open communication with Regional Offices
- Recognition of Requirements
 - Procedural
 - Legislative/Regulatory
 - Lands Act, Municipalities Act, Municipal Plans/Regulations etc.

Land Use Atlas

<https://www.flr.gov.nl.ca/gis/lua.html>

Contact

www.flr.gov.nl.ca/lands

Call the Crown Lands Inquiries Line at
1-833-891-3249 **crownlandsinfo@gov.nl.ca**

Regional Office – 192 Wheelers Road

Jeff Bannister, Regional Lands Manager