

ACQUIRING CROWN LANDS IN NEW BRUNSWICK

What is Crown Land? Crown Land includes all or any part of land (including land covered by water) that is not privately owned in the Province of New Brunswick. These lands are managed by various provincial Departments. For the purpose of the application Crown Land refers to land administered and controlled by the Minister of Natural Resources (DNR).

Crown Lands are managed in the best interest of the people of New Brunswick. The use of Crown Land is a privilege for all residents of New Brunswick and is made available for people to use and enjoy.

Crown Lands may be disposed of, with the Minister's approval, provided that they meet the specific criteria outlined in the application packages listed below. DNR is not responsible for the direct sale of Crown Lands. The process of selling Crown Lands begins when DNR declares land as surplus. The land is then transferred to the Department of Supply & Services (DSS) who proceed with the sale by public tender.

There are various methods of acquiring Crown Lands permitted under the *Crown Lands & Forests Act*, namely:

- **Lands declared as surplus** (Application package)
Lands may be identified as surplus either through an identification program carried out by the Department or through the review of an application to have a parcel declared as surplus. Before any lands are declared as surplus, the Minister must approve the disposal of the lands.
- **Crown reserved roads** (Application package)
A Crown reserved road (CRR) is a narrow strip of land within granted or reconveyed Crown Lands and reserved by the Crown for access to and from other granted lands or Crown Lands. In many cases, no actual roads were ever built on the reserved lands. CRRs are only disposed of to the adjacent owners via grant.
- **Crown waterfront reserves** (Application package)
A Crown waterfront reserve (CWR) is a strip of reserved land along the bank or banks of some watercourses to which title has been retained by the Crown. Occupation of CWRs is often discovered by lawyers and/or surveyors when property is being sold, re-mortgaged, or settled as part of an estate. If it is found that you are occupying a CWR, you must apply to see if the reserve is eligible for disposal.
- **Lands as part of a land exchange** (Application package)
A land exchange is the process by which the Crown will trade a parcel of Crown Land for a parcel of privately owned land based on equal market value and not area. Applicants must apply and identify both the Crown and private land(s) to be exchanged.
- **Possessory title** (Fact sheet)
Crown land may be granted to anyone who presents satisfactory proof that they and their predecessors in title have continuously, openly, notoriously and exclusively occupied a specific area of Crown Lands for more than 60 years or for more than 20 years prior to the lands being re-conveyed to the Crown. A claim in writing must be submitted for review.

Every effort will be made not to fragment Crown ownership. Other options such as **leases**, **licenses** and **easements** will be used, where possible, in lieu of disposal that would fragment Crown ownership.

Information you should know if you require authorization:

Any disposal of Crown Land may require some or all of the following (see part III)

- Application and grant fees
- Approval from other government agencies
- Survey plan
- Deed
- Approval from the Minister of Natural Resources

The Process:

Once you submit a completed application form and meet basic eligibility requirements, you will receive a letter of acknowledgement advising of the application review process. Your application will be reviewed by the Department of Natural Resources as well as other governmental agencies. The time for the review process will vary depending on the type of request.

Information:

More information on Crown Lands, and the completing of this application package can be obtained at www.gnb.ca/0263 or at the toll free number 1-888-312-5600.

Properties which are no longer required for Government programs are listed by the Department of Supply & Services (DSS) and sold by tender. A listing can be obtained from the DSS website at www.gnb.ca/2221/index-e.asp or by calling (506) 453-2221.

APPLICATION PACKAGE FOR HAVING CROWN LAND DECLARED SURPLUS

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**This application package is used for requesting
Crown Land be declared as surplus.**

**Please read the entire application package before filling
out the application form.**

**The application will be returned to you if the form and required
attachments are not complete**

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GENERAL INFORMATION

Surplus Crown Lands that are less than 20 hectares in size, surrounded by private lands on at least 3 sides and which have no ecological, cultural or social significance and are not needed to provide access to Crown Land, including waterways and coastal areas can be reviewed for declaration as surplus lands.

Lands may be identified as surplus either through an identification program carried out by the Department or through the review of an application to have a parcel declared as surplus. Before any lands are declared as surplus, the Minister must approve the disposal of the lands.

If a property is declared surplus, it will be transferred to the Department of Supply & Services (DSS) and sold by public tender, provided it is not needed by another government agency. DNR may request that DSS notify all those who had expressed an interest in the lands be notified of any tender call.

A listing of land already declared as surplus can be obtained from DSS's web site at www.gnb.ca/2221/index-e.asp or by calling (506) 453-2221.

Specific parcels of Crown land may be considered to be declared as surplus provided an application form is completed and the basic eligibility requirements are met. (*See Part II-Basic Eligibility*)

Fees:

- Application Fee*: not applicable at this time.
- Other fees and requirements: See Part III- *Should Your Application Be Approved*.

* All fees are subject to change.

WHAT YOU NEED TO KNOW BEFORE YOU APPLY ?

Have you located a site?

In order to apply to have a parcel of Crown Land declared surplus, you must have located a specific property within the Province of New Brunswick. An application that does not specify a property will not be considered.

Is the property Crown Land?

You must be certain that the property you are requesting is Crown Land and not a private property. To confirm the ownership of the property you must contact your local Service New Brunswick (SNB) Registry and Mapping office. To locate your local SNB office please call the toll free number at 1-888-762-8600 or visit the web site at www.snb.ca

Parcels of Crown Land with significant resource features which are required for Departmental programs or that form part of a larger block of Crown Land will not be considered for disposal. Nor will lands that are needed to provide access to other Crown Lands, including waterways and coastal areas.

PART I
Declaring Surplus Crown Lands

Reservations

All Crown Lands that are declared surplus will reserve to the Crown:

- the bed of any river or lake below the ordinary high water mark (OHWM);
- all mines, minerals, oil, natural gas, and coals;
- all rights of fishing and fishery; and
- a right-of-way, 10 metres in width measured horizontally from the normal high water mark, along the bank of a watercourse or body of water for the general public to freely pass and repass on foot and to stop and fish and to enjoy recreational activities.

PART II
Declaring Surplus Crown Lands

BASIC ELIGIBILITY

- Applicants must be 19 years of age or older.
- Parcels of Crown Land must:
 - be less than 20 hectares (50 acres) in size to be declared surplus;
 - be completely surrounded by private land;
 - not be required by the Crown for any programs or offer any consolidation benefits;
 - not possess any significant resource features that would be of interest to the Crown (i.e. wetlands or adjacent to upland or coastal waterways); and
 - not be encumbered by other commitments.

All applications not meeting the basic eligibility requirements will not be considered.

SHOULD YOUR APPLICATION BE ACCEPTED

Once your application is reviewed and accepted, a letter from the Department of Natural Resources will inform you of other requirements.

Requirements that will be requested upon approval of application

1. Community Planning Act: Those acquiring surplus Crown Lands will be responsible for obtaining approvals or exemptions under the Community Planning Act that are required for the registration of the disposal; and
2. Registration : The successful bidder is responsible for having the land registered in the NB Land Titles System, maintained by Service NB.

Other terms and conditions may apply.

All costs associated with the above noted “requirements” are the responsibility of the applicant.

Department of Supply & Services - Public Tenders

All tenders for goods estimated in excess of \$5,000 are publicly opened and anyone with a legitimate interest may attend. Tenders are opened by a tender opening committee and the names of the bidder and total price, if required, will be read aloud where practical.

HOW TO APPLY

Part IV is designed to help you in completing the application form for having a parcel of Crown Land declared as surplus (Part V). The order of the information contained in Part IV corresponds with the order of requested information on the Application Form.

Section A - Applicant

The name on the application form is the name that will be used on the legal agreement. The only fields that are optional are the e-mail and cellular phone.

Language: any written correspondence will be sent to you in your official language of choice.

Applicant Status: if you represent an incorporated body, please provide a copy of the Certificate of Incorporation for your organization, as well as names and titles of signing officers.

Section B- Intended use of the land

B1- Explain what type of activity will be occurring on the land such as commercial operation, educational camps, farming, etc. If needed, include an attachment with more details. Ensure that this attachment is identified as question B1.

Section C- Location

C1- Provide an estimate of the size of the proposed area required in hectares.

C2- A PID number is a **Parcel Identifier** number that identifies all properties in New Brunswick. You must provide the PID number of the property on your application form. You can obtain this number at your local Service New Brunswick (SNB) Registry and Mapping office. If for any reason this property has not been assigned a PID number, please indicate the PID number of an adjacent property.

C3- Identify County and Parish for this property.

Section D- Site Description

D1- What is this site currently used for?

D2- Identify the adjacent properties, what they are used for and who are the owners.

D3- Describe the watercourse near the land and give its name. Give its distance from the site. What kind of watercourse: stream, swamp, river, ocean, or lake. You may be required to obtain a Watercourse Alteration Permit from the Department of Environment and Local Government. This information will be given to you once the review process is completed.

D4- Is there public access to the land? Give its name and specify: highway, secondary road, private road, forest road, or other.

D5- Describe the condition of the access road (ei: paved, gravel)

D6- Can you access this land year round?

D7- Is there evidence of present occupation on the land?. This could be any structure or activity that may indicate that the site is presently used or occupied.

D8- What type of vegetation covers the land?

Forest: tree cover

Clear cut: all trees are cut

Partial cut: some trees are cut

Field: open area

D9- Is there any evidence of boundary lines on the land?

Evidence: May be a fence, tree line, rock wall or blazed wall.

No Evidence: There is no evidence of the property boundaries.

All visible: All sides of the property are identifiable.

Section E - Signatures

- You MUST sign and date the application form.

Section F- Attachments

The following attachments MUST be included with the application. If any of the attachments are missing, the application may be returned.

F1- A general map that will locate the site within the province. For example, a road map, or a Provincial Atlas map. **See Appendix A**

F2- A detailed SNB Browser map large enough to locate the site. This map is available at your local Service New Brunswick (SNB) Registry and Mapping office. **See Appendix A** for an example.

On this map please:

- clearly outline the requested site (highlight the boundaries).
- have at least one legible PID number.

All costs associated with the application are the responsibility of the applicant.

For clarification on any parts of the Application Package please contact at 1-888-312-5600
See **Appendix B** for a check list to ensure the completeness of the application form.

PART V
Declaring Surplus Crown Lands

Declaring Surplus Crown Land Application Form

Department of Natural Resources
Crown Lands Branch
P.O. Box 6000
Fredericton NB E3B 5H1
Tel: 1-888-312-5600 Fax: (506) 457-4802



Please refer to PART IV "How to Apply"

A- APPLICANT

<input type="checkbox"/> Mr.				<input type="checkbox"/> Mrs.		<input type="checkbox"/> Ms.	
Name or Company Name					E-mail (optional)		
Mailing address : (Street - apartment)					City / Town		
					County		
Postal Code		Occupation		Language English <input type="checkbox"/> French <input type="checkbox"/>			
Telephone (home)		Telephone (work)		Cellular phone (optional)			
Applicant Status <input type="checkbox"/> Group		<input type="checkbox"/> Individual		<input type="checkbox"/> Business		<input type="checkbox"/> Other Specify	
Contact person :							

B- INTENDED USE OF THE LAND

B1	What is the intended use of the land?

C- LOCATION

C1	Estimated size of the area (hectares)	
C2	PID number	<input type="checkbox"/> Adjacent PID
C3	County	Parish

D- SITE DESCRIPTION

D1	Existing use of the subject property
D2	Adjacent use and ownership
D3	Is there a watercourse nearby, adjacent or through the requested property?

PART V
Declaring Surplus Crown Lands

D4	Is there access to the site?		
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Specify:
D5	If there is a public access, describe its condition		
	<input type="checkbox"/> Good condition	<input type="checkbox"/> Fair condition	<input type="checkbox"/> Poor condition
D6	If there is a public access, is there year round access to the site?		
	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
D7	Is there evidence of present occupation on the land ?		
	<input type="checkbox"/> Building	<input type="checkbox"/> Fences	<input type="checkbox"/> Clearing <input type="checkbox"/> Other Specify:
D8	What is the vegetation cover ?		
	<input type="checkbox"/> Forest	<input type="checkbox"/> Clear cut	<input type="checkbox"/> Partial cut <input type="checkbox"/> Field <input type="checkbox"/> Other -specify
D9	Describe the boundary lines		
	<input type="checkbox"/> Evidence	<input type="checkbox"/> No evidence	<input type="checkbox"/> All visible

E - SIGNATURES

<input type="checkbox"/> Yes I am over 19 years of age	Signature of applicant
Date _____ 20 _____	x

F- ATTACHMENTS

	Required documents
F1	General Map – see Appendix A
F2	SNB Location Map - see Appendix A

DEFINITIONS

Term	Definition
Grant	Process by which a portion or all of a parcel of Crown land is sold to one or more adjacent owners. A grant vests title to the land in a specific named person and provides legal documentation to prove ownership of the land by that person.
Land Titles System	Land Titles is a parcel based registration system which utilizes a Parcel Identifier (PID) to uniquely identify parcels of land and to record interests in that land. Unlike the Registry System, which has existed in New Brunswick for over 200 years, once parcels have been converted to Land Titles as “registered land”, the interests of individuals and enterprises in a parcel are guaranteed by the province.
Market Value	The amount that a seller may expect to receive in the open market for merchandise; in this case the merchandise would be land.
Public Tender (Department of Supply & Services)	All tenders for goods estimated in excess of \$5,000 and services estimated in excess of \$10,000 are publicly opened and anyone with a legitimate interest may attend. Tenders are opened by a tender opening committee and the names of the bidder and total price, if required, will be read where practical.
Service New Brunswick (SNB)	Provincial crown corporation that provides front-line government services to the public. It does so through a variety of convenient channels including 36 service centres, the SNB TeleServices Call Centre and online through www.snb.ca . Services include: driver and vehicle renewals, personal, corporate and land information, property assessment services, municipal payments, atlas and maps and over 100 other products. Get quick and convenient SNB service at: <ul style="list-style-type: none"> • Toll Free at 1-888-762-8600 • Online at www.snb.ca • 36 local service centres throughout NB
Surplus Land	Surplus Crown Lands that are less than 20 hectares in size, completely surrounded by private lands and have no ecological, cultural or social significance and are not needed to provide access to Crown Land, including waterways and coastal areas, can be considered to be declared surplus.
Survey	A survey plan is a drawing, map or plan prepared to show information obtained from a survey of lands and may have a multitude of uses. The Survey must be completed by a New Brunswick Land Surveyor and be submitted, approved and recorded by the Dept. of Natural Resources.
Timber Cruises	Inspection of a wooded area to determine the amount of wood that is present and the value of that wood (ie. the merchantable timber value).

MAPS - EXAMPLES

The following are examples of maps that must be included in your application.

You must include a copy of 2 maps with your application.

General map:

CHECK LIST

Before sending your application, please ensure that you complete the following....

<input type="checkbox"/>	Include a general map identifying the area.
<input type="checkbox"/>	Include a SNB Browser map identifying the specific area applied for. Maps are available at your local Services New Brunswick office.
<input type="checkbox"/>	Include the PID number of the property. Available at your local Services New Brunswick office.
<input type="checkbox"/>	Complete, sign and date the application form.
<input type="checkbox"/>	Include all required attachments as per section F of the Application Form.

**Send your Land Use Applications package
and required attachments to:**

Department of Natural Resources
Crown Lands Branch – Land Use Application Service Centre
P.O. Box 6000
Fredericton NB E3B 5H1