

## USING NEW BRUNSWICK CROWN LANDS

### 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 Department 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.

**Occasional use** of Crown Land generally does not require formal authorization from DNR. Some examples of occasional use are: hiking, biking, picnicking, camping and canoeing.

**Extended use** of Crown Land or activities that involve development on Crown Land require a formal agreement. This authorization may be given after a review of the application, by issuing a formal document known as a Lease, Easement, or License. Some examples of these activities include

- Campsite
- Right of way
- Commercial/ Industrial activities

### Information you should know if you require authorization:

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

- Application and issuance fees
- Approval from other government agencies
- Legal assistance
- Survey plan
- Deed
- Approval from the Minister of Natural Resources
- Liability insurance
- Business plan
- Environmental insurance
- Environmental Impact Assessment determination letter
- Other documentation based on the specific type of land use application

### 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. If accepted, you will be notified. The review process is expected to take between 6 and 21 weeks.

### Information:

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

## **CROWN WATERFRONT RESERVE APPLICATION PACKAGE**

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**This application package is used for Crown Waterfront Reserves.**

**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

### Crown Waterfront Reserve

**Crown Waterfront Reserves (CWR)** are strips of land ranging in depth from 20.1 metres to 60.4 metres (66 to 198 feet) along the bank(s) of a watercourse or a lake and were created by the Crown at the time of the original land grants.

It is the Department's policy to retain CWR's as public lands. Exceptions may be made where a successful application is made to dispose of, or use, the CWR.

**Disposal:** The Minister of Natural Resources may dispose of, or authorize the occupation of, Crown Waterfront Reserves as follows:

**Grant:** A grant may be issued where:

- The entire occupation is located at a distance of 10 metres or more above the bank of the river or lake,
- All the requirements for registration under with the *Registry Act* or the *Land Titles Act* are met, and
- All other requirements of the policy with respect to grants are met.

**Lease:** A lease may be issued where the conditions for obtaining a grant cannot be met, where the occupant wishes to obtain a lease rather than a grant, or where a new structure or work is required to protect property, public health or safety, provided all policy requirements are met.

**Easement:** An easement may be issued for utilities or roads where no feasible alternative exists, provided all policy requirements are met.

**Licence of Occupation:** A licence of occupation may be issued where DNR does not wish to grant exclusive possession or as a short term authorization pending the issuance of a grant, lease, or easement, provided all policy requirements are met.

**Fees\*:**

- **Application Fee:** \$114.00 (\$100.00 plus HST, non-refundable) to be paid when you apply.
- **Other fees and requirements:** See Part III - *Should Your Application Be Accepted*.

**For your information:** The Province retains a 10-metre wide right-of-way for the public to pass and repass, as well as all mineral rights to the land, after a disposal. It also keeps fishing rights and the ownership of the bed of the adjacent watercourse.

\* All fees are subject to change.

## What do you need to know before you apply ?

### How do you confirm this is a Crown Waterfront Reserve?

To confirm that this property is a Crown Waterfront Reserve, you must contact Crown Lands Branch at the address enclosed or by calling the toll free number 1-888-312-5600.

Where disagreements exist among adjacent landowners and/or occupants, the Department may require the disputing parties to resolve all legitimate concerns at their own expense before proceeding with the review of the application.

## BASIC ELIGIBILITY

- Applicants must be at least 19 years of age.
- All requirements of Department policy must be met.
- If occupation exists on the CWR in the form of a structure or improvement, it must be for a period greater than 6 months for the application to be considered for regularization.

**Applications that do not meet the basic eligibility requirements will be rejected.**

## 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 if applicable. The following lists some requirements that WILL be required once the application is accepted:

1. Survey Plan: A survey is required for an easement or lease. The Survey must be completed by a licensed New Brunswick Land Surveyor and be submitted, approved and recorded by the Department of Natural Resources. For a grant, a coordinated plan of survey, or subdivision plan, along with a description of the surveyed area, must be submitted.
2. Appraisal Fee: The market value of the reserve is determined by an appraisal for grants. A maximum of \$500.00 (per parcel) appraisal recovery fee will apply for each adjacent owner(s) or occupant(s).
3. Issuance Fees: Payment of the applicable issuance fee is required as follows:  
Grant Issuance Fee: A fee equivalent to the appraised market value.  
Lease Issuance Fee: \$150.00 plus HST (\$171.00). Annual rental fee will apply.  
Easement Issuance Fee: \$600.00/ha with minimum \$100.00 + HST  
Licence of Occupation Issuance Fee: \$25.00 + HST
4. Development Officer Approval: You will need to get approval or exemption from the appropriate Development Officer in the area prior to a grant being issued ([www.gnb.ca/0009/0136/0001/0002-e.asp](http://www.gnb.ca/0009/0136/0001/0002-e.asp)).
5. Title Documents: Provide title documents (e.g. a deed) for the land you are occupying.

**Other terms and conditions may apply.**

6. Registration: The Department may require the applicant to register the grant, lease or easement and submit proof of registration within a specified time period.
7. Access: Provide proof of legal access to the land you are occupying.

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

## **HOW TO APPLY**

Part IV is designed to help you complete the Crown Waterfront Reserve Application Form (Part V). The order of 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:** verbal and written correspondence will be available 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 - Location**

**B1** – Identify how you wish to legalize your occupation.

**B2** - Provide an estimate of the size of the proposed area in hectares.

**B3** - 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.

**B4** - Identify County and Parish for this property.

### **Section C - Site Description**

**C1** - Identify the existing use of the site (type of structure, residential, recreational, estimated value, etc.).

**C2** - Identify the adjacent lands, what they are used for and the owners of these properties.

**C3** - Is there a road accessing the land? Please specify: highway, secondary road, private road, forest road, or other.

**C4** - If a road is accessing the land, describe its condition. (i.e.: good, fair, poor).

**C5** - Can you access this land year round?

**C6** - Is there any evidence of boundary lines on the CWR?

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

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

All visible: All sides of the property are identifiable.

### **Section D - Payment and Signatures**

- Indicate the method of payment used for application fee.
- You **MUST** sign and date the application form.

### **Section E - Attachments**

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

**E1** - The application fee payment of \$114.00. (Refer to section E of the application form for the different methods of payment.)

**E2** - A general map that will locate the site within the province. For example, a road map, or a Provincial Atlas map. See **Appendix A**.

**E3** - A detailed SNB Planet site map large enough to locate the site. This map is available at your local Service New Brunswick 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.

**E4** – Sketch outlining existing improvements/structures and access. See **Appendix A**

**E5** - Applicants should supply any existing deed or survey information relating to the property they are occupying.

**E6** - The applicant must provide recent colored photos of the subject site and any improvements/structures, including erosion control or water based structures.

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

For clarification on any parts of the Application Package please call 1-888-312-5600.

See **Appendix B** for a check list to ensure the completeness of the application form.

**PART V**  
Crown Waterfront Reserve

**Application Form - Crown Waterfront Reserve**

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

**B - LOCATION**

B1	<b>Identify how you wish to legalize your existing or proposed occupation.</b>	<input type="checkbox"/> Licence of Occupation	<input type="checkbox"/> Easement
		<input type="checkbox"/> Disposal	<input type="checkbox"/> Lease
B2	<b>Estimated size of area (ha)</b>		
B3	<b>PID number</b>	<b>Adjacent PIDs</b>	
B4	<b>County</b>	<b>Parish</b>	

**C - SITE DESCRIPTION**

C1	<b>Existing use of the subject property (type of structure, residential, recreational, estimated value, etc.)</b>		
	<b>If occupation exists, how long has the structure/improvement been on the site?</b>		
C2	<b>Adjacent use and ownership</b>		
C3	<b>Is there public access to the site?</b>	<input type="checkbox"/> No	<input type="checkbox"/> Yes specify



**PART V**  
Crown Waterfront Reserve

C4	<b>If there is a public access, describe its condition</b>		
	<input type="checkbox"/> Good condition	<input type="checkbox"/> Fair condition	<input type="checkbox"/> Poor condition
C5	<b>If there is a public access, is there year round access to the site?</b>		<input type="checkbox"/> No <input type="checkbox"/> Yes
C6	<b>Describe the boundary lines of the CWR</b>		
	<input type="checkbox"/> Evidence	<input type="checkbox"/> No evidence	<input type="checkbox"/> All visible

**E - PAYMENT & SIGNATURES**

**Indicate the method of payment used for application fee**

<input type="checkbox"/>	Money Order (made payable to the Minister of Finance)	
<input type="checkbox"/>	Cheque (made payable to the Minister of Finance)	
<input type="checkbox"/>	Credit Card	
<input type="checkbox"/>	<input type="checkbox"/> Visa	<input type="checkbox"/> Master Card
	Number _____	Expiry date: _____
	Name on Credit Card if different from applicant: _____	
	Signature of Cardholder: _____	
<input type="checkbox"/>	Yes I am over 19 years of age	Signature of applicant _____
Date	_____ 20 _____	<b>x</b> _____

**F - ATTACHMENTS**

**Required documents**

E1	Application fee payment of \$114.00
E2	General Map (see Appendix A)
E3	Site Map (see Appendix A)
E4	Sketch (see Appendix A)
E5	Deed and/or Survey information (if available)
E6	Recent colored Photos of Site and improvements/structures

## DEFINITIONS

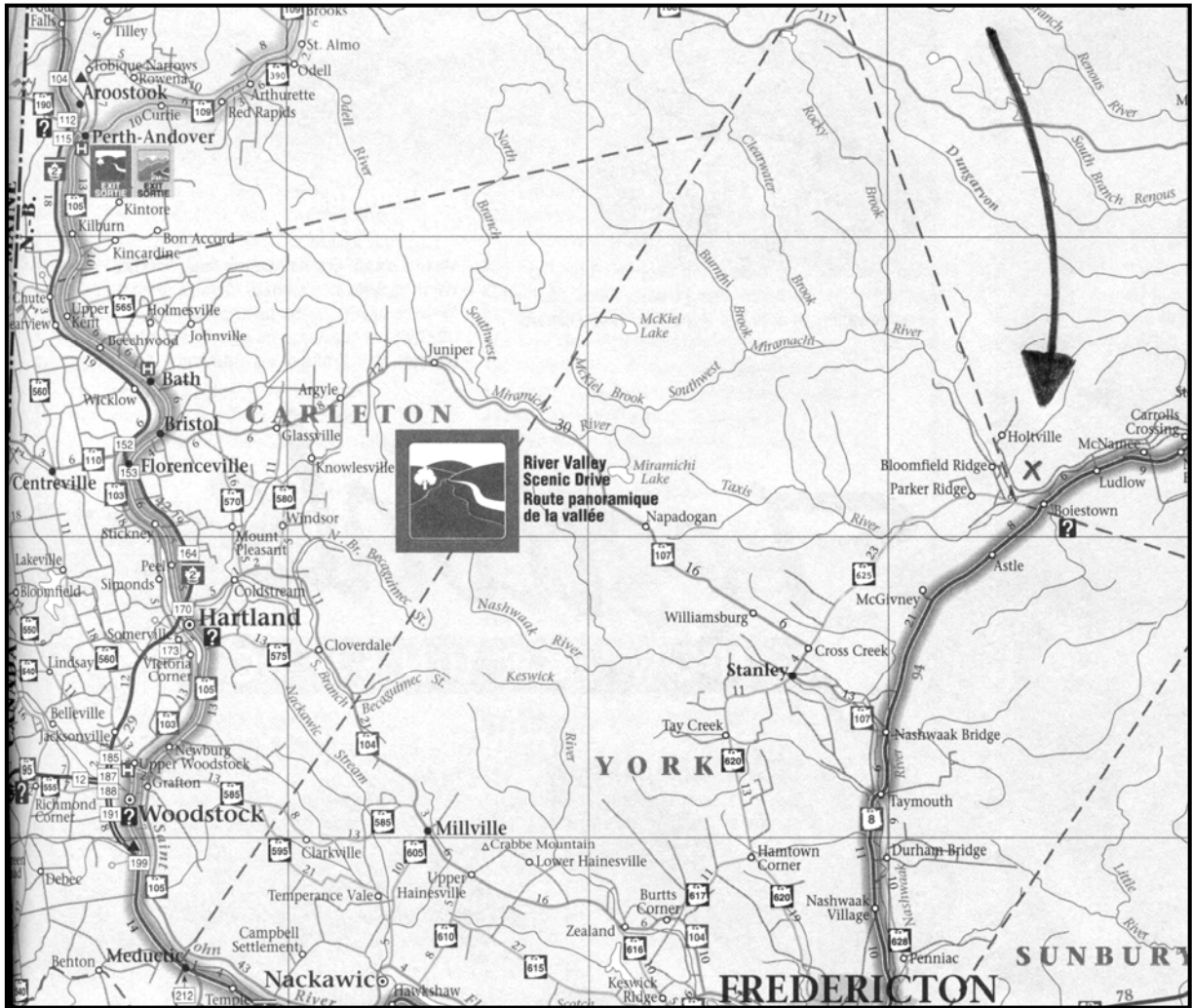
Term	Definition
Crown	Her Majesty the Queen, in right of the Province of New Brunswick as represented by the Minister of Natural Resources or any other Minister of the Provincial Government.
Crown Grant	A transfer of title to property that has never been transferred by the Crown to any person or corporation. The transfer document is referred to as a Grant.
Crown Land	Crown Land is defined under the <i>Crown Lands and Forests Act</i> as the lands vested in the Crown that are under the administration and control of the Minister of Natural Resources and may include land covered by water.
Crown Waterfront Reserve (CWR)	A strip of land either 20.1 metres or 60.4 metres (66 or 198 feet) in depth along the bank(s) of a watercourse or a lake created by the Crown at the time of the original land grants.
Disposal	Disposal is a general term used to describe the process whereby the Crown gives up or transfers its title in favour of another.
Easement	An Easement is a right enjoyed by one landowner over the land of another for a special purpose, other than general use and occupation, for an unlimited period of time. Easements are issued mostly for rights-of-way, utilities (e.g. power lines) and municipal services (e.g. discharge or intake pipes).
Illegal or Unauthorized Occupation	To occupy or use Crown land without permission or the legitimate right to do so.
Lease	Crown Land leases are issued for various uses under various categories and each category has a specific lease term and rental.
Licence of Occupation	A legal agreement authorizing the occupation and use of Crown Land for such a period of time and under such terms and conditions as the Minister of Natural Resources determines to be appropriate.
Parcel Identifier Number (PID)	A unique number issued by Service New Brunswick used to identify each property in New Brunswick.
Survey	The physical measurement of land, water, or space above or below the surface of the earth and may include both natural and man made features.
Survey Plan	A survey plan is a drawing, map or plan prepared by a licensed New Brunswick Land Surveyor to show information obtained from a survey of lands.
Title Documents	Those documents that provide evidence of ownership of property or evidence of a right, such as a deed or easement.

**MAPS - EXAMPLES**

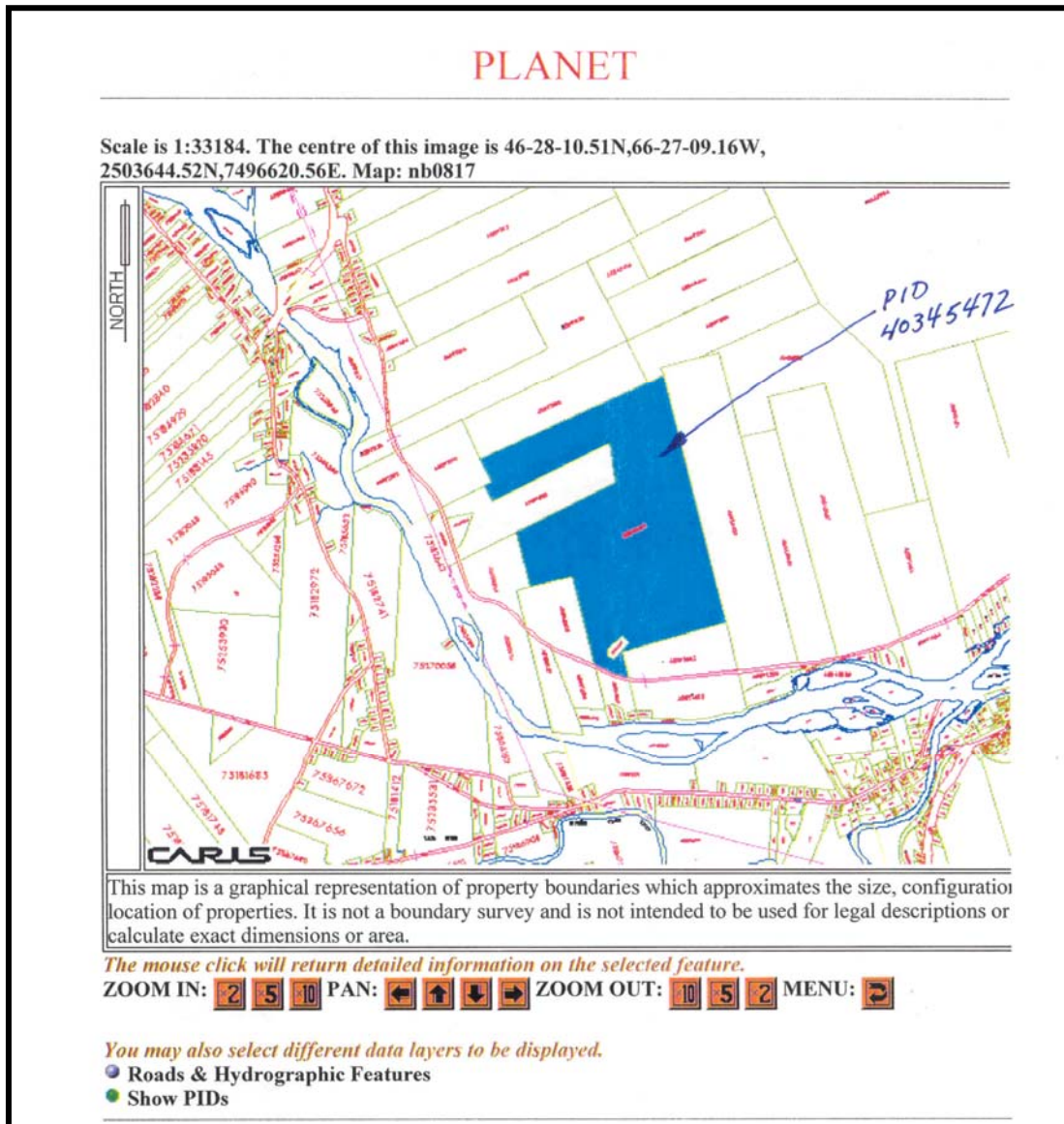
The following are examples of maps that must be included in your application.

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

**General Map:** Include a general map that will locate the site within the province. For example, a road map, or a Provincial Atlas map.



**Site Map:** Include a site map that clearly outlines the requested site (highlight the boundaries), and have at least one legible PID number. SNB Browser Maps can be obtained at Service New Brunswick.



## SKETCH

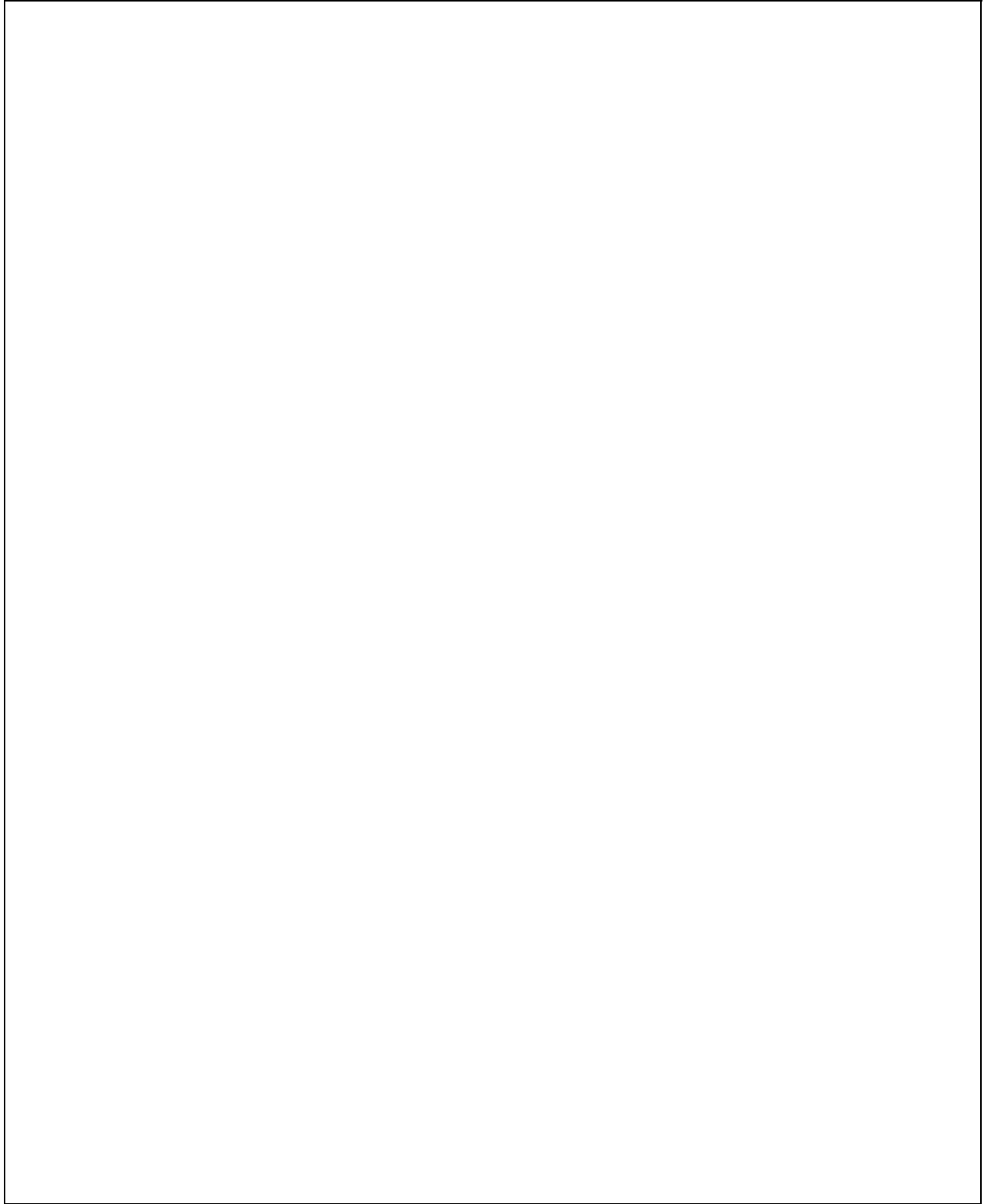
This sketch describes existing, or proposed, improvements on the property. This sketch does not need to be to scale as it is meant to give a general overview of the existing, or proposed, structures and improvements on the land.

Indicate by means of a sketch, the location of all of the existing/proposed improvements.

Locate the following:

- Property boundaries
- The watercourse, please include the name
- Roads
- Trails
- Position of buildings (structures, storage facilities)
- Parking
- Water supply (if any) (well, reservoir, underground pipes, etc.)
- Any fuel or hazardous product storage facilities
- Show North Arrow on sketch

**Sketch**



**CHECK LIST**

Before sending your application, please ensure that you have included the following:

<input type="checkbox"/>	The application fee payment of \$114.00. (See section E of the application form for the different methods of payment.) <b>non-refundable</b>
<input type="checkbox"/>	A general map identifying the area.
<input type="checkbox"/>	A SNB Planet site map identifying the specific area applied for. Maps can be purchased at your local Service New Brunswick Registry and Mapping office*.
<input type="checkbox"/>	A sketch showing existing or proposed improvements/structures including erosion control or water based structures.
<input type="checkbox"/>	The PID number of the property. Available at your local Service New Brunswick Registry and Mapping office*.
<input type="checkbox"/>	A copy of a deed and/or survey information, if available.
<input type="checkbox"/>	Recent colored photos of the subject site and improvements/structures.
<input type="checkbox"/>	Complete, sign and date the application form.
<input type="checkbox"/>	<b>All required attachments as per section E of the Application Form.</b>

\* Associated SNB mapping and research fees will apply.

**Send your completed Crown Waterfront Reserve Application Form to:**

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

Courier address: 1350 Regent Street, Room 250, Fredericton, NB E3C 2G6