

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, and canoeing.

Extended use of Crown Land or activities that involve development on Crown Land requires 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 Licence. 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 Certificate of Determination
- 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 you 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/ or at the toll free number 1-888-312-5600.

LICENCE OF OCCUPATION APPLICATION PACKAGE

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This application package is used for Licence of Occupation.

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

Licence of Occupation

A **Licence of Occupation** is a legal agreement authorizing the temporary 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. A licence and any renewals cannot exceed twenty years in total.

Fees*: Are established in accordance with the *Crown Lands and Forests Act* and Board of Management Minutes and are subject to change.

Utility Pole and Anchor:

Permission to install electrical and telephone poles and anchors on Crown Land.

Fee: \$11.40 (\$10.00 plus HST per pole and anchor).

Advertisement, Business Directional and Educational/Informational Signs:

Permission to install and maintain:

- Advertising signs along highways and municipal roads provided they conform to Regulation and municipal by-law; and
- Business directional signs along forest roads and trails.

Advertising and Educational/Informational signs are permitted via a Licence of Occupation for five years and are renewable.

Application Fee: \$28.50 (\$25.00 plus HST).

Annual Fee: \$570.00 (\$500.00 plus HST) – Advertisement

As the Minister determines appropriate – Business Directional

Note: Annual rental is not applicable for:

- *guide signs, regulatory signs and warning signs provided prior authorization for construction or maintenance has been received.*
- *Educational/informational signs*

Maple Sugary Corridors

Permission to obtain a corridor for a sap pipeline on Crown land.

Application Fee: \$28.50 (\$25.00 plus HST) (No other fees apply)

Other:

Temporary permission to occupy Crown Land for various reasons.

Application Fee: \$28.50 (\$25.00 plus HST-Non-refundable).

Usage Fee: Any additional fees the Minister determines appropriate.

What you need to know before you apply ?

Have you located a site?

In order to apply to use Crown Land, 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 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 Registry and Mapping office, please call the toll free number: 1-888-762-8600 or visit the SNB web site: www.snb.ca.

Does all signage erected on Crown Land require a licence?

Individuals or organizations with authorization to construct, maintain or manage roads or trails on Crown lands are permitted to erect guide signs, regulatory signs and warning signs rent free without specific authorization from DNR provided the signs comply with all terms and conditions of a lease, Licence of Occupation or any other authorization given to establish roads and/or trails on Crown Lands. The Department reserves the right to remove any signs that are deemed unnecessary, inappropriately placed, or not maintained in good repair.

Additional Considerations

Advertising Signs

Advertising signs may be permitted on Crown Lands located within the DOT regulated area provided that:

- the signs conform to the *Highway Advertisements Regulation* (www.gnb.ca/0062/regs/97-143.htm);
- the appropriate permit is obtained from DOT, where required;
- the signs are at least 30 m away from a watercourse or wetland; and
- all necessary permits are obtained, such as a building permit and a watercourse and wetland alteration permit for land within 75 m of the shore of watercourses located in Municipal Water Supply Watersheds.

Advertising signs may be permitted on Crown Lands within cities, towns and villages that have a by-law enacted under the *Community Planning Act* (www.gnb.ca/0062/acts/acts/c-12.htm), that regulates signs, provided that:

- the signs conform to the by-law;
- the signs are at least 30 m away from a watercourse or wetland; and
- all necessary permits are obtained, such as a building permit and a watercourse and wetland alteration permit for land within 75 metres of the shore of watercourses located in Municipal Water Supply Watersheds.

Advertising signs are prohibited anywhere outside the DOT regulated area, except in cities, towns and villages that have a by-law that regulates signs. This includes a prohibition on the placement of advertising signs:

- along any roads that are not provincial highways or municipal streets;
- along any trails; and
- in any environmentally sensitive areas.

The area subject to the licence for advertising signs shall not exceed the footprint of the sign plus lands within 2 m of the footprint.

Business Signs

DNR may permit the installation of business directional signs on Crown Lands via a Licence of Occupation:

- only for businesses accessible by forest roads or that have direct access to a trail;
- within 100 m of an intersection on forest roads and/or trails only;
- 1.5 m to 6 m from the travelled portion of the road or trail; and
- on the condition that the licensee must issue a sub-licence for up to two more parties for the placement of sign panels on the licensee's post where requested by the Department.

Educational/Information Signs

Licences of Occupation may be issued to erect Educational/Information signs to non-profit organizations that have permission to be on Crown Lands, provided the sign:

- is related to the reason the organization has permission to be on Crown Lands;
- is located at the site entry point;
- does not interfere with the visibility of regulatory and/or warning signs; and
- is no larger than 1.5 m² in size.

Maple Sugary Corridors

Maple Sugary lessees may require pipelines outside their lease boundaries for the purpose of transferring sap from one lease to another or to a substation and eventually to an evaporating facility. These corridors require authorization from the Minister of Natural Resources under Subsection 26(1) of the *Crown Lands and Forests Act*. Unless otherwise indicated, the pipeline must not be permanently affixed to the ground to allow temporary removal, such as for a road crossing. The corridor width must be specified on the application and shall not exceed 10 metres.

BASIC ELIGIBILITY

- Applicants must be at least 19 years of age.
- Businesses must be registered with Corporate Affairs in New Brunswick and provide a copy of their Certificate of Incorporation.
- Applications for licences of occupation for maple sugary corridors will not be accepted by DNR without an electronic copy of GPS coordinates. Coordinates must be provided using NAD_83(CSRS) and be in the format of Eastings and Northings (eg. E 2390849 N7259016) or Latitude and Longitude expressed in degrees, minutes, seconds (eg. Lat. 47 34' 21" Long. 66 54' 33"). All GPS points must be differentially corrected and the accuracy of points must be within 5 metres of the actual location. This GPS Coordinate information may also be submitted with other licence of occupation applications, if available.

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.

Requirements that MAY be requested upon the review of the application

1. Public Notification: The applicant may be required to advertise the proposal in the local newspapers or satisfy other public consultation requirements.
2. Business Plan: A business plan may be required. If you already have a business plan, please include a copy with your application.
3. Permits and Authorizations: Compliance with all laws whether municipal, provincial or federal, and obtaining all required permits and authorizations such as: a building permit, quarry permit, watercourse and wetlands alteration permit, and petroleum storage licence are mandatory.

Requirements that MAY be requested once the Licence is issued

4. Annual Rent: Rent (the amount due until the following April 1) is payable when the licence is executed. Yearly rental is due April 1 and is invoiced prior to that date. . **Should the rent become 91-days past due, the licence may be cancelled.**
 - **Advertising Highway Signs:**
\$500.00 plus HST.
 - **Business Directional Highway Signs:**
As determined by the Minister
 - **Others:**
Any appropriate fee as determined by the Minister.
5. Harvesting Permit: A harvesting permit must be obtained from the local DNR office before any trees are cut from a site.

Other terms and conditions may apply.

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

HOW TO APPLY

Part IV is designed to help you complete the Licence of Occupation 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, fax 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 - Intended use of the land

B1 - Identify the type of licence you are applying for.

B2 - Describe in detail the current use of the land. If needed, include an attachment with more details. Ensure that this attachment is identified as question **B2**

B3 - Explain what the intended use of the land will be such as road construction or maintenance, erosion control structure, bull pens, commercial highway signs, utility pole and anchor, construction materials being used for a sap pipeline or other. If needed, include an attachment with more details. Ensure that this attachment is identified as question **B3**. Also give an approximate time frame of how long the licence will be required in terms of years, months, or days.

B4- Explain if the proposed activities will adversely affect the neighbours, the environment or the local area. Examples are noise, traffic, air quality, or foul odour. If needed, include an attachment with more details. Ensure that this attachment is identified as question **B4**.

B5 -Do you intend to construct or use an existing water supply, sewage disposal or water disposal? In such cases, permits and authorization will be needed from various Departments as Health and Wellness and Environment and Local Government.

Section C - Location

C1 - Provide an estimate of the size of the proposed area or width of the proposed sap pipeline corridor.

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

D2 - Describe the watercourse near the site 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 and Wetlands Alteration Permit from the Department of Environment and Local Government. This information will be given to you once the review process is completed.

D3 - Is there a road accessing the land? Give its name and specify: public highway, secondary road, private road, forest road, or other.

D4 - If a road is accessing the land, describe its condition (ie: good, fair, poor).

D5 - Can you access this land year round?

D6 - 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.

D7 - 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

D8 - Is there any evidence of boundary lines on the land?

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 E - Payment and Signatures

- Indicate the method of payment used for application fee.
- 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 - The application fee payment of \$28.50 or \$11.40 (See section E of the application form for the different methods of payment.)

F2 - A general map that will locate the site within the province. For example, a road map, or a Provincial Atlas map. See **Appendix A**.

F3 - A detailed SNB Planet site 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.

An electronic copy of differentially corrected GPS coordinates is required for Maple Sugary Corridors.

F4 - Include a Site plan with your application. A description and sketch of the site showing any existing or planned improvements (i.e. structures, fences, access roads, wells, parking, etc.) including the intended use. A sample Site plan is included in this application package, in **Appendix B**.

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.

If you intend to apply to use Crown Lands located along the shore of inland or coastal waters, you must include with the Application Form the Coastal Land Use Application Form.

For more information on the Crown Lands Sign Policy, contact the Crown Lands Land Use Application Service Centre at 1-888-312-5600. For a copy of the NB Highway Advertisements Regulation – *Highway Act*, Regulation 97-143, visit www.gnb.ca/0062/regs/97-143.

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

PART V
Licence of Occupation

Application Form - Licence of Occupation

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

Please Print

<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	<input type="checkbox"/> English	<input type="checkbox"/> French
Telephone (home)	Telephone (work)		Fax (optional)	Cellular phone (optional)	
Applicant Status	<input type="checkbox"/> Individual	<input type="checkbox"/> Group	<input type="checkbox"/> Business	<input type="checkbox"/> Other, specify	
Contact person					
Charitable Registration No					

B - INTENDED USE OF THE LAND

B1	Application type					
	<input type="checkbox"/> Pole and Anchor	<input type="checkbox"/> Coastal Erosion Control		<input type="checkbox"/> Business Directional Sign		
	<input type="checkbox"/> Road Construction and Maintenance	<input type="checkbox"/> Educational/Informational Signs		<input type="checkbox"/> Advertising Sign		
	<input type="checkbox"/> Sap Pipeline Corridor	<input type="checkbox"/> Bull Pens		<input type="checkbox"/> Other		
B2	What is the current use of the land?					
B3	Explain what the intended use of the land will be and indicate approximately how long the licence will be required, i.e. years ____; months ____; days ____ In the case of sap pipeline corridors, please specify the materials to be used in construction.					
B4	Will the activities adversely affect the neighbours, the environment or local area?					
B5	Do any of the following apply in your application?					
	No	To be constructed	Existing			
Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Well dug	<input type="checkbox"/> Well drilled	<input type="checkbox"/> Other
Sewage Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Portable system	<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Other
Gray Water Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Seepage Pit	<input type="checkbox"/> Septic Tank	<input type="checkbox"/> Other

C- LOCATION		
C1	Estimated size of the area (ha)	Width of Corridor:
C2	PID number	Adjacent PID
C3	County	Parish
D- SITE DESCRIPTION		
D1	Adjacent use and ownership	
D2	Is there a watercourse nearby, adjacent or through the requested property?	
D3	Is there access to the site?	
	<input type="checkbox"/> No	<input type="checkbox"/> Yes, specify:
D4	If there is a public access, describe its condition.	
	<input type="checkbox"/> Good condition	<input type="checkbox"/> Fair condition <input type="checkbox"/> Poor condition
D5	If there is a public access, is there year round access to the site?	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No
D6	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:
D7	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
D8	Describe the boundary lines.	
	<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

Money Order (made payable to the Minister of Finance)

Cheque (made payable to the Minister of Finance)

Credit Card

Visa Master Card

Number

Expiry date:

Name on Credit Card if different from applicant:

Signature of Cardholder:

Yes I am over 19 years of age

Signature of applicant

Date _____ 20 _____ **x**

F - ATTACHMENTS

Required documents

F1 Application fee payment of \$28.50 or \$11.40(Pole & Anchor)

F2 General Map (see Appendix A)

F3 Site Map (see Appendix A) An electronic copy of differentially corrected GPS coordinates is required for Maple Sugary Corridors

F4 Site Plan (see Appendix B)

DEFINITIONS

Term	Definition
Advertising Sign	A sign posted along highways that promotes a product or service related to a business.
Business Directional Sign	A sign posted along a forest road and/or trail on Crown Lands that provides travelers with the distance and direction to a business.
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 Land	Crown Land is defined under the <i>Crown Lands and Forest 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.
Environmental Impact Assessment (EIA)	A screening process that examines the possible or probable impacts of a proposal on the environment. The approval is given by the Department of Environment and Local Government (DELG). The proposal is reviewed by the DELG only.
Environmental Liability	The liability associated with the responsibility to clean up lands subject to environmental hazards or damage
Freehold	Privately owned land.
Guide Sign	A sign posted along a forest road and/or a trail that provides a traveler with information to locate a facility, a geographic feature or a point of interest, such as a nature trail or recreation facility.
Harvesting Permit	A permit issued by the local Ranger Office authorizing the permit holder to cut/harvest trees from Crown land.
Letters Patent	A document issued by Corporate Affairs of New Brunswick verifying the incorporation and registration of a group as a not for profit organization.
Liability Insurance	General liability insurance coverage in the amount of 2 million dollars minimum, listing "Her Majesty the Queen in Right of the Province of New Brunswick" as co-insured. A certificate of insurance must be provided each year.
Licensee	Individual or corporation that has been issued a licence.
Licence of Occupation	The Minister's authorization for the use and/or occupation of Crown land under Section 26 of the <i>Crown Lands and Forests Act</i> . The Licence may be issued for a period not exceeding twenty-years subject to such terms, conditions and reservations as are prescribed by the Minister.

PART VI
Licence of Occupation

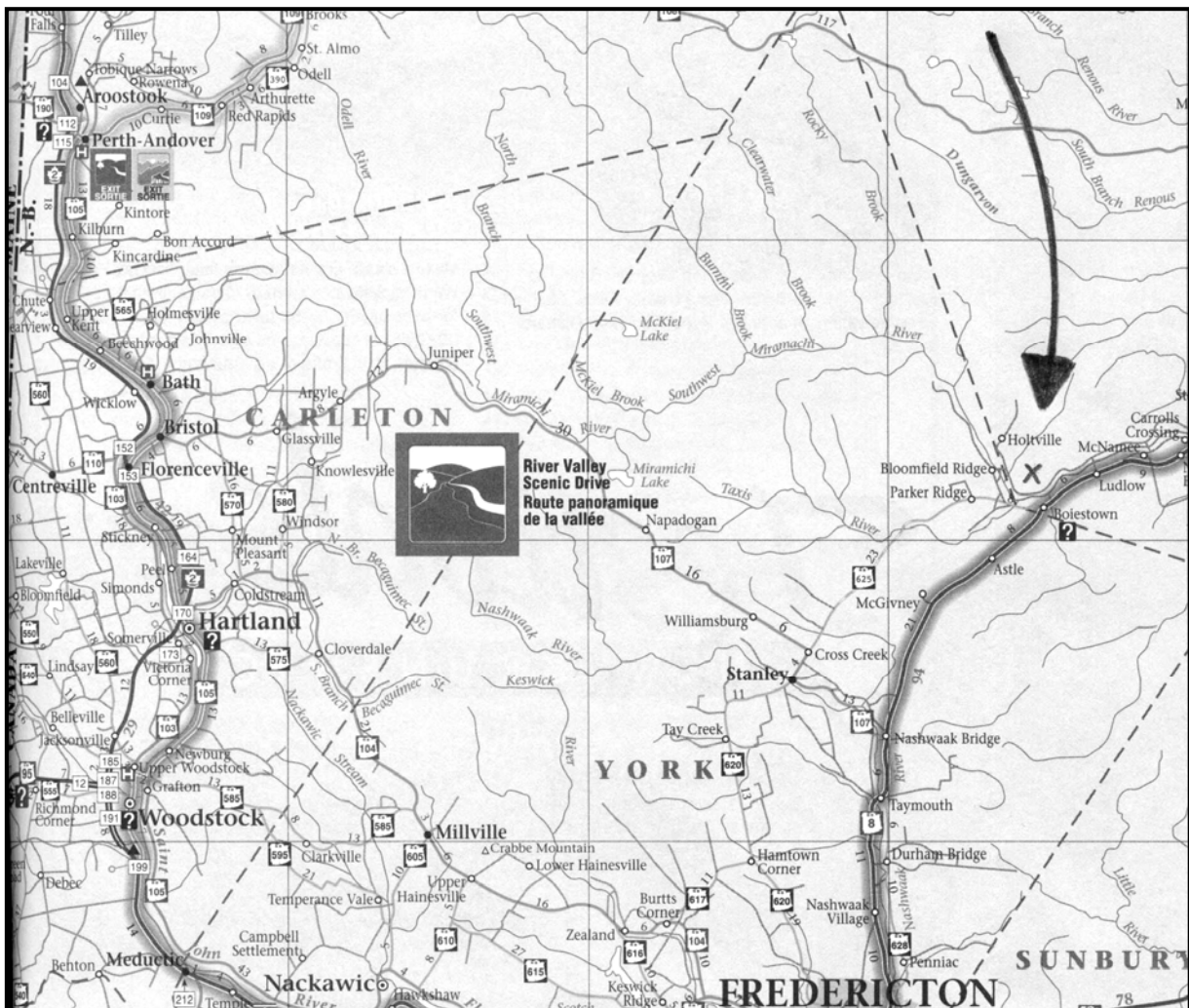
Maple Sugar Corridor	The main sap transportation pipeline outside the maple sugar lease boundaries for the purpose of transferring sap from one lease to another or to the production facility.
Non-Profit Organization	A group or organization incorporated to benefit/aid other individuals or its own members without financial benefit to the organization.
Parcel Identifier Number (PID)	A unique number issued by Service New Brunswick used to identify each property in New Brunswick.
Public Notification	A requirement to advertise proposals in a local or regional newspaper, or some other forum that satisfies a public consultation requirement.
Regulatory Sign	A traffic sign such as stop, yield, approaching intersection, etc. that is referred to as a “regulatory” sign in the <i>Manual of Uniform Traffic Control Devices for Canada</i> .
Rental	Rent payable when a lease is signed and sealed. Also due April 1 each year during the term of a lease or licence of occupation. Lessees/licensees are invoiced annually prior to that date. If the rent is 91-days overdue, a lease may be cancelled.
Submerged Crown Land	Crown land that is covered by either fresh or salt water such as a lake bottom, river bed or the bed of the sea.
Third Party Sign	Any sign that is owned by an individual, group or corporation other than DNR.
Timber Rights	The right to cut or harvest trees on Crown Land. Only Crown Timber Licensees, through the Department of Natural Resources, have these rights.
Warning Sign	A sign that provides advance indication of the conditions of a road or trail to a traveller.

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.

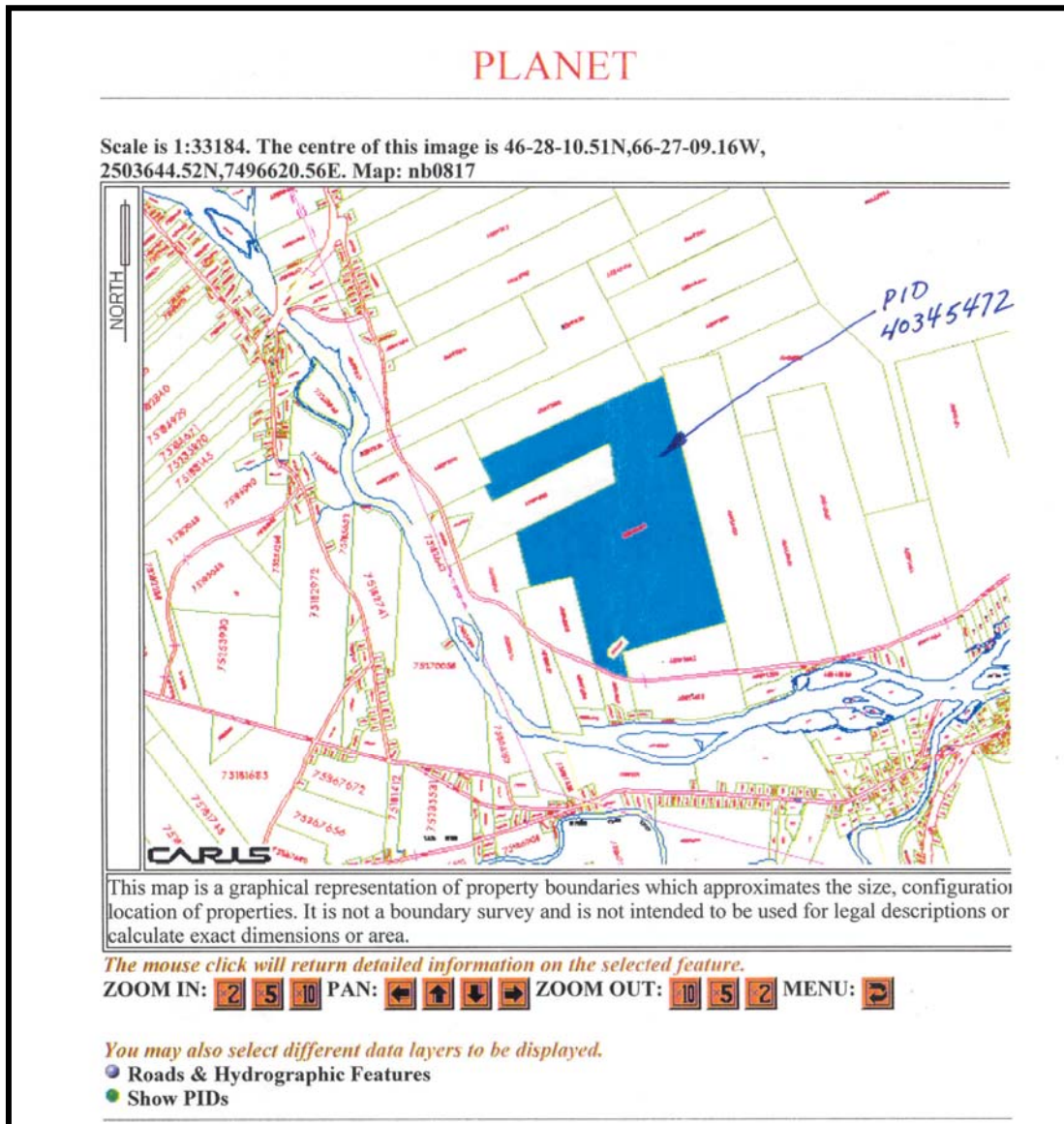
General Map: Include a general map that will locate the site within the province.
For example, a road map, or a Provincial Atlas map.



Site Map: Include a SNB Browser map that:

- clearly outlines the request site (highlight the boundaries),
- and have at least one legible PID number.

A Browser Map can be obtained at Service New Brunswick Registry and Mapping office.



SITE PLAN

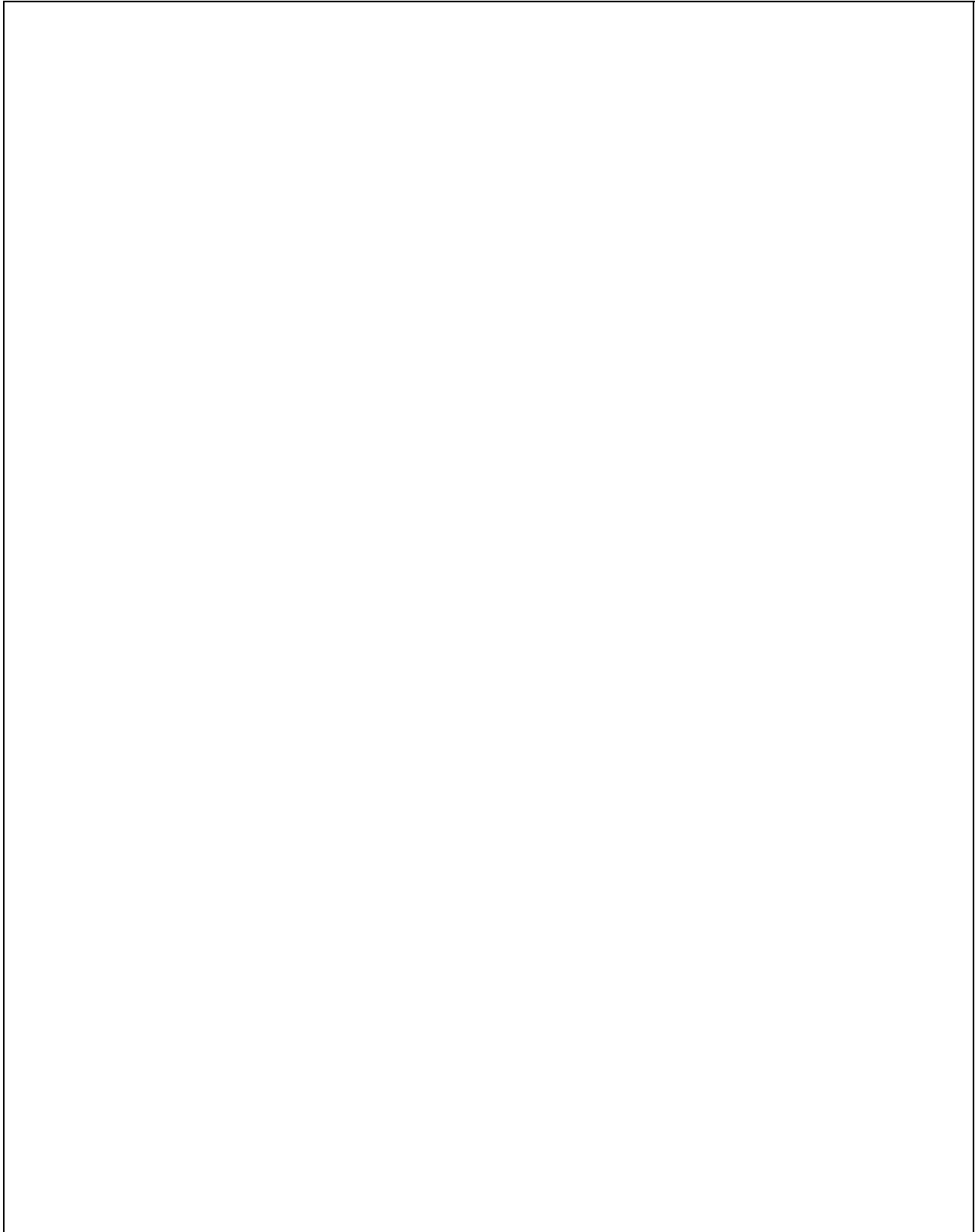
The Site Plan is a sketch describing the activities and improvements to the property. This sketch does not need to be to scale as it is meant to give a general overview of the developments.

Indicate by means of a sketch, the location of all of the existing and planned improvements.

Locate the following:

- Property boundaries
- All watercourses, please include their name(s)
- 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

Site Plan



CHECK LIST

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

<input type="checkbox"/>	The application fee payment of \$28.50 (\$25.00 plus HST) or \$11.40 (\$10.00 plus HST for Pole and Anchor). See section E of the application form for the different methods of payment. (non-refundable)
<input type="checkbox"/>	A general map identifying the area.
<input type="checkbox"/>	A SNB Planet map identifying the PID number of the specific area applied for. Maps are available at your local Service New Brunswick Registry and Mapping office*.
<input type="checkbox"/>	For sap pipeline corridors: an electronic copy of differentially corrected GPS coordinates using NAD_83(CSRS)
<input type="checkbox"/>	Complete, sign and date the Application Form.
<input type="checkbox"/>	All required attachments as per section F of the Application Form.

* Associated SNB mapping and research fee will apply

Send your completed Licence of Occupation 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