



Municipal Affairs
Lands Branch

Overview



- Lands Branch - Programs and Services
- Crown Lands - Municipalities
- Community Sustainability Partnership (CSP)
- *Lands Act Review*

Divisions and Sections



- Crown Lands Administration (CLAD)
- Land Management (LMD)
- Surveys and Mapping (SMD)
- Land Use Planning Section (LUP)

Crown Lands Administration Division



Lines of Business:

- Allocation of Crown Lands.
 - Process applications.
 - Registration and issuance of Crown lands titles.
- Maintains Crown Lands Registry.
 - Crown lands titles and records.
- Map and Air Photo Sales.

Crown Lands Administration Division



- Enforcement and compliance.
- Approximately 80,000 - 100,000 inquiries/year.



Land Management Division



Lines of Business:

- Develops and administers Crown lands policies and procedures for the management of Crown lands.
- Provides advice and support to departments of government with respect to Crown lands management.
- Resource Evaluation and Policy Integration:
 - Interdepartmental Land Use Committee (ILUC).
 - Environmental Assessment (EA) Review.
 - Provincial Land Use Atlas (LUA).
- Market Value Pricing.
- Coordinates Cottage Planning and Development.

Surveys and Mapping Division



Lines of Business:

- Produces geomatics data and services used by other provincial government departments and agencies, land survey/engineering industry and the general public.
- Responsible for mapping the land base.
- Other operational activities include geodetic surveys, geographical names and geomatics support services.

Land Use Planning Section



Lines of Business:

- The Land Use Planning Section promotes growth of sustainable and attractive communities through administration of provisions under *Urban and Rural Planning Act, 2000 (Act)*.
- Oversees development of plans and regulations required under the Act, ensuring orderly and well-planned community development.
- Stakeholders include: municipalities, Inuit Community Governments, Municipalities NL, Atlantic Planners Institute, the public and Service NL.

Lands Branch Locations



- 4 regional offices (St. John's, Gander, Corner Brook & Happy Valley-Goose Bay).
- 2 sub offices (Clarenville & Grand Falls-Windsor).
- Headquarters (Howley Building, St. John's).
- LMD/SMD/LUP - St. John's.

<http://www.miga.gov.nl.ca/departments/branches/landsbranch.html>

Market Value Pricing(MVP):

- Applied to the development of lands for non-municipal uses:
 - residential lots and/or subdivisions.
 - commercial and industrial subdivisions.
- 1996 Budget introduced MVP for Crown lands.

Market Value Pricing



- Crown lands sold for its true value, the same as private land sales.
- Value is determined by comparable land sales in similar areas.
- Standard appraisal techniques are used as set out by the Appraisal Institute of Canada.
- Valuations are similar to methods used by Municipal Assessment Agency (MAA), however land is at current market value, whereas MAA use a base date.
- Coordinator of Land Valuation (CLV) values all Crown lands for the Province.

Free Grants

Lands Act, Section 9



- As per Section 9, *Lands Act*, MVP not applied to Crown lands for municipal buildings & recreational parks.
- No charge to municipalities for Crown lands for:
 - water & sewer.
 - roads.

Crown Lands-Municipalities



How can a municipality reduce the cost to acquire Crown lands?

- Apply for only the lands required.
- Identify or remove areas that are to be used for roads, municipal parks, etc.
- Municipalities control development through their municipal plans (*Urban and Rural Planning Act*).
- Community Sustainability Partnership (CSP) Reserves.

Community Sustainability Partnership (CSP)



April 29, 2015, the Government of Newfoundland and Labrador announced the Community Sustainability Partnership (CSP) between the Province and the municipalities.

- Under the CSP, government will utilize provisions under section 8 of the *Lands Act*, as required to create reserves.
- The reserves would allow the municipality to purchase parcels of land within the reserve area at market value over a five year term as demand and finances warrant.
- Correspondence was sent to municipalities on September 30, 2015.

Community Sustainability Partnership (CSP)



Policy:

- The reserve must be within either the municipal or planning area boundary.
- In effect for five years from approval.
- The municipality may purchase all or part of the land within the reserve.
- The term of the reserve will not be subject to an extension or renewal.
- Any proposal to expand a reserve created under this policy will require submission of a new application for the additional lands.
- Only the municipality will be permitted to apply for lands within the reserve area.
- The reserve may be cancelled at any time at the discretion of the Minister and only applies to Crown lands.

Community Sustainability Partnership (CSP)



How to apply for a reserve?

- The municipality submits a Crown lands application and development plan.
- Lands Branch will evaluate the application and refer it to applicable government departments and external agencies for review.
- If the application is approved a reserve will be created under section 8 of the *Lands Act*.
- The municipality may purchase all or part of the Crown lands within the reserve at market value during the reserve period.
- No additional referrals will be required.

Community Sustainability Partnership (CSP)



What can the municipality do within an approved reserve?

- The municipality cannot take ownership of the lands or sell the lands until a grant has been issued under section 4 of the *Lands Act*.
- A Permission to clear can be provided after a land survey is submitted.
- The municipality can install municipal water and sewer works on the lands in accordance with the *Municipalities Act*.
- Any road construction requires prior approval from the Lands Branch and other Government departments or agencies.

Community Sustainability Partnership (CSP)



Benefits to Municipalities:

- Municipality only pays for Crown lands as demand and finances warrant.
- The reserve provides the municipality the option of developing over a longer time.
- Applications inside the reserve can only be accepted from the municipality.
- The municipality can install infrastructure.
- No additional referrals/consultation are required to acquire grants for individual phases.

<http://www.miga.gov.nl.ca/csp/index.html>

Lands Act Review



- In February 2015, the Department of Municipal Affairs (MA) initiated a comprehensive review of the *Lands Act*.
- First formal review of the *Act* in its entirety since enactment in 1992.
- Purpose of review:
 - Modernize the *Act*.
 - Make the Crown lands application process simpler and service delivery model more effective.

Consultations



- Consulted with the public and stakeholders
- Public sessions held in eight communities (Marystown, Harbour Breton, Grand Falls-Windsor, Corner Brook, St. Anthony, Happy Valley-Goose Bay, Labrador City and St. John's).
- 173 attendees across the province.
- A "What We Heard" document containing feedback from sessions posted on *Lands Act* Review public website June 10, 2015.

Final Report



- Review Committee submitted report to MA for consideration on July 31, 2015, with a revised report on August 31, 2015, following discussions and clarification with MA.
- Report contains 134 recommendations.
- Report released publicly on October 28, 2015.

http://www.miga.gov.nl.ca/lands/lands_act.html

Next Steps



- MA is actively reviewing the recommendations.
- Several recommendations already identified for immediate implementation or have been implemented as they are business process improvements.
- Examples include:
 - Copies of all title documents are being sent to municipalities.
 - Move to an e-referral system.
 - Reduced departmental response time.
- Priority for MA and amendments to the *Lands Act* will be required.

Government Commitment



- Minister's mandate letter - Government has committed to undertake a review of land transfer options for municipalities including long-term leasing and lease to own arrangements.
- MA is actively reviewing options in support of this commitment and is a priority to the department.

Summary



- Lands Branch is working to improve Crown lands processes within municipalities through the CSP, *Lands Act* Review and reviewing how Crown lands are currently made available to municipalities (Minister's mandate letter).
- Always there to assist at the regional offices and headquarters.

Lands Branch Offices



Headquarters – St. John's Crown Lands Administration Division

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Land Management/Surveys & Mapping Division

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Western Region – Corner Brook Western Regional Lands Office

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Eastern Region - St. John's Eastern Regional Lands Office

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Labrador Region – Happy Valley-Goose Bay

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Central Region - Gander

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Thank You



Questions/Discussion