

What is a Crown Waterfront Reserve (CWR)?

A CWR is a strip of land along the bank(s) of a watercourse that can be 20 metres or 60 metres (66 or 198 feet) wide and is owned by the Province.

Are there CWR's on all rivers?

No. Lands granted before 1884 did not reserve lands next to the watercourse. From 1884 to 1927 reserves were required only on a series of named rivers. Grants issued between 1927 to 1982 were required to keep a reserve on all waters.

Are new CWR's being created?

No. The Crown now reserves a 10 metre right-of-way along the banks of watercourses.

Could someone occupy a CWR without being aware of it?

Yes. When lots are sold or subdivided, the CWR mentioned in the original grant description may get overlooked. People may have ended up building on a CWR without knowing it, if a proper title search was not done.

When would someone discover they are occupying a CWR?

CWR's are discovered by lawyers or surveyors when property is being sold, re-mortgaged, settled as part of an estate or subdivided.

What should I do if there is a CWR adjacent to my property?

If you are not occupying the CWR you do not have to do anything. If you have buildings or structures (house, garage, shed, etc.) on the CWR, you should either remove them or submit an application to the Department of Energy and Resource Development (ERD) for consideration to legalize the occupation.

Can I purchase a Crown Waterfront Reserve adjacent to my property?

No. CWR's are being kept to be used for public access to water, as buffers to protect the environment and for their natural beauty.

May I use a CWR for recreational purposes?

Yes, recreational uses that do not require authorization may include:

- Canoe rest stops and boat anchoring;
- Hunting, fishing and trapping;
- Walking, hiking, snowshoeing and cross country skiing;
- Picking fiddleheads, nuts and berries;
- Tenting; and
- Nature interpretation, wildlife observation and sightseeing.

Are there any other uses of CWR's that are allowed?

Two uses that may be allowed, with the Minister's approval, are:

- Utilities, access roads or public streets may be allowed to cross a CWR.
- Structures needed to protect the environment, public health or safety or to prevent loss of property.

Does a grant of a CWR give me the right to all resources?

No. The Province keeps a 10-meter wide public right-of-way along the bank and keeps all mineral and fishing rights.

When would a Grant of a CWR be considered?

The Minister may consider authorizing the occupancy when removing the structure causes more harm to the environment, public health or safety. Disposal of a CWR would be considered only if the structure is 10 meters or more above the ordinary high water mark. Only the area required will be considered for disposal. To obtain a grant of the CWR, you need to get an approval or exemption from the appropriate Development Officer in your area.

What other options, besides a grant, are available for legalizing an occupation of a CWR?

The Minister may authorize the occupation of a building or structure on a CWR by lease, utility easement, or a Licence of Occupation.

What costs are associated with a CWR disposal or legalizing an unauthorized occupation on a CWR?

Non-refundable application fee of \$300.00 + HST. Other costs that may apply:

- Appraisal cost if granted
- Market Value of the land if granted
- Survey costs
- Document registration fee
- Document preparation fee
- Annual rental if leased

Important note: The Department may require that any disagreements between neighbours regarding the CWR be settled before an application is approved.

How do I apply?

An Application Package can be obtained by:

Toll free number: 1-888-312-5600

E-mail: CL_TCWeb@gnb.ca

Website: www.gnb.ca/naturalresources