

## 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. Crown Land is managed by various New Brunswick Government Departments. This fact sheet refers to Crown Land administered and controlled by the Minister of Energy and Resource Development (ERD).

## Can I lease Crown Land? How do I apply?

Crown Land is available to lease under the *Crown Lands & Forest Act*. For more information on leasing Crown Land or to obtain an Application Package, call our toll free number: 1-888-312-5600, by email: [CL\\_TCWeb@gnb.ca](mailto:CL_TCWeb@gnb.ca) or visit our website: [www.gnb.ca/naturalresources](http://www.gnb.ca/naturalresources).

## What is the application process?

Once a completed application is submitted, it is evaluated for completeness. Should the application meet the basic requirements, a comprehensive review will be conducted. This review could take from 6 to 21 weeks. If approved, an offer letter will be sent informing of any additional requirements.

## What types of leases are available?

Crown Land leases are issued for various uses under the following categories:

- Commercial
- Communication
- Institutional
- Utility
- Industrial
- Transportation
- Municipal Services

## Can I use Crown Land for agricultural or aquacultural purposes?

The Department of Agriculture, Aquaculture and Fisheries is responsible for issuing leases for these purposes. They may be contacted at <http://www2.gnb.ca/content/gnb/en/departments/10.html>

## What is the term of a lease?

Most leases are issued for 10 years. Commercial, Communication and Industrial leases are issued for 20 years.

## Who can apply for a lease?

Any person over the legal age of 19 years is eligible to apply for a lease. Any company registered to do business in New Brunswick may also apply.

## How much does it cost to apply?

The application fee for all leases is \$300.00 plus HST. The non-refundable fee must accompany the completed application form.

## Are there other costs or fees?

A preparation fee of \$200.00 plus HST is due when the lease is signed. Yearly rental is due April 1 of each year and is invoiced prior to that date. Annual property taxes are the responsibility of anyone leasing Crown Land.

## Who is responsible for the surveying of a lease?

Applicants must hire a New Brunswick Land Surveyor, at their own expense.

## Can I cut trees on my lease?

You must contact the ERD Regional or District offices to obtain permission before cutting any trees on Crown Land.

## If I find gold or other precious metals/minerals on my Lease, who owns them?

The Province of New Brunswick retains all mineral rights to the land and therefore is the owner.

## Should I involve a lawyer to get a lease on Crown Land?

Yes. It is strongly advised that you seek the assistance of a lawyer to ensure that you complete the documents correctly, and that you understand your contractual obligations. The legal documents are prepared by ERD for new leases and lease renewals, but departmental staff are not available to assist in execution of the lease due to conflict of interest.

## Can I purchase the Crown Land that I am leasing?

No. Crown Land is rarely sold and then only by public tender through the Department of Transportation and Infrastructure.

## When can a lease be cancelled?

A lease may be cancelled:

- at the request of the lessee;
- if any terms of the lease or of the *Lands Administration Regulation* under the *Crown Lands and Forests Act* have been breached; ([www.gnb.ca/acts](http://www.gnb.ca/acts)) or
- if annual rental becomes 31-days over due.

## Will I need a building permit before constructing on the leased site?

Yes. If you have any questions about New Brunswick's Provincial Building Regulations, please contact:

The Sustainable Planning Branch,  
New Brunswick Department of the  
Environment and Local Government  
P.O. Box 6000, Fredericton, NB, E3B 5H1

Website : [www.gnb.ca/0009/0007-e.asp](http://www.gnb.ca/0009/0007-e.asp)

## If my lease is cancelled, what are my responsibilities?

You are responsible to rehabilitate or clean-up the site to the satisfaction of the Minister prior to termination of the lease. If you fail to do so, the Minister will have the site cleaned up at your expense.

## How do I apply?

An Application Package can be obtained by:

Toll free number: 1-888-312-5600

E-mail: [CL\\_TCWeb@gnb.ca](mailto:CL_TCWeb@gnb.ca)

Website: [www.gnb.ca/naturalresources](http://www.gnb.ca/naturalresources)