



Subject <b>Non-resident Crown Land Camping – Northern Ontario</b>		Policy <b>PL 3.03.07</b>	
Compiled by - Branch <b>Lands &amp; Waters</b>	Section <b>Land Management</b>	Date Issued <b>September 1, 2000</b>	
Replaces Directive Title <b>Same</b>	Number <b>LM 7.01.03</b>	Dated <b>May 26, 1988</b>	Page <b>1 of 4</b>

## 1.0 DEFINITIONS

In this policy,

“camp” means to have or occupy a camping unit on land or on land covered by water or ice or both;

“camping unit” means equipment used for the purpose of outdoor accommodation and includes a tent, trailer, tent-trailer, recreational vehicle, camper-back and any watercraft equipped for overnight accommodation (refer to Note in Section 3.1);

“non-resident” means an individual who is not a resident;

“resident” means,

- (a) a citizen as defined under the Citizenship Act (Canada), or
- (b) an individual who has actually resided in Canada for a period of at least 12 months immediately preceding the time that his or her residency becomes material to Ontario Regulation 326/94

## 2.0 INTRODUCTION

The Non-resident Crown land camping program was first implemented in 1984 as a pilot project in the northwest of the province. The program was intended to: address concerns regarding competition between residents and non-residents for Crown land campsites; generate revenue; stimulate tourism through the privatization of Crown access points; encourage non-residents to use tourist facilities; and, aid in the management of fish and wildlife resources. From 1985 to date the program has been applied to all of northern Ontario, as defined in Ontario Regulation 326/94.

Section 2 of Ontario Regulation 326/94 under the Public Lands Act states:

2. (1) No non-resident who is 18 years of age or older shall camp on Crown land unless,
- (a) he or she is camping under the authority of a Crown land camping permit;
  - (b) he or she is camping using a camping unit rented from person who carries on business in Ontario;
  - (c) he or she owns real property in Ontario<sup>1</sup>;
  - (d) he or she is a member or person in charge of a charitable or non-profit group that is camping with the permission of the local district manager of the Ministry; or
  - (e) he or she is carrying out duties required by lawful employment<sup>2</sup> in Canada.

<sup>1</sup> Exemption is extended to the spouse and children of the registered owner.

<sup>2</sup> Where the duties require that the non-resident camp on Crown land (e.g. mineral exploration work in remote locations)

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### **3.0 PROGRAM DIRECTION**

#### **3.1 Application**

This policy applies to all Crown land (excluding operating provincial parks) lying north of the French and Mattawa Rivers, as specifically described in Ontario Regulation 326/94.

Note: In recognition of the public right of navigation, which includes the right of reasonable moorage, the requirement for a non-resident Crown land camping permit will no longer be enforced for persons occupying watercraft equipped for overnight accommodation anchored over Crown land under water on all Ontario waters. This right is considered to be limited to 21 days as per Table A of PL 3.03.01 – Free Use Policy. Such occupation in excess of 21 days will be considered an unauthorized occupation. Watercraft equipped for overnight accommodation that are moored to, beached on or tied to dry Crown land will require a permit.

#### **3.2 Guiding Principles**

Non-residents will be allowed to camp on Crown land subject to Ontario Regulation 326/94. Non-resident Crown land camping is not permitted in regulated (also known as Green Zones) zones.

#### **3.3 Goal**

To properly administer the Non-resident Crown land camping program.

#### **3.4 Objectives**

1. To ensure the Crown receives a fair return for the recreational use of Crown land by non-residents.
2. To establish and manage regulated (also known as Green Zones) zones in areas where local conditions warrant.

#### **3.5 Non-resident Crown land Camping Permit**

Non-residents of Canada require a permit to camp on Crown land subject to sub-section 2.2(1) of Ontario Regulation 326/94. The fee for the permit is set at \$10.00/person/day (includes a \$0.50 issuing fee and GST). The permits are made available through district/area offices and many outside license issuers.

This policy abrogates policy PL 3.03.01 – Free Use Policy to the extent that camping by non-residents of Canada is not a free use on Crown lands as described in the Ontario Regulation 326/94.

##### **3.5.1 Exemptions from Requirement for Permit**

Subsection 2.2(1)(d) of Ontario Regulation 326/94 states that members or persons in charge of a charitable or non-profit group may be exempt from requiring a non-resident Crown land camping permit. Such groups must apply in writing to the District Manager well in advance of their planned camping trip. The applicant must provide written proof of their charitable/not-for-profit status.

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### 3.5.1 Exemptions from Requirement for Permit (Cont'd)

Applicants for exemptions must provide the following proof of non-profit and/or charitable status:

For U.S. residents:

- A copy of *Articles of Incorporation* confirming the applicant is registered as a non-profit corporation; and/or
- A *Ruling or Determination Letter* issued by the United States Internal Revenue Service confirming the applicant's tax exempt status.

For residents of other countries: similar documentation as provided for by their respective legislation.

The decision to grant an exemption is at the District Manager's discretion based on local land use and resource considerations. An exemption is granted via a letter signed by the District Manager.

### 3.6 Regulated (Green) Zones

In a regulated zone non-residents are prohibited from camping on Crown land. A regulated zone may be selected for establishment where Crown land camping by non-residents creates or contributes significantly to the following kinds of problems:

- Congested camping areas where competition for resources and/or resident/non-resident conflict is evident.
- Areas where the fishery is under stress and non-residents are the primary users.
- Areas containing a high concentration of tourist facilities which face significant competition from Crown land camping by non-residents, and it is apparent that there would be increased private sector benefits if non-resident camping were regulated.
- Newly accessed forest areas, where non-residents are the primary users and the existing fly-in tourist industry should be accorded some protection from the impacts of the new road.
- Additional regulated zones may be considered in response to sound proposals from the public.

When reviewing proposals for a new regulated zone consideration must be given to the availability of alternative camping opportunities for non-residents.

Regulated zones are established pursuant to Section 12 of the Public Lands Act. The Minister's authority under this section has not been delegated. A briefing note seeking the Minister's approval must include a map showing the proposed zone. The following signature block is to be shown on each map:

“Under Section 12 of the Public Lands Act, the areas of public land shown heron outlined in red are hereby designated as zones in which camping by non-residents of Canada is prohibited.”

\_\_\_\_\_  
Minister of Natural Resources

\_\_\_\_\_  
Date

When the designation has been made, the boundary of the regulated zones may be posted pursuant to Section 28 of the Public Lands Act.

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### **3.6 Regulated (Green) Zones (Cont'd)**

The selection and establishment of regulated zones is, where deemed necessary by the District Manager, subject to public consultation.

## **4.0 REFERENCES**

### **4.1 Legal References**

- Public Lands Act, Section 12, RSO 1990
- Ontario Regulation 326/94 (made under the Public Lands Act), RRO 1990

### **4.2 Directive Cross References**

- PL 3.03.01 (POL) “Free Use Policy”
- PL 3.03.02 (POL & PRO) “Unauthorized Occupations – Control and Removal”