

Subject RECREATION CAMP SITE MANAGEMENT		Policy PL 4.05.02	
Compiled by - Branch Lands & Waters	Section Land Management	Date Issued February 7, 2003	
Replaces Directive Title Sites for Recreation Camps	LM 8.02.05	July 11, 2001	Page 1 of 7

1.0 DEFINITIONS

In this policy;

“consumer price index” means the Ontario consumer price index, (seasonally unadjusted), all items, as determined by Statistics Canada. The index provides a broad measure of the cost of living in Ontario in the prices paid by consumers for a shopping basket of consumer goods and services from the general categories of an average household’s expenditure – food, shelter, furniture, clothing, transportation, and recreation. Changes in the index over time provide a broad measure of the cost of living.

“land use permit” means a permit issued under Regulation 973 of the Public Lands Act, which gives a personal right to use public lands for an authorized purpose, upon payment of a fee;

“lease” means a registerable document that conveys or grants a leasehold interest in land for a set length of time, issued under authority of Section 16 of the Public Lands Act;

“licence of occupation” means a licence issued under Section 20 of the Public Lands Act which conveys a personal right to occupy public lands for an authorized purpose and includes a statutory right to maintain action against trespass;

“market value” means the amount of money that the land might be expected to generate if sold on the open market by a willing seller to a willing buyer;

“recreation camp site” means an individual site on which the site holder may erect a recreation camp for private (non-commercial) use;

“southern Ontario” means for MNR administrative purposes, to be that area located south of the French and Matawa Rivers;

“tenant” means an individual, an incorporated organization, or a trustee for an unincorporated group or club who holds a site for a recreation camp by land use permit, license of occupation or lease.

2.0 INTRODUCTION

Recreation camp sites include those sites that were previously known as hunt and fish camps and remote cottage sites.

In the late 1970s, in recognition that sites were being used on a year round basis for multiple use, rather than for the single purpose for which they were initially authorized (e.g. a hunt camp), rents were increased significantly and the term recreation camp was utilized.

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 2 of 7
--	---------------------------------	----------------

2.0 INTRODUCTION (Cont'd)

Records indicate that recreation camps have existed in the Province of Ontario since the 1920's. Until the mid 1950's the Ministry of Natural Resources (MNR), then Department of Lands and Forests, was able to provide sites for interested groups of hunters and in some cases fishermen. Generally most sites were not authorized unless they were situated at least one mile from another authorized site. They also had to be located approximately 400 feet from shorelines of significant watercourses and lakes. The Crown land area authorized was usually a one-acre or smaller unsurveyed location. The practice of authorizing new sites ended in the 1960's in Southern Ontario and the granting of remote cottage sites in Northern Ontario for recreation camp purposes ended in the 1980's.

Recreation camps were established primarily in remote areas, however, due to development and road creation, some camps are now located amongst other private land holdings.

When most camp sites were established, they were authorized with a Land Use Permit (LUP). Since many of the camps were deemed to be temporary structures, the permit provided short-term tenure (less than 10 years) thus allowing for future land use flexibility. In some locations, such as the Parry Sound area, longer-term tenure in the form of a License of Occupation (LO) was issued.

Camp tenants have a passionate interest in their site due to their long-term use and the significant economic, cultural and social value that the site provides. Some tenants, throughout the years, have expressed an interest in purchasing the Crown land that their camp occupies to protect their long-term interest.

As a result of the camp site tenant's request to obtain enhanced tenure and in recognition of their long-term existence, the Minister of Natural Resources approved a program for granting enhanced tenure in January 1998. The new program provided tenants the opportunity to buy or lease their sites provided the sites met certain eligibility criteria. The Minister's decision was also supported by direction obtained through public consultation in the "Ontario Living Legacy Land Use Strategy", which was released in 1999.

3.0 APPLICATION

This policy applies to existing and future dispositions and enhanced tenure management of Crown land for recreation camp site purposes by:

- Sale;
- Lease;
- License of Occupation; or
- Land Use Permit

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 3 of 7
--	---------------------------------	----------------

The “Guidelines for the Sale and Lease of Existing Private Recreation Camp Sites” developed in 1998, should be read as useful reference material knowing that some of the material is dated.

3.1 Authority

The authority for the disposition and management of recreation camp sites is delegated to the District Manager.

4.0 POLICY OBJECTIVES

- A) To provide consistent administration of recreation camp sites.
- B) To ensure clients are granted equal and fair opportunity for obtaining enhanced tenure or a new recreation camp site.
- C) To ensure the granting of appropriate tenure authority and the protection of the Crown’s interest.

4.1 Guiding Principles

Recognizing the desire of many recreation camp tenants to purchase their sites, the MNR initiated a proactive program in 1998 to offer for sale or lease those sites that meet a series of criteria, including environmental sustainability and consistency with established land use intent. Where the sale or lease of the site is not possible for resource management reasons, the tenant will normally be able to continue with their existing tenure authority. Generally no new sites will be granted.

5.0 PROGRAM DIRECTION

5.1 Land Use Authorization

Consistent with past program direction, land use permits have generally been used to authorize sites for recreation camps, since these sites were to be an interim land use. However, experience has shown that few sites end up being cancelled. As a result, unless specific Ministry requirements suggest sites be interim in use, other options for enhanced authorization (e.g. sale or lease) should be considered when permits are being renewed.

There are three tenure options available for the authorization of recreation camp sites.

- Sale of the site, or
- The issuance of a Lease for the site, or
- The issuance of a Land Use Permit to use the site (i.e. status quo when existing LUP expires).

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 4 of 7
--	---------------------------------	----------------

Note: The ministry encourages the use of Land Use Permits rather than a Licence of Occupation for the authorization of recreation camp sites. Where possible, sites presently authorized by a Licence of Occupation will be converted to Sale, Lease or Land Use Permit authorization.

To determine the most appropriate tenure authorization to be granted, the District Manager should refer to Policy PL 4.02.01, Appendix A (Application Review and Land Disposition Process).

When the existing tenant does not wish to obtain enhanced tenure (i.e. sale or lease), even if they are eligible to do so, a Land Use Permit can be issued.

5.2 Survey Requirements

A Crown land survey plan is required for registration of a site that is authorized by sale/patent or lease. The survey is to be done at the site holder's expense. Refer to Policy PL 2.06.01 (Survey Plan Approval).

5.3 Market Value

The value of recreation camp sites is to be based on appraised market values and the annual fee/rent are to be market value-based as per Policy PL 6.01.02. (Crown Land Rental Policy).

5.4 Applicant Eligibility Criteria

The following eligibility criteria are applicable for the tenure authorization of recreation camp sites:

- the site holder must be 18 years of age or older, (note there are no residency restrictions);
- in order to obtain authorization the existing permittee/licensee must be in good standing with respect to his/her existing recreation camp site; and
- only those persons named as current members of a camp site are eligible to be named in a Crown Patent or Crown Lease document.

Note: The Permittee/lessee must clearly identify who is to hold title. This will be done through a declaration form submitted by the applicant(s) indicating that no other party, other than the named applicant(s) have any right or interest in any entitlement to the property which is the subject of the application. The Ministry in issuing the patent will rely on the information provided as to the parties entitled to be named and will not undertake to verify this information. Where and when multiple tenants have interest in a site it is recommended that the camp become incorporated prior to granting sale or lease authorization.

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 5 of 7
--	---------------------------------	----------------

5.5 Duration of Occupational Authority

- Land Use Permits for recreation camp sites may be issued for up to 10 years, subject to annual fee adjustments and specific conditions placed on the permit by the District Manager.
- Recreation camp sites may be granted a rolling lease with annual market value rents that are indexed by Consumer Price Index adjustments. **Note:** No further offers are to be made allowing a tenant to make a one-time “up-front” payment for a lease.

5.6 Special Disposition Considerations

- Until the Resource Based Tourism Policy has been fully implemented, defer the sale of a camp site on tourism lakes that exist under the following conditions:
 - There are no patented lands on the waterway (waterway means navigable for the location of the recreation camp site);
 - The camp site is located in an area without planning control (i.e. municipality or planning board with planning control approvals); and
 - The site is on or near shore of the waterway (District discretion for sites that are setback).

The sale of camp sites on tourism lakes that are outside of the conditions stated above can proceed depending on whether the site meets the MNR Environmental Assessment Act screening criteria. Consultation may be undertaken on a site by site basis with present outpost camp holders.

5.7 Considerations for Granting Authority

- **Restriction** - In instances where it is necessary to prohibit a certain recreational activity on a given site, the tenure authority for the site should be completed indicating the purpose of the site “for a private recreation camp” and the words “not to be used in connection with _____” should be added. However, this modifier clause is to be inserted only in lease and land use permit documents and in circumstances where sound resource management reasons exist for excluding some activity (e.g. hunting).
- **Authorization Area** - generally 0.5 hectares or the area needed to encompass all site improvements will be the area considered for authorization.
- **Improvements** – the tenant must request in writing from the local District Manager approval in advance of undertaking any improvements on the site. The tenant should be advised in writing that any work adding significant value to camp’s infrastructure is done so at their own risk, since they have no right, nor reasonable expectation based upon prior use, to be granted new or extended tenure authorization.

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 6 of 7
--	---------------------------------	----------------

5.7 Considerations for Granting Authority (Cont'd)

- **Access** - Access to a recreation camp site and the quality of that access, is strictly the responsibility of the occupant of the site.
- **Sewage System** – The permittee/licensee must confirm in writing the site's existing sewage system meets or exceeds MOE standards (Class 1 and 2) for such sites (it is sufficient that the permittee/licensee affirms that the existing system still meets these standards; no inspection or certification by MOE or the local Health Unit is required).

5.8 Expiry of Existing Tenure

Prior to the expiry date of the existing tenure document (e.g. Land Use Permit) or the tenure review date indicated in the document (Lease) the District Manager in concert with the site tenant(s) will assess future tenure requirements.

5.9 Assignment or Transfer of a Camp Site

Land use permits that authorize recreation camp sites cannot be assigned, mortgaged or pledged. However, an individual may assign his/her interest in the improvements that have been established on the site. In this case, the existing permit terminates and at the discretion of the District Manager and a new permit may then be issued. No credit is to be made for the unused rent paid on a terminated permit.

For direction on assignments, transfers etc. refer to Policy PL 2.05.01 (Consent to Assign, Transfer, Mortgage or Charge Crown or Ministry Documents) and Policy PL 6.02.01 (Administrative Fees for Public Lands Transactions).

5.10 Relocation

A District Manager may agree with a camp site tenant to relocate an existing site to a new location. Actual or potential resource, access or social conflicts should support the reason for the relocation. Tenure for the new site is not to be granted until clean up and removal of improvements at the original site is done to the District Manager's satisfaction.

5.11 Document Processing

The Central Processing Unit (CPU) of Land Management Section requires the following documentation in order to process a recreation camp site sale or lease.

- The completed Surplus Land Declaration form signed by the District Manager.
- A copy of the most current Land Use Permit.
- A copy of the District Manager's letter to the permittee offering to sell or lease the site.
- A copy of the permittee's written acceptance offer to purchase or lease the site.

Policy No. PL 4.05.02 Recreation Camp Site Management	Date Issued February 7, 2003	Page 7 of 7
--	---------------------------------	----------------

5.11 Document Processing (Cont'd)

- The sketch of the site that includes parcel dimensions, distance between the camp and at least one of the parcel boundaries. The sketch should also show and any roads, trails, creeks etc. that cross the Land Use Permit area.
- A small scale map showing the general location of the site in relation to the closest road, access points and water body.
- The name and phone number of the MNR Area office staff contact.

6.0 REFERENCES

6.1 Legislative References

- Public Lands Act, Sections 16 and 20 R.S.O. 1990
- Environmental Assessment Act, Declaration Order MNR26/7

6.2 Regulatory References

- Regulation 973 R.R.O. 1990 (made under the Public Lands Act)

6.3 Policy References

- PL 6.01.02 “Crown Land Rental Policy”
- PL 6.02.01 “Administrative Fees for Public Lands Transactions”
- PL 2.05.01 “Consent to Assign, Transfer, Mortgage or Charge Crown or Ministry Documents
- PL 4.02.01 “Application Review and Land Disposition Process”

6.4 Further Reading

- PL 2.07.01 “GST Application to Public Lands Transactions”
- PL 6.01.01 “Sale Price Policy”
- “Guidelines for the Sale and Lease of Private Recreation Camp Sites”