



Subject <b>COMMERCIAL OUTPOST CAMPS</b>		Policy <b>PL 4.06.01</b>	
Compiled by - Branch Lands & Waters	Section Land Management	Date Issued February 11, 1997	
Replaces Directive Title Same	Number LM 8.03.01	Dated September 25, 1991	Page 1 of 11

## 1.0 DEFINITIONS

In this policy,

"authorized" means authorized under the Public Lands Act;

"consumptive uses" means activities intended to harvest natural resources (e.g. fishing and hunting);

"defaulting operator" means an operator who is in breach of terms or conditions of a land use permit or lease for an outpost camp anywhere in Ontario;

"eligible operator" means a person 18 years of age or over, or a corporation eligible to hold land in Ontario,

- a) holding a valid licence to operate an outpost establishment; or
- b) submitting proof that a valid licence to operate an outpost establishment will be granted, once a site is secured from MNR.

"MNR/MEDTT Crown land disposition process" means a locally agreed upon method of disposition that involves local involvement by the Ministries of Natural Resources, and Economic Development, Trade and Tourism;

"non-consumptive uses" means activities which are not intended to harvest natural resources (e.g., wildlife viewing/photography, canoeing, skiing, or the quiet enjoyment of nature);

"operator" means a person holding a licence to operate an outpost establishment under Regulation 1037 made under the Tourism Act ;

"outpost camp" means a Type A or Type B outpost camp;

"Type A outpost camp" means any fixed or portable rental unit that is remote from a base of operations and accessible only by air, water or forest trails, and is used for commercial purposes, but not including a Type B outpost camp;

"Type B outpost camp" means an encampment of structures temporarily established on Crown land to provide accommodation to clients of an operator, for a non-recurring, short term, single purpose site (e.g., the spring bear hunt) (Type B Outpost Camps were previously referred to as restricted LUPs);

"base of operations" means a licensed tourist establishment or an air carrier licensed by the Canadian Transport Commission and Transport Canada located in Ontario or from which a tourist outfitter maintains facilities for communication, transportation and the complete maintenance of office records.

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## **2.0 INTRODUCTION**

Ontario's economy benefits from a healthy tourism industry. MNR will continue to make outpost camp sites available for a variety of consumptive and/or non-consumptive purposes in accordance with principles of sustainable use, land use plans, and MNR/MEDTT Crown land disposition process.

## **3.0 PROGRAM DIRECTION**

### **3.1 Application**

This policy applies provincially to the authorization of outpost camps on any public lands.

### **3.2 Guiding Principles**

Outpost camps on public lands must be authorized.

### **3.3 Goal**

To provide the land base for facilities that provide access to sustainable consumptive and non-consumptive opportunities for commercial tourism development in partnership with the Ministry of Economic Development, Trade and Tourism.

### **3.4 Policy Objectives and Strategies**

- A) To ensure that the allocation of outpost camp sites is made in a coordinated manner and in consultation with other agencies.

MEDTT is a partner in the management of outpost camp sites and will be consulted before authorizing or cancelling any outpost camp sites. MNR shall not, however, enforce MEDTT standards and guidelines through MNR tenure documents (i.e., MNR will not cancel a land use permit due to non-compliance with MEDTT requirements).

Consultation with local associations of the tourist industry, and the local offices of MNR, Ministry of Environment and Energy (MOEE), Ministry of Economic Development, Trade, and Tourism (MEDTT) and the Ministry of Northern Development and Mines (MNDM) shall be made when changes are pending that would be a matter of concern to the government and the tourist industry (i.e., rental rates, type of tenure available, etc. or local issues such as new road construction into previously inaccessible areas).

When approving structures MNR will consider the standards of other regulatory bodies. (e.g., MEDTT size restrictions).

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- B) To ensure the continued long term availability of Type A outpost camps and to grant land use occupational authority consistent with the needs of the operator.

This will be achieved by maintaining influence over authorized outpost camps through the retention of ownership, while granting land use occupational authority up to and including a Crown lease for a 20 year term for a Type A outpost camp, to provide operators with long term registerable title to facilitate business security, mortgage financing and capitalization.

- C) To respond to requirements for commercial non-recurring, short term, single purpose sites (e.g. the spring bear hunt).

This will be achieved by authorizing Type B outpost camps, where appropriate, in accordance with normal MNR disposition processes.

- D) To contribute to economic growth through development of tourism facilities consistent with sustainable development practices.

This will be achieved by supporting MEDTT as the lead agency in the marketing of tourism opportunities and making predetermined sites available according to normal disposition practices.

- E) To provide policy flexibility to facilitate a variety of tourism opportunities.

This will be achieved by providing outpost camp sites for consumptive uses and non-consumptive uses and by making Type A and Type B outpost camps available, where appropriate.

Subject to game and fish laws, outpost camps may be used for consumptive or non-consumptive uses, at the discretion of the operator, unless prior agreement has been made with the operator;

- F) To discourage the under utilization of tourism opportunities at outpost camps.

This will be achieved by cancelling authorized outpost camps that are not used for a period of one year or more, unless unusual circumstances prevail (e.g., illness, planned closure to reduce fishing pressure, etc.), through compliance monitoring of land use authority terms and conditions, and through decisions to renew commitments (e.g. make a Type A outpost camp available for a further term).

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G) To ensure effective waste management.

This will be achieved by requiring operators to dispose of all garbage in a MOEE certified waste disposal site.

H) To establish disposition standards for Type A and B outpost camps.

The disposition of Type A and B outpost camps will be governed by Section 4.0 (Management Guidelines) of this policy.

I) To contribute to ecological sustainability of the local natural resources.

This will be achieved by properly distributing and managing these sites.

#### **4.0 MANAGEMENT GUIDELINES**

##### **4.1 Management Guidelines for Type A Outpost Camps**

###### **4.1.1 Disposition**

Areas for Type A outpost camps are usually predetermined by the District Manager according to normal disposition processes (e.g. MNR 26). District Managers are to ensure that prospective operators are aware of the resource management activities in the area.

Where it is feasible, alternate sites may replace existing sites for management purposes (e.g. to ease fishing/hunting pressures in areas that are being over harvested). Where it is not feasible to authorize alternate sites, it may be necessary to close out the existing site in order to reduce the pressures to an acceptable level. Consideration may be given to providing a displaced operator the right of first refusal for any other site that becomes available in the area, before a public offering of the site is considered.

Displaced operators may be advised of the lakes and areas of Crown land that have been designated as being capable of supporting commercial outpost camps.

New sites for an outpost camp shall not be made available to operators with camps in violation of the terms and conditions of their existing outpost camps.

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#### 4.1.2 Disposition Methods

Type A outpost camps will normally be disposed of to eligible operators following MNR/MEDTT Crown land disposition processes. Amongst other matters, these disposition processes shall have regard for District Land Use Guidelines and other relevant resource management plans (e.g. fisheries management plans). See also PL 4.02.01 Application Review and Land Disposition Process.

#### 4.1.3 Eligibility of Applicants

Any eligible operator who not a defaulting operator.

NOTE: To be eligible for a licence to operate an outpost establishment (i.e., to become an “eligible operator”) the applicant must maintain a base of operations in Ontario.

#### 4.1.4 Site Size

Generally, the site authorized will be 0.5 hectare in size. In addition to the land area, any water lot area occupied by docking facilities must also be authorized. (Authorization of docking facilities is specifically addressed in Policy PL 4.10.01.)

#### 4.1.5 Land Use Authority

Both dry upland and, if applicable, an ancillary water lot must be authorized.

Possible options to authorize an outpost camp are:

- (i) a land use permit covering only dry land;
- (ii) a Crown lease covering only dry land;
- (iii) a land use permit covering both a water lot and dry land;
- (iv) a Crown lease for dry land and a land use permit for a water lot; and
- (v) a Crown lease for the dry land and a water lot lease for the water lot.

The decision as to what type of authority is issued will be made by the District Manager after consultation with the operator.

#### 4.1.6 Term

The term for land use authority for a Type A outpost Camp will be:

- a) in the case of a land use permit, 10 years (including the issuance of an annual land use permit for ten consecutive years), unless shorter terms are mutually agreed upon by the operator and MNR; and
- b) in the case of a Crown lease, a 20 year term, unless shorter terms are mutually agreed upon by the operator and MNR.

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#### 4.1.7 Improvements

All improvements, construction, alterations, etc., must be approved by a work permit. Although District Managers are charged with providing approval to all improvements (e.g. number, size, etc.) regard must be had for any known existing Government regulations or policies (e.g., MEDTT licensing standards, health unit and Ontario Building Code\*). MNR requirements may exceed but not conflict with the standards set by other authorities (e.g. building size).

The size of any buildings used for accommodation should be decided based on the circumstances of that particular site.

Either tent or cabin type camps are acceptable providing they are of good quality materials, and are properly maintained. Polyethylene structures should not be permitted.

Operators will be responsible for the removal of all improvements, including docks, at the end of the authorized period.

\* Ontario Building Code requirements are not the responsibility of MNR, however each proponent should be reminded that all buildings are subject to that legislation. (See PL 4.11.01)

#### 4.1.8 Additional Conditions and Covenants to Appear in the Land Use Permit or Lease

Terms and conditions of tenure documents will pertain to Ministry of Natural Resources programs only.

Appropriate conditions may be imposed in the land use permit or lease where the status of game or fish populations is such that the hunting or angling pressures generated by the outpost camp should be time-limited, or use of the camp for certain hunting/angling activities should be prohibited. These limitations shall be specified by imposing appropriate conditions in the land use permit. The following conditions may be used where appropriate.

- (a) The {permittee/lessee} will apply for a work permit from the Ministry of Natural Resources to construct an outpost camp on the described site on or before {D/M/Y}.
- (b) Use of this {site/premises} for the accommodation of {anglers/hunters} is prohibited.
- (c) Use of this {site/premises} for accommodation of {anglers/hunters} is prohibited, except during the period of {Day, Month, Year to Day, Month, Year}, inclusive.
- (d) The {permittee/lessee} will use the {site/premises} for the commercial accommodation of guests each and every year during the term of this permit and will upon request of an employee of the Ministry of Natural Resources provide proof satisfactory to the District Manager that the {site/premises} has been so used.

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- (e) Where it is determined that the {permittee/lessee} is in violation of the terms and conditions of this {land use permit/lease}, and a work order is issued by the Ministry of Natural Resources to remedy any and all violation(s), the {permittee/lessee} hereby covenants to reimburse any and all reasonable expenses incurred by the Ministry to inspect actions undertaken by the {permittee/lessee} to remedy the violation(s). (The method of carrying out those inspections will be the one that is the most reasonable financially and logically while still meeting MNR's policies.)

Care should be used when adding any site specific conditions to land use permits to ensure they are not already pre-printed on the permit. To ensure their enforceability, these conditions should be included and referred to as a schedule to the permit or incorporated into the body of the lease.

#### 4.1.9 Inspections

Periodic inspections will be carried out to determine if the outpost camp is being operated in accordance with the terms and conditions of the tenure document.

While undertaking outpost disposition inspections, staff should consult with their counterparts in MEDTT, MOEE and the local Health Unit to suggest joint inspections as a manner of saving costs.

#### 4.1.10 Non-compliance with Terms and Conditions

Unless unusual circumstances prevail (e.g. illness, poor weather, etc.), in accordance with terms and conditions of the land use authority, operators whose sites remain unimproved (e.g. buildings requirements have not been met or improvements have not been constructed within one year) or are not used for more than one operating season will have their land use permit or lease cancelled.

Where an operator reneges on a covenant to reimburse the Ministry for any expenses incurred from additional inspections, or refuses to remove any improvements from the site, the Ministry shall, after following any processes established in the tenure document, treat the improvements as unauthorized occupations of Crown land (see PL 3.04.01). If this is the recommended course of action, the advice of Legal Services Branch staff shall be sought.

An operator whose outpost camp is found to be in violation of the terms and conditions of the permit or lease shall be instructed, by written order, to undertake remedial action within 30 days of an inspection (or longer if the Area Supervisor considers necessary).

If violations are not adequately corrected to the satisfaction of the Ministry within 60 days or such longer period as is prescribed in the land use occupational authority, or prior to the third inspection by the Ministry, the District Manager shall initiate cancellation of the permit/lease in accordance with the process outlined in the document, if applicable

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Area staff shall notify other agencies (e.g. MEDTT, MOEE) of any known infractions of their mandate. MNR shall not be involved in enforcing other agencies' legislation, either directly or through placing conditions in title documents (i.e. land use authority shall not be used to enforce the legislation or concerns of other agencies).

#### 4.1.11 Assignment/Transfer

MNR should not consent to the issuance of a land use permit to a new operator, or the assignment of a lease, until all previous violations are resolved to the satisfaction of the Ministry. An exception to this would be when the new operator will be the best person to resolve the violations.

### 4.2 **Management Guidelines for Type B Outpost Camps**

Type B outpost camps are intended for non-recurring sites only. Area Team staff must ensure that sites are temporary and that the operator fully understands that these are a one time only arrangement. Should the operator be interested in subsequent years it will be necessary to reapply. An operator seeking assurance of a renewal, should seek a Type A outpost camp following the procedure mentioned in Part A. The reason for this is that MNR may have been less restrictive with the review process knowing that it would be a one purpose use that would end in a very short period of time.

#### 4.2.1 Site Selection

Sites should be allocated based on such considerations as resource potential, potential resident conflict and the proximity to existing authorized tourist establishments.

Shorelines of lake trout lakes may be used at the discretion of the District Manager.

#### 4.2.2 Disposition

Reactive, based upon application.

#### 4.2.3 Eligibility of Applicants

Any eligible operator who is not a defaulting operator.

NOTE: To be eligible for a licence to operate an outpost establishment (i.e., to become an "eligible operator") the applicant must maintain a base of operations in Ontario.

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#### 4.2.4 Size

The site authorized should not exceed 0.5 hectare in size.

#### 4.2.5 Land Use Authority

Type B outpost camps will only be authorized by a land use permit, issued for a single purpose.

#### 4.2.6 Term

Length of the operator's approved activity (e.g. bear hunting season) plus one week before and one week after to allow establishing, dismantling and removal of structures.

#### 4.2.7 Fees

Fee for each site to be calculated as per Policy PL 6.01.02 (see part years.).

#### 4.2.8 Inspections

Specific site pre-inspections may not be necessary. Areas should use control maps and aerial photographs and consult with local staff for potential conflicts.

#### 4.2.9 Conditions to Apply

##### Structures

- mobile camping units and tents only
- no polyethylene structures
- floating docks only (or assurance that the dock will be removed upon expiration of the permit)
- all structures to be removed within the term of the LUP

##### Garbage

- all garbage is to be removed before the expiry of the land use permit and disposed of at an authorized waste disposal site

##### Other Conditions

- at the discretion of the District Manager

### 4.3 Management Guideline Summary

The following is a summary of administrative differences between Type A and Type B presented for convenience only. For accurate reference refer to Sections 4.0, 4.1, and 4.2.

x - means statement applies to that type of Camp

	Type A	Type B
<b>ALLOWABLE USES</b>		
Specified uses only		x
Any lawful use consistent with this policy	x	
<b>ELIGIBILITY CONSTRAINTS</b>		
outstanding violations	x	x
no outpost establishment licence	x	x
<b>LAND USE AUTHORITY</b>		
Crown lease (20 yrs. max)	x	
land use permit (10 yrs. max)	x	
land use permit (1 week before to 1 week after approved purpose)		x
<b>APPROVALS REQUIRED</b>		
Health Unit	x	x
MOEE	x	x
MEDTT	x	x
<b>INSPECTION REQUIREMENTS</b>		
pre-disposition	x	
periodic monitoring	x	x
post disposition	x	
<b>SITE SELECTION</b>		
pre-selection	x	
reactive		x
size	0.5 ha	0.5 ha
<b>IMPROVEMENTS ALLOWED</b>		
floating docks	x	x
permanent docks	x	
permanent cabins	x	
tents	x	x

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## **5.0 REFERENCES**

### **5.1 Legislative References**

Tourism Act  
Regulation 1037, RRO 1990, made under the Tourism Act

### **5.2 PL Directive Cross References**

- PL 3.03.02 (POL & PRO) Unauthorized Occupations – Control and Removal
- PL 4.01.02 (POL) Ontario Building Code
- PL 4.10.01 (POL & PRO) Waterlot Disposition
- PL 6.01.02 (POL) Crown Land Rental Policy