

Applicant's Guide to Applying for Crown Land for Agricultural Purposes in Northern Ontario



Table of Contents

Preface.....	1
Crown Land Management	1
Section 1 – Initial Inquiry.....	3
Section 2 –Scoping Meeting	4
Section 3 – Preparing the Application.....	5
Section 4 – Submitting the Application.....	9
Section 5 – Reviewing and Evaluating the Application.....	10
Section 6 – Issuing Occupational Authority or Patent (sale).....	11
For more Information.....	12

Disclaimer: This guide is a summary of the Crown land disposition process for agriculture and the role of the applicant and various government ministries and agencies. It is not to be used as a legal reference. The relevant statutes, regulations and policies must be referred to for complete direction.

Preface

Supporting the growth of the province's agri-food industry and diversifying the economies of Northern Ontario communities is a government priority. As lead ministry for Crown land planning, the Ministry of Natural Resources and Forestry has an important role to play in the sustainable development of Crown lands. The **Applicant's Guide to Applying for Crown Land for Agricultural Purposes in Northern Ontario** (to be referred to as 'the Guide') has been prepared as a summary of existing Crown land policies and procedures that will be considered during requests for dispositions related to agriculture development.

Although many of the processes described in the Guide (e.g. Environmental Assessment, consultation, etc.) may be applied to other requests for Crown land authorizations, the purpose of the Guide is to assist those proponents interested in traditional crop/livestock projects where Crown land may be required.



Crown Land Management

Crown land in Ontario is managed by the Ministry of Natural Resources and Forestry — this includes shore lands and the beds of most lakes and rivers.

Approximately 77% of the province's land mass is made up of Crown land managed under the *Public Lands Act*, with an additional 10% of Crown land held as provincial parks and conservation reserves.

More than 95% of northern Ontario is Crown land. There is little Crown land in southern Ontario, primarily due to historically high levels of population settlement and resulting development. Crown land protects key elements of our natural heritage, supplies land for renewable energy, tourism and recreation. Many valuable resources such as forests, aggregates, minerals, prime agricultural soils, and fish and wildlife populations are located on Crown land. These resources may be used for subsistence, recreational, or commercial purposes, and managed to the benefit of many communities as well as the province. The province recognizes that Crown land can support local economic development and diversified economies in Northern Ontario.

When requests for Crown land are received, they are reviewed to determine if they conform to existing Crown land use policy. The request for

Crown land will include consideration of many other factors, which may warrant the land's restricted use and/or retention (e.g. anticipated ministry land needs, local community interests, environmental risk, compatibility with adjacent land uses, or other existing interests).

The process to acquire Crown land is initiated when the ministry receives an application and begins the disposition review process. In these situations, the applicant or proponent leads the process and is required to provide information and undertake tasks (e.g. fisheries studies) that will enable the ministry to fulfill its obligations under policy and legislation (e.g. *Public Lands Act*, *Environmental Assessment Act*). Every Crown land-related decision made by the ministry must take into account a number of factors, including environmental, ecological, social, and economic effects as well as Indigenous rights, claims or assertions.



Crown Land for Agricultural Development

Diversifying economies in the north is a government priority. The province's **Growth Plan for Northern Ontario** and the **Northern Ontario Agri-Food Strategy** provide the foundation to advance the government's efforts towards agriculture and food as providing meaningful economic opportunities in Ontario's north. Through these initiatives, agriculture is recognized as a key contributor towards economic diversification.

Requests for Crown land dispositions are considered in the context of the Ministry of Natural Resources and Forestry's land management goals, objectives and principles, balancing multiple Crown land interests and uses, as well as environmental, social and economic considerations.

The provincial government is committed to working with Indigenous partners and strengthening new relationships with Ontario's Indigenous people.

All Crown land dispositions will be valued in a manner consistent with associated policies and based on the occupational authority or land tenure arrangement utilized.

The ministry will consider the disposition of Crown land for agriculture both within and outside of municipal boundaries. Crown land development within municipally organized areas can contribute to the economic development objectives of municipalities, subject to the applicable provincial policies (e.g. Provincial Policy Statements under the *Planning Act*) and legislation which the ministry must take into account. The province recognizes that Crown land for agriculture can form part of a successful undertaking when applicants have financial capital, sound business plans, expertise and community support.

Section 1 – Initial Inquiry

As a first step, training modules, mapping tools, and business plan resources, provided by the Ontario Ministry of Agriculture, Food, and Rural Affairs can assist you in deciding whether agriculture is right for you.

If you are interested in applying for Crown land for agricultural purposes, and have confirmed the suitability of the site for agriculture based on soil mapping information, you should begin by contacting your local Ministry of Natural Resources and Forestry district office to discuss your request. Contact information can be found online at:

<https://www.ontario.ca/page/ministry-natural-resources-and-forestry-regional-and-district-offices>.



During the initial inquiry, you will need to:

- identify the location of the new land you are interested in (e.g. lot, concession and township, or provide a topographical map with the area identified);
- describe property or properties that you currently own or lease and the current condition(s) (e.g. description of area owned, under crop production, forested, etc.);
- describe your intentions/plans for business growth and land development.

After having received the information noted above, the ministry will discuss your proposal with you to identify any immediate factors that may limit or preclude your proposal from proceeding. Examples of incompatible lands uses include Crown land use policy restrictions or prohibitions, existing patents, lands in a provincial park or conservation reserve, or current agreements or dispositions to other third party interests or Indigenous land claims.

Crown land use policy in central and northern Ontario is housed in the **Crown Land Use Policy Atlas**, which is publically available as a web-based mapping tool at:

<https://www.ontario.ca/page/crown-land-use-policy-atlas>.

The Crown Land Use Policy Atlas contains links to the policy reports for specific areas of Crown land and will provide you with a preliminary understanding of what uses of land are permitted within the defined policy areas. The policy reports include 'Crown land, agriculture' as a listed activity and the associated direction provides a starting point for your proposal development.

The Ministry of Energy, Northern Development and Mines should be consulted early on in the process by the applicant regarding mineral development interests on the proposed agricultural lands.

Barring any factors that would preclude the application from proceeding further (i.e. incompatible land uses, patents, dispositions, etc.), the applicant can set up a scoping meeting with the Ontario Ministry of Agriculture, Food, and Rural Affairs and the Ministry of Natural Resources and Forestry to further discuss the proposal.

Local Ontario Ministry of Agriculture, Food, and Rural Affairs representatives will be included in the scoping meeting and must be consulted in the

development of the business plan.



Section 2 –Scoping Meeting

At the scoping meeting, the Ministry of Natural Resources and Forestry will advise you on what constitutes a complete application, what to expect from the application process, including timelines and any requirements and obligations you may have to fulfil as part of the application process.

Where you have identified a specific area of interest, the ministry will provide you with preliminary information on values and constraints for the location.

This may include:

- known natural heritage values such as: bird nesting sites, fish spawning areas, and species at risk habitat areas
- known or potential natural hazard lands (e.g. floodplains, contaminated lands)
- watercourses (e.g. warm water lakes, Lake Trout lakes, cold water streams)

- resource allocations, such as: trap lines, baitfish areas, bear management areas, resource based tourism, forestry allocations
- Indigenous land claim areas
- compatibility with adjacent land uses
- adherence to existing land use policy

During the scoping meeting, the Ministry of Natural Resources and Forestry will provide an overview of the process to establish the fair market value of the land through a client initiated appraisal as well as land survey requirements.

Note: some values information such as the nature and location of species at risk habitat, cultural heritage sites, or pending land claims is considered sensitive and would not be made publicly available.



Section 3 – Preparing the Application

After attending the scoping meeting, should the applicant wish to proceed with the proposal, a formal application for Crown land will need to be prepared and submitted to the Ministry of Natural Resources and Forestry.

The following is an outline of what should be included in an application submission. You should provide sufficient detail to give the ministry a clear understanding of the proposed operation and lands required.



General Information Requirements

The following items are required in your application submission:

- 1) An application form for Crown land needs to be completed in full. The application form can be

obtained from the local Ministry of Natural Resources and Forestry District office.

2) A map that clearly delineates the proposed lands:

- the location should be as precise as possible (e.g. lots five and six Kennedy Township)
- the map should be sufficiently detailed so that the required land base can be determined. Standard reference map templates can be accessed using the ministry's **make a topographic map** tool online at:
<https://www.ontario.ca/page/topographic-maps>
- the map should indicate size in hectares

3) A detailed site plan of the proposed development:

- the site plan must be drawn to scale. Note that this includes the location of proposed lots and permanent structures.
- include north arrow and major features (e.g. existing roads, lakes, streams, wet lands, etc.) and boundary of proposed development
- location of proposed non-permanent/mobile structures
- areas to be cleared, including size
- identify areas for crops and livestock, including the size of

these areas

- new and existing roads and turn around areas
- fencing/gating proposals
- nutrient storage facilities
- fuel storage facilities
- other site improvements (e.g. tiling, wells, draining ditches, holding ponds, etc.)
- indicate the need for a drainage plan, outlining where the discharge water will go (drainage pond, municipal outlet, natural watercourse, petitioning the local municipality for a municipal drain). Refer to this link:
<http://www.omafra.gov.on.ca/english/landuse/drainage.htm>
- consideration for how manure run-off will be addressed in the design of the nutrient management system. Refer to this link:
<http://www.omafra.gov.on.ca/english/engineer/facts/10-005.htm>
- area that may be open by the landowner for continued recreational use

4) Proposed time frame – please include, as a minimum, the following:

- timeframe for each milestone in the agricultural development (e.g. clearing the land, crop development or livestock)
- completion of financial

arrangements

- schedule of contact with ministries/agencies/boards if applicable
- schedule for public consultation if applicable
Note: the Ministry of Natural Resources and Forestry will provide guidance to the applicant on consultation requirements as well as additional studies or reports to be completed.
- obtaining applicable licenses or permits as required

5) Rationale for the land:

- if the application is for expansion of an existing farm explain why additional lands are required. Details of existing land holdings and current use should be included.
- for new farms, explain the reasoning for the proposed location and the rationale of purchasing the proposed Crown land over available private land.
- provide a list of properties currently owned or leased, its size and location, and the percentage of currently owned agriculturally suitable land that is being used for agriculture

6) Summary and assessment of potential environmental impacts and how they will be addressed.

For example:

- impacts on water bodies in proximity to the property and proposed mitigation measures (e.g. fencing for livestock, buffer areas, etc.)
- nutrient management
- an Environmental Farm Plan can be used to help describe how potential environmental impacts are to be mitigated. Refer to this link: <http://www.omafra.gov.on.ca/english/environment/efp/efp.htm>
- a description of species at risk in the area. The Natural Heritage Information Centre provides an online mapping tool illustrating species and areas of natural and scientific interest. The mapping tool can be found at the following link: <https://www.ontario.ca/page/make-natural-heritage-area-map>
- existing uses of the land by the public (e.g. recreational trails, snowmobile trails). Through a review of values information, the Ministry of Natural Resources and Forestry can provide assistance on determining existing uses.
- the Crown Land Use Policy Atlas policy report(s) for the land



7) A preliminary assessment of applicable approvals. (Please note: the applicant may have to consult with other agencies, ministries or municipalities to understand what, if any, additional approvals are required).

8) Business Plan

- A business plan is required as part of the application process.
- Please contact your local Ontario Ministry of Agriculture, Food, and Rural Affairs office for business plan requirements. Their business plan resources can be accessed online at:

<http://www.omafra.gov.on.ca/english/busdev/facts/08-051.htm>

Additional resources can be found at the Small Business Enterprise Centre:

<https://www.ontario.ca/page/small-business-enterprise-centre-and-community-based-provider-locations>

- Applicants that are currently farming must provide their Farm Business Registration number.
- Applicants that are new farmers can apply for a Farm Tax Income Exemption Certificate. Please contact the Agricultural Information Contact Centre at 1-877-424-1300.

The Ministry of Natural Resources and Forestry strongly recommends that you discuss your proposal with the local municipality, stakeholders and provincial ministries/agencies in order to better inform your application.

Early communication is good practice, which results in a better application and increases the chance of a successful outcome.

You are encouraged to review information available online when identifying potential areas for agricultural development.



The [Ontario.ca website](https://www.ontario.ca) has a number of useful tools, including:

- Crown Land Use Policy Atlas:
<https://www.ontario.ca/page/crown-land-use-policy-atlas>
- Make a Topographic Map:
<https://www.ontario.ca/page/topographic-maps>
- Make a Natural Heritage Map:
<https://www.ontario.ca/page/make-natural-heritage-area-map>
- Renewable Energy Atlas:
<http://www.gisapplication.lrc.gov.on.ca/REA/Renewable.html?site=REA&viewer=REA&locale=en-US>
- Claim Maps:
http://www.mndmf.gov.on.ca/en/mine/s/claimmaps_e.asp
- Nutrient Management, Environmental Farm Plan, Preparing a Business Plan, Business Information Bundles:
<http://www.omafra.gov.on.ca/english/busdev/newentrant/sec4.htm>
- Agmaps:
<http://www.omafra.gov.on.ca/english/landuse/gis/portal.htm>
- Land Information Ontario:
<https://www.ontario.ca/page/land-information-ontario>
- How to Start a Farm in the North:
<http://www.omafra.gov.on.ca/english/northernagrifood/ed.htm>

Natural heritage information can also be obtained through [Land Information Ontario](#).

Section 4 – Submitting the Application

Once you submit a complete application to the local district Ministry of Natural Resources and Forestry office, the ministry will date stamp the application form (Application for Crown land).

The ministry will check that all required attachments are provided in the application (*i.e. all items listed in Section 3 – Preparing the Application*). It is also recommended that you provide a copy of the application to the Ontario Ministry of Agriculture, Food, and Rural Affairs, who will determine if all of the requirements for the business plan have been satisfied.

Note: If any of the attachments are missing or incomplete, the application will be returned to you for completion along with instruction on what is missing and a timeline for submitting the missing information back to the Ministry of Natural Resources and Forestry and/or the Ontario Ministry of Agriculture, Food, and Rural Affairs.

Once the required information and attachments have been provided to the Ministry of Natural Resources and Forestry, the application will be deemed complete and the ministry will proceed to review your application. During the review of the application more information may be required depending on the location and site specific requirements; for example, requirement

for studies for species at risk or cultural heritage assessments.

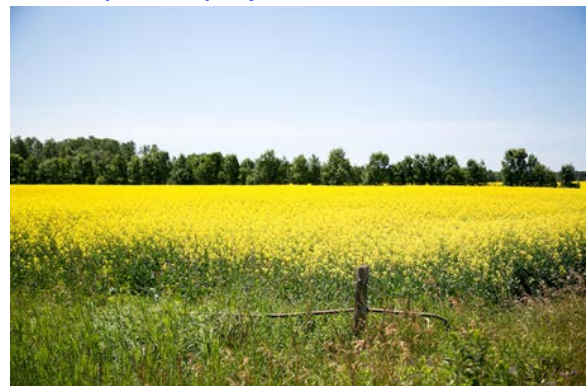


The ministry has a standard procedure for any disposition of Crown land which is outlined in the Application Review and Land Disposition Process policy PL 4.02.01 (see link below) which includes completion of requirements under the ministry's Class Environmental Assessment for Resource Stewardship and Facility Development Projects.

The Class Environmental Assessment is intended to provide Environmental Assessment Act coverage for resource stewardship and facility development projects, including their planning, design, construction, operation, maintenance, rehabilitation, and retirement or decommissioning, as conducted by the ministry or the ministry in co-operation with its partners. Dispositions of Crown land, such as for agricultural purposes, is subject to this Class Environmental Assessment process.

The ministry may request further information to completely satisfy these requirements.

For more information regarding Crown land management policies and the Class Environmental Assessment, visit: <https://www.ontario.ca/page/crown-land-management-policies>
<https://www.ontario.ca/page/class-ea-resource-stewardship-and-facility-development-projects>



Section 5 – Reviewing and Evaluating the Application

The Ministry of Natural Resources and Forestry will review and screen the application in accordance with the Class Environment Assessment for Resource Stewardship and Facility Development Projects. Applications will be evaluated and screened to one of four possible categories based on the level of anticipated environmental impacts. The extent of public consultation and technical studies or reports is guided by how the project is screened and categorized by the ministry.

The ministry will provide, in writing, where your application is screened and outline consultations and studies to be undertaken. It is the applicants responsibility to ensure that you have met all obligations and requirements, including appropriate documentation of environmental effects, mitigation measures and consultation efforts as may be required by the category screening, and that these are provided to the ministry once completed.

The ministry will ensure that all appropriate notifications are provided to other ministries or agencies as appropriate (e.g. notification to the Ministry of Energy, Northern Development and Mines of pending disposition).



Ontario Ministry of Agriculture, Food, and Rural Affairs will also be involved in the review of your application in terms of your business plan to determine feasibility of the proposal.

It should be noted that Environmental Assessments and consultation processes can take considerable time

and may be at the expense of the applicant.

To clear new land your application may trigger the need for more than one type of permit and/or approval from the Ministry of Natural Resources and Forestry or other agency (e.g. Forest Resource Licenses for harvesting Crown timber, building permit from the municipality, etc.). The identification of these ancillary authorizations will be done through the scoping and application review process and should be taken into account when considering timelines. You will be informed of the decision to approve or deny the application for Crown land in writing by the local ministry district office.

Section 6 – Issuing Occupational Authority or Patent (sale)

If the Ministry of Natural Resources and Forestry approves your application for Crown land, you will need to complete the following steps:

- 1) You will need to verify the lands to be disposed of and the name in which the lands are to be granted. A corporate profile report will be required if the application is made by a business rather than an individual.
- 2) Proceed with an applicant initiated appraisal for the Crown

land parcel. The ministry will provide the terms of reference for an appraisal, to be conducted by an accredited Ontario land appraiser of the applicants choosing. As the applicant, you will be responsible for all costs related to the appraisal.

- 3) Once the market value has been finalized you will be required to proceed with preparation of a plan of survey for registration at the local Land Registry Office. Surveys are required for all registered documents (leases and patents). The ministry will issue survey requirements to you as described in *“Instructions Governing Crown Land Surveys and Plans”*. **Note:** Crown land cannot be surveyed without authorization from MNRF, as per Section 7 of the *Public Lands Act*, and the applicant is responsible for the cost of the survey.
- 4) An agricultural agreement will be issued along with the Crown land occupation authority. The agricultural agreement will contain conditions for land preparation required for the agricultural proposal as well as reclamation requirements.
- 5) Once the survey has been completed and the land is ready to be transferred you will be required to submit payment to the

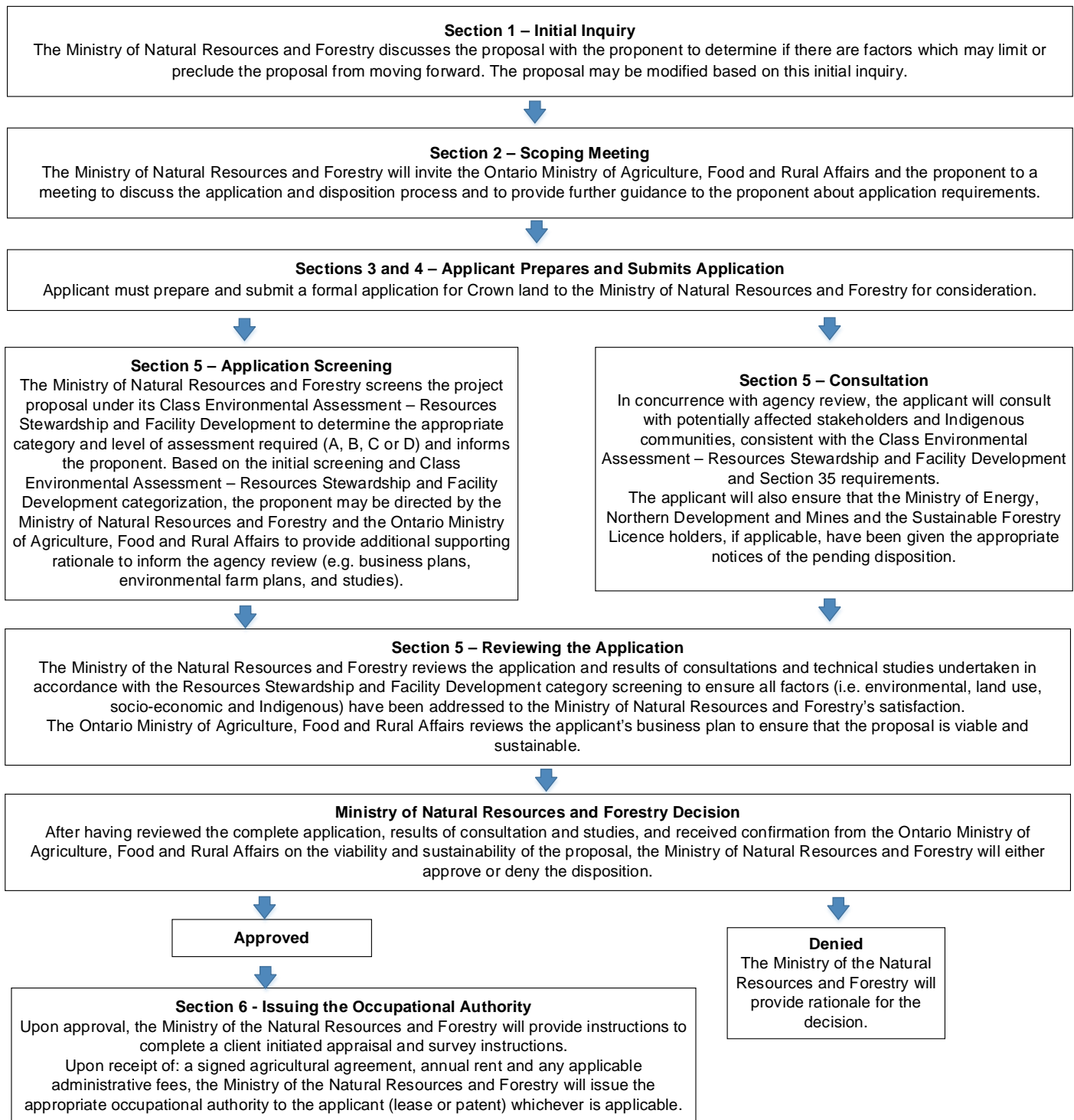
ministry for the annual rent and any applicable administrative fees. Upon receipt and acceptance of the above, the ministry will issue the appropriate instrument.

For more Information

This guide and links to online resources is an introduction to Crown land management and are factors to consider when applying for Crown land for agricultural projects. If you have any questions about this process, we encourage you to contact the Lands and Waters Technical Specialist at the local Ministry of Natural Resources and Forestry district office for more information:

<https://www.ontario.ca/page/ministry-natural-resources-and-forestry-regional-and-district-offices>

Appendix A – Disposition Process Flowchart



NOTE: We are committed to providing [accessible customer service](#). If you need an alternative accessible format of this flowchart, please contact the Lands and Waters Technical Specialist at the local Ministry of Natural Resources and Forestry district office:

<https://www.ontario.ca/page/ministry-natural-resources-and-forestry-regional-and-district-offices>