Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act MIGA/6/2015

On February 6, 2015 the Department of Municipal and Intergovernmental Affairs received your request for access to the following records:

All documentation and correspondence (letters, notes, memos, emails, voice mails etc.) between representatives of the Minister of Conservation and Environment, Minister of Municipal and Intergovernmental Affairs including the Minister and the Crown Lands Division, and,

1. representatives of the Municipality of Branch NL. from January OJ, 2014, to the present date.

All documentation and correspondence; (letters, notes, memos, emails, voice mails etc.) between NL. Crown Lands Division Offices, officers, employees, representatives of the office and the Minister and/or other persons, and, other Crown Lands Division Offices, officers, employees, representatives of the office and the Minister and/or other persons regarding:

all Applications for Crown Lands on North Harbour Road (route 92) Branch NL. at Beckford, by the Municipality of Branch NL. from January OJ, 2013, to the present date.

All documentation and correspondence; (letters, notes, memos, emails, voice mails etc.) between NL. Crown Division Lands Offices, officers, employees, representatives of the office and the Minister and/or other persons, and, other Newfoundland and Labrador Government Departments, Agencies and Crown Corporations (including the Department of Environment and Conservation; Department of Municipal affairs and Department of Municipal and
Intergovernmental Affairs); Ministers, officers, employees, representatives of the office and the Minister and/or other persons regarding:

1. All documentation produced by a meeting held on March 13, 2014 between representatives of Municipality of Branch NL. and representatives of the Crown Lands Division regarding four residential lots located at Beckford Path.

2. Copies of requests and/or of applications by Municipality of Branch NL. for rezoning of residential infill limits at Branch (Beckford) North Harbour Road.

3. All other documentation and information concerning rezoning of residential infill limits at Branch (Beckford) North Harbour Road in the possession of the the Department of Conservation and Environment, the Department of Municipal and Intergovernmental Affairs and the Crown Land Division from January 01, 2014 to the present.

4. Copies of all approved Municipal Recommendation Form for Crown Land Applications within Municipal and Planning Area Boundaries by the Municipality of Branch NL., received by the Crown Lands Division after January 01, 2013

5. Copies of all Applications for Crown Lands that accompanied all approved Municipal Recommendation Forms for Crown Land Applications within Municipal and Planning Area Boundaries by Municipality of Branch NL. received by the Crown Lands Division after the date of January 01, 2013.

Your request was later clarified in a February 19, 2015 email correspondence to the ATIPP coordinator, to include the following:

The correct information that I am requesting is as follows:

1. All documentation concerning the rezoning of residential building lots within the community infill limits in Branch NL. at Beckford (North Harbour Road - Route 92) from January 01, 2014.

2. All documentation produced by a March 13, 2014 meeting concerning four residential lots at that meeting.

3. All Applications for Crown Lands received by the Crown Lands Division from January 01, 2013 to the present date that are within the municipal boundaries of Branch

The request specifies minutes of the meeting, documents, letters, notes, memos, emails, voicemails etc.

On February 26' 2015 the Department sent you a fee estimate of $150, which you subsequently paid.

On March 9, 2015 the Department advised you that the request response time had been extended by an additional 30 days and that you could expect your response by April 13, 2015.
I am pleased to inform you that your request for access to these records has been granted in part. For personal privacy reasons, personal information contained within the records has been redacted in accordance with the following exception to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

30(1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of privacy.

Please note that information that is subject to solicitor and client privilege under Section 21 of the Act (including page 115 of the responsive package) has also been withheld.

21. The head of a public body may refuse to disclose to an applicant information
(a) that is subject to solicitor and client privilege; or
(b) that would disclose legal opinions provided to a public body by a law officer of the Crown.

Information has also been withheld under section 20(1)(c):

20 (1) The head of a public body may refuse to disclose to an applicant information that would reveal
(c) consultations or deliberations involving officers or employees of a public body, a minister or the staff of a minister;

In accordance with your request for a copy of the records, the appropriate copies have been enclosed. As required by subsection 7(2) of the Act, we have severed information that is exempt from disclosure and have provided you with as much information as possible. Please note that we have included the municipal recommendation forms for the Crown Lands applications you requested although these would not typically be considered by the department to form part of the application itself.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.

Records that are refused on the basis of section 21 (legal advice) you must appeal directly to the Supreme Court Trial Division within 30 days after you receive the decision of the public body, pursuant to section 60. You may also contact the Office of the Information and Privacy Commissioner who may decide to initiate an appeal pursuant to subsection 60(1.1).

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
34 Pippy Place
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Facsimile: (709) 729-6500
In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the ATIPP Coordinator, Rosalind Squires at (709) 729-1953.

Sincerely,

COLLEEN JANES
Deputy Minister of Municipal Affairs
Department of Municipal and Intergovernmental Affairs
Kelly, Tara

From: Barnable, Steve
Sent: Monday, January 19, 2015 2:06 PM
To: Nickerson, Jeffrey
Subject: RE: [redacted] Branch COR/2015/00065

Jeff, you should quote policy for MRF’s where Town will not sign. We may need to discuss where Town’s have no legislated boundary, the issue of authority. See me.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Municipal and Intergovernmental Affairs
Howley Building, Higgs Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Barnable, Steve
Sent: Monday, January 19, 2015 2:00 PM
To: Nickerson, Jeffrey
Subject: [redacted] Branch COR/2015/00065

Jeff, for draft response for Min Hutchings

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Municipal and Intergovernmental Affairs
Howley Building, Higgs Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Dunne, Darlene
Sent: Friday, January 09, 2015 9:02 AM
To: Glynn, Valerie
Subject: FW: Crown Land

From: Abbott, Tracey
Sent: Thursday, January 08, 2015 8:07 AM
To: Dunne, Darlene
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.
Hi Tracey,

On July 29, 2014 I made a request of Branch Town Council for an approval for a municipal recommendation in support of my application for crown lands. I also sent carbon copies of that request to the Honourable Terry French, Minister of Justice and the Honourable Dan Crummell Minister of the Department of Municipal and Intergovernmental Affairs.(the current jurisdiction for the Crown Land Division).

Your response dated August 05, 2014 indicated that you had sent my concerns to the Honourable Vaughn Granter Minister of the Department of Conservation and Environment.

I have been informed that the Crown Land Division in no longer under the jurisdiction of the Department of Conservation and Environment and has been moved to Department of Municipal and Intergovernmental Affairs. I am not sure of the time frame of the said transition.

I note that the Ministry of Justice and the Ministry responsible for Crown Lands Division has both been appointed new Ministers to guide their prospective directions since I first sent my emails (carbon copies of my request of Branch Town Council).

Concern arises, as it is now approaching six months and despite several requests via email for a response to my requests I have not received any communication whatsoever from Branch Town Council.

Six months is far too long to wait for a Municipal Recommendation Form. I now fear that the construction season for 2015 as it pertains to that particular crown land parcel is lost and there will be accrued financial losses due to such.

I would like to file a formal complaint with the Minister of Municipal and Intergovernmental Affairs against Branch Town Council for refusing to consider my request for a municipal recommendation form in support of an application for crown land.

In light of the aforementioned circumstances I am requesting that the Minister of Municipal and Intergovernmental Affairs direct that the regional crown lands office accept my application for crown lands without a municipal recommendation form as contemplated by #6 of the instructions to a municipal council in the municipal recommendation form.

Please See:
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES
INSTRUCTIONS
B. MUNICIPAL COUNCIL:
6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

Thank you.

Respectfully,

On Tuesday, August 5, 2014 10:03 AM, "Abbott, Tracey" <TraceyAbbott@gov.nl.ca> wrote:

Hi,

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Grantor with the Dept. of Environment and Conservation.
http://www.env.gov.nl.ca/env/

Thanks
Tracey

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709)729-5907 fax: (709)729-5819
traceyabbott@gov.nl.ca

From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.
On Tuesday, July 29, 2014 11:14:35 AM, [Redacted] wrote:

Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,

[Redacted]

"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender."
Thanks John, we both view this in the same manner.

Darren,

The depth of an Infill Limit boundary is somewhat arbitrary and is not meant as a standard for building lot depth. 100 metres is greater than the standard unserviced building lot size of 30 x 62m in order to allow for flexibility where for instance, an easement or geographical feature prevents the lot line from directly abutting a road right of way, requiring a lot to be set back a greater distance. It also allows for situations where there are variances in road right of ways. If an applicant wants a building lot deeper than standard size it is really not a concern of Infill Limits, as long as they have the required frontage along a publicly maintained road and do not extend beyond the Infill Limit boundary along the road. It would be up to the Regional Office or perhaps CLA to determine if the request for a non-standard size lot were justified.

Please review and provide me with a draft response to this inquiry.

Mr. Moore,

I have been informed that the Crown land rural residential infill reservation limit is described as, at a distance measuring 100 metres from the centerline of a publicly maintained road.

I am inquiring as to the status of crown land use in and around the Beckford, St. Mary's Bay and within the community boundaries of Branch, that is beyond the 100 metre residential infill reservation limit.

It is my understanding that residential lots in that area are recommended to be limited to a measurement of 62 metres in depth from the centerline of North Harbour Road (Route 92) commencing at the highway reservation mark which is 20 metres from the centerline.

I am also interested in the remaining 18 metres (between 82m point of instrument (PI) and the 100m PI) that is within the residential infill limit. Is that crown land available to the general public? If so for what purposes is it available, and how is tenure obtained?

Thank you.
Respectfully, s.30(1)
The intent of the residential infill limits is to make sure that development fronts on a publicly maintained road and the 100m from the center line is to provide an adequate depth for a lot with the potential for the lot to go back further if site conditions warrant additional lands; i.e. septic or other development requirements.

Therefore, if you want to apply for additional Crown land behind an existing parcel you need to justify why the additional lands are needed, obtain all municipal approvals if required and then submit a Crown land application which will be subject to an inspection.

I hope this addresses your questions.

Mr. Moore,

I have been informed that the Crown land rural residential infill reservation limit is described as, at a distance measuring 100 metres from the centerline of a publicly maintained road.

I am inquiring as to the status of crown land use in and around the Beckford, St. Mary's Bay and within the community boundaries of Branch, that is beyond the 100 metre residential infill reservation limit.

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I am also interested in the remaining 18 metres (between 82m point of instrument (PI) and the 100m PI) that is within the residential infill limit. Is that crown land available to the general public? If so for what purposes is it available, and how is tenure obtained?

Thank you.

Respectfully,
Please note the following:

- In the area of Beckford, St. Mary's Bay residential or commercial development must be located within the community infill limits and front on a publicly maintained road.
- Crown land for agriculture, aquaculture etc. can be applied for if there are no land use restrictions in place and like all Crown land applications they are subject to referral to various Government Departments and external agencies as required.
- To obtain mapping that depicts the various land use in the area you should visit the Eastern regional Lands Office and below is link to the website that will provide directions and additional information, forms and applications for Crown land.
  [http://www.env.gov.nl.ca/env/department/contact/crownlands.html](http://www.env.gov.nl.ca/env/department/contact/crownlands.html)

Regards,

Darren Moore  
Director  
Land Management Division  
Dept. of Environment & Conservation  
Howley Building, 85 Higgin Line  
Tel: (709) 729-3844 Fax: (709) 729-3923

---

Mr. Moore,

Thank you for your response to my email regarding community residential infill limit, it is much appreciated.

However, I am more interested in the status of crown land use in and around the Beckford, St. Mary's Bay area and within the community boundaries of Branch, that is located beyond the 100 metre residential infill reservation limit.

Is the said crown land available for commercial development, agriculture and aquaculture? Where can I obtain mapping outlining the current zoning boundaries?
HI Folks,

Looks like I am getting pulled into this issue.

When either or you are back I'd like to get a bit of background on your dealings with the Town on these issues; it might be worthwhile to also have a LG presence at this meeting here in St. John's next week as well.

Corrie

---

From: Barnable, Steve
Sent: Thursday, February 27, 2014 2:08 PM
To: Davis, Corrie
Cc: Hearns, Peter
Subject: FW: Meeting with the Town Council of Branch

Corrie, I haven't got an agenda yet, but Kelly Power will be providing one. Some items discussed are the sequence of applications in an area that were submitted by Richard Downey, Colin mooney and Corrina Mooney, which is a Lands issue although it gets into problems that we have identified with our Municipal Recommendation Forms and the need to be linked to mapping...order of precedence, etc. which might only involve you tangentially.

Also, the have some issues regarding their rights to approve/refuse applications within certain situations/configurations, which I am not clear on, but that sounded entirely as though it likely would need MA direction.

Also, Kelly tells me that they have a legislated Mun boundary which has been surveyed and advertised in the Telegram, years ago. This as well I can't speak to as all that we have is the infilling limit on the Land Use Atlas.

I will know more soon.

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726
From: Davis, Corrie  
Sent: Thursday, February 27, 2014 1:59 PM  
To: Barnable, Steve  
Subject: RE: Meeting with the Town Council of Branch

What is to be discussed?

Is my presence requested?

Thanks,

Corrie

Corrie Davis, MCIP  
Manager, Land Use Planning  
Municipal and Intergovernmental Affairs

From: KELLY, Sherry Lynn  
Sent: Thursday, February 27, 2014 1:58 PM  
To: Barnable, Steve; MYLER, Gary; Davis, Corrie; Nickerson, Jeffrey  
Subject: Meeting with the Town Council of Branch

I have booked the board room for a meeting with the Town Council of Branch for March 6, 2014 at 10.30 am here at the Howley Building Higgins Line. Hope this date and time is good for all parties. I have also emailed Kelly Power & Gus Power with the date and time.

thanks

'Sherry Kelly
Thanks,

Our Regional Office folks were in Branch earlier this week and met with either the Council or the residents (I’m not exactly sure who) and these issues were raised as I understand it.

I will check with those folks regarding the outcomes form that meeting and that may dictate who attends this meeting from our department.

As for the Town’s Boundary, as a result of the ATI request a few months ago we determined that the former specific boundary carries no legal weight. The former boundary was repealed (I do not know for what reasons). The Town’s boundary is currently described as “the area commonly known as Branch”. The legal Municipal Boundary order is found here: http://assembly.nl.ca/Legislation/sr/regulations/rc960048.htm.

Corrie

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

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I will know more soon.

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Regional Lands Manager - Eastern
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Municipal and Intergovernmental Affairs

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thanks  

Sherry Kelly.
From: Barnable, Steve  
Sent: Friday, February 28, 2014 10:06 AM  
To: MYLER, Gary; Nickerson, Jeffrey  
Subject: FW: Meeting with the Town Council of Branch

FYI

Steve Barnable  
Regional Lands Manager - Eastern  

Crown Lands Administration Division, Lands Branch  
Department of Environment and Conservation  
Howley Building, Higgins Line  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Tel: (709) 729-2854 Fax: (709) 729-0726

From: Davis, Corrie  
Sent: Friday, February 28, 2014 8:51 AM  
To: Barnable, Steve  
Cc: Noseworthy, Dan; Evoy, Lori  
Subject: RE: Meeting with the Town Council of Branch

Thanks,

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Corrie

Newfoundland  
Labrador

Corrie Davis, MCIP  
Manager, Land Use Planning  
Municipal and Intergovernmental Affairs

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I will know more soon.

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

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Sent: Thursday, February 27, 2014 1:59 PM
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Subject: RE: Meeting with the Town Council of Branch

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Thanks,

Corrie

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Sent: Thursday, February 27, 2014 1:58 PM
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Subject: Meeting with the Town Council of Branch
I have booked the board room for a meeting with the Town Council of Branch for March 6, 2014 at 10.30 am here at the Howley Building Higgins Line. Hope this date and time is good for all parties. I have also emailed Kelly Power & Gus Power with the date and time.

thanks

Sherry Kelly
I'm here..... no one else is..... has this been re-scheduled?

Sent from my BlackBerry 10 smartphone on the Bell network.

Corrie, I haven’t got an agenda yet, but Kelly Power will be providing one. Some items discussed are the sequence of applications in an area that were submitted by Richard Downey, Colin mooney and Corrina Mooney, which is a Lands issue although it gets into problems that we have identified with our Municipal Recommendation Forms and the need to be linked to mapping... order of precedence, etc. which might only involve you tangentially.

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Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
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P.O. Box 8700
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thanks

Sherry Kelly
Steve,

Check in to this and brief me after our 10 am meeting.

Robert, you should sit in on this and the 10 am meeting as well.

Peter Howe
Assistant Deputy Minister – Lands Branch
Department of Environment and Conservation
Confederation Complex, West Block
P.O. Box 8700
St. John’s, NL A1B 4J6

t: 709-729-3236
f: 709-729-0112
e: phowe@gov.nl.ca

Mr. Peter Howe,

I have noticed that the accompanying maps depict an application located on the opposite side of North Harbour Road from the location of applications #142195 and #142196 which crosses Beckford path (enclosed circled in red).

I have been informed that the Regional Lands Committee may approve building lots with such a configuration that that allow for the crossing of local road reservations.

It light of this, I am of the opinion that Branch Council made have erred in not allowing my request for an approval for a municipal recommendation in July 2012.
for the same location as the application (depicted on the enclosed map) that crosses Beckford path.

As it was determined by Council that building lots that crossed Beckford path were not available to the public as building lots, on July 31, 2012 I made a second written request to Branch Council asking to realign Beckford path in order to accommodate a suitable building lot, and at an August 2012 Council meeting that request was rejected.

As I was first to apply for that location in July 2012 and again in August 2012 I believe that my requests for municipal recommendation should be honoured for that location first.

In light of this new information I [redacted] or apply anew for the location I was rejected for in July and August 2012.

I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

[Redacted] [s.30(1)]

C.C. Mr. Robert Dicks
Mr. Steve Barnable
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Mr. Dicks,

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I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

CC. Mr. Peter Howe
   Mr. Steve Barnable
The application [redacted] was referring to was taken at the counter and it was realized afterwards that Branch has a Town Council. The applicant was written and his application returned. It was plotted, before this was realized, but not taken off. Departmental mapping. I just had it removed.

In our meeting with the Town yesterday, they informed me that no MRF’s will be approved along this short stretch. The side road exits the main road at an angle, going down over an incline towards the water. There is an area of former residential development below and an area that the Town has an interest in developing as a municipal park.

[redacted] has written us all separately. Let me know if you would like me to respond on your behalf. Thanks.

Steve Barnable  
Regional Lands Manager - Eastern  
Crown Lands Administration Division, Lands Branch  
Department of Environment and Conservation  
Howley Building, Higgins Line  
P.O. Box 8700  
St. John’s, NL A1B 4J6  
Tel: (709) 729-2554 Fax: (709) 729-0726

From: Howe, Peter  
Sent: Thursday, March 13, 2014 7:56 AM  
To: Barnable, Steve  
Cc: Dicks, Robert (ENVC)  
Subject: FW: Crown Land

Steve,

Check in to this and brief me after our 10 am meeting.

Robert, you should sit in on this and the 10 am meeting as well.

Peter Howe  
Assistant Deputy Minister – Lands Branch  
Department of Environment and Conservation  
Confederation Complex, West Block  
P.O. Box 8700  
St. John’s, NL A1B 4J6  
t: 709-729-3236  
f: 709-729-0112  
e: phowe@gov.nl.ca
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I have been informed that the Regional Lands Committee may approve building lots with such a configuration that that allow for the crossing of local road reservations.

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As it was determined by Council that building lots that crossed Beckford path were not available to the public as building lots, on July 31, 2012 I made a second written request to Branch Council asking to realign Beckford path in order to accommodate a suitable building lot, and at an August 2012 Council meeting that request was rejected.

As I was first to apply for that location in July 2012 and again in August 2012 I believe that my requests for municipal recommendation should be honoured for that location first.

In light of this new information I or apply anew for the location I was rejected for in July and August 2012.
I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

C.C. Mr. Robert Dicks
Mr. Steve Barnable
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
DUSTIN CYRIL COURAGE

Dear Sir/Madam:

This is with reference to your recent application for Crown land situated Branch.

A review indicates your application is incomplete and cannot be accepted until the following information is received by this office:

The site falls within a Municipal Control Boundary of the Town of Branch. The enclosed Municipal Recommendation Form must be approved by the Town Council.

It is Lands Branch policy to accept only completed applications for Crown land on a first come, first serve basis. Please be advised that this Branch will accept completed applications from other individuals for this site until such time as your application and the requested information is received.

If you have any further questions please contact this office at the address listed below.

Yours truly,

LANDS OFFICER

Attachments
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Environment and Conservation
Application for Crown Lands

Application No. ___________________________  Receipt No. 026754
File No. I-833712  Amount $1,137.00  Date Oct 17/00
Date Registered ___________________________  Indicated on Plan No. ___________________________
Initial ___________________________  Topo No. ___________________________  Initial ___________________________

(A) APPLICATION INFORMATION

Dustin  Cyril  Courage
First Name  Middle Name  Family Name

(B) PROPOSED LAND USE

1. Land use:  [ ] Residence  [ ] Cottage  [ ] Agriculture (provide details below)  [ ] Aquaculture
[ ] Commercial (provide details below)  [ ] Other (provide details below)

2. Describe buildings to be erected (if applicable)  Dimensions: Length _______ Width _______

3. Proposed water and sewage facilities (if applicable)
   Well  Septic  Municipal Water  Municipal Sewer  Other (provide details below)

(C) LAND DESCRIPTION

1. The land is situated at ________________ off Highway 92 near Branchy North Harbour Point.
   In the Electoral District of ___________________________

2. Is the land applied for located within municipal boundaries?  YES [ ] NO [ ]
   If yes, you must enclose a Municipal Recommendation Form.
   NOTE: This form is available from the Municipal Council, Regional Lands Office, & Government Service Centres

3. Approximate dimensions of the land:
   Frontage ________________ metres  Depth ________________ metres

4. Distance to closest waterbody: ________________ metres  Name ________________

5. Is the site accessible by road?  YES [ ] NO [ ]
   If no, will the site require new road construction for access?  YES [ ] NO [ ]
   If yes, what will be the approximate length of the road? ________________ metres
   For sites without road access, please indicate method of transportation:
   Walking  A.T.V.  Boat  Snowmobile  Aircraft
   For sites without road access, location of access route must be indicated on the map attached to the application
   and access by A.T.V. must be in accordance with A.T.V. Regulations.

6. Is the site presently occupied; fences, buildings, signs, clearing, local understanding?  YES [ ] NO [ ]
   If yes, state year occupation commenced, area occupied and name of person who developed or occupied the land

7. Are you aware of any evidence of previous land use, such as fences, buildings, signs, clearing, local understanding, etc.?  YES [ ] NO [ ]
   If yes, state year occupation commenced, area occupied and person who developed the land
DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

Bounded on the North by

Bounded on the South by

Bounded on the East by

Bounded on the West by

PLEASE NOTE: It is the policy of the Lands Branch to accept applications on a first come, first serve basis.

Applications must be fully completed, with a map showing the exact locations of the land applied for together with the application fee. The approved Municipal Recommendation Form from Council, if applicable, must also be attached. Only then will the application be accepted and deemed registrable by this Department.

AFFIDAVIT OF APPLICANT

I, Dustin Currie, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on Page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parent of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF ENVIRONMENT AND CONSERVATION MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me

At this place on the 19th day of December 2009

Official Administering Oath

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00) plus 15% HST. for a total of $115.00 must accompany this application.

Cheques or money orders are to be made payable to NEWFOUNDLAND EXCHEQUER ACCOUNT.

JENNIFER L. LILLY
A Commissioner for Oaths in and for the Province of Newfoundland and Labrador. My commission expires on the 31st day of December, 2014.
DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

Bounded on the North by ____________________________________________

Bounded on the South by ____________________________________________

Bounded on the East by ____________________________________________

Bounded on the West by ____________________________________________

PLEASE NOTE: It is the policy of the Lands Branch to accept applications on a first-come, first-serve basis.

Applications must be fully completed, with a map showing the exact locations of the land applied for together with the application fee. The approved Municipal Recommendation Form from Council, if applicable, must also be attached. Only then will the application be accepted and deemed registrable by this Department.

AFFIDAVIT OF APPLICANT

(to be read carefully)

I, Dustin Courage, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.

(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and No. 7 on Page 1, where applicable).

(c) I am not aware of any adverse claim to the land applied for by any person(s).

(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.

(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.

(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.

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Sworn before me

At _____________

this ____________ day of ____________ 2009

Official Administering Oath

[Signature]

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus 15% H.T.S. for a total of $115.00) must accompany this application.

Cheques or money orders are to be made payable to NEWFOUNDLAND EXCHEQUER ACCOUNT.

JENNIFER L. LILLY
A Commissioner for Oaths in and for the
Province of Newfoundland and Labrador. My
commission expires on the 31st day of
December, 2014.
I need to be better briefed on the matter.

Sent from my BlackBerry 10 smartphone on the Bell network.

The application was referring to was taken at the counter and it was realized afterwards that Branch has a Town Council. The applicant was written and his application returned. It was plotted, before this was realized, but not taken off. Departmental mapping. I just had it removed.

In our meeting with the Town yesterday, they informed me that no MRF’s will be approved along this short stretch. The side road exits the main road at an angle, going down over an incline towards the water. There is an area of former residential development below and an area that the Town has an interest in developing as a municipal park.

has written us all separately. Let me know if you would like me to respond on your behalf. Thanks.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

Steve,

Check in to this and brief me after our 10 am meeting.

Robert, you should sit in on this and the 10 am meeting as well.

Peter Howe
Assistant Deputy Minister – Lands Branch
Department of Environment and Conservation
Confederation Complex, West Block
Mr. Peter Howe,

Applications #142195 and #142196 and I have noticed that the accompanying maps depict an application located on the opposite side of North Harbour Road from the location of applications #142195 and #142196 which crosses Beckford path (enclosed circled in red).

I have been informed that the Regional Lands Committee may approve building lots with such a configuration that that all ow for the crossing of local road reservations.

It light of this, I am of the opinion that Branch Council made have erred in not allowing my request for an approval for a municipal recommendation in July 2012 for the same location as the application (depicted on the enclosed map) that crosses Beckford path.

As it was determined by Council that building lots that crossed Beckford path were not available to the public as building lots, on July 31, 2012 I made a second written request to Branch Council asking to realign Beckford path in order to accommodate a suitable building lot, and at an August 2012 Council meeting that request was rejected.

As I was first to apply for that location in July 2012 and again in August 2012 I believe that my requests for municipal recommendation should be honoured for that location first.
In light of this new information I [redacted] or apply anew for the location I was rejected for in July and August 2012.

I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

[redacted]

C.C. Mr. Robert Dicks
Mr. Steve Barnable
Let's wait until discussed with Peter.

The application was referring to was taken at the counter and it was realized afterwards that Branch has a Town Council. The applicant was written and his application returned. It was plotted, before this was realized, but not taken off. Departmental mapping. I just had it removed.

In our meeting with the Town yesterday, they informed me that no MRF’s will be approved along this short stretch. The side road exits the main road at an angle, going down over an incline towards the water. There is an area of former residential development below and an area that the Town has an interest in developing as a municipal park.

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Crown Lands Administration Division, Lands Branch
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Howley Building, Higgins Line
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Department of Environment and Conservation
Confederation Complex, West Block
P.O. Box 8700
St. John’s, NL A1B 4J6
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In light of this new information I or apply anew for the location I was rejected for in July and August 2012.

I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

C.C. Mr. Robert Dicks
Mr. Steve Barnable
This is confusing me. You will need to go over it with me this week. I’m available Tuesday.

Peter Howe
Assistant Deputy Minister – Lands Branch
Department of Environment and Conservation
Confederation Complex, West Block
P.O. Box 8700
St. John’s, NL A1B 4J6

t: 709-729-3236
def: 709-729-0112
e: phowe@gov.nl.ca

From: Barnable, Steve
Sent: March 14, 2014 10:18 AM
To: Howe, Peter; Dicks, Robert (ENVC)
Subject: FW: Crown Land [s.30(1)]

The application [redacted] was referring to was taken at the counter and it was realized afterwards that Branch has a Town Council. The applicant was written and his application returned. It was plotted, before this was realized, but not taken off. Departmental mapping. I just had it removed.

In our meeting with the Town yesterday, they informed me that no MRF’s will be approved along this short stretch. The side road exits the main road at an angle, going down over an incline towards the water. There is an area of former residential development below and an area that the Town has an interest in developing as a municipal park.

[s.30(1)] has written us all separately. Let me know if you would like me to respond on your behalf. Thanks.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Howe, Peter
Sent: Thursday, March 13, 2014 7:56 AM
To: Barnable, Steve
Cc: Dicks, Robert (ENVC)
Subject: FW: Crown Land

Steve,
a suitable building lot, and at an August 2012 Council meeting that request was rejected.

As I was first to apply for that location in July 2012 and again in August 2012 I believe that my requests for municipal recommendation should be honoured for that location first.

In light of this new information I or apply anew for the location I was rejected for in July and August 2012.

I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

C.C. Mr. Robert Dicks
Mr. Steve Barnable
Squires, Rosalind

From: Dicks, Robert (ENV C)
Sent: Thursday, March 20, 2014 12:02 AM
To: RE: Crown Land
Subject: s.30(1)

Dear [Redacted]

I have just completed my review of the matter raised in your email of March 13, 2014. It appears an individual attempted to apply for this site without the approval of the Town of Branch. The application was not accepted and at the time your map was printed, the temporary plotting had not been removed. As you will note, no name or application number was affixed to the plotting. I can advise however this plotting has since been removed from our GIS mapping.

I trust this satisfactorily addresses your concerns.

Kind Regards,
Robert Dicks
Director of Crown Lands Administration

From: [Redacted]
Sent: March 13, 2014 7:13 AM
To: Dicks, Robert (ENV C)
Subject: Crown Land

Mr. Dicks,

applications #142195 and #142196 and I have noticed that the accompanying maps depict an application located on the opposite side of North Harbour Road from the location of applications #142195 and #142196 which crosses Beckford path (enclosed circled in red).

I have been informed that the Regional Lands Committee may approve building lots with such a configuration that that allow for the crossing of local road reservations.

It light of this, I am of the opinion that Branch Council made have erred in not allowing my request for an approval for a municipal recommendation in July 2012 for the same location as the application (depicted on the enclosed map) that crosses Beckford path.

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As I was first to apply for that location in July 2012 and again in August 2012 I believe that my requests for municipal recommendation should be honoured for that location first.

In light of this new information I [redacted] or apply anew for the location I was rejected for in July and August 2012. [s. 30(1)]

I will be contacting Branch Council requesting an meeting on the matter as soon as possible.

Thank you.

Sincerely,

[redacted] [s. 30(1)]

CC. Mr. Peter Howe
Mr. Steve Barnable
I am not aware of such a survey map for the lots on the south side of Branch Road.

Please see email below. Has anyone seen this plan? I do recall a plan like this in someone’s file but cannot recall who it was.

**Jennifer L. Lilly – Lands Officer II**
Department of Environment and Conservation – Lands Branch
Eastern Regional Lands Office
Howley Bldg
Higgins Line
St. John’s, NL
A1B 4J6  

Ms. Jennifer L. Lilly.

Good day Ms. Lilly!

**Re: Request for Crown land mapping at Branch (Beckford) NL.**

Jennifer, there was a map produced by land surveyor Hubert Power and/or Larry Squires surveys depicting all the residential lots that are/were available for the Crown land grant application process in the immediate Beckford area (on both sides of North Harbour Road (route 92). This map also depicts an area at Beckford path (on the East side of North Harbour Road) which include four building lots (120 meters) that are not available for the Crown land grant application process.

I have seen a copy of this map which is in the possession of Branch Town Council but I could not be provided with a copy as that copy contained personal information that was written on it by the council administrator. I was informed that council would try to obtain a copy for me from the Crown Lands Office and was also advised that I could contact the Crown Lands Office directly and request a copy, hence, this request of you.

Thank you very much Jennifer, and please be assured that any help you can provide on this matter is most greatly appreciated.

Have a great day!!
Kelly, Tara

From: Ingram, Natasha
Sent: Thursday, July 24, 2014 10:15 AM
To: MYLER, Gary; Lilly, Jennifer; Nichols, Megan; Humby, Amanda; Nickerson, Jeffrey
Subject: RE: Surveyors Map of Crown Land Residential lots at Branch (Beckford) NL.

I do not recall anything either.

NATASHA INGRAM | LANDS OFFICER |

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: MYLER, Gary
Sent: Thursday, July 24, 2014 10:03 AM
To: Lilly, Jennifer; Ingram, Natasha; Snook, Megan; Humby, Amanda; Nickerson, Jeffrey
Subject: RE: Surveyors Map of Crown Land Residential lots at Branch (Beckford) NL.

I am not aware of such a survey map for the lots on the south side of Branch Road.

From: Lilly, Jennifer
Sent: Thursday, July 24, 2014 9:50 AM
To: Ingram, Natasha; Snook, Megan; MYLER, Gary; Humby, Amanda; Nickerson, Jeffrey
Subject: FW: Surveyors Map of Crown Land Residential lots at Branch (Beckford) NL.

Please see email below. Has anyone seen this plan? I do recall a plan like this in someone’s file but cannot recall who it was.

Jennifer L. Lilly – Lands Officer II
Department of Environment and Conservation – Lands Branch
Eastern Regional Lands Office
Howley Bldg
Higgins Line
St. John’s, NL
A1B 4J6

From: [mailto: Jennifer.L.Lilly@gov.nl.ca]
Sent: Tuesday, July 22, 2014 1:45 PM
To: Lilly, Jennifer
Subject: Surveyors Map of Crown Land Residential lots at Branch (Beckford) NL.

Ms. Jennifer L. Lilly.

Good day Ms. Lilly!

Re: Request for Crown land mapping at Branch (Beckford) NL.

Jennifer, there was a map produced by land surveyor Hubert Power and/or Larry Squires surveys depicting all the residential lots that are/were available for the Crown land grant application process in the immediate Beckford area (on both sides of North Harbour Road (route 92). This map also depicts an area
at Beckford path (on the East side of North Harbour Road) which include four building lots (120 meters) that are not available for the Crown land grant application process.

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Thank you very much Jennifer, and please be assured that any help you can provide on this matter is most greatly appreciated.

Have a great day!!

- s.30(1)
Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that Mr. Downey is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to why CL should accept it. Am I right, based on the information in the letter that Yvonne Power’s application is out on referral? And we have to await their decision?

Cheers,
Denise

Denise King
Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112
Sent from my BlackBerry 10 smartphone on the Bell network.

From: Abbott, Tracey <TraceyAbbott@gov.nl.ca>
Sent: Tuesday, August 5, 2014 2:31 PM
To: [Redacted] s.30(1)
Cc: Roberts, Edna; Granter, Vaughn
Subject: FW: Crown Land

Hi [Redacted] s.30(1)

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.
http://www.env.gov.nl.ca/env/

Thanks
Tracey

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709)729-5907 fax: (709)729-5819
traceyabbott@gov.nl.ca

From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

On, [Redacted] s.30(1)
On Tuesday, July 29, 2014 11:14:35 AM, [Redacted] > wrote:

Dear Mayor and Councillors,
I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,

[Redacted] - s.30(1)
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE.

TO BE COMPLETED BY APPLICANT - PART A

NAME OF APPLICANT
MAILING ADDRESS
CITY/TOWN
HOME TELEPHONE
BUSINESS TELEPHONE
PROVINCE
POSTAL CODE
LAND TO BE USED FOR
LOCATION OF LAND:

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE
☐ AN APPROVED MUNICIPAL PLAN ☐ CONCEPT PLAN ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:
☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE
DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP
SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND
CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☐ YES ☐ NO

DESCRIBE THE LAND USE
IN THE SURROUNDING AREA
☐ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSED ☐ OTHER

NORTH SIDE
EAST SIDE
SOUTH SIDE
WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL
SERVICES ARE AVAILABLE AT THE SITE
☐ WATER AND SEWER ☐ WATER ONLY ☐ SEWER ONLY ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION
OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY
MAINTAINED YEAR ROUND ☐ YES ☐ NO
☐ COUNCIL ☐ DEPT. OF TRANSP. AND WORKS ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS
BE NEEDED IF THE APPLICATION IS APPROVED? ☐ YES ☐ NO

IN THE OPINION OF THE COUNCIL,
THE LAND APPLIED FOR IS
☐ CROWN ☐ PRIVATE ☐ OWNERSHIP UNCLEAR
IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED,
PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
St. John's, NL A1B 4G6
Telephone: (709) 729-2964
Facsimile: (709) 729-0736

Department of Environment and Conservation
Central Regional Lands Office
238 Airport Boulevard
Fraser Mall, P.O. Box 2122
Gander, NL A1V 2N8
Telephone: (709) 255-1800
Facsimile: (709) 136-1295

Department of Environment and Conservation
Western Regional Lands Office
The Nelson Building
P.O. Box 2066
1 Riverside Drive
Corner Brook, NL A2H 6B8
Telephone: (709) 537-2392
Facsimile: (709) 537-2552

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Ste. "G"
13 Churchill Street
Happy Valley-Goose Bay, NL
A1H 1B9
Telephone: (709) 896-2488
Facsimile: (709) 896-9566

Department of Environment and Conservation
Western Regional Lands Office
The Nelson Building
P.O. Box 2066
1 Riverside Drive
Corner Brook, NL A2H 6B8
Telephone: (709) 537-2392
Facsimile: (709) 537-2552
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13 - 19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or its road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form approval for a parcel of crown land with a frontage bounded by North Harbour Road highway reservation.

On October 22, 2012, Branch municipal council (at a council meeting) approved a municipal recommendation form for crown land applications within municipal and planning area boundaries for a residential building site location which I had requested. After my requested site location was approved by Council, I changed my preferences for an alternate crown land building lot site location and was approved.

Submitted a request for a municipal recommendation approval for this same crown land building lot that Council had first approved for me on October 22, 2012 and at an April 2013 council meeting the former council rejected that request and reasoned: ‘application rejected because road leading to Beckford touches on this lot’ no clarification was provided as to where or how the road to Beckford and/or its road reservation touched this lot.

It is my understanding that..., reapplied for an approval of a municipal recommendation form for the said crown land building lot to the newly elected council in February 2014, however, as of this date July 24, 2014 Branch Community Council has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of request for approval in April 2013, ('application rejected because road leading to Beckford touches on this lot') the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or it's road reservation.

Beckford path's local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road's highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighbouring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and it's citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

[Redacted]

s.30(1)

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
    : Minister of Justice: Hon. Terry French
Kelly, Tara

From: Nickerson, Jeffrey
Sent: Monday, August 18, 2014 4:12 PM
To: Haskell, Ellen
Subject: RE: Crown Land
Attachments: ap008.pdf

I'm not sure on the municipal level, but I do believe he can appeal to Municipal affairs, or that was my understanding. I have attached our policy on the matter, but it does not make it clear as to an absolute conclusion. John Kennedy with the Land Management Division is who I talked about these matters before, but he is on vacation I think. I will check for a clearer answer for you tomorrow.

From: Haskell, Ellen
Sent: Monday, August 18, 2014 3:48 PM
To: Nickerson, Jeffrey
Subject: RE: Crown Land

Hi Jeff,

How exactly could [redacted] make an appeal of the Branch town council?

Ellen Haskell
Policy and Planning Division
Department of Environment and Conservation
t: (709) 729-7393 f: (709) 729-5818

From: Nickerson, Jeffrey
Sent: Monday, August 18, 2014 3:44 PM
To: Haskell, Ellen
Subject: FW: Crown Land

This may provide some background as to what/why [redacted] is looking for.

From: Barnable, Steve
Sent: Tuesday, August 12, 2014 4:54 PM
To: Nickerson, Jeffrey
Cc: King, Denise
Subject: FW: Crown Land

Also check policy regarding Municipalities refusing to give MRF's.

Can you review

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726
Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that [redacted] is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to why CL should accept it. Am I right, based on the information in the letter that [redacted] application is out on referral? And we have to await their decision?

Cheers,
Denise

---

**Denise King**

Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

---

From: Granter, Vaughn
Sent: Tuesday, August 05, 2014 2:33 PM
To: King, Denise
Subject: Fw: Crown Land

---

Sent from my BlackBerry 10 smartphone on the Bell network.

---

From: Abbott, Tracey <TraceyAbbott@gov.nl.ca>
Sent: Tuesday, August 5, 2014 2:31 PM
To: [redacted]  
Cc: Roberts, Edna; Granter, Vaughn
Subject: Fw: Crown Land

Hi [redacted]  

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.  
http://www.env.gov.nl.ca/env/  

Thanks
Tracey

---

Tracey Abbott  
Constituency Assistant  
To Honourable Terry French, MHA  
District of Conception Bay South  
Minister of Justice  
Ph: (709)729-5907 fax: (709)729-5819
Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR  
LANDS BRANCH  
POLICY DIRECTIVE

Source:   Departmental  
Policy No.: AP.009 (amendment 1) 
Division: Crown Lands 

Approved by: William C. Parrott ADM  
             November 1, 2001 Date

Authorized by: Barbara Wakeham DM  
               November 1, 2001 Date

TITLE:
Applications: Allocations of Crown Land Within Municipal Jurisdictions

RELATIONSHIP TO PREVIOUS POLICY:


OBJECTIVE:

Policy for the allocation of Crown land in municipalities: a) with Municipal Plans; b) without Municipal Plans; c) where re-zoning is required; d) areas within municipal jurisdiction where a moratorium has been placed on acceptance of Crown land applications or where the Lands Branch has refused to accept Crown land applications for reasons other than non-compliance with municipal zoning.

POLICIES:

1. Municipal jurisdiction:
   i) Crown land within areas under municipal jurisdiction shall be allocated only in accordance with all municipal regulations, in particular, with Municipal Plans and appurtenant land use Development Regulations approved under The Urban and Rural Planning Act, C.U-8, SN 2000.
   
   ii) The Crown land application may be registered if no objections are indicated on the
Municipal Recommendation Form.

iii) Applications referred to the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs should include a copy of the Municipal Recommendation Form.

iv) If the municipality refuses to supply a completed Municipal Recommendation Form the applicant must file a written complaint with the Regional Lands Office. The Regional Lands Office shall immediately notify the municipal council in writing and by telephone of the complaint and shall advise the municipality that the Regional Lands Office may accept an application from the applicant after 30 days from the date of the written notification referenced above and that the Regional Lands Office shall not accept an application or Municipal Recommendation Form from any other party after the date of the written notice to the municipality until the current application has been determined.

v) Applications for Crown land within the boundaries of the City of St. John’s shall be accepted without the applicant first having to obtain a Municipal Recommendation Form. Upon receipt of an application for Crown land within the City a referral shall be forwarded to the City using the procedure used for application referrals to other agencies.

2. Municipalities with existing or pending Municipal Plans:

i) Applications that are non-compliant with a Municipal Plan or Development Regulations shall not be accepted. Applications for land in areas where an amendment to a Municipal Plan or Development Regulation is pending, shall not be accepted until the amendment has been finalized, in accordance with procedures required under The Urban and Rural Planning Act, c.U-8, SN 2000. In cases where an application has been accepted and it is later determined that the application does not conform to the Municipal Plan or Development Regulations then the application shall be cancelled.

ii) Where a referral response from the Urban and Rural Planning Division of the Department of Municipal and Provincial Affairs indicates that the application is contrary to a Municipal Plan or Development Regulations, the application shall be refused and the referral process stopped. The applicant and the municipality shall be notified in writing of the reason for the refusal.

iii) Upon approval of a Municipal Plan review or a Municipal Plan and/or Development Regulations amendment, applications for land may be accepted in areas where applications had previously been refused due to non-conformity with the plan or zoning. Acceptance of applications shall be on a first-come, first-served basis. The first completed application received at a Regional Lands Office that includes a fully
completed Municipal Recommendation Form shall be considered the precedent application for the subject land.

iv) Land for which applications cannot be accepted due to non-conformity with a Municipal Plan shall not be considered restricted from allocation by the Lands Branch and shall not be referred to as being “frozen”. Other applications for the same land for land uses which conform to the extant Municipal Plan may be accepted. Acceptance shall be on a first-come, first-served basis.

v) Applications registered by the Lands Branch before the approval date of this policy and deferred pending a Municipal Plan and/or Development Regulations amendment or review may be cancelled and all fees refunded after the applicant has been given 60 days written notice.

vi) In a municipality that has a Municipal Plan in effect, where the council has erroneously refused to approve the Municipal Recommendation Form, or where suitable changes to accommodate the proposed development have been made to a Municipal Plan and Development Regulations, the method of approval of the Municipal Recommendation Form may be either first-come, first-served or random selection, as determined by the council.

3. Municipalities having no Municipal Plan:

Crown land in municipalities that do not have a Municipal Plan shall be allocated on a first-come, first-served basis. Applications shall be accepted when accompanied by a completed Municipal Recommendation Form. The municipality shall indicate on the form the authority enabling it to control land use and the decision of the municipal council with respect to its approval of the application.

4. Referrals in Local Service Districts:

i) Crown land applications shall be referred to the Local Service District and the Urban and Rural Planning Division in the case of Local Service Districts with approved Local Area Plans.

ii) Crown land applications shall be referred to the Urban and Rural Planning division if the Local Service District does not have an approved Local Area Plan.
5. **Public draw:**

The Lands Branch shall allocate land within an area of municipal jurisdiction by the Public Draw method when:

i) the allocation and the acceptance of all applications has previously been restricted by the Lands Branch due to the establishment of a formal land reserve;

ii) the Lands Branch has developed the land; or

iii) the Lands Branch has refused to accept applications without a formal reserve on the land.

6. **Simultaneous receipt of applications:**

Applications shall be determined to have been received simultaneously when the official date, hour and minute of receipt of two or more applications, as indicated on the application forms and initialled by a Department employee, is exactly the same. In such cases, where the date and hour, or only the date of receipt are noted and they are the same, the applications shall be determined to have been received simultaneously. The date and time a mailed application has been marked “received” by the Department shall be considered its time of receipt. See also Policy AP.032.

7. **Existing uses that do not conform to Municipal Plans and Development Regulations:**

i) Where a development permit or Municipal Recommendation Form has been issued by the municipal council, the application may be approved.

ii) Where the municipal council has not issued a development permit or Municipal Recommendation Form, the application for Crown land shall be cancelled.
Hi Jeff,

Any update on this?

Denise

**Denise King**
Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

From: Barnable, Steve
Sent: Tuesday, August 12, 2014 4:54 PM
To: Nickerson, Jeffrey
Cc: King, Denise
Subject: FW: Crown Land

Jeff, 
Non responsive. Also check policy regarding Municipalities refusing to give MRP's.
Can you review

**Steve Barnable**
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: King, Denise
Sent: Tuesday, August 12, 2014 3:53 PM
To: Barnable, Steve
Subject: FW: Crown Land

Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that [REDACTED] is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to
why CL should accept it. Am I right, based on the information in the letter that application is out on referral? And we have to await their decision?

Cheers,
Denise

---

**Denise King**

Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

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From: Granter, Vaughn
Sent: Tuesday, August 05, 2014 2:33 PM
To: King, Denise
Subject: Fw: Crown Land

---

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Abbott, Tracey <TraceyAbbott@gov.nl.ca>
Sent: Tuesday, August 5, 2014 2:31 PM
To: [Redacted]
Cc: Roberts, Edna; Granter, Vaughn
Subject: FW: Crown Land

Hi [Redacted]

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.
http://www.env.gov.nl.ca/env/

Thanks
Tracey

---

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709) 729-5907 fax: (709) 729-5819
traceyabbott@gov.nl.ca

---

From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land
Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,
Hi Denise,

I have attached our policy AP.009 (see section 1.iv) dealing with towns refusing Municipal Recommendation Forms. [Redacted] has not made an application for Crown lands yet for the location on the attached map, so we have not actioned anything. I am aware that [Redacted] has been contacting Municipal Affairs and has put in an "informal" ATIPP request for information related to the matter.

Jeff, did you get back to Denise regarding the policy of Councils refusing MRF's.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that [Redacted] is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to why CL should accept it. Am I right, based on the information in the letter that [Redacted] application is out on referral? And we have to await their decision?

Cheers,

Denise

Denise King
Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

From: Granter, Vaughn
Sent: Tuesday, August 05, 2014 2:33 PM
To: King, Denise
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Abbott, Tracey <TraceyAbbott@gov.nl.ca>
Sent: Tuesday, August 5, 2014 2:31 PM
To: [redacted]
Cc: Roberts, Edna; Granter, Vaughn
Subject: FW: Crown Land

Hi

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.
http://www.env.gov.nl.ca/env/

Thanks
Tracey

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709)729-5907 fax: (709)729-5819
traceyabbott@gov.nl.ca

From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

From: [redacted] s.30(1)
Sent: Tuesday, July 29, 2014 3:52 PM
To: French, Terry
Reply To: [redacted] s.30(1)
Subject: Fw: Crown Land
On [redacted] wrote:

On Tuesday, July 29, 2014 11:14:35 AM, [redacted] wrote:

Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,
Government of Newfoundland and Labrador
Department of Environment & Conservation

MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LAND APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE

<table>
<thead>
<tr>
<th>TO BE COMPLETED BY APPLICANT - PART A</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF APPLICANT</td>
</tr>
<tr>
<td>MAILING ADDRESS</td>
</tr>
<tr>
<td>CITY/TOWN</td>
</tr>
<tr>
<td>HOME TELEPHONE</td>
</tr>
<tr>
<td>LAND TO BE USED FOR</td>
</tr>
<tr>
<td>LOCATION OF LAND</td>
</tr>
<tr>
<td>DIMENSIONS OF LAND</td>
</tr>
<tr>
<td>FRONTAGE (feet/m)</td>
</tr>
<tr>
<td>DEPTH (feet/m)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOES YOUR COMMUNITY HAVE</td>
</tr>
<tr>
<td>☐ AN APPROVED MUNICIPAL PLAN ☐ CONCEPT PLAN ☐ NEITHER</td>
</tr>
<tr>
<td>ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:</td>
</tr>
<tr>
<td>☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)</td>
</tr>
<tr>
<td>IS THE PROPOSED USE A:</td>
</tr>
<tr>
<td>☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)</td>
</tr>
<tr>
<td>DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☐ YES ☐ NO</td>
</tr>
<tr>
<td>DESCRIBE THE LAND USE IN THE SURROUNDING AREA:</td>
</tr>
<tr>
<td>☐ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSED ☐ OTHER</td>
</tr>
<tr>
<td>NORTH SIDE ______________________ EAST SIDE ______________________</td>
</tr>
<tr>
<td>SOUTH SIDE ______________________ WEST SIDE ______________________</td>
</tr>
<tr>
<td>IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN</td>
</tr>
</tbody>
</table>

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:
☐ WATER AND SEWER ☐ WATER ONLY ☐ SEWER ONLY ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE:

IS THE ROAD PRESENTLY MAINTAINED YEAR-ROUND? ☐ YES ☐ NO

BY WHOM ☐ COUNCIL ☐ DEPT. OF TRANSP. AND WORKS ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED? ☐ YES ☐ NO

IN THE OPINION OF THE COUNCIL,
THE LAND APPLIED FOR IS ☐ CROWN ☐ PRIVATE ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and on occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Hagley Building, Haggans Line
P.O. Box 1700
St. John's, NL A1B 4J9
Telephone: (709) 729-2654
Facsimile: (709) 729-2728

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard
Fredericton, P.O. Box 854
Gander, NL A1V 2N9
Telephone: (709) 729-1400
Facsimile: (709) 729-1995

Department of Environment and Conservation
Western Regional Lands Office
The Paul Building
P.O. Box 756
I Riverbank Drive
Corner Brook, NL A1H 6T8
Telephone: (709) 637-2392
Facsimile: (709) 637-2305

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 2014, Stn. "B"
13 Churchill Street
Happy Valley-Goose Bay, NL
A9P 1E9
Telephone: (709) 896-2488
Facsimile: (709) 896-5556
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13 - 19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or it's road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL. A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS
APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form
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It is my understanding that my reapplied for an approval of a municipal
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has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of request for approval in April 2013, ('application rejected because road leading to Beckford touches on this lot') the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or its road reservation.

Beckford path's local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road's highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighboring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and it's citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

[Redacted] - s.30(1)

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
     : Minister of Justice: Hon. Terry French
TITLE:

Applications: Allocations of Crown Land Within Municipal Jurisdictions

RELATIONSHIP TO PREVIOUS POLICY:


OBJECTIVE:

Policy for the allocation of Crown land in municipalities: a) with Municipal Plans; b) without Municipal Plans; c) where re-zoning is required; d) areas within municipal jurisdiction where a moratorium has been placed on acceptance of Crown land applications or where the Lands Branch has refused to accept Crown land applications for reasons other than non-compliance with municipal zoning.

POLICIES:

1. Municipal jurisdiction:
   i) Crown land within areas under municipal jurisdiction shall be allocated only in accordance with all municipal regulations, in particular, with Municipal Plans and appurtenant land use Development Regulations approved under The Urban and Rural Planning Act, C.U-8, SN 2000.
   ii) The Crown land application may be registered if no objections are indicated on the
Municipal Recommendation Form.

iii) Applications referred to the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs should include a copy of the Municipal Recommendation Form.

iv) If the municipality refuses to supply a completed Municipal Recommendation Form the applicant must file a written complaint with the Regional Lands Office. The Regional Lands Office shall immediately notify the municipal council in writing and by telephone of the complaint and shall advise the municipality that the Regional Lands Office may accept an application from the applicant after 30 days from the date of the written notification referenced above and that the Regional Lands Office shall not accept an application or Municipal Recommendation Form from any other party after the date of the written notice to the municipality until the current application has been determined.

v) Applications for Crown land within the boundaries of the City of St. John’s shall be accepted without the applicant first having to obtain a Municipal Recommendation Form. Upon receipt of an application for Crown land within the City a referral shall be forwarded to the City using the procedure used for application referrals to other agencies.

2. Municipalities with existing or pending Municipal Plans:

i) Applications that are non-compliant with a Municipal Plan or Development Regulations shall not be accepted. Applications for land in areas where an amendment to a Municipal Plan or Development Regulation is pending, shall not be accepted until the amendment has been finalized, in accordance with procedures required under The Urban and Rural Planning Act, c.U-8, SN 2000. In cases where an application has been accepted and it is later determined that the application does not conform to the Municipal Plan or Development Regulations then the application shall be cancelled.

ii) Where a referral response from the Urban and Rural Planning Division of the Department of Municipal and Provincial Affairs indicates that the application is contrary to a Municipal Plan or Development Regulations, the application shall be refused and the referral process stopped. The applicant and the municipality shall be notified in writing of the reason for the refusal.

iii) Upon approval of a Municipal Plan review or a Municipal Plan and/or Development Regulations amendment, applications for land may be accepted in areas where applications had previously been refused due to non-conformity with the plan or zoning. Acceptance of applications shall be on a first-come, first-served basis. The first completed application received at a Regional Lands Office that includes a fully
completed Municipal Recommendation Form shall be considered the precedent application for the subject land.

iv) Land for which applications cannot be accepted due to non-conformity with a Municipal Plan shall not be considered restricted from allocation by the Lands Branch and shall not be referred to as being “frozen”. Other applications for the same land for land uses which conform to the extant Municipal Plan may be accepted. Acceptance shall be on a first-come, first-served basis.

v) Applications registered by the Lands Branch before the approval date of this policy and deferred pending a Municipal Plan and/or Development Regulations amendment or review may be cancelled and all fees refunded after the applicant has been given 60 days written notice.

vi) In a municipality that has a Municipal Plan in effect, where the council has erroneously refused to approve the Municipal Recommendation Form, or where suitable changes to accommodate the proposed development have been made to a Municipal Plan and Development Regulations, the method of approval of the Municipal Recommendation Form may be either first-come, first-served or random selection, as determined by the council.

3. Municipalities having no Municipal Plan:

Crown land in municipalities that do not have a Municipal Plan shall be allocated on a first-come, first-served basis. Applications shall be accepted when accompanied by a completed Municipal Recommendation Form. The municipality shall indicate on the form the authority enabling it to control land use and the decision of the municipal council with respect to its approval of the application.

4. Referrals in Local Service Districts:

i) Crown land applications shall be referred to the Local Service District and the Urban and Rural Planning Division in the case of Local Service Districts with approved Local Area Plans.

ii) Crown land applications shall be referred to the Urban and Rural Planning division if the Local Service District does not have an approved Local Area Plan.
5. **Public draw:**

The Lands Branch shall allocate land within an area of municipal jurisdiction by the Public Draw method when:

i) the allocation and the acceptance of all applications has previously been restricted by the Lands Branch due to the establishment of a formal land reserve;

ii) the Lands Branch has developed the land; or

iii) the Lands Branch has refused to accept applications without a formal reserve on the land.

6. **Simultaneous receipt of applications:**

Applications shall be determined to have been received simultaneously when the official date, hour and minute of receipt of two or more applications, as indicated on the application forms and initialled by a Department employee, is exactly the same. In such cases, where the date and hour, or only the date of receipt are noted and they are the same, the applications shall be determined to have been received simultaneously. The date and time a mailed application has been marked “received” by the Department shall be considered its time of receipt. See also Policy AP.032.

7. **Existing uses that do not conform to Municipal Plans and Development Regulations:**

i) Where a development permit or Municipal Recommendation Form has been issued by the municipal council, the application may be approved.

ii) Where the municipal council has not issued a development permit or Municipal Recommendation Form, the application for Crown land shall be cancelled.
From: Steve Barnable
Sent: Wednesday, August 20, 2014 4:35 PM
To: Barnable, Steve
Subject: FW: Crown Land Branch

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

Hi Denise,

I have attached our policy AP.009 (see section 1.iv) dealing with towns refusing Municipal Recommendation Forms. [Redacted] has not made an application for Crown lands yet for the location on the attached map, so we have not actioned anything. I am aware that [Redacted] has been contacting Municipal Affairs and has put in an "informal" ATIPP request for information related to the matter.

From: Nickerson, Jeffrey
Sent: Wednesday, August 20, 2014 3:14 PM
To: King, Denise
Cc: Barnable, Steve
Subject: FW: Crown Land Branch

Hi [Redacted],

Jeff, did you get back to Denise regarding the policy of Councils refusing MRF's.

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: King, Denise
Sent: Tuesday, August 12, 2014 3:53 PM
Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that [redacted] is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to why CL should accept it. Am I right, based on the information in the letter that [redacted] application is out on referral? And we have to await their decision?

Cheers,
Denise

**Denise King**
Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

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**From:** Granter, Vaughn  
**Sent:** Tuesday, August 05, 2014 2:33 PM  
**To:** King, Denise  
**Subject:** Fw: Crown Land

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Sent from my BlackBerry 10 smartphone on the Bell network.

**From:** Abbott, Tracey <TraceyAbbott@gov.nl.ca>  
**Sent:** Tuesday, August 5, 2014 2:31 PM  
**To:** [redacted]  
**Cc:** Roberts, Edna; Granter, Vaughn  
**Subject:** Fw: Crown Land

Hi [redacted]  

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.  
http://www.env.gov.nl.ca/env/

Thanks  
Tracey

---

Tracey Abbott  
Constituency Assistant  
To Honourable Terry French, MHA  
District of Conception Bay South  
Minister of Justice  
Ph: (709)729-5907 fax: (709)729-5819  
traceyabbott@gov.nl.ca
Sent from my BlackBerry 10 smartphone on the Bell network.

Sent from: [redacted]  
Sent: Tuesday, July 29, 2014 3:52 PM  
To: French, Terry  
Reply To: [redacted]  
Subject: Fw: Crown Land  

On, [redacted] wrote:

On Tuesday, July 29, 2014 11:14:35 AM, [redacted] wrote:

Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,

[redacted]
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE.

TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
</thead>
</table>

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

- ☐ AN APPROVED MUNICIPAL PLAN
- ☐ CONCEPT PLAN
- ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:

- ☐ PERMITTED USE
- ☐ DISCRETIONARY USE
- ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

- ☐ YES
- ☐ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA

- ☐ RESIDENTIAL
- ☐ COMMERCIAL
- ☐ AGRICULTURE
- ☐ UNUSED
- ☐ OTHER

NORTH SIDE

EAST SIDE

SOUTH SIDE

WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE

- ☐ WATER AND SEWER
- ☐ WATER ONLY
- ☐ SEWER ONLY
- ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND

- ☐ YES
- ☐ NO

- ☐ COUNCIL
- ☐ DEPT. OF TRANSP. AND WORKS
- ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?

- ☐ YES
- ☐ NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS

- ☐ CROWN
- ☐ PRIVATE
- ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
APPLICATION IS
☐ APPROVED  ☐ REFUSED (GIVE REASONS)  ☐ APPROVED SUBJECT TO THE ☐ DEFERRED (GIVE REASONS)
FOLLOWING CONDITIONS

COMMENTS


SIGNED


DATE


TITLE


INSTRUCTIONS

A. APPLICANT:
  1. THIS IS NOT A CROWN LANDS APPLICATION FORM
  2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
  3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
  4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
  5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
  6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
  1. Please complete this form and return it to the applicant. A copy may be taken for your records.
  2. A copy will be completed for all requests for Crown land within your Municipal planning area boundary.
  3. If you have any questions on the proposed development, please contact the applicant directly.
  4. Questions pertaining to the processing of applications may be made to the nearest Regional Land Office.
  5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Hickey Building, Hickey Line
P.O. Box 8700
St. John's, NL A1B 4L6
Telephone: (709) 729-2552
Facsimile: (709) 729-2554

Department of Environment and Conservation
Central Regional Lands Office
222 Airport Boulevard
Filer Mall, P.O. Box 2722
Gander, NL A1V 2N9
Telephone: (709) 256-1105
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Station Building,
P.O. Box 2036
1 Riverside Drive
Corner Brook, NL A2H 6A8
Telephone: (709) 637-2195
Facsimile: (709) 637-2195

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Sta. "H"
1 Churchill Street
Happy Valley-Goose Bay, NL
Telephone: (709) 966-2888
Facsimile: (709) 966-2888
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13 - 19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or it's road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL. A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form approval for a parcel of crown land with a frontage bounded by North Harbour Road highway reservation.

On October 22, 2012, Branch municipal council (at a council meeting) approved a municipal recommendation form for crown land applications within municipal and planning area boundaries for a residential building site location which I had requested. After my requested site location was approved by Council, I changed my preferences for an alternate crown land building lot site location and was approved.

submitted a request for a municipal recommendation approval for this same crown land building lot that Council had first approved for me on October 22, 2012 and at an April 2013 council meeting the former council rejected that request and reasoned: 'application rejected because road leading to Beckford touches on this lot' no clarification was provided as to where or how the road to Beckford and/or its road reservation touched this lot.

It is my understanding that reapplied for an approval of a municipal recommendation form for the said crown land building lot to the newly elected council in February 2014, however, as of this date July 24, 2014 Branch Community Council has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of s.30(1) request for approval in April 2013, ('application rejected because road leading to Beckford touches on this lot') the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized s.30(1) request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or it's road reservation.

Beckford path’s local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road's highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighbouring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and it's citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

\[s.30(1)\]

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
: Minister of Justice: Hon. Terry French
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR

LANDS BRANCH

POLICY DIRECTIVE

Source: Departmental  Policy No.: AP.009 (amendment 1)

Division: Crown Lands

Approved by: William C. Parrott ADM  November 1, 2001 Date

Authorized by: Barbara Wakeham DM  November 1, 2001 Date

TITLE:

Applications: Allocations of Crown Land Within Municipal Jurisdictions

RELATIONSHIP TO PREVIOUS POLICY:


OBJECTIVE:

Policy for the allocation of Crown land in municipalities: a) with Municipal Plans; b) without Municipal Plans; c) where re-zoning is required; d) areas within municipal jurisdiction where a moratorium has been placed on acceptance of Crown land applications or where the Lands Branch has refused to accept Crown land applications for reasons other than non-compliance with municipal zoning.

POLICIES:

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   i) Crown land within areas under municipal jurisdiction shall be allocated only in accordance with all municipal regulations, in particular, with Municipal Plans and appurtenant land use Development Regulations approved under The Urban and Rural Planning Act, C.U-8, SN 2000.

   ii) The Crown land application may be registered if no objections are indicated on the
Municipal Recommendation Form.

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v) Applications registered by the Lands Branch before the approval date of this policy and deferred pending a Municipal Plan and/or Development Regulations amendment or review may be cancelled and all fees refunded after the applicant has been given 60 days written notice.

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The Lands Branch shall allocate land within an area of municipal jurisdiction by the Public Draw method when:

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iii) the Lands Branch has refused to accept applications without a formal reserve on the land.

6. Simultaneous receipt of applications:

Applications shall be determined to have been received simultaneously when the official date, hour and minute of receipt of two or more applications, as indicated on the application forms and initialled by a Department employee, is exactly the same. In such cases, where the date and hour, or only the date of receipt are noted and they are the same, the applications shall be determined to have been received simultaneously. The date and time a mailed application has been marked “received” by the Department shall be considered its time of receipt. See also Policy AP.032.

7. Existing uses that do not conform to Municipal Plans and Development Regulations:

i) Where a development permit or Municipal Recommendation Form has been issued by the municipal council, the application may be approved.

ii) Where the municipal council has not issued a development permit or Municipal Recommendation Form, the application for Crown land shall be cancelled.
Denise, Hold off on this if not too late. This gets into another issue altogether. Branch does not have a legislated Municipal Boundary. I will be contacting Hermb and cc'ing you.

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Barnable, Steve
Sent: Wednesday, August 20, 2014 4:35 PM
To: Moore, Darren E.
Subject: FW: Crown Land [redacted] Branch

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Nickerson, Jeffrey
Sent: Wednesday, August 20, 2014 3:14 PM
To: King, Denise
Cc: Barnable, Steve
Subject: FW: Crown Land [redacted] Branch

Hi Denise,

I have attached our policy AP.009 (see section 1.iv) dealing with towns refusing Municipal Recommendation Forms. [redacted] has not made an application for Crown lands yet for the location on the attached map, so we have not actioned anything. I am aware that [redacted] has been contacting Municipal Affairs and has put in an "informal" ATIPP request for information related to the matter.

From: Barnable, Steve
Sent: Wednesday, August 20, 2014 2:34 PM
To: Nickerson, Jeffrey
Cc: King, Denise
Subject: FW: Crown Land

Jeff, did you get back to Denise regarding the policy of Councils refusing MRF's.

---

Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

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From: King, Denise
Sent: Tuesday, August 12, 2014 3:53 PM
To: Barnable, Steve
Subject: FW: Crown Land

Hi Steve,

Can you take a look at the attached documentation and provide some clarity/context? I gather that [redacted] is saying that council has not made their recommendation on piece of land in question, but is trying to make a case as to why CL should accept it. Am I right, based on the information in the letter that [redacted] application is out on referral? And we have to await their decision?

Cheers,
Denise

---

Denise King
Executive Assistant to
Honourable Vaughn Granter, Minister
Department of Environment and Conservation
Email: deniseking@gov.nl.ca
Phone: (709) 729-4111
Fax: (709) 729-0112

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From: Granter, Vaughn
Sent: Tuesday, August 05, 2014 2:33 PM
To: King, Denise
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

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From: Abbott, Tracey <TraceyAbbott@gov.nl.ca>
Sent: Tuesday, August 5, 2014 2:31 PM
To: [redacted] <redacted>
Cc: Roberts, Edna; Granter, Vaughn
Subject: FW: Crown Land
I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation.
http://www.env.gov.nl.ca/env/

Thanks
Tracey

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709)729-5907 fax: (709)729-5819
traceyabbott@gov.nl.ca

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From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

From: S.30(1)
Sent: Tuesday, July 29, 2014 3:52 PM
To: French, Terry
Reply To: S.30(1)
Subject: Fw: Crown Land

On, S.30(1) wrote:

On Tuesday, July 29, 2014 11:14:35 AM, S.30(1) wrote:

Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM IS MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE.

TO BE COMPLETED BY APPLICANT - PART A

NAME OF APPLICANT
MAILING ADDRESS
CITY/TOWN
HOME TELEPHONE
LAND TO BE USED FOR
LOCATION OF LAND
DIMENSIONS OF LAND
FRONTAGE
DEPTH

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE
☐ AN APPROVED MUNICIPAL PLAN
☐ CONCEPT PLAN
☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS, THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE:
☐ PERMITTED USE
☐ DISCRETIONARY USE
☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

AT ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE.

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?
☐ YES
☐ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA
☐ RESIDENTIAL
☐ COMMERCIAL
☐ AGRICULTURE
☐ UNUSED
☐ OTHER

NORTH SIDE
EAST SIDE
SOUTH SIDE
WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE
☐ WATER AND SEWER
☐ WATER ONLY
☐ SEWER ONLY
☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND
☐ YES
☐ NO

BY WHOM
☐ COUNCIL
☐ DEPT. OF TRANSP. AND WORKS
☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED
☐ YES
☐ NO

IN THE OPINION OF THE COUNCIL:

THE LAND APPLIED FOR IS
☐ CROWN
☐ PRIVATE
☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 1
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and on occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation, you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Howley Lane
P.O. Box 4790
St. John's, N.L. A1B 4J6
Telephone: (709) 726-2654
Facsimile: (709) 726-0776

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard
Ferrous Malt, P.O. Box 2222
Gander, N.L. A1V 2V9
Telephone: (709) 256-1092
Facsimile: (709) 256-1092

Department of Environment and Conservation
Western Regional Lands Office
The Notion Building
P.O. Box 2006
1 Riverside Drive
Corner Brook, N.L. A2H 6J8
Telephone: (709) 637-2992
Facsimile: (709) 637-2992

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Stn. "H"
13 Churchill Street
Happy Valley-Goose Bay, N.L.
A0P 1E0
Telephone: (709) 836-2488
Facsimile: (709) 836-5566
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13 - 19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or it's road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL. A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS
APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form
approval for a parcel of crown land with a frontage bounded by North Harbour Road
highway reservation.

On October 22, 2012, Branch municipal council (at a council meeting) approved a
municipal recommendation form for crown land applications within municipal and
planning area boundaries for a residential building site location which I had requested.
After my requested site location was approved by Council, I changed my preferences
for an alternate crown land building lot site location and was approved.

submitted a request for a municipal recommendation
approval for this same crown land building lot that Council had first approved for me
on October 22, 2012 and at an April 2013 council meeting the former council rejected
that request and reasoned: 'application rejected because road leading to Beckford
touches on this lot' no clarification was provided as to where or how the road to
Beckford and/or its road reservation touched this lot.

It is my understanding that reapplied for an approval of a municipal
recommendation form for the said crown land building lot to the newly elected council
in February 2014, however, as of this date July 24, 2014 Branch Community Council
has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of s.30(1) request for approval in April 2013, ('application rejected because road leading to Beckford touches on this lot') the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or it's road reservation.

Beckford path's local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road's highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighbouring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and it's citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

[Redacted]

s.30(1)

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
: Minister of Justice: Hon. Terry French
GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
LANDS BRANCH
POLICY DIRECTIVE

Source:  Departmental  Policy No.:  AP.009 (amendment 1)
Division:  Crown Lands
Approved by:  William C. Parrott  ADM  November 1, 2001  Date
Authorized by:  Barbara Wakeham  DM  November 1, 2001  Date

TITLE:
Applications: Allocations of Crown Land Within Municipal Jurisdictions

RELATIONSHIP TO PREVIOUS POLICY:

OBJECTIVE:
Policy for the allocation of Crown land in municipalities: a) with Municipal Plans; b) without Municipal Plans; c) where re-zoning is required; d) areas within municipal jurisdiction where a moratorium has been placed on acceptance of Crown land applications or where the Lands Branch has refused to accept Crown land applications for reasons other than non-compliance with municipal zoning.

POLICIES:
1. Municipal jurisdiction:
   i) Crown land within areas under municipal jurisdiction shall be allocated only in accordance with all municipal regulations, in particular, with Municipal Plans and appurtenant land use Development Regulations approved under The Urban and Rural Planning Act, C.U-8, SN 2000.
   ii) The Crown land application may be registered if no objections are indicated on the
Municipal Recommendation Form.

iii) Applications referred to the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs should include a copy of the Municipal Recommendation Form.

iv) If the municipality refuses to supply a completed Municipal Recommendation Form the applicant must file a written complaint with the Regional Lands Office. The Regional Lands Office shall immediately notify the municipal council in writing and by telephone of the complaint and shall advise the municipality that the Regional Lands Office may accept an application from the applicant after 30 days from the date of the written notification referenced above and that the Regional Lands Office shall not accept an application or Municipal Recommendation Form from any other party after the date of the written notice to the municipality until the current application has been determined.

v) Applications for Crown land within the boundaries of the City of St. John’s shall be accepted without the applicant first having to obtain a Municipal Recommendation Form. Upon receipt of an application for Crown land within the City a referral shall be forwarded to the City using the procedure used for application referrals to other agencies.

2. Municipalities with existing or pending Municipal Plans:

i) Applications that are non-compliant with a Municipal Plan or Development Regulations shall not be accepted. Applications for land in areas where an amendment to a Municipal Plan or Development Regulation is pending, shall not be accepted until the amendment has been finalized, in accordance with procedures required under The Urban and Rural Planning Act, c.U-8, SN 2000. In cases where an application has been accepted and it is later determined that the application does not conform to the Municipal Plan or Development Regulations then the application shall be cancelled.

ii) Where a referral response from the Urban and Rural Planning Division of the Department of Municipal and Provincial Affairs indicates that the application is contrary to a Municipal Plan or Development Regulations, the application shall be refused and the referral process stopped. The applicant and the municipality shall be notified in writing of the reason for the refusal.

iii) Upon approval of a Municipal Plan review or a Municipal Plan and/or Development Regulations amendment, applications for land may be accepted in areas where applications had previously been refused due to non-conformity with the plan or zoning. Acceptance of applications shall be on a first-come, first-served basis. The first completed application received at a Regional Lands Office that includes a fully
completed Municipal Recommendation Form shall be considered the precedent application for the subject land.

iv) Land for which applications cannot be accepted due to non-conformity with a Municipal Plan shall not be considered restricted from allocation by the Lands Branch and shall not be referred to as being “frozen”. Other applications for the same land for land uses which conform to the extant Municipal Plan may be accepted. Acceptance shall be on a first-come, first-served basis.

v) Applications registered by the Lands Branch before the approval date of this policy and deferred pending a Municipal Plan and/or Development Regulations amendment or review may be cancelled and all fees refunded after the applicant has been given 60 days written notice.

vi) In a municipality that has a Municipal Plan in effect, where the council has erroneously refused to approve the Municipal Recommendation Form, or where suitable changes to accommodate the proposed development have been made to a Municipal Plan and Development Regulations, the method of approval of the Municipal Recommendation Form may be either first-come, first-served or random selection, as determined by the council.

3. Municipalities having no Municipal Plan:

Crown land in municipalities that do not have a Municipal Plan shall be allocated on a first-come, first-served basis. Applications shall be accepted when accompanied by a completed Municipal Recommendation Form. The municipality shall indicate on the form the authority enabling it to control land use and the decision of the municipal council with respect to its approval of the application.

4. Referrals in Local Service Districts:

i) Crown land applications shall be referred to the Local Service District and the Urban and Rural Planning Division in the case of Local Service Districts with approved Local Area Plans.

ii) Crown land applications shall be referred to the Urban and Rural Planning division if the Local Service District does not have an approved Local Area Plan.
5. **Public draw:**

The Lands Branch shall allocate land within an area of municipal jurisdiction by the Public Draw method when:

i) the allocation and the acceptance of all applications has previously been restricted by the Lands Branch due to the establishment of a formal land reserve;

ii) the Lands Branch has developed the land; or

iii) the Lands Branch has refused to accept applications without a formal reserve on the land.

6. **Simultaneous receipt of applications:**

Applications shall be determined to have been received simultaneously when the official date, hour and minute of receipt of two or more applications, as indicated on the application forms and initialled by a Department employee, is exactly the same. In such cases, where the date and hour, or only the date of receipt are noted and they are the same, the applications shall be determined to have been received simultaneously. The date and time a mailed application has been marked “received” by the Department shall be considered its time of receipt. See also Policy AP.032.

7. **Existing uses that do not conform to Municipal Plans and Development Regulations:**

i) Where a development permit or Municipal Recommendation Form has been issued by the municipal council, the application may be approved.

ii) Where the municipal council has not issued a development permit or Municipal Recommendation Form, the application for Crown land shall be cancelled.
From: Barnable, Steve  
Sent: Thursday, August 21, 2014 2:31 PM  
To: King, Denise  
Subject: RE: Towns Without Legislated Municipal Boundaries and Plans  

It is Denise. Not sure what to advise yet.

Steve Barnable  
Regional Lands Manager - Eastern  
Crown Lands Administration Division, Lands Branch  
Department of Environment and Conservation  
Howley Building, Higgins Line  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Tel: (709) 729-2654 Fax: (709) 729-0726

From: King, Denise  
Sent: Thursday, August 21, 2014 1:13 PM  
To: Barnable, Steve  
Subject: RE: Towns Without Legislated Municipal Boundaries and Plans  

This seems to be a bigger issue than [Redacted] and since he has not actually submitted an application, in essence there is nothing I can advise him on. Please keep me updated on how this file progresses.

Thanks,  
Denise

Denise King  
Executive Assistant to  
Honourable Vaughn Granter, Minister  
Department of Environment and Conservation  
Email: deniseking@gov.nl.ca  
Phone: (709) 729-4111  
Fax: (709) 729-0112

From: Barnable, Steve  
Sent: Wednesday, August 20, 2014 5:21 PM  
To: Edwards, Herb  
Cc: Pike, Andrew D.; King, Denise  
Subject: Towns Without Legislated Municipal Boundaries and Plans  

s.21(a)
Steve Barnable  
Regional Lands Manager - Eastern  

Crown Lands Administration Division, Lands Branch  
Department of Environment and Conservation  
Howley Building, Higgins Line  
P.O. Box 8700  
St. John's, NL A1B 4J6  
Tel: (709) 729-2654 Fax: (709) 729-0726
The question that must be answered is does these town councils have the rights to issue building permits, have jurisdiction over all local roads within the community and can they have ownership to any or all municipal water and sewer services within the community. If they have these rights then a municipal assessment form should be required. After all the town council is an group of individuals elected by the community to run their affairs. I remember dealing with the Town of Branch situation and the wording was COMMONLY CALLED BRANCH.

From: Barnable, Steve  
Sent: Thursday, August 21, 2014 9:18 AM  
To: Nickerson, Jeffrey; MYLER, Gary  
Subject: FW: Towns Without Legislated Municipal Boundaries and Plans

FYI

Steve Barnable  
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch  
Department of Environment and Conservation  
Howley Building, Higgins Line  
P.O. Box 8700  
St. John’s, NL A1B 4J6  
Tel: (709) 729-2654 Fax: (709) 729-0726
Steve Barnable
Regional Lands Manager - Eastern

Crown Lands Administration Division, Lands Branch
Department of Environment and Conservation
Howley Building, Higgin's Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 728-0726
Milly, this one will need more time. Jeff is drafting the standard letter. Basically, the Town is not providing a MRF to the potential applicant [REDACTED] There is a policy for us to accept and to write the Town after the fact however, this Town does not have a legislated boundary. We may be able to just accept directly. We need to confirm with Darren, however, he is currently working on the budget.

———< HP TRIM Record Information >———

Record Number: COR/2015/00065
Title: Letter of Request - Crown Land Application
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13 - 19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or it’s road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL. A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form approval for a parcel of crown land with a frontage bounded by North Harbour Road highway reservation.

On October 22, 2012, Branch municipal council (at a council meeting) approved a municipal recommendation form for crown land applications within municipal and planning area boundaries for a residential building site location which I had requested. After my requested site location was approved by Council, I changed my preferences for an alternate crown land building lot site location and was approved.

[Redacted] submitted a request for a municipal recommendation approval for this same crown land building lot that Council had first approved for me on October 22, 2012 and at an April 2013 council meeting the former council rejected that request and reasoned: *application rejected because road leading to Beckford touches on this lot* no clarification was provided as to where or how the road to Beckford and/or its road reservation touched this lot.

It is my understanding that [redacted] reapplied for an approval of a municipal recommendation form for the said crown land building lot to the newly elected council in February 2014, however, as of this date July 24, 2014 Branch Community Council has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of request for approval in April 2013, ('application rejected because road leading to Beckford touches on this lot') the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or it's road reservation.

Beckford path’s local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road’s highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighbouring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and its citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

s.30(1)

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
    : Minister of Justice: Hon. Terry French
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATES OF APPLICATION</th>
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<tr>
<th>HOME TELEPHONE</th>
<th>LAND TO BE USED FOR</th>
<th>LOCATION OF LAND</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Branch at Backlot NL</td>
</tr>
</tbody>
</table>

Dimensions of Land: 

- Frontage: 
- Map: 
- Depth: 62.11

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE: 
- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

IS THE PROPOSED USE: 
- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? 
- [ ] YES
- [ ] NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA
- [ ] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

- NORTH SIDE 
- EAST SIDE 
- SOUTH SIDE 
- WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE
- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND
- [ ] YES
- [ ] NO

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED
- [ ] YES
- [ ] NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS
- [ ] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
**APPLICATIONS**

<table>
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<tr>
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<th>Refused (Give Reasons)</th>
<th>Approved Subject to the Following Conditions</th>
<th>Inferred (Give Reasons)</th>
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**COMMENTS**

**SIGNED**

**DATE**

**TITLE**

**INSTRUCTIONS**

1. **APPLICANT:**
   - This is not a Crown Lands Application Form.
   - This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no application or development of the site is permitted until a formal title document has been issued by the Department.
   - Complete part A of this form and include an accurate sketch of the area requested or attach a map.
   - Submit this form to the office of the Council in which the Crown land you wish to obtain is located.
   - When the Council has completed its recommendation, you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
   - This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

2. **MUNICIPAL COUNCIL:**
   - Please complete this form and return it to the applicant. A copy may be taken for your records.
   - This form must be completed for all requests for Crown land within your Municipal planning area boundary.
   - If you have any questions on the proposed development, please contact the applicant directly.
   - Questions pertaining to the processing of applications may be made to the nearest Regional Land Office.
   - The Department reserves the right to accept an application without an approved Municipal Recommendation Form. When, in the opinion of the Department, the Recommendation Form has not been processed by Council in a timely manner, in such cases, the Regional Land Office will proceed with referrals in the normal manner, including referring to the Municipality.

**REGIONAL LANDS OFFICES**

<table>
<thead>
<tr>
<th>Department of Environmental and Conservation</th>
<th>Department of Environment and Conservation</th>
<th>Department of Environment and Conservation</th>
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<tr>
<td>Eastern Regional Lands Office</td>
<td>Central Regional Lands Office</td>
<td>Labrador Regional Lands Office</td>
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<tr>
<td>Stanley Building, Highness Line</td>
<td>350 Airport Boulevard</td>
<td>The Thomas Building</td>
</tr>
<tr>
<td>P.O. Box 2390</td>
<td>Fraser Hall, P.O. Box 2222</td>
<td>P.O. Box 1004</td>
</tr>
<tr>
<td>St. John's, NL, A1B 4J8</td>
<td>Gander, NL, A1V 2NP</td>
<td>1 Riverside Drive</td>
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<tr>
<td>Telephone: (709) 737-2044</td>
<td>Telephone: (709) 226-1300</td>
<td>11 Riverside Drive</td>
</tr>
<tr>
<td>Facsimile: (709) 722-4725</td>
<td>Facsimile: (709) 556-0995</td>
<td>22 Lees Avenue</td>
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<tr>
<td></td>
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<td>Happy Valley Gateway, NL</td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Telephone: (709) 890-2288</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Facsimile: (709) 890-9500</td>
</tr>
</tbody>
</table>
Quick draft for review.

Jeffrey Nickerson  
Land Management Specialist  
Eastern Regional Lands Office  
Dept. of Municipal and Intergovernmental Affairs  
Howley Building, Higgins Line  
Tel: (709) 729-0941  
Fax: (709) 729-0726
Dear [Name],

As the Minister responsible for Crown lands, I write in response to your email dated January 8, 2015 regarding your inability to obtain a Municipal Recommendation Form for a Crown land application in Branch.

The Eastern Regional Lands Office is reviewing this matter which should be completed in the near future. You will be notified of the Department’s recommended course of action.

If you have any further questions concerning this, please contact Mr. Steve Barnable, Regional Lands Manager, Eastern Regional Lands Office, Howley Building, Higgins Line, St. John's, NL A1B 4J6, telephone: (709) 729-2654 or email: stevebarnable@gov.nl.ca.

Sincerely,

KEITH HUTCHINGS, MHA
Ferryland District
Minister

cc: Mr. Steve Barnable, Manager
Kelly, Tara

From: Nickerson, Jeffrey
Sent: Monday, February 02, 2015 3:21 PM
To: Dunne, Darlene
Subject: FW: [redacted] Branch COR/2015/00065

From: Barnable, Steve
Sent: Monday, January 19, 2015 2:00 PM
To: Nickerson, Jeffrey
Subject: [redacted] Branch COR/2015/00065

Jeff, for draft response for Min Hutchings.

Steve Barnable
Regional Lands Manager - Eastern
Crown Lands Administration Division, Lands Branch
Department of Municipal and Intergovernmental Affairs
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Tel: (709) 729-2654 Fax: (709) 729-0726

From: Dunne, Darlene
Sent: Friday, January 09, 2015 9:02 AM
To: Glynn, Valerie
Subject: FW: Crown Land

From: Abbott, Tracey
Sent: Thursday, January 08, 2015 8:07 AM
To: Dunne, Darlene
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

From: [redacted]
Sent: Thursday, January 08, 2015 7:03 AM
To: Abbott, Tracey
Reply To: [redacted]
Subject: Fw: Crown Land

Hi Tracey,
On July 29, 2014 I made a request of Branch Town Council for an approval for a municipal recommendation in support of my application for crown lands. I also sent carbon copies of that request to the Honourable Terry French, Minister of Justice and the Honourable Dan Crummell Minister of the Department of Municipal and Intergovernmental Affairs (the current jurisdiction for the Crown Land Division).

Your response dated August 05, 2014 indicated that you had sent my concerns to the Honourable Vaughn Grant Minister of the Department of Conservation and Environment.

I have been informed that the Crown Land Division is no longer under the jurisdiction of the Department of Conservation and Environment and has been moved to Department of Municipal and Intergovernmental Affairs. I am not sure of the time frame of the said transition.

I note that the Ministry of Justice and the Ministry responsible for Crown Lands Division has both been appointed new Ministers to guide their prospective directions since I first sent my emails (carbon copies of my request of Branch Town Council).

Concern arises, as it is now approaching six months and despite several requests via email for a response to my requests I have not received any communication whatsoever from Branch Town Council.

Six months is far too long to wait for a Municipal Recommendation Form. I now fear that the construction season for 2015 as it pertains to that particular crown land parcel is lost and there will be accrued financial losses due to such.

I would like to file a formal complaint with the Minister of Municipal and Intergovernmental Affairs against Branch Town Council for refusing to consider my request for a municipal recommendation form in support of an application for crown land.

In light of the aforementioned circumstances I am requesting that the Minister of Municipal and Intergovernmental Affairs direct that the regional crown lands office accept my application for crown lands without a municipal recommendation form as contemplated by #6 of the instructions to a municipal council in the municipal recommendation form.

Please See:
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

INSTRUCTIONS
B. MUNICIPAL COUNCIL:
6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.
Thank you.

Respectfully,

Hi

I have copied your e-mail and correspondence to the appropriate Minister Vaughn Granter with the Dept. of Environment and Conservation. http://www.env.gov.nl.ca/env/

Thanks
Tracey

Tracey Abbott
Constituency Assistant
To Honourable Terry French, MHA
District of Conception Bay South
Minister of Justice
Ph: (709)729-5907 fax: (709)729-5819
traceyabbott@gov.nl.ca

From: French, Terry
Sent: Saturday, August 02, 2014 9:11 PM
To: Abbott, Tracey
Subject: Fw: Crown Land

Sent from my BlackBerry 10 smartphone on the Bell network.

On , wrote:

On Tuesday, July 29, 2014 11:14:35 AM, wrote:
Dear Mayor and Councillors,

I am requesting a municipal recommendation form approval for the Crown land parcel depicted on the map enclosed with this request package.

Thank you,

[Redacted - s.30(1)]

"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender."
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT - PART A

NAME OF APPLICANT
MAILING ADDRESS
CITY/TOWN
HOME TELEPHONE
LAND TO BE USED FOR
LOCATION OF LAND

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE
☐ AN APPROVED MUNICIPAL PLAN ☐ CONCEPT PLAN ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:
☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☐ YES ☐ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA
☐ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSED ☐ OTHER

NORTH SIDE

SOUTH SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE
☐ WATER AND SEWER ☐ WATER ONLY ☐ SEWER ONLY ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND
☐ YES ☐ NO

BY WHOM
☐ COUNCIL ☐ DEPT. OF TRANSP. AND WORKS ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED
☐ YES ☐ NO

IN THE OPINION OF THE COUNCIL,
THE LAND APPLIED FOR IS ☐ CROWN ☐ PRIVATE ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
THE COUNCIL OF

APPLICATION IS

☐ APPROVED  ☐ REFUSED (GIVE REASONS)  ☐ APPROVED SUBJECT TO THE
FOLLOWING CONDITIONS  ☐ DEFERRED (GIVE REASONS)

COMMENTS


SIGNED

DATE

TITLE

INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department
3. Complete part A of this form and include an accurate sketch of the area requested or a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate
Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of
the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands
Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of
Environment and Conservation
Eastern Regional Lands Office
Hawley Building, Higgins Line
P.O. Box 8708
St. John's, NL A1B 4J8
Telephone: (709) 729-2224
Facsimile: (709) 729-8226

Department of
Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard
Frame Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-4400
Facsimile: (709) 256-1996

Department of
Environment and Conservation
Western Regional Lands Office
The Hoot Building
P.O. Box 2006
1 Riverside Drive
Corner Brook, NL A1H 6J8
Telephone: (709) 637-2223
Facsimile: (709) 637-1905

Department of
Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Stn. "B"
13 Churchill Street
Happy Valley-Goose Bay, N.L.
A0P 1E8
Telephone: (709) 896-2488
Facsimile: (709) 876-9566
The crown land parcel subject to this request for a municipal recommendation form approval by Branch municipal council is located adjacent to the property of Mr. Dean Gerard Roche and outlined in yellow on this map. The dimensions are irregular with approximately 13-19 meters frontage (see attached letter for particulars) bounded on North Harbour Road highway reservation at an approximate width of 30 meters and depth at 62 meters.

This lot is bounded to the Northwest by Beckford Path road reservation and do not encroach on Beckford Path or it's road reservation.

Measured at 20 meters from its center line, the red lines on this map represent the boundaries of North Harbour Road highway reservation, which is under the jurisdiction of the provincial government.
Attention

Community Council of Branch
July 24, 2014

Town Council
Community of Branch
Branch, NL. A0B 1E0

Dear Mayor and Councillors,

RE: MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS
APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

I am sending for your consideration an request for a municipal recommendation form
approval for a parcel of crown land with a frontage bounded by North Harbour Road
highway reservation.

On October 22, 2012, Branch municipal council (at a council meeting) approved a
municipal recommendation form for crown land applications within municipal and
planning area boundaries for a residential building site location which I had requested.
After my requested site location was approved by Council, I changed my preferences
for an alternate crown land building lot site location and was approved.

submitted a request for a municipal recommendation
approval for this same crown land building lot that Council had first approved for me
on October 22, 2012 and at an April 2013 council meeting the former council rejected
that request and reasoned: 'application rejected because road leading to Beckford
touches on this lot' no clarification was provided as to where or how the road to
Beckford and/or its road reservation touched this lot.

It is my understanding that reapplied for an approval of a municipal
recommendation form for the said crown land building lot to the newly elected council
in February 2014, however, as of this date July 24, 2014 Branch Community Council
has yet to provide a decision on the matter.
The following is my letter of request:

The Crown land parcel for which I am currently requesting a municipal recommendation form approval is the very same lot that was approved for a municipal recommendation form for crown land applications within municipal and planning area boundaries by Branch municipal council at a council meeting held on October 22, 2012 before I changed my preferences for an alternate crown land building lot and is outlined in yellow on the attached map.

Concerned with the reasoning provided by Council for the rejection of s.30(1) request for approval in April 2013, ("application rejected because road leading to Beckford touches on this lot") the site location subject to this request was measured and remeasured for accuracy to its proximity to Beckford Path and its road reservation.

I have scrutinized s.30(1) request for approval documents that were submitted to Branch council, including the accompanying map which specifically and clearly indicated that the boundary of the said lot was located at a distance of 10 meters from the centre line of Beckford Path and have concluded that Council may have erred in arriving at the conclusion that the crown land building lot in question touches on or encroaches on the road and/or its highway reservations leading to Beckford.

The said crown land building lot site location is bounded on the local road reservation of Beckford Path which is accepted general practice and legally permitted, but do not encroach on Beckford path or it's road reservation.

Beckford path's local road reservation, bounded at 10 meters from its centre line, allows for 13 meters of lot frontage bounded on North Harbour Road provincial highway reservation, which is bounded at a measurement of 20 meters from its centre line. 13 meters of frontage is ample space required for an approval for a Department of Transportation and Works permit to access North Harbour Road via North Harbour Road's highway reservation.

Beckford Path local road reservation, bounded at 6.7 meters (22 ft.) from its centre line, allows for 19 meters of lot frontage bounded on North Harbour Road provincial highway reservation.

It is important to note that Council do not have jurisdiction over the portion of Beckford Path that crosses North Harbour Road reservation (from the edge of the pavement which was measured at 3.35 meters from the centerline, at right angles to the boundary at the 20 meter mark from the centre line at which point Beckford path begins.)
Therefore, in keeping with due process and according to the principles of natural justice, Council cannot legally refuse a request for a municipal recommendation approval based on who is or is not or will be permitted to use that public property in the future. That decision is for the Department of Transportation and Public Works who legally holds jurisdictional authority over the use of provincial highway reservation.

Nevertheless, one may question, why would I not be permitted to use a portion of a public road or use its road reservation to access a building site. It is noteworthy that a private residence directly across North Harbour Road from the property in question was/is permitted to use Beckford Path that crosses the North Harbour Road highway reservation for a private driveway. Another neighbouring residence including two additional private properties were/is permitted a common driveway to cross the local road (Beckford Path) and use its road reservation to access their properties. Furthermore, there are at least 4 properties using Beckford Path and/or its road reservation on the Easter Cove hill for private usage. This gives rise to a question of equal treatment and equal benefit of the law for all citizens and maybe viewed by fair minded and informed individuals as having a ring of bias or discrimination.

I have been informed that Council has declared that there are 4 adjoining residential lots within the residential infill limits at Beckford Path that not available for consideration through the crown land application process. This may be legally permitted where the building lots encroach on a local road or its highway reservation.

However, when a residential building lot is configured (such as the lot subject to this request) so as it do not encroach on local road property under the jurisdiction of the municipal Council and is within the legal residential infill limits specifically zoned for that purpose and its frontage is bounded on a provincially maintained highway, Council cannot rightfully declare it not available for provincial crown land application process.

In the absence of enabling regulations afforded by a ministerial approved municipal plan that declaration or decision of council (that this lot is not available as a residential building lot to the public) as it relates to the this particular building lot that is subject to this request may be invalid.

I trust that Council will consider that the lot subject to this request is fully within the legally approved zoning established to accommodate residential infill limits and has a frontage bounded on North Harbour Road (Route 92) that will afford ample access to the site without any encroachment whatsoever on Beckford Path and its highway reservation.
For the record; none of the aforementioned should be viewed or interpreted as scornful or demeaning in any way and should not be taken as personal, (under the circumstances I would say the same no matter who the Mayor or Councillors are or were) it is not my intent or desire to try to dishonour any member or representative of Council, I have nothing but the utmost appreciation and respect of council members who spend countless and far too often thankless hours working for the betterment of our community. Be assured that your efforts in support of the community are greatly appreciated by a large majority of residents and a sizable number who are not residents. On behalf of those who will and those who won't, I take this opportunity to thank all of you for your tireless and commendable service to Branch and it's citizens. I wish for all of you nothing but luck and success far into the future.

Thank you,

[Signature]

s.30(1)

CC: Minister of Municipal and Internal Affairs: Hon. Dan Crummell
    : Minister of Justice: Hon. Terry French
Actual copy from my note book attached.

Here is what it says (with added annotation for clarity):

March 13, 2014

(Attendees
Lands)
Gary Myler
Jeff Nickerson
Steve Barnable
Town:
Mayor
Clerk "Gus"

(MIGA:
Corrie Davis)

Road Right of Way can be created by application to Crown lands. No Fee / consideration.
Lands has an appeals process.

S.165 of the Municipalities Act, 1999 (referencing ownership of highways

Corrie Davis, MCIP
Manager, Land Use Planning
Municipal and Intergovernmental Affairs

---Original Message---
From: MAScanner@gov.nl.ca [mailto:MAScanner@gov.nl.ca]
Sent: Wednesday, July 30, 2014 11:27 AM
To: Davis, Corrie
Subject: Scan from a Municipal Affairs Photocopier

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre.

Attachment File Type: PDF, Multi-Page √
For more information on Xerox products and solutions, please visit http://www.xerox.com
### Newfoundland Labrador
Environment and Conservation

**APPLICATION FOR CROWN LANDS**

**FOR DEPARTMENT USE ONLY**

- **APPLICATION NO.** 143605
- **RECEIPT NO.** 47719
- **FILE NO.** 1036028
- **AMOUNT** $113.00
- **DATE REGISTERED** June 12, 2013
- **DATE** April 26, 19
- **INDICATED ON PLAN** NO.
- **TOPO NO.** INITIAL

### APPLICATION INFORMATION

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<thead>
<tr>
<th>Surname</th>
<th>Given Name</th>
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<tbody>
<tr>
<td>McGRATH</td>
<td>APRIL</td>
<td>Caroline</td>
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</table>

- **CITY/TOWN** FOREST MCMURRAY
- **PROVINCE** ALBERTA

- **ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR?**
  - [ ] YES
  - [x] NO
- **ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION?**
  - [ ] YES
  - [x] NO
- **HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN?**
  - [ ] YES
  - [x] NO

### PROPOSED TENURE AND USE

<table>
<thead>
<tr>
<th>TYPE OF APPLICATION</th>
<th>LEASE</th>
<th>GRANT</th>
<th>LICENCE TO OCCUPY</th>
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</table>

- **LAND USE**
  - [ ] RESIDENCE
  - [ ] COTTAGE
  - [ ] AQUACULTURE
  - [ ] AGRICULTURE (provide details below)
  - [ ] COMMERCIAL (provide detailed description below)
  - [ ] OTHER (provide details below)

- **PROPOSED WATER AND SEWAGE FACILITIES** (if applicable)
  - [x] WELL
  - [ ] SEPTIC
  - [ ] MUNICIPAL WATER
  - [ ] MUNICIPAL SEWER
  - [ ] OTHER (provide details below)

**DESCRIBE BUILDINGS TO BE ERECTED (# applicable)**

**DIMENSIONS:** LENGTH_________WIDTH_________
**LAND DESCRIPTION**

THE LAND IS Situated AT **Branch, St Mary's Bay**

IN THE ELECTORAL DISTRICT OF **Placentia - St Mary's**

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☑ YES ☐ NO

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

| FRONTAGE | 30 metres | DEPTH | 62 metres |

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD? ☑ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☑ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? ___________ metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

☐ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? ☑ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☑ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

---

**DESCRIPTION OF LAND**

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

**BOUNDED ON NORTH BY** CROWN LAND

**BOUNDED ON SOUTH BY** Carrina Mooney Crown Land APPLICATION NO 141686

**BOUNDED ON EAST BY** North Harbour - Branch Highway

**BOUNDED ON WEST BY** CROWN LAND

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

April McGrawth________________________________________________________ do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At Fort McMurray, Alberta
this 04 day of March, 2013

Evelyn Janice Roblee
Official Administering Oaths
Public, Province of Alberta
Appointment Expires: December 31, 2014

Applicant’s Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.

202A - 8706 Franklin Ave.,
Fort McMurray, AB T9H 2J1
(80-743-2860)
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<td>Historic Resources</td>
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Officers Comments: [LUA checked 99]

Date: ________________________________
Lands Management/Lands Officer

Recommendation of Regional Office:

☐ Approved (Complete section below) ☐ Refused (Give reason)

Date: ________________________________
Regional Lands Manager

This section to be completed by Regional Office when approval is recommended.

Area approved ____________ Frontage ____________ Consideration/Rental ____________ Back/Rental ____________

☐ Lease ☐ Grant ☐ Licence ☐ Other ☐ Type ____________

Cabinet approval required ☐ Yes ☐ No

Special instructions to surveyor (if any):

Departmental decision:

☐ Approved ☐ Refused ☐ Deferred ☐ To Cabinet

Special instructions:

Date: ________________________________
Director of Lands Management
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT - PART A

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<tr>
<th>NAME OF APPLICANT</th>
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<td>N. L. McGowth</td>
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<td>Residential</td>
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<tr>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
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<tr>
<td>North Hr. Road</td>
<td>FRONTAGE 30.5m DEPTH 62.5m</td>
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TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [X] NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE

IS THE PROPOSED USE A:

- [X] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

- [ ] YES
- [ ] NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA:

- [X] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

NORTH SIDE: CROWN LAND

EAST SIDE: North Hr/Brandon Highway

SOUTH SIDE: Corrington Money

WEST SIDE: CROWN LAND

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:

- [X] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

DESCRIBE THE ROAD AND CONDITION OF THE ROAD TO THE SITE:

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND:

- [X] YES
- [ ] NO

BY WHOM

- [ ] COUNCIL
- [ ] DEPT. OF TRANP. AND WORKS
- [ ] APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED:

- [X] YES
- [ ] NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS:

- [X] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
The Council of
Branch, St. Mary's Bay

Application is
☑ Approved
☐ Refused (Give Reasons)
☐ Approved Subject to the following Conditions
☐ Deferred (Give Reasons)

Comments

Signed

Date: 8, 2013

Title

Instructions

A. Applicant:
1. This is not a Crown Lands Application Form.
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown Land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your request to this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon acceptance of a Crown Title, you are required to notify the Municipal Council.

B. Municipal Council:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by the Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

Regional Lands Offices

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 5700
St. John’s, NL A1B 4M6
Telephone: (709) 729-2654
Facsimile: (709) 729-9724

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Fisher Mall, P.O. Box 2222
Corner Brook, NL A1Y 2N9
Telephone: (709) 256-1409
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Nettes Building,
P.O. Box 2066
Riverside Drive
Corner Brook, NL A1H 6A8
Telephone: (709) 637-2392
Facsimile: (709) 637-3395

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomson Building,
P.O. Box 5014, Ste. “B”
13 Churchill Street
Happy Valley-Goose Bay, NL
A8P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
# Newfoundland Labrador
## Environment and Conservation
### APPLICATION FOR CROWN LANDS

#### FOR DEPARTMENT USE ONLY

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<th>APPLICATION NO.</th>
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### APPLICATION INFORMATION

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<th>Surname</th>
<th>Nash</th>
<th>Given Name</th>
<th>Timothy</th>
<th>Middle Name</th>
<th>Claudette</th>
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- ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? [X] YES [ ] NO
- HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? [ ] YES [X] NO

### PROPOSED TENURE AND USE

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<tr>
<th>Type of Application</th>
<th>[ ] Lease</th>
<th>[✓] Grant</th>
<th>[ ] Licence to Occupy</th>
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</table>

- Land Use
  - [✓] Residence
  - [ ] Cottage
  - [ ] Aquaculture
  - [ ] Agriculture (provide details below)
  - [ ] Commercial (provide detailed description below)
  - [ ] Other (provide details below)

### Describe Buildings to be Erected (if applicable)

<table>
<thead>
<tr>
<th>Dimensions: Length</th>
<th>Width</th>
</tr>
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</table>

### Proposed Water and Sewage Facilities (if applicable)

| [✓] Well | [ ] Septic | [ ] Municipal Water | [ ] Municipal Sewer | [ ] Other (provide details below) |
LAND DESCRIPTION

THE LAND IS Situated AT

North Harbour Road - Branch

IN THE ELECTORAL DISTRICT OF

IS THE LAND Applied FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?  ☑ YES  ☐ NO

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres  DEPTH 62 metres

DISTANCE TO CLOSEST WATERBODY NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD?  ☑ YES  ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?  ☑ YES  ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

☐ WALKING  ☐ A.T.V.  ☐ BOAT  ☐ SNOWMOBILE  ☐ AIRCRAFT

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ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCLES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?  ☑ YES  ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUND ON NORTH BY

BOUND ON SOUTH BY

BOUND ON EAST BY

BOUND ON WEST BY

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AFFIDAVIT OF APPLICANT (to be read carefully)

I, Timothy Nash, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
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Sworn before me
At this 26th day of July 2013

Higgins Line, St. Johns

Annemarie Harvey
Official Administering Oath

Timothy Nash
Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

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<td>Fisheries and Oceans (Federal)</td>
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<td>Tourism Development Division</td>
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</table>

Officers Comments: **Unchecked**

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**Recommendation of Regional Office:**

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

Subject to: [Signature]

---

This section to be completed by Regional Office when approval is recommended.

Area approved: **0.196 ha**  
Frontage: **30 m**  
Consideration/Rental: **$3900.00**  
Back/Rental: **[ ]**

- [ ] Lease  
- [ ] Grant  
- [ ] Licence  
- [ ] Other  
- [ ] Type: **Residence**

Cabinet approval required:  
- [X] Yes  
- [ ] No

Special instructions to surveyor: **Avoid trail to the east.**

---

**Departmental decision:**

- [ ] Approved  
- [ ] Refused  
- [ ] Deferred  
- [ ] To Cabinet

Special instructions:

---

Date: **Dec 10, 2012**  
Director of Lands Management
<table>
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<th>Special Conditions of Approval:</th>
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Date

Regional Lands Manager

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<tr>
<th>Special Title Conditions:</th>
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</table>

Date

Regional Lands Manager
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
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<tbody>
<tr>
<td>Timothy and Claudette Nash</td>
<td>July 26, 2013</td>
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<th>Mailing Address</th>
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<table>
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<th>City/Town</th>
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<td>F sucking, Murray</td>
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<tr>
<th>Land to be used for</th>
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<tbody>
<tr>
<td>residence</td>
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<table>
<thead>
<tr>
<th>Location of Land</th>
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<tr>
<td>North Harbour Road</td>
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<table>
<thead>
<tr>
<th>Dimensions of Land</th>
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</thead>
<tbody>
<tr>
<td>Frontage 30m, Depth 20m</td>
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TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

☐ AN APPROVED MUNICIPAL PLAN ☐ CONCEPT PLAN ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:

☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

(ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?  ☐ YES ☐ NO

DESCRIBE THE LAND USE

IN THE SURROUNDING AREA

☑ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSED ☐ OTHER

NORTH SIDE: ___________________ EAST SIDE: ___________________

SOUTH SIDE: ___________________ WEST SIDE: ___________________

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________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INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-0726

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Fraser Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Notos Building,
P.O. Box 2006
1 Riverside Drive
Corner Brook, NL A2H 6J8
Telephone: (709) 637-2392
Facsimile: (709) 637-2905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 2014, Sta. "B"
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
# Application for Crown Lands

**FOR DEPARTMENT USE ONLY**

- **APPLICATION NO.** 144256
- **RECEIPT NO.** 57246
- **FILE NO.** L-360278
- **AMOUNT:** $1300
- **DATE REGISTERED:** Aug 20/13
- **DATE:** Aug 12/13
- **AM**

## Application Information

<table>
<thead>
<tr>
<th>Surname</th>
<th>Given Name</th>
<th>Middle Name</th>
<th>Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roche</td>
<td>Stella</td>
<td></td>
<td></td>
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</tbody>
</table>

**Mailing Address:**

**City:**

**Province:** NL

**Business Telephone:**

**Home Telephone:**

- **ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR?** Yes [ ] No [x]  
- **ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION?** Yes [ ] No [x]  
- **HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN?** Yes [ ] No [x]  

## Proposed Tenure and Use

- **Type of Application:** Grant [x]  Lease [ ]  Licence to Occupy [ ]
- **LAND USE:** Residence [x]  Cottage [ ]  Aquaculture [ ]  Agriculture [ ]
  - Commercial [ ]  Other [ ]

**Describe buildings to be erected (if applicable):**

- **Dimensions:** Length: 30  Width: 90

**Proposed Water and Sewage Facilities (if applicable):**

- Well [x]  Septic [ ]  Municipal Water [ ]  Municipal Sewer [ ]  Other [ ]
LAND DESCRIPTION

Land at North Harbour Rd., Placentia, St. Mary's

APPROXIMATE DIMENSIONS OF THE LAND

<table>
<thead>
<tr>
<th>Length (metres)</th>
<th>Width (metres)</th>
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<tr>
<td>30</td>
<td>62</td>
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</table>

DISTANCE TO CLOSEST WATERBODY

<table>
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<tr>
<th>Name of Waterbody</th>
<th>Distance (metres)</th>
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<tbody>
<tr>
<td>Beckford Cove</td>
<td>62</td>
</tr>
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</table>

IS THE SITE ACCESSIBLE BY ROAD?

[ ] Yes [ ] No

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?

[ ] Yes [ ] No

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

[ ] Walking [ ] A.T.V. [ ] Boat [ ] Snowmobile [ ] Aircraft

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED FOR FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?

[ ] Yes [ ] No

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?

[ ] Yes [ ] No

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDARY ON NORTH BY

BOUNDARY ON SOUTH BY

BOUNDARY ON EAST BY

BOUNDARY ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
SKETCH

AFFIDAVIT OF APPLICANT (to be read carefully)

I, Stella Rache, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At this 12th day of Aug. 2013

Official Administering Oath

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

<table>
<thead>
<tr>
<th>Agency</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
<th>Date Sent</th>
<th>Date Received</th>
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<td>Tourism Development Division</td>
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</table>

**Officers' Comments:** "Un Checked"

---

**Recommendation of Regional Office:**

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

---

**This section to be completed by Regional Office when approval is recommended:**

Area approved: 
Frontage: 
Consideration/Rental: 
Back/Rental: 
Lease: 
Grant: 
Licence: 
Other: 
Type: 

Cabinet approval required: 
- [ ] Yes
- [ ] No

Special instructions to surveyor (if any): 

Departmental decision:

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

Special instructions: 

---

**Date**

**Lands Management/Lands Officer**

**Date**

**Regional Lands Manager**

**Date**

**Director of Lands Management**
Special Conditions of Approval:


Date

Regional Lands Manager


Special Title Conditions:


Date

Regional Lands Manager
Government of Newfoundland and Labrador
Department of Environment & Conservation

MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE

TO BE COMPLETED BY APPLICANT – PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>Stella Roche</th>
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</thead>
<tbody>
<tr>
<td>DATE OF APPLICATION</td>
<td>July 9, 2013</td>
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<table>
<thead>
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<th>MAILING ADDRESS</th>
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<td>CITY/DISTRICT</td>
<td>St. John's</td>
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<tr>
<td>PROVINCE</td>
<td>NL</td>
</tr>
<tr>
<td>POSTAL CODE</td>
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</tbody>
</table>

| HOME TELEPHONE | |
| BUSINESS TELEPHONE | |
| FACSIMILE | |

| LAND TO BE USED FOR | |
| LOCATION OF LAND | Branch |
| DIMENSIONS OF LAND | Frontage | 30 | Depth | 90 |

TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

DOES YOUR COMMUNITY HAVE
☐ AN APPROVED MUNICIPAL PLAN  ☐ CONCEPT PLAN  ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:
☐ PERMITTED USE  ☐ DISCRETIONARY USE  ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?
☐ Yes  ☐ No

DESCRIBE THE LAND USE IN THE SURROUNDING AREA:
☐ RESIDENTIAL  ☐ COMMERCIAL  ☐ AGRICULTURE  ☐ UNUSED  ☐ OTHER

| NORTH SIDE | |
| SOUTH SIDE | |

| EAST SIDE | |
| WEST SIDE | |

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:
☐ WATER AND SEWER  ☐ WATER ONLY  ☐ SEWER ONLY  ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE:

| IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND | ☐ Yes  ☐ No |
| MAINTAINING SERVICE | ☐ COUNCIL  ☐ DEPT. OF TRANSP. AND WORKS  ☐ APPLICANT |
| WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED |

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS:
☐ CROWN  ☐ PRIVATE  ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
INSTRUCTIONS

A. APPLICANT:
1. This is not a Crown Lands application form.
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howe Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-0716

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Ferrier Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Nolon Building,
P.O. Box 2008
1 Riverside Drive
Corner Brook, NL A2H 6J8
Telephone: (709) 637-2392
Facsimile: (709) 637-1905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Ste. "B"
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
# Application for Crown Lands

**Application No.** 141572  
**Receipt No.** OS1500  
**File No.** 1-36356  
**Amount** $13.00  
**Date Registered** October 7/13  
**Indicated on Plan No.**  
**Topo No.**  
**Initials**

### Application Information

<table>
<thead>
<tr>
<th>Surname</th>
<th>Given Name</th>
<th>Middle Name</th>
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<tbody>
<tr>
<td>Corcoran</td>
<td>Christopher</td>
<td>Hubert</td>
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</table>

### Proposed Tenure and Use

**Type of Application**
- [ ] Lease  
- [x] Grant  
- [ ] Licence to Occupy

**Land Use**
- [x] Residence  
- [ ] Cottage  
- [ ] Aquaculture  
- [ ] Agriculture (provide details below)  
- [ ] Commercial (provide detailed description below)  
- [ ] Other (provide details below)

**Describe Buildings to Be Erected (if applicable)**

<table>
<thead>
<tr>
<th>Dimensions</th>
<th>Length</th>
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<td>40'</td>
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**Proposed Water and Sewage Facilities (if applicable)**

- [x] Well  
- [ ] Septic  
- [ ] Municipal Water  
- [ ] Municipal Sewer  
- [ ] Other (provide details below)
LAND DESCRIPTION

THE LAND IS SITUATED AT

Branch - North Harbour Road

IN THE ELECTORAL DISTRICT OF

Placentia, St. Mary's

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?  

YES  NO  IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

MONTAGE 100 feet  metres  DEPTH 200 feet  metres

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD?

YES  NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?  

YES  NO  IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

☐ WALKING  ☐ A.T.V.  ☐ BOAT  ☐ SNOWMOBILE  ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?

YES  NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?

YES  NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

Beckford Path

BOUNDED ON SOUTH BY

North Harbour Road

BOUNDED ON EAST BY

Tombs Marsh

BOUNDED ON WEST BY

Grave Pit

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

Christopher Cormier
do hereby make oath and declare as follows:
(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or
No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of
this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges
in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE
DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT
SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY
TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At Branch
this 8th day of September 2013

Official Administering Oath

Christopher Cormier
Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.)
must accompany this application.
Cheques or money orders must be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

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<th>Agency Branch/Division</th>
<th>Approved</th>
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<th>Comments Attached</th>
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<th>Date Received</th>
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**Recommendation of Regional Office:**
- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

**This section to be completed by Regional Office when approval is recommended.**

- Area approved
- Frontage
- Consideration/Rental
- Back/Rental

  - Lease
  - Grant
  - Licence
  - Other

  Cabinet approval required
  - [ ] Yes
  - [ ] No

  Special instructions to surveyor (if any):

**Departmental decision:**
- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

  Special instructions:

**Date**

**Director of Lands Management:**

[Signature]
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE

TO BE COMPLETED BY APPLICANT - PART A

<table>
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<tr>
<th>NAME OF APPLICANT</th>
<th>Christopher Corcoran</th>
<th>DATE OF APPLICATION</th>
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<td>LAND TO BE USED FOR</td>
<td>Residence</td>
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<td>LOCATION OF LAND</td>
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<td>DIMENSIONS OF LAND</td>
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<td>FRONTAGE</td>
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TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

☐ AN APPROVED MUNICIPAL PLAN  ☐ CONCEPT PLAN  ☐ NONE

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

Crown Land

IS THE PROPOSED USE A:

☐ PERMITTED USE  ☐ DISCRETIONARY USE  ☐ A USE NOT INCLUDED IN THE
DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP
SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND
CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

☐ YES  ☐ NO

DESCRIBE THE LAND USE
IN THE SURROUNDING AREA

☐ RESIDENTIAL  ☐ COMMERCIAL  ☐ AGRICULTURE  ☐ UNUSED  ☐ OTHER

NORTH SIDE _______  EAST SIDE _______

SOUTH SIDE _______  WEST SIDE _______

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

________________________________________________________________________________________

________________________________________________________________________________________

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE

☐ WATER AND SEWER  ☐ WATER ONLY  ☐ SEWER ONLY  ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

________________________________________________________________________________________

________________________________________________________________________________________

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND

☐ YES  ☐ NO  ☐ COUNCIL  ☐ DEPT. OF TRANSP. AND WORKS  ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED

☐ YES  ☐ NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS

☐ CROWN  ☐ PRIVATE  ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED,
PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
INSTRUCTIONS

A. APPLICANT:
1. This is NOT a Crown Lands application form.
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Huskey Building, Higgins Line
P.O. Box 8760
St. John's, N.L. A1B 4J6
Telephone: (709) 729-2454
Facsimile: (709) 729-0720

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Fraser Mall, P.O. Box 2222
Gander, N.L. A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Nestor Building,
P.O. Box 2086
1 Riverside Drive
Corner Brook, N.L. A2H 6J8
Telephone: (709) 637-2392
Facsimile: (709) 637-2905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Stn. "B"
13 Churchill Street
Happy Valley-Goose Bay, N.L.
A0P 1EB
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
APPLICATION INFORMATION

SURNAME: Brake
Given Name: Christopher
Middle Name: John
Age: [redacted]

MAILING ADDRESS: [redacted]
CITY/TOWN: Portugal Cove
PROVINCE: NL

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? Yes [X] No [ ]

HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? Yes [X] No [ ]

PROPOSED TENURE AND USE

TYPE OF APPLICATION: [X] Grant
[ ] Lease
[ ] Licence to Occupy

LAND USE: [X] Residence
[ ] Cottage
[ ] Aquaculture
[ ] Agriculture (provide details below)
[ ] Commercial (provide detailed description below)
[ ] Other (provide details below)

DESCRIBE BUILDINGS TO BE ERECTED (if applicable):

DIMENSIONS: LENGTH: 28 feet
WIDTH: 23 feet

PROPOSED WATER AND SEWAGE FACILITIES (if applicable):

[ ] Well
[ ] Septic
[ ] Municipal Water
[ ] Municipal Sewer
[ ] Other (provide details below)
LAND DESCRIPTION

THE LAND IS SITUATED AT Branch

IN THE ELECTORAL DISTRICT OF Placentia-St. Mary's

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☑ YES ☐ NO

IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres
NAME OF WATERBODY (if applicable)

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

DEPT 62 metres

IS THE SITE ACCESSIBLE BY ROAD? ☑ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☑ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

☒ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? ☐ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☑ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY see attached survey

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, ____________________________ do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At ____________________________
this ___________ day of ____________ 20__
Official Administering oath

__________________________________________
Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

<table>
<thead>
<tr>
<th>Agency Branch</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
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**Recommendation of Regional Office:**

- **Approved (Complete section below)**
  - Forestry, etc.
- **Refused (Give reason)**

**This section to be completed by Regional Office when approval is recommended.**

- **Area approved:** 0.180 ha
- **Frontage:** 30 m
- **Consideration/Rental:** $4,000.00
- **Back/Rental:**
  - **Grant:**
  - **Licence:**
  - **Other:**
  - **Type:** Residence

- **Cabinet approval required:**
  - **Yes:**
  - **No:**

**Special instructions to surveyor (if any):**

**Departmental decision:**

- **Approved**
- **Refused**
- **Deferred**
- **To Cabinet**

**Special instructions:**

---

**March 28/2014**

**Date**

**Director of Lands Management**
Special Conditions of Approval:

Date

Regional Lands Manager

Special Title Conditions:

Date

Regional Lands Manager
**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**TO BE COMPLETED BY APPLICANT - PART A**

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<tr>
<th>NAME OF APPLICANT</th>
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<td>07/07/13</td>
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<th>PROVINCE</th>
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<th>LAND TO BE USED FOR</th>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
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| TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B |

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:**

- [ ] CROWN LAND

**IS THE PROPOSED USE A:**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [ ] YES
- [ ] NO

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [ ] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

**NORTH SIDE**

**EAST SIDE**

**SOUTH SIDE**

**WEST SIDE**

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

**INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

- [ ] PAVED

**IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND**

- [ ] YES
- [ ] NO

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?**

- [ ] YES
- [ ] NO

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [ ] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.**

*CONTINUED ON PAGE 2*
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in whose Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4S6
Telephone: (709) 729-2654
Facsimile: (709) 729-0726

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Frasier Mall, P.O. Box 222
Gander, NL A1V 3N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1895

Department of Environment and Conservation
Western Regional Lands Office
The Notion Building,
P.O. Box 2006
1 Riverside Drive
Corner Brook, NL A2H 6E8
Telephone: (709) 637-3392
Facsimile: (709) 637-2905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Stn. “B”
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9586
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. 144656
FILE NO. 136346
DATE REGISTERED Oct. 16/13

RECEIPT NO. 053302
AMOUNT 113.00 DATE Oct. 3/13

APPLICATION INFORMATION

SURNAME MURPHY
GIVEN NAME JEREMY
MIDDLE NAME JOHN
MAILING ADDRESS [Redacted]
CITY/TOWN PARADISE
PROVINCE N.L.
BUSINESS TELEPHONE [Redacted]
HOME TELEPHONE [Redacted]

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? YES
ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION? NO
HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? YES

PROPOSED TENURE AND USE

TYPE OF APPLICATION

[ ] LEASE
[ ] GRANT
[ ] LICENCE TO OCCUPY

LAND USE

[ ] RESIDENCE
[ ] COTTAGE
[ ] AQUACULTURE
[ ] AGRICULTURE (provide details below)

[ ] COMMERCIAL (provide detailed description below)
[ ] OTHER (provide details below)

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS: LENGTH

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

[ ] WELL
[ ] SEPTIC
[ ] MUNICIPAL WATER
[ ] MUNICIPAL SEWER
[ ] OTHER (provide details below)
LAND DESCRIPTION

THE LAND IS SITUATED AT

NORTH HR. ROAD (BRANCH)

IN THE ELECTORAL DISTRICT OF

PLACENTIA - ST. MARY'S

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☑ YES ☐ NO

IF YES, YOU MUST ENCLOUSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres DEPTH 62 metres

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD? ☑ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☑ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION ☑ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF Access ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☑ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, JEREMY MURPHY, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me: John
At this 3rd day of October, 2013

Sworn before me: Natasha Ingram
Official Administering Oath

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
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**Oct 31, 2014**

**Recommendation of Regional Office:**

- [x] Approved (Complete section below)
- [ ] Refused (Give reason)

**17W, Forestry**

**Date: Oct 31, 2014**

**Regional Lands Manager:**

- [ ] Lease
- [ ] Grant
- [ ] Licence
- [ ] Other
- [ ] Type: Residential

Cabinet approval required: [ ] Yes [ ] No

Special instructions to surveyor (if any):

**Departmental decision:**

- [x] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

**Date: Oct 31, 2014**

**Special instructions:**

**Date:**

**Director of Lands Management:**
Special Conditions of Approval:


Date


Regional Lands Manager

Special Title Conditions:


Date


Regional Lands Manager
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS 
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION 
TO THE APPROPRIATE REGIONAL OFFICE

NAME OF APPLICANT: Jeremy Murphy

DATE OF APPLICATION: 09/01/13

MAILING ADDRESS: [Redacted]

CITY/TOWN: Paradise

PROVINCE: NL

HOME TELEPHONE: [Redacted]

BUSINESS TELEPHONE: [Redacted]

FACSIMILE: [Redacted]

LAND TO BE USED FOR: cottage

LOCATION OF LAND: North Harbour Rd (approx. east of Edward Nash, scasida)

DIMENSIONS OF LAND: 30m frontage, 70m depth

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE: □ AN APPROVED MUNICIPAL PLAN □ CONCEPT PLAN □ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS: Snowy Land

IS THE PROPOSED USE A: □ PERMITTED USE □ DISCRETIONARY USE □ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? □ YES □ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA: □ RESIDENTIAL □ COMMERCIAL □ AGRICULTURE □ UNUSED □ OTHER

NORTH SIDE: _____________________________ EAST SIDE: _____________________________

SOUTH SIDE: _____________________________ WEST SIDE: _____________________________

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

__________________________________________________________

__________________________________________________________

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE: □ WATER AND SEWER □ WATER ONLY □ SEWER ONLY □ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND? □ YES □ NO

BY WHOM: □ COUNCIL □ DEPT. OF TRANSP. AND WORKS □ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED? □ YES □ NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS: □ CROWN □ PRIVATE □ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
APPLICATION IS
☑ APPROVED  ☐ REFUSED (GIVE REASONS)  ☐ APPROVED SUBJECT TO THE
    FOLLOWING CONDITIONS

COMMENTS

Signed

Title

Date: Oct 2, 2013

INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department
   and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate
   Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of
   the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands
   Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

<table>
<thead>
<tr>
<th>Department of Environment and Conservation</th>
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</tr>
</thead>
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<tr>
<td>Eastern Regional Lands Office</td>
<td>Central Regional Lands Office</td>
<td>Western Regional Lands Office</td>
<td>Labrador Regional Lands Office</td>
</tr>
<tr>
<td>Howley Building, Higgins Line</td>
<td>230 Airport Boulevard, Fraser Mall, P.O. Box 2222</td>
<td>The Natan Building, P.O. Box 2006</td>
<td>The Thomas Building, P.O. Box 3814, Sta. “B”</td>
</tr>
<tr>
<td>P.O. Box 8700</td>
<td>Gander, NL A1V 2N9</td>
<td>1 Riverside Drive</td>
<td>13 Churchill Street</td>
</tr>
<tr>
<td>St. John's, NL A1B 4J6</td>
<td>Telephone: (709) 256-1488</td>
<td>Corner Brook, NL A2H 6JR</td>
<td>Happy Valley-Goose Bay, NL A0P 1E0</td>
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<tr>
<td>Telephone: (709) 729-2654</td>
<td>Facsimile: (709) 256-1095</td>
<td>Telephone: (709) 637-2392</td>
<td>Telephone: (709) 896-2488</td>
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<td>Facsimile: (709) 637-2905</td>
<td>Facsimile: (709) 896-9566</td>
</tr>
</tbody>
</table>
APPLICATION INFORMATION

SURNAME: Corcoran
Given Name: Chris
Middle Name: Boucher

MAILING ADDRESS: [Redacted]
CITY: [Redacted]
HOME TELEPHONE: [Redacted]

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? □ YES □ NO
ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION? □ YES □ NO
HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? □ YES □ NO

PROPOSED TENURE AND USE

TYPE OF APPLICATION □ LEASE □ GRANT □ LICENCE TO OCCUPY

LAND USE □ RESIDENCE □ COTTAGE □ AQUACULTURE □ AGRICULTURE (provide details below)
□ COMMERCIAL (provide detailed description below) □ OTHER (provide details below)

Cancelling App. #14457 2 and applying for new site.

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)
□ WELL □ SEPTIC □ MUNICIPAL WATER □ MUNICIPAL SEWER □ OTHER (provide details below)
LAND DESCRIPTION

THE LAND IS SITUATED AT Branch

IN THE ELECTORAL DISTRICT OF

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? □ YES □ NO IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres DEPTH 6 metres

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable) metres

IS THE SITE ACCESSIBLE BY ROAD? □ YES □ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? □ YES □ NO IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? ___________________________ metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

□ WALKING □ A.T.V. □ BOAT □ SNOWMOBILE □ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? □ YES □ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? □ YES □ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUND ON NORTH BY

BOUND ON SOUTH BY

BOUND ON EAST BY

BOUND ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, ____________________________, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me

At St. John's

this 5th day of August 2014

Official Administering Oath

A Commissioner for Oaths in and for the Province of Newfoundland and Labrador

My commission expires on the 31st day of December 2003

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
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<th>Agency</th>
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Officers Comments:

Date

Lands Management/Lands Officer

Recommendation of Regional Office:

☐ Approved (Complete section below) ☐ Refused (Give reason)

TW conditions

Date

Regional Lands Manager

This section to be completed by Regional Office when approval is recommended.

Area approved: 15,600 m²  Frontage: 30 m  Consideration/Rental: $4,700.00  Back/Rental:

☐ Lease  ☑ Grant  ☐ Licence  ☐ Other ☐ Type: Residence

Cabinet approval required ☐ Yes ☐ No

Special instructions to surveyor (if any):

Departmental decision:

☐ Approved  ☐ Refused  ☐ Deferred  ☐ To Cabinet

Special instructions:

Date

Director of Lands Management
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION
TO THE APPROPRIATE REGIONAL OFFICE.

TO BE COMPLETED BY APPLICANT - PART A

NAME OF APPLICANT

DATE OF APPLICATION

MAILING ADDRESS

CITY/TOWN

PROVINCE

POSTAL CODE

HOME TELEPHONE

BUSINESS TELEPHONE

FACSIMILE

LAND TO BE USED FOR

LOCATION OF LAND

DIMENSIONS OF LAND

FROMAGE 30 m

DEPTH 90 m

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

☐ AN APPROVED MUNICIPAL PLAN ☐ CONCEPT PLAN ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:

☐ PERMITTED USE ☐ DISCRETIONARY USE ☐ A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

(DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

☐ YES ☐ NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA

☐ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSED ☐ OTHER

NORTH SIDE

EAST SIDE

SOUTH SIDE

WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE

☐ WATER AND SEWER ☐ WATER ONLY ☐ SEWER ONLY ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND ☐ YES ☐ NO

BY WHOM

☐ COUNCIL ☐ DEPT. OF TRANSP. AND WORKS ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED ☐ YES ☐ NO

IN THE OPINION OF THE COUNCIL,

THE LAND APPLIED FOR IS ☐ CROWN ☐ PRIVATE ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
APPLICATION IS □ APPROVED □ REFUSED (GIVE REASONS) □ APPROVED SUBJECT TO THE FOLLOWING CONDITIONS □ DEFERRED (GIVE REASONS)

COMMENTS

Signed

DATE 1-28-13

TITLE

INSTRUCTIONS

A. APPLICANT:

1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. After the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:

1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Hawley Building, Higgins Line
P.O. Box 876
St. John’s, NL A1B 4A6
Telephone: (709) 729-2651
Facsimile: (709) 729-9726

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Fraser Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Nathan Building,
P.O. Box 2006
1 Riverside Drive
Corner Brook, NL A2H 6B8
Telephone: (709) 637-2392
Facsimile: (709) 637-2905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 2014, Stn. “B”
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E9
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. 14-0371
FILE NO. 1 - 04738
RECEIPT NO. 
AMOUNT 
DATE 
INDICATED ON PLAN NO. 
TOPO NO. INITIAL

APPLICATION INFORMATION

SURNAME Public Works & Government Services
GIVEN NAME
MIDDLE NAME
AGE
MAILING ADDRESS
Box 4600 John Cabot Building, 10 Barter's Hill
CITY/TOWN St. John's
PROVINCE Newfoundland
POSTAL CODE A1C 5T2
BUSINESS TELEPHONE 709-772-8082
HOME TELEPHONE

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? YES NO
ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION? YES NO
HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? YES NO
IF YES: SPECIFY TITLE NO(S). 

PROPOSED TENURE AND USE

TYPE OF APPLICATION LEASE GRANT LICENCE TO OCCUPY
LAND USE RESIDENCE COTTAGE AQUACULTURE AGRICULTURE (provide details below)
COMMERCIAL (provide detailed description below) OTHER (provide details below)

Provincial Transfer to the Federal Government for Marine Purposes
LAND AS PER ATTACHED SURVEY PLAN S-5608, for parcel 2010-1

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS LENGTH WIDTH

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

WELL SEPTIC MUNICIPAL WATER MUNICIPAL SEWER OTHER (provide details below)

N/A
**LAND DESCRIPTION**

**THE LAND IS SITUATED AT** Branch

**IN THE ELECTORAL DISTRICT OF** Placentia-St. Mary's, NL

**IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?**

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<th>YES</th>
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**IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM**

**NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE & GOVERNMENT SERVICE CENTRES**

**APPROXIMATE DIMENSIONS OF THE LAND**

<table>
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<tr>
<th>FRONTAGE</th>
<th>metres</th>
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**DISTANCE TO CLOSEST WATERBODY**

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**IS THE SITE ACCESSIBLE BY ROAD?**

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**IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?**

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<th>YES</th>
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**FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION**

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**IS THE SITE PRESENTLY OCCUPIED; FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?**

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**IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

**ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?**

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**IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

**DESCRIPTION OF LAND**

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

**BOUNDED ON NORTH BY**

Upland

**BOUNDED ON SOUTH BY**

**BOUNDED ON EAST BY**

**BOUNDED ON WEST BY**

**PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.**
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Officers Comments:

____________________________________________________________________________________

____________________________________________________________________________________

Date ___________________________ Lands Management/Lands Officer ______________________

Recommendation of Regional Office:

☐ Approved (Complete section below)  ☐ Refused (Give reason)

____________________________________________________________________________________

____________________________________________________________________________________

Date ___________________________ Regional Lands Manager _____________________________

This section to be completed by Regional Office when approval is recommended.

Area approved  Frontage  Consideration/Rental  Back/Rental

☐ Lease  ☐ Grant  ☐ Licence  ☐ Other  ☐ Type

Cabinet approval required  ☐ Yes  ☐ No

Special instructions to surveyor (if any):

____________________________________________________________________________________

Departmental decision:

☐ Approved  ☐ Refused  ☐ Deferred  ☐ To Cabinet

Special Instructions:

____________________________________________________________________________________

Date ___________________________ Director of Lands Management _______________________


AFFIDAVIT OF APPLICANT (to be read carefully)

I, Robert Barteau, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At St. John's,
this 2nd day of September, 2014

LINDA WALSH
Official Administering Oath

LINDA WALSH

NOTE: Acceptable process includes SHERIFF's姫 DELIVERY OF ONE HUNDRED DOLLARS ($100.00 plus H.S.T.)

Checks or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
# MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

## TO BE COMPLETED BY APPLICANT - Part A

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<tr>
<th>NAME OF APPLICANT</th>
<th>Public Works and Government Services</th>
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<tr>
<td>Mailing Address</td>
<td>10 Barter's Hill, The John Cabot Building</td>
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<tr>
<td>CITY/TOWN</td>
<td>St. John's</td>
</tr>
<tr>
<td>PROVINCE</td>
<td>NL</td>
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<tr>
<td>POSTAL CODE</td>
<td>A1C 5T2</td>
</tr>
<tr>
<td>NAME OF APPLICANT</td>
<td></td>
</tr>
<tr>
<td>DATE OF APPLICATION</td>
<td>October 30, 2012</td>
</tr>
</tbody>
</table>

## TO BE COMPLETED BY MUNICIPAL COUNCIL - Part B

<table>
<thead>
<tr>
<th>DO YOU HAVE AN APPROVED MUNICIPAL PLAN/CONCEPT PLAN/NEITHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES/NO</td>
</tr>
</tbody>
</table>

### ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

- [ ] Crown Land
- [ ] Penetrated Use
- [ ] Discretionary Use
- [ ] A Use Not Included in the Development Regulations

### DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

- [ ] Yes
- [ ] No

### DESCRIBING THE LAND USE IN THE SURROUNDING AREA:

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

### NORTH SIDE

### EAST SIDE

### SOUTH SIDE

### WEST SIDE

### IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN |

- [ ] Yes
- [ ] No

### INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:

- [ ] WATER & SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

### CONDITION TYPE AND CONDITION OF THE ROAD TO THE SITE

- [ ] Paid

### IS THE ROAD PRESENTLY MAINTAINED YEAR-ROUND?

- [ ] Yes
- [ ] No

### BY WHOM

- [ ] Council
- [ ] Warden, Services & Transportation
- [ ] Applicant

### WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?

- [ ] Yes
- [ ] No

### IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW

### IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS

---

**CONTINUED ON PAGE 2**
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM.
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of the Department and no occupancy or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Lands Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of the Department. You can accept your Crown Lands Application Form.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

GOVERNMENT SERVICE CENTRES/REGIONAL LANDS OFFICES

Department of Government Services and Lands
Government Service Centre
5 Rowe Place, P.O. Box 8700
St. John’s, NL A1B 4R8
Telephone: (709) 256-8011
Facsimile: (709) 256-8011

Government Services and Lands
Government Service Centre
McGarry Complex, P.O. Box 2222
Grand Falls-Windsor, NL A0E 1B0
Telephone: (709) 468-0499
Facsimile: (709) 468-0499

Government Services and Lands
Government Service Centre
2 Macdonald Terrace, P.O. Box 1148
Corner Brook, N.L. A2H 6A9
Telephone: (709) 256-1055
Facsimile: (709) 256-1055

Government Services and Lands
Government Service Centre
25 Churchill Street
Happy Valley-Goose Bay, NL A0E 1E0
Telephone: (709) 899-2428
Facsimile: (709) 899-2428

Government Services and Lands
Government Service Centre
The Thomas Building, P.O. Box 2006
Corner Brook, N.L. A2H 6A9
Telephone: (709) 256-8011
Facsimile: (709) 256-8011

Government Services and Lands
Government Service Centre
The Thomas Building, P.O. Box 3014, Stn. ’6’
12 Churchill Street
Happy Valley-Goose Bay, N.L. A0E 1E0
Telephone: (709) 899-2428
Facsimile: (709) 899-2428
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
LAND DESCRIPTION

THE LAND IS LOCATED AT
North Harbour Road, Branch

IN THE ELECTORAL DISTRICT OF

IN THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?

IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres

NAME OF WATERBODY (if applicable)

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD?

YES NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?

YES NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

WALKING A.T.V. BOAT SNOWMOBILE AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?

YES NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?

YES NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, ________ Herb F. Gibbons III ________, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me

At ____________________________

this ______ day of ___________, 20__

Official Administering Oath

NATASHA INGRAM
A Commissioner for Oaths in and for the Province of Newfoundland and Labrador.
My commission expires on the 31st day of December 20__

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
# FOR DEPARTMENT USE ONLY

## SUMMARY OF AGENCY REFERRALS

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<tr>
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<th>Date Received</th>
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<td>Tourism Development Division</td>
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<td>Other</td>
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</table>

**Officers Comments:**

---

**Date**

**Recommendation of Regional Office:**

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

---

**Date**

**Regional Lands Manager**

This section to be completed by Regional Office when approval is recommended.

- Area approved
- Frontage
- Consideration/Rental
- Back/Rental

- [ ] Lease
- [ ] Grant
- [ ] Licence
- [ ] Other

- Cabinet approval required
  - [ ] Yes
  - [ ] No

**Special instructions to surveyor (if any):**

---

**Departmental decision:**

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

**Special instructions:**

---

**Date**

**Director of Lands Management**
Special Conditions of Approval:


# Municipal Recommendation Form for Crown Land Applications Within Municipal and Planning Area Boundaries

**TO BE COMPLETED BY APPLICANT - PART A**

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>HERB F. GIBBONS III</th>
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<td>MAILING ADDRESS</td>
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<td>UTILITY</td>
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<td>LOCATION TO BE USED FOR</td>
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<tr>
<td>LAND TO BE USED FOR</td>
<td></td>
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<tr>
<td>LOCATION</td>
<td>25 nou ch</td>
</tr>
<tr>
<td>DIMENSIONS OF LAND</td>
<td>30 m (LENGTH) 90 m (WIDTH)</td>
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**TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B**

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [x] CONCEPT PLAN
- [ ] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS, THE AREA APPLIED FOR IS ZONED AS**

- [ ] X POLO LAND

**IS THE PROPOSED USE A**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [ ] YES
- [ ] NO

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [x] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

**NORTH SIDE**

**EAST SIDE**

**SOUTH SIDE**

**WEST SIDE**

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

---

**INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [x] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

- [ ] MAINTAINED YEAR-ROUND
- [ ] YES
- [ ] NO

**BY WHOM**

- [ ] COUNCIL
- [ ] DEPT. OF TRANSP. AND WORKS
- [x] APPLICANT

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?**

- [ ] YES
- [ ] NO

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [x] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS**

---

CONTINUED ON PAGE 2
APPLICATION IS  
☑ APPROVED  ☐ REFUSED (GIVE REASONS)  ☐ APPROVED SUBJECT TO THE  ☐ DEFERRED (GIVE REASONS)  

FOLLOWING CONDITIONS  

COMMENTS  

SIGNED  

DATE  

INSTRUCTIONS  

A. APPLICANT:  
1. THIS IS NOT A CROWN LANDS APPLICATION FORM  
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.  
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.  
4. Submit this form and map to the office of the Council in which the Crown land you would like to obtain is located.  
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.  
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.  
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.  

B. MUNICIPAL COUNCIL:  
1. Please complete this form and return it to the applicant. A copy may be taken for your records.  
2. This form must be completed for all requests for Crown land within your Municipal planning area or Municipal boundary.  
3. If you have any questions on the proposed development, please contact the applicant directly.  
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.  
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.  

REGIONAL LANDS OFFICES  

Department of Environment and Conservation  
Eastern Regional Lands Office  
Howey Building, Higgins Line  
P.O. Box 8769  
St. John's, NL A1B 4J6  
Telephone: (709) 722-2654  
Facsimile: (709) 722-0726  

Department of Environment and Conservation  
Central Regional Lands Office  
270 Airport Boulevard  
Leamerville, P.O. Box 3506  
Charlottetown, PE C1A 4W9  
Telephone: (902) 356-1000  
Facsimile: (902) 356-1005  

Department of Environment and Conservation  
Western Regional Lands Office  
Lower Level, Sir Richard  
Squires Building  
P.O. Box 2688  
Corner Brook, NL A2H 6Z8  
Telephone: (709) 327-2311  
Facsimile: (709) 327-2332  

Department of Environment and Conservation  
Labrador Regional Lands Office  
110 Tenth Street  
P.O. Box 3014, Stn. "B"  
Happy Valley-Goose Bay, NL  
A0E 1E0  
Telephone: (709) 896-3488  
Facsimile: (709) 896-3555
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Newfoundland Labrador
Environment and Conservation

APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. 147548
FILE NO. 1037-430
DATE REGISTERED Feb 20/15

RECEIPT NO. O10 2511
AMOUNT $13 00
DATE Sept 29/15

APPLICATION INFORMATION

SURNAME Town of Branch
GIVEN NAME
MIDDLE NAME
AGE

MAILING ADDRESS P.O. Box 169

CITY/TOWN Branch
PROVINCE N.L.
POSTAL CODE A0B 1E0

BUSINESS TELEPHONE 238-8920
HOME TELEPHONE

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? [X] YES [ ] NO

ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF ENVIRONMENT AND CONSERVATION? [X] YES [ ] NO

HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? [ ] YES [X] NO

IF YES, SPECIFY TITLE NO(s).

PROPOSED TENURE AND USE

TYPE OF APPLICATION

[ ] LEASE [ ] GRANT [X] LICENCE TO OCCUPY

LAND USE

[ ] RESIDENCE [ ] COTTAGE [ ] AQUACULTURE [ ] AGRICULTURE (provide details below)
[ ] COMMERCIAL (provide detailed description below) [ ] OTHER (provide details below)

To construct a Picnic Site overlooking the Sound of Belford

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS: LENGTH ____________ WIDTH ____________

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

[ ] WELL [ ] SEPTIC [ ] MUNICIPAL WATER [ ] MUNICIPAL SEWER [ ] OTHER (provide details below)
LAND DESCRIPTION

THE LAND IS LOCATED AT

IN THE ELECTORAL DISTRICT OF

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?  □ YES  □ NO

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, OR GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

NAME OF WATERBODY (If applicable)

DISTANCE TO CLOSEST WATERBODY

IS THE SITE ACCESSIBLE BY ROAD?  □ YES  □ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?  □ YES  □ NO

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS

IS THE SITE PRESENTLY OCCUPIED?  FENCES, BUILDINGS, SIGNS, CLEANING, LOCAL UNDERSTANDING, ETC.?  □ YES  □ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEANING, LOCAL UNDERSTANDING, ETC.?  □ YES  □ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, Augustine Rowan, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me

At Branch

This 18th day of April, 2014

Kelly Power — Mayor

Commissioner for Oaths

Town of Branch, NL

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

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<td>Tourism Development Division</td>
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<td>Other (e.g., Cultural Heritage)</td>
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Officers Comments: ____________________________________________________________

Date

Recommendation of Regional Office:

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

Date

This section to be completed by Regional Office when approval is recommended.

Area approved: __________________________________________________________________

Frontage: _____________________________________________________________________

Consideration/Rental: _______________________________________________________________________

- [ ] Lease
- [ ] Grant
- [ ] Licence
- [ ] Other
- [ ] Type

Cabinet approval required: [ ] Yes [ ] No

Special instructions to surveyor (if any): _____________________________________________

Departmental decision:

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

Special instructions: ________________________________________________________________

Date

Director of Lands Management
**MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE APPROPRIATE REGIONAL OFFICE. THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANIED BY MAPPING TO SCALE, SIGNED BY A PERSON AUTHORIZED TO ACT ON BEHALF OF THE TOWN.

TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>TOWN OF Branch</th>
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<tbody>
<tr>
<td>MAILING ADDRESS</td>
<td>P.O. Box 129</td>
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<tr>
<td>CITY/TOWN</td>
<td>Branch</td>
</tr>
<tr>
<td>PROVINCE</td>
<td>NL</td>
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<td>POSTAL CODE</td>
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<td>HOME TELEPHONE</td>
<td>385-2920</td>
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<td>FACSIMILE</td>
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LAND TO BE USED FOR:

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<thead>
<tr>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
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<tbody>
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<td>NORTH RA RA</td>
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TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE:

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [X] NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS, THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [X] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

(ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

- [ ] YES
- [X] NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA:

- [X] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

NORTH SIDE: [X] CROWN

EAST SIDE: [X] CROWN

SOUTH SIDE: [X] COMMUNITY CL V29T F108

WEST SIDE: NORTH RA RA

Branch Key

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN:

__________________________________________________________________________

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [X] NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE:

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND?

- [X] YES
- [ ] NO

BY WHOM:

- [ ] COUNCIL
- [ ] DEPT. OF TRANSP. AND WORKS
- [X] APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?

- [X] YES
- [ ] NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS:

- [X] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS:

__________________________________________________________________________

CONTINUED ON PAGE 2
### INSTRUCTIONS

**A. APPLICANT:**
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation, you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

**B. MUNICIPAL COUNCIL:**
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

---

**REGIONAL LANDS OFFICES**

<table>
<thead>
<tr>
<th>Department of Environment and Conservation</th>
<th>Department of Environment and Conservation</th>
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<th>Department of Environment and Conservation</th>
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</thead>
<tbody>
<tr>
<td>Eastern Regional Lands Office</td>
<td>Central Regional Lands Office</td>
<td>Western Regional Lands Office</td>
<td>Labrador Regional Lands Office</td>
</tr>
<tr>
<td>Hawley Building, Higgins Line</td>
<td>230 Airport Boulevard</td>
<td>The Notan Building, P.O. Box 2006</td>
<td>The Thomas Building, P.O. Box 3014, Stn. “B”</td>
</tr>
<tr>
<td>P.O. Box 8700</td>
<td>Fraser Mall, P.O. Box 2222</td>
<td>1 Riverside Drive</td>
<td>13 Churchill Street</td>
</tr>
<tr>
<td>St. John’s, NL  A1B 4J6</td>
<td>Gardiner, NL, A1V 2N9</td>
<td>Corner Brook, NL, A2H 6J8</td>
<td>Happy Valley-Goose Bay, NL</td>
</tr>
<tr>
<td>Telephone: (709) 729-2654</td>
<td>Telephone: (709) 256-1400</td>
<td>Telephone: (709) 637-2392</td>
<td>Telephone: (709) 896-2488</td>
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<tr>
<td>Facsimile: (709) 729-0726</td>
<td>Facsimile: (709) 256-1095</td>
<td>Facsimile: (709) 637-2905</td>
<td>Facsimile: (709) 896-9566</td>
</tr>
</tbody>
</table>
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
LAND DESCRIPTION

**IN THE ELECTORAL DISTRICT OF**

**Placentia/St. Mary's**

**IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?** YES ☐ NO ☐

**IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM**

**IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM**

**NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES**

**APPROXIMATE DIMENSIONS OF THE LAND**

<table>
<thead>
<tr>
<th>FRONTAGE</th>
<th>NAME OF WATERBODY (if applicable)</th>
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<tbody>
<tr>
<td>30 metres</td>
<td>62 metres</td>
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</table>

**DISTANCE TO CLOSEST WATERBODY**

**IS THE SITE ACCESSIBLE BY ROAD?** YES ☐ NO ☐

**IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?** YES ☐ NO ☐

**IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?**

**FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION**

☐ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

**FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.**

**IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?** YES ☐ NO ☐

**IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

**ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCROACHMENTS, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?** YES ☐ NO ☐

**IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

**DESCRIPTION OF LAND**

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

**BOUNDED ON NORTH BY**

**BOUNDED ON SOUTH BY**

**BOUNDED ON EAST BY**

**BOUNDED ON WEST BY**

**PLEASE NOTE:** IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT Locations OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
I, ____________________________, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.

(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).

(c) I am not aware of any adverse claim to the land applied for by any person(s).

(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.

(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.

(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.

(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At __________________________
this __________________ day of __________________________ 2015

Official Administering Oath

___________________________________________
Applicant’s Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
<table>
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<th>Agency Referral</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
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Officers Comments:

Date

Lands Management/Lands Officer

Recommendation of Regional Office:

☐ Approved (Complete section below)  ☐ Refused (Give reason)

Date

Regional Lands Manager

This section to be completed by Regional Office when approval is recommended.

Area approved: 

Frontage: 

Consideration/Rental: 

Back/Rental: 

☐ Lease  ☐ Grant  ☐ Licence  ☐ Other  ☐ Type: 

Cabinet approval required  ☐ Yes  ☐ No

Special instructions to surveyor (if any): SE corner of lot may overly old sand to beach.
Road/Path must be reserved out of survey. Area can be made up with frontage.

Departmental decision:

☐ Approved  ☐ Refused  ☐ Deferred  ☐ To Cabinet

Special instructions:

Date

Director of Lands Management
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<th>Special Conditions of Approval:</th>
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MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT—PART A

NAME OF APPLICANT: Matthew Kelly

DATE OF APPLICATION: 9-Jan-15

MAILING ADDRESS: [Redacted]

CITY/TOWN: St. John's

PROVINCE: NL

DATE OF APPLICATION: 9-Jan-15

TO BE COMPLETED BY MUNICIPAL COUNCIL—PART B

DOES YOUR COMMUNITY HAVE:

- AN APPROVED MUNICIPAL PLAN
- CONCEPT PLAN
- NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

- PERMITTED USE
- DISCRETIONARY USE
- A USER NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

IS THE PROPOSED USE A:

- RESIDENTIAL
- COMMERCIAL
- AGRICULTURE
- UNUSED
- OTHER

DESCRIBE THE LAND USE IN THE SURROUNDING AREA:

- NORTH SIDE
- EAST SIDE
- SOUTH SIDE
- WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN:

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:

- WATER AND SEWER
- WATER ONLY
- SEWER ONLY
- NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE:

IS THE ROAD PRESENTLY MAINTAINED YEAR-ROUND:

- YES
- NO

BY WHOM:

- COUNCIL
- DEPT. OF TRANP. AND WORKS
- APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED:

- YES
- NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS:

- CROWN
- PRIVATE
- OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
APPLICATION IS □ APPROVED □ REFUSED (GIVE REASONS) □ APPROVED SUBJECT TO THE
FOLLOWING CONDITIONS

COMMENTS

[Blank space]

SIGNED

[Signature]

DATE

[Date]

TITLE

[Signature]

INSTRUCTIONS

1. This IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of the Department and no占用 or development of the area is permanent until a formal lease document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area proposed or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to claim is located.
5. When the Council has completed its recommendation you may submit your application along with this approved form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are requested to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown Land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals to the municipal council, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Western Regional Land Office
P.O. Box 3004
Yellowknife, NT
Telephone: (867) 667-3000
Facsimile: (867) 667-3005

Department of Environment and Conservation
Northern Regional Land Office
15 Latham Street
Yellowknife, NT
Telephone: (867) 667-3000
Facsimile: (867) 667-3005

Department of Environment and Conservation
Laurier Regional Land Office
PO Box 3004
Northwest Territories
Telephone: (867) 667-3000
Facsimile: (867) 667-3005

Department of Environment and Conservation
Labrador Regional Land Office
6462 Highway 1
Newfoundland and Labrador
Telephone: (709) 864-2201
Facsimile: (709) 728-2201
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Newfoundland Labrador
Municipal and Intergovernmental Affairs

APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. ____________________________________________ RECEIPT NO. __________________________
FILE NO. 1-37194 AMOUNT $113.01 DATE Jan 7/14
DATE REGISTERED ________________________________________ INDICATED ON PLAN NO. __________
INITIAL __________________________________%%%%%%%%%%%%%%%% TOPO NO. __________ INITIAL _____________________

APPLICATION INFORMATION

SURNANE Nash
GIVEN NAME Sheldon
MIDDLE NAME William
AGE [Blank]
MAILING ADDRESS [Blank]
CITY/TOWN Branch
PROVINCE NL
POSTAL CODE [Blank]
BUSINESS TELEPHONE [Blank]
HOME TELEPHONE [Blank]

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? YES NO
ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS? YES NO
HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? YES NO

IF YES, SPECIFY TITLE NO(s): _______________________________

PROPOSED TENURE AND USE

TYPE OF APPLICATION
☑ LEASE ☐ GRANT ☐ LICENCE TO OCCUPY

LAND USE
☑ RESIDENCE ☐ COTTAGE ☐ AQUACULTURE ☐ AGRICULTURE (provide details below)
☐ COMMERCIAL (provide detailed description below) ☐ OTHER (provide details below)

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)
DIMENSIONS: LENGTH 40 WIDTH 40

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)
☑ WELL ☐ SEPTIC ☐ MUNICIPAL WATER ☐ MUNICIPAL SEWER ☐ OTHER (provide details below)
LAND DESCRIPTION

THE LAND IS Situated AT: Breach
IN THE ELECTORAL DISTRICT OF: Picton St Mary's

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☑ YES ☐ NO
IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM
IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM
NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL,
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

DISTANCE TO CLOSEST WATERBODY
FRONTAGE 100 m
DEPTH 200 m
NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD? ☑ YES ☐ NO
IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☑ YES ☐ NO
IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION
☑ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT
FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? ☑ YES ☐ NO
IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☑ YES ☐ NO
IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND
Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.
Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, ___________________________ do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At ___________ 12:02 P.M.
this ______ day of ___________ 2015

Official Administering Oath
Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
## SUMMARY OF AGENCY REFERRALS

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<tr>
<th>Agency Name</th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
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<th>Date Received</th>
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<td>Other</td>
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Officers Comments: _______________________________________________________________________
_______________________________________________________________________________________
_______________________________________________________________________________________

Date: ___________  Lands Management/Lands Officer: _______________________________________________________________________

**Recommendation of Regional Office:**

- □ Approved (Complete section below)  □ Refused (Give reason)

Date: ___________  Regional Lands Manager: _______________________________________________________________________

This section to be completed by Regional Office when approval is recommended.

- Area approved: ___________
- Frontage: ___________
- Consideration/Rental: ___________
- Back/Rental: ___________
- □ Lease  □ Grant  □ Licence  □ Other  □ Type: ___________

Cabinet approval required:  □ Yes  □ No

Special instructions to surveyor (if any): _______________________________________________________________________
_______________________________________________________________________________________

**Departmental decision:**

- □ Approved  □ Refused  □ Deferred  □ To Cabinet

Special instructions: _______________________________________________________________________
_______________________________________________________________________________________

Date: ___________  Director of Lands Management: _______________________________________________________________________

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<th>Special Conditions of Approval:</th>
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MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

This form must be submitted with your Crown Lands application to the appropriate regional office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.

TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>Name of Applican</th>
<th>S.30(1)</th>
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<tr>
<td>Sheldon Nash</td>
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<th>Province</th>
<th>S.30(1)</th>
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<td>Branch</td>
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<th>Home Address</th>
<th>Facsimile</th>
<th>S.30(1)</th>
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<thead>
<tr>
<th>Location of Land</th>
<th>Dimensions of Land</th>
<th>S.30(1)</th>
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<tbody>
<tr>
<td>Branch North HWY Rd</td>
<td></td>
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</table>

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

Does your community have:

☐ an approved municipal plan  ☐ concept plan  ☐ neither

According to the development regulations the area applied for is zoned as:

Crown Land

Is the proposed use a:

☐ permitted use  ☐ discretionary use  ☐ a use not included in the development regulations

(attach copy of zoning map showing location of site)

Does the proposed use conform to the standards and conditions set out in the development regulations?

☐ yes  ☐ no

Describe the land use

in the surrounding area

☐ residential  ☐ commercial  ☐ agriculture  ☐ unused  ☐ other

North side

East side

South side

West side

If the proposed use will conflict with existing land use in the general area, please explain:

________________________________________________________

________________________________________________________

________________________________________________________

________________________________________________________

Indicate which of the following municipal services are available at the site:

☐ water and sewer  ☐ water only  ☐ sewer only  ☐ no services

Describe type and condition of the road to the site

Worn

Is the road presently maintained year round:

☐ yes  ☐ no

By whom:

Council  ☐ Dept. of Transp. and Works  ☐ applicant

Will road extension or improvements be needed if the application is approved:

☐ yes  ☐ no

In the opinion of the council, the land applied for is

☐ Crown  ☐ Private  ☐ ownership unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details:

________________________________________________________

________________________________________________________

________________________________________________________

________________________________________________________

CONTINUED ON PAGE 2
APPLICATION IS
☑ APPROVED  ☐ REFUSED (GIVE REASONS)  ☐ APPROVED SUBJECT TO THE  ☐ DEFERRED (GIVE REASONS)
FOLLOWING CONDITIONS

COMMENTS


SIGNED

DATE

INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area or Municipal boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Municipal and Intergovernmental Affairs
330 Airport Boulevard, Fraser Mills, P.O. Box 2222
Gander, NL A1V 2N9 Telephone: (709) 256-1400 Facsimile: (709) 256-1095

Department of Municipal and Intergovernmental Affairs
Central Regional Lands Office
230 Airport Boulevard, Fraser Mills, P.O. Box 2222
Gander, NL A1V 2N9 Telephone: (709) 256-1400 Facsimile: (709) 256-1095

Department of Municipal and Intergovernmental Affairs
Western Regional Lands Office
Office Upper Level, Sir Richard Squires Building
P.O. Box 2006 Corner Brook, NL A2H 6J8 Telephone: (709) 637-2392 Facsimile: (709) 637-8032

Department of Municipal and Intergovernmental Affairs
Labrador Regional Lands Office
2 Tenth Street P.O. Box 3014, Stn. "B" Happy Valley-Goose Bay, NL A8P 1E0 Telephone: (709) 896-2188 Facsimile: (709) 896-9566
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT – PART A

NAME OF APPLICANT: Nash
DATE OF APPLICATION: Feb 25, 2014

CITY/TOWN: Branch
PROVINCE: NL

Mailing Address: [redacted]

HOME TELEPHONE: [redacted]
BUSINESS TELEPHONE: [redacted]
FACSIMILE: [redacted]

TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

DOES YOUR COMMUNITY HAVE

☐ AN APPROVED MUNICIPAL PLAN  ☐ CONCEPT PLAN  ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

☐ Crown land

IS THE PROPOSED USE A:

☐ PERMITTED USE  ☐ DISCRETIONARY USE  ☐ A USE NOT INCLUDED IN THE
DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND
CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☐ YES  ☐ NO

DESCRIBE THE LAND USE
IN THE SURROUNDING AREA:

☐ Residential  ☐ Commercial  ☐ Agriculture  ☐ Unused  ☐ Other

NORTH SIDE: Crown land  EAST SIDE: Crown land
SOUTH SIDE: Crown land  WEST SIDE: Crown land

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE:

☐ Water and Sewer  ☐ Water Only  ☐ Sewer Only  ☐ No Services

DESCRIBE TYPE AND CONDITION
OF THE ROAD TO THE SITE:

Paved

IS THE ROAD PRESENTLY
MAINTAINED YEAR ROUND ☐ YES  ☐ NO
BY WHOM:

☐ Council  ☐ Dept. of Transp. and Works  ☐ Applicant

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED? ☐ YES  ☐ NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS

☐ Crown  ☐ Private  ☐ Ownership Unclear

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
APPLICATION IS
☑ APPROVED  □ REFUSED (GIVE REASONS)  □ APPROVED SUBJECT TO THE  □ DEFERRED (GIVE REASONS)

COMMENTS

[Blank]

SIGNED

Town Clerk

DATE

28-02-2014

INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
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7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

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1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8788
St. John’s, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-6726

Department of Environment and Conservation
Central Regional Lands Office
239 Airport Boulevard,
Fraser Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Notion Building,
P.O. Box 2006
1 Riverside Drive
Corner Brook, NL A2H 6J8
Telephone: (709) 637-2392
Facsimile: (709) 637-2905

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 3014, Sta. “B”
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
**APPLICATION FOR CROWN LANDS**

**FOR DEPARTMENT USE ONLY**

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**APPLICATION INFORMATION**

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<tr>
<th>Surname</th>
<th>Given Name</th>
<th>Middle Name</th>
<th>Age</th>
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<tr>
<td>Mooney</td>
<td>Eugene</td>
<td>Francis</td>
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<tr>
<th>Are you a resident of the Province of Newfoundland and Labrador?</th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Are you an employee of the Department of Municipal and Intergovernmental Affairs?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
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| Have you, your spouse, or any dependent children ever applied for, or received land from the Crown? | Yes | No |

| If yes, specify title no(s). | APP NO 141336 |

**PROPOSED TENURE AND USE**

<table>
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<tr>
<th>TYPE OF APPLICATION</th>
<th>LEASE</th>
<th>GRANT</th>
<th>LICENCE TO OCCUPY</th>
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<th>AQUACULTURE</th>
<th>AGRICULTURE (provide details below)</th>
<th>COMMERCIAL (provide detailed description below)</th>
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<th>Describe buildings to be erected (if applicable)</th>
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**PROPOSED WATER AND SEWAGE FACILITIES (if applicable)**

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<th>MUNICIPAL SEWER</th>
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<td></td>
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</table>
LAND DESCRIPTION

THE LAND IS SITUATED AT

Brench St Manor Bay

IN THE ELECTORAL DISTRICT OF

CENTRA - ST MARY'S

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?

[ ] YES  [ ] NO

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 30 metres  DEPTH 61 metres

DISTANCE TO CLOSEST WATERBODY

NAME OF WATERBODY (if applicable)

IS THE SITE ACCESSIBLE BY ROAD?

[ ] YES  [ ] NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?

[ ] YES  [ ] NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?

metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

[ ] WALKING  [ ] A.T.V.  [ ] BOAT  [ ] SNOWMOBILE  [ ] AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?

[ ] YES  [ ] NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND


ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?

[ ] YES  [ ] NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND


DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

Colin Moorel Crown Land APP 14/1336

BOUNDED ON SOUTH BY

Crown Land

BOUNDED ON EAST BY

Road (North West Brench Road)

BOUNDED ON WEST BY

Crown Land

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

1. I, **Eugene Mooney**, do hereby make oath and declare as follows:

   (a) The information contained in this application is true and correct to the best of my knowledge and belief.

   (b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).

   (c) I am not aware of any adverse claim to the land applied for by any person(s).

   (d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.

   (e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.

   (f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.

   (g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At **Branch St Mary's Bay**
this **12** day of **January** **2015**

**Kelly Power** - Mayor

Official Administering Oath

**Commissioner of Oaths in the Province of Newfoundland, being the Mayor of the Town of Branch.**

**Eugene Mooney**

**Kelly Power** - Mayor

**Applicant’s Signature**

**NOTE:** A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### SUMMARY OF AGENCY REFERRALS

<table>
<thead>
<tr>
<th>Agency</th>
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<th>Comments Attached</th>
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<td>Other</td>
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</table>

**Officers Comments:**

[Blank space for comments]

---

**Date**

**Lands Management/Lands Officer**

**Recommendation of Regional Office:**

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

---

**Date**

**Regional Lands Manager**

This section to be completed by Regional Office when approval is recommended.

- Area approved:
- Frontage:
- Consideration/Rental:
- Back/Rental:
- [ ] Lease
- [ ] Grant
- [ ] Licence
- [ ] Other
- [ ] Type

- Cabinet approval required: [ ] Yes [ ] No

**Special instructions to surveyor (if any):**

[Blank space for instructions]

---

**Departmental decision:**

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

**Special instructions:**

[Blank space for instructions]

---

**Date**

**Director of Lands Management**
Special Conditions of Approval:

<table>
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<tr>
<th>Date</th>
<th>Regional Lands Manager</th>
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</thead>
</table>

Special Title Conditions:

<table>
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<th>Regional Lands Manager</th>
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</table>
# Municipal Recommendation Form for Crown Land Applications

**Within Municipal and Planning Area Boundaries**

This form must be submitted with your Crown Lands Application to the appropriate Regional Office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.

## To Be Completed by Applicant – Part A

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>Date of Application</th>
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<tbody>
<tr>
<td>E. Mooney</td>
<td>JAN 12/15</td>
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<table>
<thead>
<tr>
<th>City/Town</th>
<th>Province</th>
<th>Postal Code</th>
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<tr>
<td>Branch St Mary's Bay</td>
<td>NL</td>
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<tr>
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<thead>
<tr>
<th>Land to be Used for</th>
<th>Location of Land</th>
<th>Dimensions of Land</th>
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<tbody>
<tr>
<td>Residence</td>
<td>Branch St Mary's Bay</td>
<td>30 m x 60'</td>
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</tbody>
</table>

## To Be Completed by Municipal Council – Part B

Does your community have:
- ☐ An approved Municipal Plan
- ☑ Concept Plan
- ☐ Neither

According to the Development Regulations, the area applied for is zoned as:

- ☐ Residential

Is the proposed use a:
- ☐ Permitted Use
- ☐ Discretionary Use
- ☐ A use not included in the Development Regulations (Attach Copy of Zoning Map showing location of site)

Does the proposed use conform to the standards and conditions set out in the Development Regulations? ☐ Yes ☐ No

Describe the land use in the surrounding area:
- ☐ Residential
- ☐ Commercial
- ☐ Agriculture
- ☐ Unused
- ☐ Other

Crown Land App No 141336

North Side: Crown
South Side: Crown
East Side: Crown
West Side: Crown

If the proposed use will conflict with existing land use in the general area, please explain:

- ______________________________________

Indicate which of the following municipal services are available at the site:
- ☐ Water and Sewer
- ☐ Water Only
- ☐ Sewer Only
- ☐ No Services

Describe type and condition of the road to the site:

Is the road presently maintained year round? ☐ Yes ☐ No

By whom:

- ☐ Council
- ☐ Dept. of Transp. and Works
- ☐ Applicant

Will road extension or improvements be needed if the application is approved? ☐ Yes ☐ No

In the opinion of the Council, the land applied for is:
- ☐ Crown
- ☐ Private
- ☐ Ownership Unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details.

_____________________________________

Continued on page 2
THE COUNCIL OF Branch ST Mary's Bay

APPLICATION IS
☐ APPROVED ☐ REFUSED (GIVE REASONS) ☐ APPROVED SUBJECT TO THE ☐ DEFERRED (GIVE REASONS)
FOLLOWING CONDITIONS

SIGNATURE

DATE

INSTRUCTIONS

I. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation, you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

II. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area or Municipal boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form. When, in the opinion of the Department, the Recommendation Form has not been processed by Council in a timely manner, in such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

<table>
<thead>
<tr>
<th>Department of Municipal and Intergovernmental Affairs</th>
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<tr>
<td>Eastern Regional Lands Office</td>
<td>Central Regional Lands Office</td>
<td>Western Regional Lands Office</td>
<td>Labrador Regional Lands Office</td>
</tr>
<tr>
<td>Howley Building, Higgins Line</td>
<td>238 Airport Boulevard</td>
<td>Office Lower Level, Sir Richard's Building</td>
<td>2 Tenth Street</td>
</tr>
<tr>
<td>P.O. Box 8700</td>
<td>Fraser Mall, P.O. Box 2222</td>
<td>P.O. Box 2006</td>
<td>P.O. Box 2014, Station “B” Happy Valley-Goose Bay, NL A0P</td>
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<td>St. John's, NL A1E 4J8</td>
<td>Gander, NL A1V 2N9</td>
<td>Corner Brook, NL A1H 6A8</td>
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<tr>
<td>Telephone: (709) 729-2554</td>
<td>Telephone: (709) 255-1095</td>
<td>Telephone: (709) 637-2302</td>
<td>Telephone: (709) 896-2488</td>
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<tr>
<td>Facsimile: (709) 729-0726</td>
<td>Facsimile: (709) 255-1095</td>
<td>Facsimile: (709) 637-2302</td>
<td>Facsimile: (709) 896-9566</td>
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# Newfoundland Labrador
Municipal and Intergovernmental Affairs

## APPLICATION FOR CROWN LANDS

**FOR DEPARTMENT USE ONLY**

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<th>APPLICATION NO.</th>
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## APPLICATION INFORMATION

<table>
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<tr>
<th>Surname</th>
<th>Given Name</th>
<th>Middle Name</th>
<th>Age</th>
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<td>Courage</td>
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- **ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR?**  
  - Yes [ ]  
  - No [X]  

- **ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS?**  
  - Yes [X]  
  - No [ ]  

### Have you, your spouse, or any dependent children ever applied for, or received land from the Crown?  
- Yes [ ]  
- No [X]  

If yes, specify title and number.

## PROPOSED TENURE AND USE

### TYPE OF APPLICATION
- [ ] Lease  
- [X] Grant  
- [ ] Licence to Occupy

### LAND USE
- [X] Residence  
- [X] Cottage  
- [ ] Aquaculture  
- [ ] Agriculture (provide details below)  
- [ ] Commercial (provide detailed description below)  
- [ ] Other (provide details below)

- **Personal use for cottage**

### DESCRIBE BUILDINGS TO BE ERECTED (if applicable)
- Dimensions: Length 30, Width 6.2

### PROPOSED WATER AND SEWAGE FACILITIES (if applicable)
- [X] Well  
- [X] Septic  
- [ ] Municipal Water  
- [ ] Municipal Sewer  
- [ ] Other (provide details below)
# LAND DESCRIPTION

**THE LAND IS SITUATED AT**

Branch, NL / Beckford Head

**IN THE ELECTORAL DISTRICT OF:**

Branch

**IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?**

☑️ YES ☐ NO

**IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM**

**NOTE:** This form is available from the Municipal Council, Regional Lands Office, & Government Service Centres

## APPROXIMATE DIMENSIONS OF THE LAND

<table>
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<tr>
<th>FRONTAGE</th>
<th>metres</th>
<th>DEPTH</th>
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<tbody>
<tr>
<td>30</td>
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<td>62</td>
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</table>

**DISTANCE TO CLOSEST WATERBODY**

100 m       NAME OF WATERBODY (if applicable)

Ocean, Beckford Cove

**IS THE SITE ACCESSIBLE BY ROAD?**

☑️ YES ☐ NO

**IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?**

☐ YES ☑️ NO

**IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?**

metres

**FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION**

☐ WALKING ☑️ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

**FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.**

**IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?**

☐ YES ☑️ NO

**IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**


---

**ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS ENCLOSURES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?**

☑️ YES ☐ NO

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**DESCRIPTION OF LAND**

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

**BOUND ED ON NORTH BY**


**BOUND ED ON SOUTH BY**


**BOUND ED ON EAST BY**


**BOUND ED ON WEST BY**


**PLEASE NOTE:** It is the policy of the Crown Lands Division to accept applications on a first come, first serve basis. Applications must be fully completed, with a map showing the exact locations of the land applied for together with the application fee. The approved Municipal Recommendation form from Council, if applicable, must also be attached. Only then will the application be accepted and deemed registerable by this Department.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, __________________________________________ do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
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Sworn before me:
At __________________________, this ______ day of ______________________, 20__

Official Administering Oath

__________________________________________

Applicant’s Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

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Officers Comments:

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Lands Management/Lands Officer

Recommendation of Regional Office:

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

Date

Regional Lands Manager

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- [ ] Other

- [ ] Type

Cabinet approval required
- [ ] Yes
- [ ] No

Special Instructions to surveyor (if any):

Departmental decision:

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

Special Instructions:

Date

Director of Lands Management
Special Conditions of Approval:

<table>
<thead>
<tr>
<th>Date</th>
<th>Regional Lands Manager</th>
</tr>
</thead>
</table>

Special Title Conditions:

<table>
<thead>
<tr>
<th>Date</th>
<th>Regional Lands Manager</th>
</tr>
</thead>
</table>
# Municipal Recommendation Form for Crown Land Applications

**Within Municipal and Planning Area Boundaries**

**To Be Completed by Applicant - Part A**

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>Date of Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Dean Gower</td>
<td>Jan 29, 2015</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>Postal Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Redacted]</td>
<td>[Redacted]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. John's</td>
<td>NL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Home Telephone</th>
<th>Business Telephone</th>
<th>Fax/Scan</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Redacted]</td>
<td>[Redacted]</td>
<td>[Redacted]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land to be Used for</th>
<th>Dimensions of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal use / cabin</td>
<td>Frontage 30m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location of Land</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Backford's Cove</td>
<td>Depth 60m</td>
</tr>
</tbody>
</table>

**To Be Completed by Municipal Council - Part B**

**Does Your Community Have**

- [ ] An Approved Municipal Plan
- [ ] Concept Plan
- [ ] Neither

According to the Development Regulations, the area applied for is zoned as:

- [ ] Crown Land

If the Proposed Use is:  
- [ ] Permitted Use
- [ ] Discretionary Use
- [ ] A Use Not Included in the Development Regulations (Attach copy of zoning map showing location of site)

Does the proposed use conform to the standards and conditions set out in the Development Regulations?

- [ ] Yes
- [x] No

Describe the land use in the surrounding area:

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

North Side: ___________________________  East Side: ___________________________

South Side: ___________________________  West Side: ___________________________

If the proposed use will conflict with existing land use in the general area, please explain:

Indicate which of the following municipal services are available at the site:

- [ ] Water and Sewer
- [ ] Water Only
- [ ] Sewer Only
- [x] No Services

Describe the type and condition of the road to the site:

Is the road presently maintained year round?

- [ ] Yes
- [x] No

By whom:

[ ] Council  [ ] Dept. of Transf. and Works  [ ] Applicant

Will road extension or improvements be needed if this application is approved?

- [ ] Yes
- [x] No

In the opinion of the Council, this land applied for is:

- [ ] Crown
- [ ] Private
- [ ] Ownership Unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details.
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM.
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area or Municipal boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Municipal and Intergovernmental Affairs
Egmont Regional Lands Office
Howley Building, Highway 35
P.O. Box 8700
St. John’s, NL A1B 1S6
Telephone: (709) 729-2654
Facsimile: (709) 723-0726

Department of Municipal and Intergovernmental Affairs
Central Regional Lands Office
230 Airport Boulevard
Fisher Mall, P.O. Box 2322
Corner Brook, NL A2H 1Z9
Telephone: (709) 234-1600
Facsimile: (709) 235-1895

Department of Municipal and Intergovernmental Affairs
Western Regional Lands Office
Office Lower Level, 5th Floor
Richard Square Building
P.O. Box 206
Corner Brook, NL A2H 1AB
Telephone: (709) 677-2392
Facsimile: (709) 677-0012

Department of Municipal and Intergovernmental Affairs
Labrador Regional Lands Office
J. Truth Street
P.O. Box 2014, Ste. "B" Happy Valley-Goose Bay, NL A9P 1E0
Telephone: (709) 894-3400
Facsimile: (709) 894-9566
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