

Crown Land Leases and Community Planning Branch Approval in the Northern Saskatchewan Administration District

This guide applies to anyone leasing Crown land for a term of more than 10 years in the Northern Saskatchewan Administration District (NSAD).

What is the NSAD?

The NSAD is the northern area of Saskatchewan. This area is legally described in section 74 of *The Northern Municipalities Regulations* and delineates the northern part of the province from the south. The NSAD area includes all lands north of the NSAD line.



How is the NSAD different from the District?

The district is a single municipality encompassing most of the NSAD, with the majority of this land belonging to the Crown. Although this municipality is legally known as the district, it can be thought of as a “northern rural municipality” where the district covers all the unorganized areas in the NSAD except designated park land, and the incorporated municipalities in the north (towns, northern villages, and northern hamlets).

Northern Municipal Services is uniquely responsible for acting as the district's local government authority.

The district is governed by the Minister of Government Relations, who acts as the mayor and council for this northern municipality.

The Ministry of Environment is the majority landowner in the district. They are responsible for administering more than 20 million hectares of Crown resource land in the NSAD.

What is a Crown land lease in the NSAD?

Crown lands are administered by the Ministries of Environment, Parks, Culture and Sport, and other ministries. Lands may be leased in the NSAD for a variety of purposes, and they allow the legal occupation or use of the land. Examples include:

- recreational cabins
- commercial and industrial operations
- mining operations

Do I need Community Planning approval for my Crown land lease?

Yes, if the lease is for a term greater than 10 years, together with any renewals, Community Planning approval is required under section 121 of *The Planning and Development Act 2007* (PDA). Community Planning branch consultants will review the application for compliance with municipal (district) bylaws and provincial legislation, such as site suitability and protection from flooding and slope instability.

Are there any conditions where a Crown land lease does not need Community Planning Approval?

Yes, the following scenarios do not need Community Planning approval:

- The original lease was issued prior to 1983, and there are no proposed changes (reductions or expansions) to the boundaries of the lease.
- A lease is issued for 10 years or less (including any renewal terms).

Why is my remote recreation lease, parks lease, or surface mine lease called a “subdivision”?

Any lease greater than 10 years is considered a “subdividing instrument” under clause 120(1)(f) of the PDA and requires Community Planning branch approval. A subdividing instrument is an interest (which includes a lease) on Crown land and has the effect of creating a parcel which creates a right of occupation and use.

All subdivisions must comply with *The Planning and Development Act, 2007, The Statements of Provincial Interest, The Dedicated Land Regulations, and The Subdivision Regulations, 2014.*

How do I apply for Community Planning (subdivision) approval?

The subdivision application form and additional information on the subdivision process can be found by searching “Municipalities and the Subdivision Process” on the saskatchewan.ca website or at the following link:

www.saskatchewan.ca/government/municipal-administration/community-planning-land-use-and-development/subdivision-zoning-and-land-use/municipalities-and-the-subdivision-process

The application for subdivision approval must include a Plan of Proposed Subdivision, which illustrates the intended lease site, source parcel, and any relevant features (waterways, waterbodies, land elevations, topographical features, etc.); developments (sewage disposal, roadways, etc.) and adjacent uses and communities (First Nations, airports, landfills, etc.); and any other applicable consideration that might affect long-term land occupation (natural, heritage or cultural features, etc.)



A Plan of Proposed Subdivision is prepared by either a Saskatchewan Land Surveyor or a Registered Professional Planner. It must comply with the required contents of section 6 of *The Subdivision Regulations, 2014*.

Do I also need a Plan of Survey?

Maybe. Applicants need to check with the Ministry of Environment to confirm whether there is a requirement for a Plan of Survey.

The Community Planning branch requires a Plan of the Proposed Subdivision, a subdivision application form, a copy of the most recent title, and the application fees for obtaining subdivision approval (Certificate of Approval). A Plan of Survey is required to register the approved Plan of Proposed subdivision in the Land Registry.

How do I register the subdivision approval for my lease in the Land Registry?

A Plan of Survey is defined in *The Land Surveys Act, 2000* as “...a plan prepared by a surveyor in the prescribed manner that illustrates any boundary of a parcel...” and shows parcel dimensions, boundaries and all relevant features such as but not limited to, buildings, waterbodies, utilities, wells and septic systems.

The Plan of Survey is first approved by the Controller of Surveys, recorded in the Saskatchewan Land Surveys Directory and then registered in the Saskatchewan Land Registry.

Why is it beneficial to register a survey plan for my lease in the Land Registry?

The Land Registry is a public registry which registers interests against land, whether held by the Crown or privately. It provides public notice to third parties of the lease and gives the lessee priority against any other registered interest.

In the case of a Crown lease, the land is held by the Crown and has not been granted or titled. An interest may still be filed in the Land Registry's sub-registry, which is referred to as the Abstract Directory.

The Government of Saskatchewan has contracted Information Services Corporation (ISC) to act as the service provider for Saskatchewan's public registries under the direction of Government officials (the Controller of Surveys and Registrar of Titles). Plan of Survey submissions are made to ISC.

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