

## GOVERNMENT OF NOVA SCOTIA MANAGEMENT MANUALS

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### 20 General Policy for the Sale of Crown Lands

#### 20.01 Authority:

Under Section 16(1)(a) of the Crown Lands Act, the Minister of Natural Resources, with the approval of the Governor in Council, may issue a grant, deed, lease, licence or other conveyance for the disposition of Crown lands or any interest in Crown lands.

#### 20.02 Background:

The Province of Nova Scotia has adopted a Real Property Disposal Policy which applies to all departments. A copy of that policy is attached as Schedule "A".

#### 20.03 Definitions:

"Crown lands" means all or any part of land under the administration and control of the Minister of Natural Resources.

"Sale", in this policy, means a conveyance of a fee simple interest in exchange for monetary consideration. This policy does not apply to transfers of administration and control to other Provincial departments or to the Federal government. This policy does not apply to the issuance of leases, licences, rights of way or easements.

#### 20.04 Requirements:

All sales of Crown lands must be considered within the context of the Province's Real Property Disposal Policy. Furthermore, Crown lands may only be sold:

1. in accordance with any other formal department policy; or
2. by way of public offering, generally tender, if the land has been determined to be surplus to the needs of the Department of Natural Resources and, upon notification, no other Provincial government department requests that it not be sold; or

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20.04 Requirements: (Cont'd)

3. by direct sale, at market value
  - (i) to a municipality, agency, non-profit group or community organization when a public benefit can be demonstrated;
  - (ii) to support or promote economic activity when all other reasonable alternatives have been canvassed by the applicant; or
4. by direct sale, at market value or at a negotiated price which may be more or less than market value, to alleviate undue hardship or in extenuating circumstances, and where it is demonstrated as being in the best interests of the Province.

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### General Policy for the Sale of Crown Lands

20.05 Schedule "A" – Province of Nova Scotia Real Property Disposal Policy:

#### PROVINCE OF NOVA SCOTIA

#### REAL PROPERTY DISPOSAL POLICY

- Disposal of surplus land would be based on market value.
- All files would contain a report indicating the market value of the lands.
- Departmental policies regarding land disposal will be open for public review.
- All "surplus lands" identified by Departments will be identified to all Government Departments and agencies through the Provincial Crown Land Record Centre, to determine whether the lands are indeed surplus to the Province.
- Departments would determine the most appropriate method of sale under the circumstances in each instance.
- Acceptable methods are:
  - public tender
  - draw
  - listed with a licensed real estate agent
  - sold directly by government, based on market value
  - court ordered sale.
- Properties may be sold at less than market value, if shown to be in the best interest of the Province, i.e. the social and/or financial impact dictates the property should be sold for less.
- All Departments have thresholds in their policies and the disposal of lands above the threshold would be forwarded to P&P and Cabinet for consideration and direction.