



Strategic Policy Crown Land Sales

NAME OF LAND POLICY:	Crown Land Sales
APPLICATION:	Applies to all sales of Crown lands under the authority of the <i>Land Act</i> or <i>Ministry of Lands, Parks and Housing Act</i>
ISSUANCE:	Assistant Deputy Minister Reconciliation, Lands and Natural Resource Policy
IMPLEMENTATION:	Ministry of Water, Land and Resource Stewardship
REFERENCES:	<i>Land Act</i> (Ch. 245, R.S.B.C, 1996) <i>Ministry of Lands, Parks and Housing Act</i> (Ch. 307, R.S.B.C, 1996)
RELATIONSHIP TO PREVIOUS LAND POLICY:	This policy replaces Crown Land Sales Policy created June 2, 2008

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Date:

EFFECTIVE DATE: June 1, 2011
AMENDMENT:

FILE: 11480-01/CLS

APPROVED AMENDMENTS:		
Effective Date	Briefing Note /Approval	Summary of Changes:
June 1, 2011	BN 175892	Policy and Procedure update to reflect reorganization of resource ministries April 2011
May 9, 2024	BN CLIFF 41581	Updated cover page to reflect the transfer of administration of the Land Act and Ministry of Lands, Parks and Housing Act from the Ministry of Forests to the Ministry of Water, Land and Resource Stewardship. No amendments to the policy.

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1. PURPOSE

This policy provides guidance to public officials who are involved in making decisions on the sale of Crown land.

1.1 Legislative Authority

The *Land Act*, Section 11, expressly provides for the sale of land.

The *Ministry of Lands, Parks and Housing Act*, Section 9, provides that the Minister may dispose of land on terms and conditions the Minister considers appropriate.

1.2 Crown Land Allocation Principles

Government's Crown Land Allocation Principles apply to the sale of Crown land:

- Crown land values are managed for the benefit of the public;
- Economic, environmental and social needs and opportunities are identified and supported;
- The interests of First Nations' communities are recognized;
- Decisions are timely, well-considered, and transparent; and,
- Public accountability is maintained during the allocation of Crown land.

The principles guide the development of strategic and operational policy, provide guidance to public officials who are involved in making decisions about the allocation of Crown land, and are incremental to legal obligations.

2. POLICY SCOPE AND APPLICATION

This policy applies to the sale in "fee simple" of Crown land held in right of the Province of British Columbia, pursuant to the *Land Act* and the *Ministry of Lands, Parks and Housing Act*.

This policy does not apply to:

- The disposition of Crown land through forms of tenure, including but not limited to permits, licenses, leases or other instruments, which do not lead to sale;
- The disposition of Crown land through Free Crown Grants (FCGs) and Nominal Rent Tenures (NRTs);
- Transfers of administration and control between the Federal and Provincial governments and the non-sale transfer of Crown land to local governments and First Nations (or corporations acting on behalf of First Nations); and,
- Sales agreements that existed prior to this policy coming into force.

This policy does not supersede zoning decisions of local governments.

3. FIRST NATIONS CONSIDERATIONS

First Nations' interests must be considered prior to proceeding with any proposal to sell Crown lands. Crown lands may be considered unavailable for sale based on the nature and extent of interests and impacts identified through consultations with area First Nations.

The Province must meet its obligations to consult and, where appropriate, accommodate First Nations' interests prior to any decision to sell Crown land.

4. FURTHERING GOVERNMENT GOALS

Crown lands may be sold in order to further the Province's strategic direction, priorities and plans.

Provincial goals are generally expressed through strategic plans, ministry service plans, sector strategies and other decisions of government.

5. SALES METHODS

Crown land sales may be the result of a client-initiated application, the identification of opportunities by authorizing agency staff, or the direction of government where it serves a strategic initiative.

A competitive process may be pursued to ensure the Province receives a fair return for the land.

6. IDENTIFICATION OF SALES OPPORTUNITIES

Collaboration between the Province, First Nations', local governments and industry is encouraged to identify resource values, investment opportunities, development and marketing proposals that support economic, social and environmental initiatives.

7. CONSIDERATION OF SALE OUTCOMES

Due to the nature of the transfer of rights with a sale, the benefits that will accrue from a sale must be weighed against the loss of public control of the land and the scarcity of the resource.

When evaluating a proposal to sell Crown land, the following factors should be considered:

- Direct and indirect benefits;
- Compatibility of the intended use and the results of provincial and other planning processes;
- Impact of the sale on adjacent land and resources;
- Support for emerging or strategic priorities; and,
- The costs and benefits of potential future opportunities associated with the land.

The reasons for a decision to sell Crown land shall be documented.