

AUTHORITY: **The Parks Act**
 The Parks Regulations, 1991
 The Provincial Lands Act
 The Crown Resource Land Regulations

INTENT: **To facilitate land dispositions for the establishment and operation of institutional camps within Provincial Parks.**

POLICY:

1.0 "Institution" is defined as a charitable or non-profit organization or group that is registered under The Non-profit Corporations Act, 1995 or the non-profit provisions of relevant federal statutes.

2.0 Institutional leases may be considered where park management strategies have identified that land and resources can sustain the proposed activity, where there are no conflicts with existing lease agreements and environmental impact is determined to be acceptable.

3.0 All institutional camps will obtain and operate under a valid Institutional Lease Agreement with the Ministry of Tourism, Parks, Culture and Sport (TPCS). Lease agreements will be for a maximum 10 year term and may be renewed providing the Lessee is in compliance with the terms and conditions of the exiting disposition.

4.0 The lessee will use the said land for the purpose of operating and maintaining charitable, religious or educational camps on a non-profit basis. Camps must be actively operating and provide a minimum of 3 weeks of programming between June 1 and September 30. If operating on a year round basis camps must provide a minimum of 14 days of programming during the period of October 1 – April 30. Programming details (summer and winter, if applicable) must be provided to the Park Supervisor by June 1 (summer) and October 1 (winter) of each year. "Programming" is considered to include lessee run camps, courses and/or training formally offered through course brochures and advertising, which must be delivered by the Lessee or the Lessee's staff to registrants. Programming does not include "rental of facilities only" to any individual or organization.

5.0 The lessee will not permit the land or improvements to be used for any other purpose or by any other person unless the purpose of such use is charitable, religious or educational. Use by a park commercial lessee operating a business in the same park with similar facilities (generally accommodation) will be considered by the Ministry upon receipt of a written request.

6.0 Written approval from the Park Supervisor authorizing use of the land and improvements by another person or group must be in place prior to said use occurring. The Lessee will provide to the Park Supervisor the name of the person or group using the facilities and the intended use when seeking authorization for use by another person or group.

7.0 The Lessee will provide documentation to TPCS which shows that appropriate insurance is in place to cover use by another person or group, and/or provide proof to TPCS that the other person or group has adequate insurance to cover their use. Authorization of use by a third party will not be provided without adequate insurance coverage.

8.0 The Lessee will be required to pay a fee to TPCS for each day that other persons or groups are using the facility.

9.0 The Lessee may provide two camping sites on the leased land to be used for essential staff quarters. Additional camping sites must be approved by the park supervisor and will be subject to the fee as described. Facilities must be in place to ensure proper collection and disposal of sewage and grey water. Camping will only be allowed during organized camps and the individuals utilizing campsites must be associated with the camp. (Campsite development is considered development under section 17.0 of this policy)

10.0 Year round residency for camp operators will only be allowed in exceptional circumstances, and will be subject to the following:

- a) An approved accommodation structure already exists;
- b) Lessee agrees to pay an Accommodation Fee for use of the park land;
- c) The lessee acknowledges that the Ministry is not obligated to provide any services to the lessee during the period the camp is not in operation;
- d) The institutional lease agreement must reflect the specific approved accommodation year round use arrangement.

11.0 Lessee requests for on-site (on the lease parcel) accommodation must be submitted to Business Development and Leasing Unit for consideration and approval prior to development and/or use.

12.0 The institutional camp lessee will not carry on, or allow to be carried on, any activity that may be in conflict with commercial lessees operating in the park, without prior approval from the Ministry.

13.0 The lessee will carry a minimum of 2 million dollars liability insurance and provide proof of insurance to TPCS prior to each operating season.

14.0 If any of the terms or conditions of the lease are violated the lease will be subject to cancellation and/or non renewal.

15.0 The Lessee will be required to abide by all conditions of The Parks Act and The Parks Regulations, 1991.

16.0 As a term and condition of every institutional camp lease, it is the responsibility of the leaseholder to ensure a legal survey is conducted on any new lease prior to any construction taking place. The park supervisor may request a legal survey on an existing lease to ensure that all facilities are situated within the boundaries of the lease. The survey will be done at the expense of the Lessee.

17.0 No development is to occur on park land without the prior written approval of the Lessor. Development may include new construction, removal, rebuilding, replacement, alterations and/or additions. A written description of any proposed improvements must be submitted to TPCS for review prior to commencing construction. Dependent on the scope of the project, a Building Permit and/or a Development Agreement may be required. A Development Agreement outlines the terms and conditions to be followed when constructing facilities such as buildings or utilities on park land. Lessees will be required to follow standards and codes including, but not limited to The Uniform Building and Accessibility Standards Act and Regulations, The Public Accommodation Regulations and The National Building Code of Canada. The Lessee will be responsible to obtain all necessary approvals, licences and permits from other provincial and federal agencies

18.0 Where utilities are provided by TPCS, the lessee will pay utility fees based upon those set for commercial lessees. Fees will be based upon a 3 month minimum. Garbage pickup or snow removal if provided by the park will be based upon full cost recovery, determined by the Park Supervisor.

19.0 Rates and Fees for Institutional Camps

- a) Annual Lease Fee (as per The Parks Regulations, 1991) - \$35.51 per hectare
- b) Fees for use of camp facilities by another person or group - \$25/day or partial day
- c) Fees for camping sites associated with the camp – 75% of seasonal non-electric camping rate/site/season (2011 = \$590.00 x 75% = \$442.50/season)
(no charge for first 2 sites, fee applies to approved sites over and above 2)
- d) The Accommodation Fee shall be set annually, based upon 75% of the current year's estimated average annual total provincial park cottage fee.

APPROVED: _____

DATE: _____