

MUNICIPAL CORPORATION OF THE HAMLET OF TALOYOAK

By-law Number 73

 A by-law of the Municipal Corporation of the Hamlet of Taloyoak in the Northwest Territories, to provide for the administration of municipal lands, pursuant to the Hamlets Acts, R.S.N.W.T., 1988, c. H-1, s. 132.2.

As the Council of the Municipal Corporation of the Hamlet of Taloyoak deems it to be desirable to establish a uniform process for the disposal of real property owned, leased or otherwise held by the Hamlet;

NOW, THEREFORE, THE MUNICIPAL CORPORATION OF THE HAMLET OF TALOYOAK, at a duly assembled meeting, enacts as follows:

SHORT TITLE

1. This by-law may be cited as the Land Administration By-law.

INTERPRETATION

2. In this by-law:

- | | | |
|-----|------------------|--|
| (a) | Council | means the Council of the Municipal Corporation of the Hamlet of Taloyoak; |
| (b) | Development Cost | means the costs directly incurred by the municipality in developing land, including, but not limited to, the costs of: <ol style="list-style-type: none"> (1) planning and engineering design; (2) project management; (3) road construction; (4) land fill; (5) open spaces; (6) piped water and sewer lines; (7) electrical distribution lines (and poles); (8) legal surveys; (9) land acquisition and disposal costs; (10) financing charges, including interest, for any loans incurred in developing the land; |
| (c) | Disposal of land | means the lease, or other disposition of land; |
| (d) | Equity Lease | means a lease for which all annual lease payments are credited against the total lot price until such time as the lot price is paid in full. |

- (e) Land means real property owned, leased or otherwise held or acquired by the Municipality;
- (f) Lot means a parcel of land, for which development costs have been incurred and which has been duly described or surveyed for the purpose of acquisition, lease or other disposition.
- (g) Lot Price means the valuation of a lot;
- (h) Market Value means the value of a parcel of land based on the amount a willing buyer would pay to a willing seller. This value shall be determined by a professionally qualified land appraiser or by public tender or auction;
- (i) Minister means the Minister of Municipal and Community Affairs;
- (j) Municipality means the Municipal Corporation of the Hamlet of Taloyaok, which is represented by the Senior Administrative Officer or his or her designate, except when decisions of Council are required;
- (k) New Lots means vacant lots which are developed after the date of this by-law;
- (l) Off-site levy means a surcharge made (at the time of lease execution) by the municipality to the lessee of municipal lands to assist in the payment of all or part of the capital costs of new or expanded infrastructure, including land, such infrastructure being located outside the lands being leased, but of direct, though not inclusive, benefit to the lessee;
- (m) Replacement Cost means the estimated development costs for a parcel of land, updated to the current year, representing the costs to develop a similar lot and the incorporation of any site-specific factors;
- (n) Site Specific Factors means factors which may be used, where applicable, in adding or subtracting up to 25% of the development costs of new lots or the replacement cost for existing developed lots, and which may be composed of:

- (1) size of land parcel;
- (2) site conditions;
- (3) desirability of location;
- (4) adjacent land uses; and
- (5) proposed land use.

and the addition of site specific factors for new lots shall not exceed development cost for the entire subdivision

APPLICATION OF THE BY-LAW

3. This by-law shall, except as otherwise expressly authorized by the Minister, apply to all acquisitions, leases or other dispositions the lands by the municipality.

PRECONDITION TO ACQUISITION AND DISPOSAL OF LANDS

4. Land speculation will be discouraged.
5. Neither the Municipality nor any authorized representative of the Municipality shall make or enter into any offer, agreement or other agreement for the purchase, lease or other disposition of land, except by by-law in the form of Appendix A, Appendix B or Appendix C attached hereto, and each such by-law shall contain:
 - (a) a complete legal description of the land to be acquired, leased or otherwise disposed of;
 - (b) the minimum consideration to be paid for the acquisition, lease, or other disposition of the lands; and
 - (c) the terms and conditions, if any, upon which the land shall be acquired, leased or otherwise disposed of.
6. No by-law for the acquisition, lease or other disposition of land shall be passed pursuant to section 132.2(4) or 132.2(5) of the Hamlets Act, until:
 - (a) it has been established through a search at the appropriate Land registry Office, that the municipality may lawfully acquire, lease or otherwise dispose of the land;
 - (b) an inspection of the land has been conducted to determine:
 - (1) if the lands are occupied;
 - (2) if there are any improvements situated on the lands;
 - (3) if there are any easements affecting the lands; and
 - (4) such other information as Council may, in its discretion, consider to be relevant;
 - (c) the Senior Administrative Officer has advised Council as to the value of the lands and any improvements situated thereon and that the proposed use of the lands shall comply with the zoning by-law or land use plan in effect in the municipality.

ADVERTISING OF THE LAND FOR DISPOSAL

7. (a) Subject to subsection 7 (c), the municipality shall not lease or otherwise dispose of land until it has published a notice of such proposed lease or other disposition:
- (1) by advertisement for two consecutive weeks in a newspaper having weekly circulation in the municipality; or
 - (2) by notice posted in three prominent places in the municipality for a period of two weeks.
- (b) Each advertisement or notice shall contain:
- (1) a sketch, drawn to scale, identifying the size and location of the lands to be leased or otherwise disposed of;
 - (2) the minimum consideration for which the land will be leased or otherwise disposed of;
 - (3) an indication as to the method to be employed in leasing or otherwise disposing of lands; or
 - (4) an indication as to where and when applicants may obtain information and application forms.
- (c) Sub-sections 6 (a) and 6 (b) shall not apply to:
- (1) lands required by the Federal or Territorial Governments;
 - (2) lands which can only be of use to an adjoining owner/lessee;
 - (3) additional adjacent lands required for expansion of an owners/lessees existing or proposed development.
8. The municipality shall re-advertise for lease or other disposition of lands which:
- (a) an application has been made but withdrawn by the applicant after acceptance by the municipality;
 - (b) a lease has been granted but terminated prior to the construction of any improvements on the lands; or
 - (c) re-zoning has taken place and the lands remain untenured.

APPLICATION FOR LAND

9. The municipality shall only accept a written application for land in the form of land in the form of Appendix D. This form shall contain, but not limited to:
- (a) the legal name of the applicant or applicants;
 - (b) the legal description of the land;
 - (c) the purpose for which land is to be used;
 - (d) a request, if applicable, for joint tenancy or tenancy-in-common;
 - (e) the signature of the applicant or applicants;
 - (f) a non-refundable/refundable application fee; and
 - (g) declaration of residency, if required.
10. The municipality shall keep a ledger of all lands, containing:
- (a) a full legal description of the lands;
 - (b) the location of the lands within the municipality;
 - (c) a valuation of the lands for purpose of lease or other disposition;
 - (d) the terms and conditions upon which the lands may be leased or otherwise disposed of; and
 - (e) an indication of whether the lands have been leased or otherwise disposed of, or whether there is a pending lease or other disposition of the land.
11. The ledger kept pursuant to Section 10 of this by-law shall be open to inspection by the public at the office during normal business hours.

TERMS AND CONDITIONS OF LAND DISPOSALS

12. (a) The standard term of all lease documents shall be:
- 30 years for residential land use;
 - 20 years for commercial land use;
- (b) The term of leases referred to in Section 10 a) may be varied at Councils discretion based on the nature and value of improvements to be constructed.
- (c) The term of all other leases will be at Councils discretion.
13. The Municipality, in leasing or otherwise disposing of new lots for residential purposes, shall ensure that prospective private homes owners have preference over lessees who wish to acquire more than one lot at a time, except when lots are required by:
- (a) The Federal or Territorial Governments;
 - (b) The Northwest Territories Housing Corporation or their clients; or
 - (c) the Canada Mortgage and Housing Corporation.
14. Every disposal of land shall be in writing.

15. The municipality, in leasing or otherwise disposing of new lots, shall require that commencement of construction must begin within twelve (12) months of the effective date of the lease and improvements must be constructed on the lots within twenty-four (24) months of the agreement. The municipality may terminate a lease for failure to complete construction the building or other improvements within the time required. Subject to Section 14, if construction is not complete within twenty-four (24) months, the land may revert back to the municipality.
16. The municipality may allow a maximum extension of twelve (12) months to either term outlined in Section 13. The following may be required prior to consideration by Council:
 - (a) written explanation for the delay in construction; and
 - (b) written plan to complete construction within the extension period.
 - (c) proof of approved financing
 - (d) development permit application
 - (e) no outstanding debts to the municipality
17. The Municipality shall not lease by or otherwise dispose of new lots by auction.
18. The Municipality shall lease land by one or a combination of the following means:
 - (a) Ballot draw;
 - (b) Development Proposal Call, as set out in Section 21;
 - (c) First come, first served basis; and that Council shall decide, at its discretion, as to which means will be employed to lease land.
19. Prior to disposing of land through means of a ballot draw, Council shall, by resolution, establish guidelines for such a process.
20. The Municipality shall, when disposing of land through means of a ballot draw, give preference to prospective lessees in the following manner:

Ballots shall be sorted in the following categories:

Category One - First time homeowners residing in the municipality for more than five (5) years

Category Two - persons residing in the municipality for more than two (2) years

Category Three - all others
21. The municipality shall decide whether, and under what circumstances, formal development proposals or bids will be asked from prospective lessees and may use the proposal call tender system outlined in Appendix E.

PRICING OF NEW LOTS

22. The lot price for new lots shall be determined by development cost including any allowances for site specific factors.
23. The Municipality shall recover development costs in the valuation of lands for disposal, subject to Section 24.
24. The municipality may, when it is unable to lease or otherwise dispose of a lot, reduce the lot below its development cost:
 - (a) when the lot has not been developed through financing from the Government of the Northwest Territories or a financial institution; or
 - (b) when the lot has been developed through financing from the Government of the Northwest Territories or a financial institution and the reduced land valuation is approved by the Minister.

PRICING OF EXISTING LOTS

25. The Municipality in leasing existing developed lands shall determine lot price by either of the following:
 - (a) replacement cost; or
 - (b) the market value as determined by:
 - (1) a qualified land appraiser or assessor; or
 - (2) a call for bids, (by public tender or auction) in which the advertised minimum price is not less than the replacement cost.

LEASE RATES

26. (a) The annual lease rate shall be as follows:
 - (1) residential: 4 percent of lot price per annum.
 - (2) commercial: 5%
 - (3) industrial: 5%
 - (4) other land uses: as described by Council
 - (b) Council may vary the lease rate for dispositions of land to non-profit organizations.
27. The Municipality may permit leases to accumulate value, through the issuance of equity leases, at terms and conditions to be approved by Council.

OFF-SITE LEVIES

28. When disposing of land the municipality may levy a surcharge to a lessee of lands to help pay for all or part of the municipalities capital cost for all or any of the following:
- (a) new or expended facilities for the storage, transmission, treatment or supply of water;
 - (b) new or expanded facilities for the storage, treatment, movement or disposal of sewage;
 - (c) new or expanded storm sewer drainage facilities;
 - (d) new or expanded roadways and sidewalks; and
 - (e) land required for, or in connection with, any of the facilities described in (a), (b), (c) and (d).
29. The municipality shall not include, as part of any off-site levy, any costs paid for by grants or contributions received from the Government of the Northwest Territories.
30. The municipality shall clearly identify to the public that any off-site levy is a separate surcharge above the lot price, which is collected together with the lot price.
31. The municipality shall place all off-site levy revenues in a separate account to be used for the purpose set out in Section 28.

LAND DEVELOPMENT RESERVE ACCOUNT

32. The municipality shall open and maintain a separate financial account in which all revenue obtained from the leasing or otherwise disposing of lands will be placed.
33. the municipality shall, in regards to the account identified in Section 32:
- (a) establish clear procedures for the management and operation of the account;
 - (b) use all expenditures from the account for the sole purpose of acquiring and/or developing land by the hamlet, unless written approval by the Minister is obtained for other types of expenditures; and

PRIVATE SECTOR DEVELOPMENT OF LANDS

34. The municipality shall encourage the utilization of the private sector in the development of lands only if:
- (a) the municipality has prepared a cost estimate of the project as if it were to develop the land; and
 - (b) the private sector can develop the land such that the lot price is the same as, or less than, the municipality would charge under its estimate in (a).

35. If, in the opinion of the municipality, the private sector can develop the lands in a cost-effective manner as outlined in Section 34, the municipality shall call for proposals.
36. The municipality, in disposing of vacant lands to a private developer, shall:
- (a) do so by the way of a lease to which a subdivision agreement may be attached;
 - (b) require the developer to establish a land disposal procedure that is consistent with this by-law;
 - (c) require the developer to provide a list of the prices of the lots to be developed;
 - (d) specify, in the lease, the standards to which the land must be developed; and
 - (e) specify, in the lease, that in cases for non-performance with regard to 36(a), 36(b) or 36(c) above, the lease will be canceled.

EASEMENTS

37. the municipality may, in the public interest, establish easements through, under or over any portion of the land for any public utility purpose, but the said easement shall not interfere with the rights granted to the lessee or any improvements made by the lessee on the land.

LEASE ASSIGNMENTS/TRANSFERS

38. Assignments may be granted subject to the following:
- (a) Annual lease rental owing to the municipality must be paid in full
 - (b) any taxes owing to the Government of the Northwest Territories must be paid in full
 - (c) proof of ownership of improvements
 - (d) satisfactory completion of improvements

LEASE SURRENDERS

39. Surrenders may be granted subject to the following:
- (a) Annual lease rental owing to the municipality must be paid in full
 - (b) any taxes owing to the Government of the Northwest Territories must be paid in full
 - (c) the lessee must remove all improvements from the land and return the lot in a state satisfactory to the municipality
 - (d) the lessee must deliver up to the municipality the duplicate leasehold title where one exists

CANCELLATION OF LEASE

- 40. If the municipality cancels a lease due to non-compliance with any terms and conditions of a lease:
 - (a) where there is a debt owed to the municipality, the municipality may seek an order to retain the right to any improvements upon the leased lands.
 - (b) where there is no debt owing to the municipality, the lessee shall remove any improvements and restore the site within thirty (30) days, failing which the municipality may seek an order allowing for the removal of the improvements.
 - (c) where the duplicate leasehold title for the lands has not been surrendered in accordance with the Land Title Act, the municipality shall seek an order cancelling the leasehold title.

QUARRIES

- 41. (a) The municipality may issue land use permits for the temporary use of land. The temporary land uses for which a permit is required are set out in Appendix G.
- (b) Application for a land use permit shall be in the form of Appendix H.
- (c) Any environmental impacts of the proposed use must be addressed by the applicant to the satisfaction of the municipality prior to the issuance of a permit.

BY-LAW ADMINISTRATION

- 42. Council may by resolution adopt standard forms of agreement for the administration of land and the Municipality may make minor changes not affecting the intent of these forms of agreement as may be necessary for such administration.
- 43. The following appendices shall form part of this By-Law:

APPENDIX A	Land Acquisition By-law
APPENDIX B	Land Disposal By-law (Lease)
APPENDIX C	Land Lease By-law
APPENDIX D	Land Application Form
APPENDIX E	Proposal Call/ Tender System
APPENDIX F	Quarry Application Form
APPENDIX G	Land Use Operations
APPENDIX H	Application for Land Use Permit

APPENDICES

The following appendices shall form part of this by-law:

Note: There is no appendix for assignment of lease.

All agreements for the acquisition or disposition of land made pursuant to this by-law shall conform to the applicable precedent form of agreement subject to such modifications as the circumstances may require and Council may approve.

45. Minor changes to the Appendices of this by-law can be made by Council, without amending this By-law provided the changes to the Appendices do not alter the intent of this By-law.

READ A FIRST TIME THIS 9 DAY OF Dec. 1997.

READ A SECOND TIME THIS 9 DAY OF Dec 1997.

M. D. Gutzler
MAYOR

Edward Johnston
SENIOR ADMINISTRATIVE OFFICER

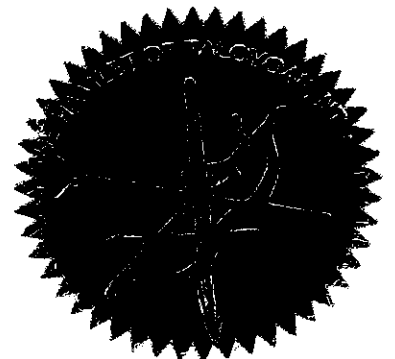
APPROVED BY THE MINISTER OF MUNICIPAL AND COMMUNITY AFFAIRS THIS 7 DAY OF Dec. 1998.

[Signature]
MINISTER
MUNICIPAL AND COMMUNITY
AFFAIRS

READ A THIRD TIME AND FINALLY PASSED THIS 28 DAY OF JAN., 1999.

[Signature]
MAYOR

Louis McPhean
SENIOR ADMINISTRATIVE OFFICER



APPENDIX A

LAND ACQUISITION BY-LAW

HAMLET OF TALOYOAK, N.T.

BY-LAW NUMBER 048⁰⁷⁵ *EM*

A By-law of the Municipal Corporation of the Hamlet of Taloyoak in the Northwest Territories to acquire real property, pursuant to the Hamlets Act, R.S.N.W.T. 1988, c.H-1, s.132.2.

WHEREAS THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE HAMLET OF TALOYOAK, in a duly assembled meeting, enacts as follows:

- 1. The Mayor and the Senior Administrative Officer are hereby authorized on behalf of the Hamlet of Taloyoak to purchase from _____ for the sum of (\$) _____ the land described hereunder.
The whole of Lot _____ () in the Hamlet of Taloyoak, in the Northwest Territories, according to a play of survey filed in the Land Titles Office for the Northwest Territories under number _____.
- 2. The noted land shall be acquired for purposes.

READ A FIRST TIME THIS ___ DAY OF ___, 19 ___ A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS ___ DAY OF ___, 19 ___ A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A THIRD TIME AND FINALLY ADOPTED THIS ___ DAY OF ___, 19 ___ A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

APPENDIX B

LAND DISPOSAL BY-LAW (LEASE)

HAMLET OF TALOYOAK, N.T.

BY-LAW NUMBER 048⁰⁷³ *LM*

A By-law of the Municipal Corporation of the Hamlet of Taloyoak in the Northwest Territories to dispose of real property, pursuant to the Hamlets Act, R.S.N.W.T., 1988, c.H-1, s. 132.2.

WHEREAS the Municipal Corporation of the Hamlet of Taloyoak, in a duly assembled meeting enacts as follows:

1. The whole of Lot ___ () in the Hamlet of Taloyoak, in the Northwest Territories according to a plan of survey filed in the Land Titles Office for the Northwest Territories under number ___, be leased to _____ (as joint tenants ~~and not as tenants in common or tenants in common and not as joint tenants~~), both of the Hamlet of Taloyoak.
2. the Mayor and the Senior Administrative Officer are hereby authorized on behalf of the Hamlet of Taloyoak to execute the lease agreement Schedule A, attached to and forming part of this by-law, conveying the lot to the said lessee.

READ A FIRST TIME THIS ___ DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS ___ DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A THIRD TIME AND FINALLY ADOPTED THIS ___, DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

APPENDIX C

LAND LEASE BY-LAW

HAMLET OF TALOYOAK, N.T.

BY-LAW NUMBER 048 ⁰⁷³ *LMF*

A By-law of the Municipal Corporation of the Hamlet of Taloyoak in the Northwest Territories to acquire real property, pursuant to the Hamlets Act, R.S.N.W.T., 1988, c.H-1, s. 132.2.

WHEREAS the Municipal Corporation of the Hamlet of Taloyoak deems it to be in the public interest to lease the land described hereunder;

NOW THEREFORE, the Municipal Corporation of the Hamlet of Taloyoak, in a duly assembled meeting, enacts as follows:

1. The whole of Lot ___ () in the Hamlet of Taloyoak in the Northwest Territories according to a plan of survey filed in the Land Titles Office for the Northwest Territories under number ___, be leased from_____.
2. the Mayor and the Senior Administrative Officer are hereby authorized on behalf of the Hamlet of Taloyoak to execute the lease agreement Schedule A, attached to and forming part of this by-law, conveying the lot to the Hamlet of Taloyoak.

READ A FIRST TIME THIS ___ DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A SECOND TIME THIS ___ DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

READ A THIRD TIME AND FINALLY ADOPTED THIS ___ DAY OF ___, 19 A.D.

MAYOR SENIOR ADMINISTRATIVE OFFICER

APPENDIX D
APPLICATION FOR LAND
IN THE HAMLET OF TALOYOAK

1. MR. MRS. MS. MISS (Circle One) (Surname of applicant) Last and other names of applicant

AGE 19 OR OLDER: YES NO

ADDRESS: Applicants full mailing address including community name and postal code

HOME PHONE NO. WORK PHONE NO.

OCCUPATION: EMPLOYED BY: Applicants job title, trade, business, etc.

MR. MRS. MS. MISS (Circle One) Surname of applicants spouse First and other names of spouse

AGE: 19 YES NO

OCCUPATION: EMPLOYED BY: Spouses job title, trade business, etc.

MR. MRS. MS. MISS (Circle One)

(Give the full name of the contact person for this application if different than the applicant or if the applicant is business, etc.)

ADDRESS: PHONE NO: (Contact persons full mailing address if different than applicants)

2. THE UNDERSIGNED HEREBY MAKE APPLICATION TO LEASE THE LAND DESCRIBED AS FOLLOWS. IF THE LAND YOU ARE APPLYING FOR IS SURVEYED, LIST ITS LOT NUMBER, BLOCK OR GROUP NUMBER, AND LTO NUMBER AS SHOWN ON THE LANDS MAP. IF THE LAND YOU ARE APPLYING FOR IS UNSURVEYED, LIST ITS PROPOSED LOT NUMBER AND THE NAMES OF THE DEVELOPMENT AREA OR DESCRIBE THE DIMENSIONS, SITE AND LOCATION OF THE LAND AND ATTACH A COPY OF A PORTION OF THE RESPECTIVE LANDS MAP SHOWING THE LOCATION OUTLINED IN RED.

IF THERE IS MORE THAT ONE APPLICANT DO YOU WISH JOINT TENANCY OR TENANTS-IN-COMMON

3. THE LAND WILL BE USED FOR RESIDENTIAL COMMERCIAL INDUSTRIAL OTHER

IF OTHER, PLEASE SPECIFY:

- 4. ARE THERE ANY BUILDINGS OR IMPROVEMENTS ON THE LAND NOW?
 YES NO

EXISTING IMPROVEMENTS HAVE A VALUE OF \$ _____,
 AND ARE DESCRIBED AS FOLLOWS:

NAME OF OWNER OF EXISTING IMPROVEMENT:
 (If existing improvements are to remain on the land you are applying for, please attach your proof of ownership.)

- 5. THE UNDERSIGNED AGREE TO CONSTRUCT THE FOLLOWING IMPROVEMENTS:

THE ESTIMATE VALUE OF THESE IMPROVEMENTS IS \$ _____ AND WILL REQUIRE APPROXIMATELY _____ MONTHS TO COMPLETE.

- 6. THE UNDERSIGNED UNDERSTAND THAT FAILURE TO COMPLY WITH ANY TERMS AND CONDITIONS OF THE LEASE WILL BE GROUNDS FOR CANCELLATION OF THE SAID INSTRUMENT.
- 7. THE UNDERSIGNED CERTIFY THAT I/WE HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS LISTED ON THIS FORM AND AM/ARE IN COMPLETE AGREEMENT WITH THEM.
- 8. THE UNDERSIGNED UNDERSTAND THAT THE INFORMATION THAT I/WE HAVE GIVEN IN THIS APPLICATION IS TRUE AND CORRECT.
- 9. THE CONSTRUCTION OF BUILDINGS AND IMPROVEMENTS MUST CONFORM TO LOCAL BY-LAWS AND BUILDING STANDARDS.
- 10. IF THERE ARE BUILDINGS AND OTHER IMPROVEMENTS PROPOSED BY THE APPLICANT, HE MUST, ON HIS OWN RESPONSIBILITY, SUBMIT TO THE TERRITORIAL FIRE MARSHALS OFFICE A PLOT PLAN SHOWING LOCATION OF ALL PRESENT AND PROPOSED BUILDINGS AND IMPROVEMENTS CONCERNING THE SAID LAND AND ALSO SUCH DRAWINGS AND SPECIFICATIONS AS WILL INDICATE ACCURATELY TO SCALE ALL FLOOR PLANS, HEATING AND FIRE SAFETY SYSTEMS AND THE MATERIALS TO BE USED IN CONSTRUCTION. IT WILL ALSO BE THE APPLICANTS RESPONSIBILITY TO FURNISH THE SAME INFORMATION TO THE LOCAL COUNCIL OR PUBLIC HEALTH AUTHORITIES IF DEEMED NECESSARY BY THEM ON WHICH TO BASE THEIR RECOMMENDATION.
- 11. THIS APPLICATION WILL NOT BE CONSIDERED UNLESS ACCOMPANIED BY A DEPOSIT OF _____ (\$) AND PLOT PLAN OF PROPOSED IMPROVEMENTS.

- 12. THE SUBMISSION OF THIS APPLICATION AND PAYMENT OF THE _____ (\$) DEPOSIT DO NOT IN THEMSELVES CONVEY ANY RIGHT TO LAND.
- 13. IF THIS APPLICATION IS REFUSED, THE DEPOSIT WILL NOT BE REFUNDED. IF A LEASE OR AGREEMENT IS APPROVED BUT NOT EXECUTED BY THE APPLICANT, THE DEPOSIT IS FORFEITED. IF EXECUTED, THE FULL AMOUNT OF THE DEPOSIT GOES TOWARDS THE FIRST PAYMENT, THE REMAINDER IF ANY, TO BE PAID WHEN THE DOCUMENT IS EXECUTED.
- 14. ALL RIGHTS TO MUNICIPAL LAND EXCLUDE THE FOLLOWING:
 - (A) ALL MINES AND MINERALS WHETHER SOLID, LIQUID OR GASEOUS WHICH MAY BE FOUND TO EXIST WITHIN, UPON, OR UNDER THE LAND TOGETHER WITH THE FULL POWERS TO WORK THE SAME AND FOR THE PURPOSE TO ENTER UPON, USE AND OCCUPY THE LAND OR SO MUCH THEREOF AND TO SUCH AN EXTENT AS MAY BE NECESSARY FOR THE EFFECTUAL WORKING AND EXTRACTING OF THE SAID MINERALS;
 - (B) THE RIGHTS OF THE RECORDED HOLDERS OF MINERAL CLAIMS AND ANY OTHER CLAIMS OR PERMITS AFFECTING THE LANDS;
 - (C) THE RIGHT TO ENTER UPON, WORK AND REMOVE ANY ROCK OUT CROP REQUIRED FOR PUBLIC PURPOSES;
 - (D) SUCH RIGHT OR RIGHTS OF WAY AND OF ENTRY AS MAY BE REQUIRED UNDER THE REGULATIONS IN FORCE IN CONNECTION WITH CONSTRUCTION, MAINTENANCE AND USE OF WORKS FOR CONVEYANCE OF WATER FOR USE IN MINING OPERATIONS; AND
 - (E) THE RIGHT TO ENTER UPON THE LAND FOR THE PURPOSES OF INSTALLING AND MAINTAINING ANY PUBLIC UTILITY.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF CO-APPLICANT

DATE

MAYOR

SENIOR ADMINISTRATIVE OFFICER

APPENDIX E

PROPOSAL CALL / TENDER SYSTEM

This system is usually employed for the sale, lease, or other disposition of commercial and industrial lots and takes the following form:

A set price is established for such lots and applicants submit with their applications a proposal which sets out the types of improvements that the applicant proposes to construct or make on the lots and an indication as to the type of business, industry or undertaking which the applicant proposes to conduct on the lots. The successful applicant is usually determined by the Hamlet on the basis of the best proposal submitted.

The advertisement printed in connection with the Proposal Call should include, in addition to those items identified in the Land Administration By-law, the following:

- a) the last date and time for the submission of applications;
- b) the time, date, and place at which the Hamlet will announce the successful application;
- c) the criteria to be employed by the Hamlet in selecting the successful application;
- d) a request for documents or information which will be required by the Hamlet in support of applications (estimated costs or construction, drawings, specifications, etc.);
- e) a request for any deposit that is required;
- f) the terms and conditions of any Agreement for Sale or Lease which the successful applicant will be required to enter into;
- g) building standards which must be employed in the construction of improvements; and
- h) the amounts of any bonds that the successful applicant may be required to pay the Hamlet to guarantee the completion of the construction of improvements.

APPENDIX F

APPLICATION FOR QUARRY PERMIT

NAME IN FULL: _____

ADDRESS: _____

OCCUPATION: _____

Does hereby apply for a quarry permit for the purpose of taking _____
cubic meters of _____ (type of material) from the
lands indicated on a sketch or described as follows:

to be used for _____

Is any part of the land occupied? If so, by whom and for what
purpose? _____

Permit Fee: \$ _____

Quarry Fee: \$ _____

Date:

Signature:

APPENDIX G

Land Use Operations

Operations for which a land use permit is required include:

1. The use of any form of explosive
2. The use, except on public roads or trails maintained wholly or in part by public funds, of any vehicle that exceeds 4500 kgs (10,000 lbs) net vehicle weight, or the use of any vehicle of any weight that exerts pressure on the ground in excess of 35 Kpa (5 lbs per square inch).
3. The use of any self propelled power driven machine for moving earth or clearing land.
4. The use of any power driven machinery for earth drilling purposes, the operating weight of which exceeds 450 Kgs (1000 lbs.).
5. The establishment of any campsite that is to be used in excess of 50 man days.
6. The levelling, grading, clearing or cutting of any line trail or right-of-way exceeding two metres in width (6 feet).
7. The establishment of any petroleum cache in excess of 1300 litres (300 gallons).

APPENDIX H

Application for Land Use Permit

1. APPLICANT: _____

2. ADDRESS: _____

3. ADDRESS OF HEAD OFFICE: _____

4. LOCATION AND DESCRIPTION OF OPERATION:
a) Attach a description and proposed techniques
b) Attach a map and sketch of area

5. EQUIPMENT Type, size and purpose

6. FUEL
a) Type, volume, method of storage containment

7. METHOD OF WASTE DISPOSAL
Arrangements planned for disposal of garbage, sanitary waste and debris

8. CONTRACTOR AND FUNCTIONS

9. TIME SCHEDULE
Start: _____
Completion: _____

10. NAME AND ADDRESS OF FIELD SUPERVISOR

11. NUMBER OF EMPLOYEES: _____

12. AREA USED (HECTARES): _____

Signature: _____ Title: _____ Date: _____

OFFICE USE: