

KWANLIN DÜN FIRST NATION

Lands Regulations

2020

Lands Regulations

The following regulations are made by the Council pursuant to section 177 of the *Lands Act*.

PART 1 INTERPRETATION

1. Definitions
2. Land classes
3. Designated waters

PART 2 INTERESTS IN SETTLEMENT LAND

4. Applicant eligibility
5. Application
6. Additional Information
7. Information and views
8. Grant of interest - limitation
9. Grant of interest - criteria to be considered
10. Amendment or renewal of interest - limitation
11. Amendment or renewal of interest - criteria to be considered
12. Transfer or assignment of interest - limitation
13. Transfer or assignment - criteria to be considered
14. Conversion of residential allocation - criteria to be considered
15. Criteria to be considered - conversion of lease
16. Notice of termination of interest
17. Objection
18. Obligations – termination of interest

PART 3 LOTTERY AND TENDER

19. Planned development parcel
20. Planned development parcel – lottery or tender
21. Applicant – eligibility
22. Additional eligibility criteria
23. One application – lottery
24. One bid – tender
25. Application or bid – spouses
26. Joint application or bid – spouses
27. Joint application or bid
28. Statutory declaration
29. No false information

30. Notice - lottery or tender
31. Cancellation, amendment or revision - lottery or tender
32. Conditions – lottery or tender
33. Price, deposit, charges – tender
34. Price and deposit – lottery
35. Upset price
36. Deposit – requirements
37. Parcel pricing and development costs
38. Leasehold market value
39. Obligations of successful applicant
40. Abandonment or termination of interest – refund of monies

**PART 4
AUTHORIZATIONS TO ACCESS, USE OR DEVELOP SETTLEMENT LAND**

41. Applicant eligibility
42. Application
43. Application for amendment of authorization
44. Application for renewal of authorization
45. Application for assignment of authorization
46. Application for cancellation of authorization
47. Additional Information
48. Information and views
49. Issuance of authorization - criteria to be considered
50. Assignment of an authorization – limitation
51. Assignment of an authorization – criteria to be considered
52. Notice of suspension, cancellation or revocation of authorization
53. Objection
54. Decision
55. Obligations – cancellation or revocation of authorization
56. Costs
57. Cost recovery
58. Notice – cost
59. Response
60. Decision

**PART 5
CONDITIONS**

61. Conditions – interest or authorization

**PART 6
FEES, CHARGES AND RENTS**

62. Commodity price

- 63. Rent
- 64. Initial determination
- 65. Rent review
- 66. Rent review - notice
- 67. Refund - rent or fee

**PART 7
SECURITY**

- 68. Security
- 69. Amount to be paid
- 70. Review by director
- 71. Additional security

SCHEDULE 1 - LAND CLASSES

SCHEDULE 2 - FEES

SCHEDULE 3 - RENTAL RATES

SCHEDULE 4 - DESIGNATED WATERS

**PART 1
INTERPRETATION**

Definitions

1. The definitions in this section apply in these Regulations.

“commodity price” means the fair market value of a specified substance;

“comparable development cost” means the cost of a parcel that is lower than market value and that is not the development cost;

“deposit” means the payment that accompanies an application in a lottery or tender given as part payment of the cost of a parcel of settlement land;

“development cost” means the actual cost to develop a parcel including the cost of a legal survey, marketing, planning, design, engineering, construction, utilities installation, or other standard cost;

“leasehold market value” means the value that is derived using generally acceptable market value methodology;

“lottery” means a process for the acquisition of an interest in a parcel of settlement land in which a qualified applicant is chosen through random selection;

“tender” means a process for the acquisition of a parcel of settlement land based on an invitation for a bid and the making of a bid by a prospective buyer in response to the invitation;

“upset price” means the lowest acceptable price for a parcel.

Land classes

2. The classes of settlement land for the purposes of paragraph (j) in section 177 of the Act are those set out in Schedule 1 to these Regulations.

Designated waters

3. The designated waters for the purpose of paragraph (k) in section 177 of the Act are those set out in Schedule 4 to these Regulations.

PART 2
INTERESTS IN SETTLEMENT LAND

Applicant eligibility

4. (1) Subject to subsection (2), a person is not eligible to submit an application for an interest in settlement land if
- (a) the person is less than 19 years of age;
 - (b) the person has an outstanding debt to Kwanlin Dün First Nation;
 - (c) the person is in default of an obligation to Kwanlin Dün First Nation; or
 - (d) in the case of a corporation, it is not in good standing.
- (2) Paragraphs (1)(b) and (c) do not apply to a beneficiary or a citizen.

Application

5. An application for an interest under section 47 of the Act must, subject to a waiver under section 137 of the Act, be accompanied by the fee set out in Schedule 2, and must contain the following information:
- (a) name and permanent mailing address of applicant;
 - (b) telephone number or email address of the applicant or the applicant's agent;
 - (c) evidence of good standing, if the applicant is a corporation;
 - (d) signature of the applicant or applicant's agent;
 - (e) location of the parcel of settlement land;
 - (f) proposed interest in settlement land;
 - (g) proposed use of settlement land; and
 - (h) other information that the director considers is required in order to make a determination.

Additional information

6. The director may require an applicant to include the following information in an application:

- (a) a decision document pursuant to YESAA;
- (b) an environmental site assessment to determine the environmental condition of the lands and the presence of any contaminants; or
- (c) a heritage assessment.

Information and views

7. Prior to granting an interest in settlement land, the director may seek views and information the director considers relevant to making the determination.

Grant of interest - limitation

8. The director must not grant an interest under sections 43 and 46 of the Act, if the proposed use is inconsistent with a zoning regulation, a land use plan or an applicable law, policy or plan.

Grant of interest - criteria to be considered

9. In determining whether to grant an interest under section 50 of the Act, the director must consider:
- (a) the eligibility of the applicant to hold the interest;
 - (b) an outstanding debt owed to Kwanlin Dün First Nation by a beneficiary or citizen applicant;
 - (c) an obligation that is in default of a beneficiary or citizen applicant to Kwanlin Dün First Nation;
 - (d) the term of the interest;
 - (e) the requirement for an assessment under YESAA;
 - (f) unpaid property taxes by the applicant;
 - (g) the suitability of the land for the intended purposes;
 - (h) the interests of beneficiaries;
 - (i) the interests of Kwanlin Dün First Nation; and
 - (j) any other factor the director considers relevant to making a determination.

Amendment or renewal of interest - limitation

10. The director must not approve an amendment to or renewal of an interest under section 44 of the Act, if the amendment or renewal is inconsistent with a zoning regulation, a land use plan or an applicable law, policy or plan.

Amendment or renewal of interest - criteria to be considered

11. In determining whether to approve an amendment to or renewal of an interest under section 50 of the Act, the director must consider:

- (a) the scope of the amendment;
- (b) the term of the renewal;
- (c) the requirement for an assessment under YESAA;
- (d) outstanding debts due by the applicant to Kwanlin Dün First Nation;
- (e) unpaid property taxes by the applicant;
- (f) the interests of beneficiaries;
- (g) the interests of Kwanlin Dün First Nation; and
- (h) any other factor the director considers relevant to making a determination.

Transfer or assignment of interest - limitation

12. The director must not approve the transfer or assignment of an interest in settlement land under section 55 of the Act, if the holder of the interest:

- (a) is not in compliance with all terms and conditions of the interest; or
- (b) has unpaid property taxes.

Transfer or assignment - criteria to be considered

13. In determining whether to approve a transfer or an assignment of an interest under subsection 31(2), paragraph 39(b) or section 55 of the Act, the director may consider:

- (a) the eligibility of the transferee to hold the interest;
- (b) the ability of the transferee to abide by the terms and conditions of the interest;

- (c) a debt due by the transferee to Kwanlin Dün First Nation;
- (d) unpaid property taxes by the transferee;
- (e) the interests of beneficiaries;
- (f) the interests of Kwanlin Dün First Nation; and
- (g) any other factor the director considers relevant to making a determination.

Conversion of residential allocation - criteria to be considered

14. In determining whether to approve the conversion of a residential allocation to a lease under subsection 35(1) of the Act, the director may consider:

- (a) the allocation holder's history of compliance with terms and conditions of the allocation;
- (b) the reasons for the conversion;
- (c) the impact of the conversion on settlement land;
- (d) the impact of the conversion on future land use planning;
- (e) debts due by the allocation holder to Kwanlin Dün First Nation;
- (f) unpaid property taxes by the allocation holder;
- (g) documents recorded against the allocation;
- (h) the interests of beneficiaries;
- (i) the interests of Kwanlin Dün First Nation; and
- (j) any other factor the director considers relevant to making a determination.

Criteria to be considered - conversion of lease

15. In determining whether to approve the conversion of a lease to an allocation under subsection 35(1) of the Act, the director may consider:

- (a) the lease holder's history of compliance with terms and conditions of the lease;
- (b) the reasons for the conversion;

- (c) the impact of the conversion on settlement land;
- (d) the impact of the conversion on future land use planning;
- (e) debts due to Kwanlin Dün First Nation by the lease holder;
- (f) unpaid property taxes by the lease holder;
- (g) documents recorded against the lease;
- (h) the interests of beneficiaries;
- (i) the interests of Kwanlin Dün First Nation; and
- (j) any other factor the director considers relevant to making a determination.

Notice of termination of interest

16. (1) Prior to terminating an interest in settlement land under section 56 of the Act, the director must serve an interest holder a notice of intention to terminate the interest.
- (2) The notice in subsection (1) must be in writing and must set out:
- (a) the interest to be terminated;
 - (b) the reasons for the intended termination; and
 - (c) a statement that indicates that the holder has a right to object to the intended termination.

Objection

17. An interest holder who wishes to object to an intended termination may, within thirty (30) calendar days of receiving a notice of intention under subsection 16(1), serve the director an objection in writing stating:
- (a) the interest holder's name and address;
 - (b) the nature of the objection; and
 - (c) the grounds on which the objection is based.

Obligations – termination of interest

18. If the director terminates an interest in settlement land, the person who held the interest immediately prior to termination must within a time period determined by the director:
- (a) remove structures and chattels situated on settlement land;
 - (b) pay all outstanding debts, local improvement charges or property taxes; and
 - (c) restore the settlement land to a state satisfactory to the director.

**PART 3
LOTTERY AND TENDER**

Planned development parcel

19. The director must designate a parcel of settlement land as a planned development parcel if
- (a) the parcel or part of the parcel is surveyed as a single lot; and
 - (b) the parcel is assigned a development cost, comparable development cost or leasehold market value cost.

Planned development parcel – lottery and tender

20. (1) Subject to subsection (3), the director must not grant to a person an interest in a planned development parcel designated as residential or recreational if a lottery or tender was not undertaken in respect of that planned development parcel.
- (2) Subject to subsection (3), the director must not grant to a person an interest in a planned development parcel designated as a commercial, industrial, quarry or specified substances parcel if a tender was not undertaken in respect of that planned development parcel.
- (3) Despite subsection (1) and (2), the director may
- (a) grant to a person an interest in a planned development parcel in accordance with a policy approved by the Council or an applicable law; or
 - (b) set aside a planned development parcel to be used for a public purpose in accordance with a policy approved by the Council or an agreement with another government.

Applicant – eligibility

21. (1) Subject to subsection (2), a person is not eligible to submit an application in a lottery or tender if

- (a) the person is less than 19 years of age;
- (b) the person has an outstanding debt to Kwanlin Dün First Nation;
- (c) the person is in default of an obligation to Kwanlin Dün First Nation; or
- (d) in the case of a corporation, it is not in good standing.

(2) Paragraphs (1)(b) and (c) do not apply to a beneficiary or a citizen.

Additional eligibility criteria

22. The director may establish additional eligibility requirements in respect of a lottery or tender.

One application - lottery

23. Subject to section 30, a person may only submit one application for one planned development parcel per lottery.

One bid – tender

24. Subject to section 30, a person may only submit one bid for one planned development parcel per tender.

Application or bid – spouses

25. Subject to section 30, a non-beneficiary or a non-citizen spouse may submit an application for a lottery or submit a bid for a tender regardless of whether their beneficiary or citizen spouse has applied.

Joint application or bid - spouses

26. Spouses who are both non-citizens and non-beneficiaries who reside at the same address may, in a lottery or tender, submit one application or bid jointly as applicant and co-applicant.

Joint application or bid

27. If a person submits an application or a bid jointly with another person, that person is deemed to have submitted an application under section 23 or a bid under section 24.

Statutory declaration

28. If an application contains more than one applicant, each applicant must disclose the other applicant's name on a statutory declaration that accompanies the application.

No false information

29. A person who knowingly provides false information in an application in a lottery or tender forfeits the fees and deposit that accompanied the application and is not eligible to receive an interest in the planned development parcel which was the subject of the lottery or tender.

Notice - lottery or tender

30. In respect of a lottery or tender for a planned development parcel, the director must adhere to the following process:

- (a) the director must notify citizens and beneficiaries of the lottery or tender and set the date by which an application must be submitted; and
- (b) after the date set by the director in paragraph (a) has elapsed, if there are planned development parcels remaining, the director may notify non-citizens, non-beneficiaries, citizens and beneficiaries of the lottery or tender and set the date by which an application must be submitted.

Cancellation, amendment or revision - lottery or tender

31. (1) The director may cancel, amend or revise a lottery or tender.

(2) If a lottery or tender is cancelled, the director must return the application fee or deposit to an applicant.

(3) If a lottery or tender is amended, the director must notify all applicants in writing and extend the date by which an application must be submitted.

(4) If, after receiving a notice of an amendment to a lottery or tender and prior to a decision being made by the director, an applicant requests to withdraw an application, the fee or deposit that accompanied the application must be returned to the applicant together with the original application.

Conditions – lottery or tender

32. The director may set terms and conditions for a lottery and tender.

Price, deposit, charges – tender

33. Prior to commencing a tender for a planned development parcel, the director must establish

- (a) the upset price;
- (b) the deposit to be submitted with the application; and
- (c) other charges or costs in respect of the parcel.

Upset price

34. Unless otherwise determined by the Council, the upset price in respect of a planned development parcel is the development cost.

Price and deposit – lottery

35. Prior to commencing a lottery for a planned development parcel, the director must establish

- (a) the price of the parcel;
- (b) the deposit to be submitted with the application; and
- (c) other charges or costs in respect of the parcel.

Deposit – requirements

36. The deposit established by the director in a lottery or a tender must be

- (a) based on a reasonable percentage of the price of the planned development parcel;
- (b) paid upon submission of an application;
- (c) returned to an unsuccessful applicant at the completion of the lottery or tender; and
- (d) be credited against the price of a planned development parcel of a successful applicant.

Parcel pricing and development costs

37. The director may assign a comparable development cost to a parcel of settlement land prior to commencing a lottery or tender in respect of that parcel.

Leasehold market value

38. The director may assign a leasehold market value to a planned development parcel.

Obligations of successful applicant

39. A successful applicant in a lottery or tender must pay the price of the parcel to the director within forty-eight (48) hours of the conclusion of the lottery or tender.

Abandonment or termination of interest – refund of monies

40. If an interest in a parcel of settlement land is abandoned or terminated within two (2) years of the sale, the director must refund to the interest holder 95% of the price.

**PART 4
AUTHORIZATIONS TO ACCESS,
USE OR DEVELOP SETTLEMENT LAND**

Applicant eligibility

41. (1) Subject to subsection (2), a person is not eligible to submit an application for an authorization if

- (a) the person is less than 19 years of age;
- (b) the person has an outstanding debt to Kwanlin Dün First Nation;
- (c) the person is in default of an obligation to Kwanlin Dün First Nation; or
- (d) in the case of a corporation, is not in good standing.

(2) Paragraphs (1)(b) and (c) do not apply to a beneficiary or a citizen.

Application

42. An application for an authorization under sections 66 or 85 of the Act must, subject to a waiver under subsection 137 of the Act, be accompanied by the fee set out in Schedule 2 and must contain the following information:
- (a) name and permanent mailing address of the applicant;
 - (b) telephone number or email address of the applicant or the applicant's agent;
 - (c) evidence of good standing, if the applicant is a corporation;
 - (d) signature of the applicant or the applicant's agent;
 - (e) location of the parcel of settlement land;
 - (f) proposed use of settlement;
 - (g) proposed length of time for access to or use of settlement land;
 - (h) proposed type of development on settlement land;
 - (i) plans for the restoration or remediation of settlement land; and
 - (j) other information that the director considers is required in order to make a determination.

Application for amendment of authorization

43. An application for the amendment of an authorization under section 66 of the Act must, subject to a waiver under subsection 137 of the Act, be accompanied by the fee set out in Schedule 2 and must contain the following information:
- (a) name and permanent mailing address of applicant;
 - (b) telephone number or email address of the applicant or the applicant's agent;
 - (c) evidence of good standing, if the applicant is a corporation;
 - (d) signature of the applicant or the applicant's agent;
 - (e) detailed description of the proposed amendment;
 - (f) reasons for the amendment;

- (g) description of impacts to settlement land of the proposed amendment; and
- (h) other information that the director considers is required in order to make a determination.

Application for renewal of authorization

44. An application for the renewal of an authorization under section 66 of the Act must, subject to a waiver under subsection 137 of the Act, be accompanied by the fee set out in Schedule 2 and must contain the following information:

- (a) name and permanent mailing address of the applicant;
- (b) telephone number or email address of the applicant or the applicant's agent;
- (c) evidence of good standing, if the applicant is a corporation;
- (d) signature of the applicant or the applicant's agent;
- (e) reasons for the renewal;
- (f) proposed term of the authorization; and
- (g) other information that the director considers is required in order to make a determination.

Application for assignment of authorization

45. An application for the assignment of an authorization under section 66 of the Act must, subject to a waiver under subsection 137 of the Act, be accompanied by the fee set out in Schedule 2 and must contain the following information:

- a) name and permanent mailing address of the assignee;
- b) telephone number or email address of the assignee;
- c) evidence of good standing, if the assignee is a corporation; and
- d) signature of the assignor and the assignee.

Application for cancellation of authorization

46. An application for the cancellation of an authorization under section 66 of the Act must contain the following information:
- a) name and permanent mailing address of the applicant;
 - b) telephone number or email address of the applicant or the applicant's agent;
 - c) signature of the applicant or the applicant's agent;
 - d) the reasons for the cancellation;
 - e) a plan including a proposed timeline to remove structures and chattels on settlement land;
 - f) a plan for the restoration or remediation of settlement land; and
 - g) other information that the director considers is required in order to make a determination.

Additional Information

47. The director may require an applicant to include the following information in an application:
- (a) a decision document pursuant to YESAA;
 - (b) an environmental site assessment to determine the environmental condition of the lands and the presence of any contaminants; or
 - (c) a heritage assessment.

Information and views

48. Prior to issuing an authorization, the director may seek views and information that the director considers relevant to making the determination.

Issuance of authorization - criteria to be considered

49. In determining whether to issue an authorization under section 69 of the Act, the director must consider the following:
- (a) an outstanding debt owed to Kwanlin Dün First Nation by a beneficiary or citizen applicant;

- (b) an obligation that is in default of a beneficiary or citizen applicant to Kwanlin Dün First Nation;
- (c) the term of the authorization;
- (d) the requirement for an assessment under YESAA;
- (e) unpaid property taxes by the applicant;
- (f) the interests of beneficiaries;
- (g) the interests of Kwanlin Dün First Nation; and
- (h) any other factor the director considers relevant to making a determination.

Assignment of an authorization - limitation

50. The director must not approve the assignment of an authorization to another person if the holder of the authorization is not in compliance with all terms and conditions of the authorization.

Assignment of an authorization – criteria to be considered

51. In determining whether to approve an application for an assignment under section 70 of the Act, the director may consider the assignment agreement between the assignee and the assignor and the information that the director would consider in issuing an authorization.

Notice of suspension, cancellation or revocation of authorization

52. (1) Prior to suspending, cancelling or revoking an authorization under sections 74 or 89 of the Act, the director must serve an authorization holder a notice of intention to suspend, cancel or revoke.

(2) The notice in subsection (1) must be in writing and must set out the following:

- (a) the authorization to be suspended, cancelled or revoked;
- (b) the reasons for the intended suspension, cancellation or revocation; and
- (c) a statement that indicates that the holder has a right to object to the intended suspension, cancellation or revocation.

Objection

53. An authorization holder who wishes to object to an intended suspension, cancellation or revocation may, within thirty (30) calendar days of receiving a notice of intention under subsection 52(1), serve the director an objection in writing stating the following:

- (a) the authorization holder's name and address;
- (b) the nature of the objection; and
- (c) the grounds on which the objection is based.

Decision

54. The director must, within thirty (30) calendar days of receiving an objection under sections 17 or 53, provide to the authorization or interest holder written notice of the final decision in respect of the termination, suspension, cancellation or revocation.

Obligations – cancellation or revocation of authorization

55. If the director cancels or revokes an authorization, the person who held the authorization immediately prior to cancellation or revocation must within a time period determined by the director

- (a) remove structures and chattels situated on settlement land;
- (b) pay all outstanding debts or property taxes; and
- (c) restore the settlement land to a state satisfactory to the director.

Costs

56. An applicant is responsible for the costs related to completing and submitting an application under Parts 2, 3 and 4 and the information required under sections 6 or 47.

Cost recovery

57. Subject to subsection 58(1), the director may require an applicant to reimburse Kwanlin Dün First Nation for reasonable legal, technical or professional fees and costs related to the processing of an application.

Notice – cost

58. (1) The director must serve an applicant a notice of intention to incur legal, technical or professional costs thirty (30) calendar days prior to incurring a cost.

(2) The notice in subsection (1) must set out the following:

- (a) the reasons for incurring the cost;
- (b) the estimated amount of the cost; and
- (c) a statement that indicates that the applicant has a right to respond to the notice.

Response

59. An applicant may submit a written response to the director within thirty (30) calendar days after receiving notice under section 58(1).

Decision

60. The director must, within fourteen (14) business days of receiving a response under section 59, provide to the applicant written notice of the final decision respecting costs.

**PART 5
CONDITIONS**

Conditions – interest or authorization

61. Pursuant to paragraphs 28(2)(b), 50(b), 69(b), 70(b), 86(b), or 88(b) of the Act, the director may include conditions in an interest or an authorization including, but not limited to, those respecting

- (a) the use of settlement land;
- (b) remediation or restoration of settlement land;
- (c) removal of structures and chattels on settlement land;
- (d) review of rents to be paid;
- (e) the management of litter on settlement land;
- (f) the management of substances that could cause pollution on settlement land;

- (g) the use of and access to roads on settlement land;
- (h) the term of the authorization or interest;
- (i) the renewal or assignment of the authorization or interest; or
- (j) other conditions that, in the opinion of the director, are in the best interest of Kwanlin Dün First Nation.

PART 6 FEES, CHARGES AND RENTS

Commodity Price

62. (1) The director may require the holder of an authorization or interest to pay to Kwanlin Dün First Nation a commodity charge for a specified substance located on the parcel of settlement land to which an authorization or interest relates.

(2) The commodity charge for a specified substance must be based on the current market value, as determined by the director, of the specified substance.

Rent

63. Unless otherwise determined by the director, the holder of an interest must pay to Kwanlin Dün First Nation an annual rent as set out in Schedule 3.

Initial determination

64. (1) Prior to making the initial determination about the amount of annual rent in respect of an interest, the director must notify the prospective interest holder in writing of the amount of annual rent proposed by the director.

(2) Within thirty (30) calendar days of the date of notification letter in subsection (1), the prospective interest holder may request in writing that the director review the amount of annual rent being proposed.

Rent review

65. (1) The director may include a review of annual rent as a condition of an interest if the interest has a term of 5 years or more.

Rent review – notice

66. (1) If, as a result of a rent review, the director determines that the amount of annual rent will increase, the director must notify the interest holder in writing of the increase.

(2) Within thirty (30) calendar days of the date of notification letter in subsection (1), the interest holder may request in writing that the director review the increase of annual rent.

Refund - rent or fee

67. (1) If the holder of an authorization or interest applies to cancel the authorization or interest within sixty (60) calendar days of the date of issuance and the director approves the cancellation, rent or a land use fee paid by the holder may be refunded by the director.

(2) If the holder of an authorization or interest applies to cancel the authorization or interest sixty (60) calendar days or more after the date of issuance and the director approves the cancellation, rent or a land use fee paid by the holder must not be refunded by the director.

**PART 7
SECURITY**

Security

68. (1) The director may require an applicant or an interest or authorization holder to provide financial security under subsection 92(1) of the Act in an amount not exceeding the aggregate of the costs of

(a) restoration or remediation of the settlement land subject to the interest or authorization;
and

(b) any ongoing restoration or remediation measures that may remain to be taken after the expiration of the interest or authorization.

(2) In determining the amount of security pursuant to subsection (1), the director may have regard to

(a) the past performance by the applicant, interest or authorization holder in respect of another interest or authorization; or

(b) the degree of environmental risk posed to settlement land.

(3) Security referred to in subsection (1) must be in the form of

- (a) a promissory note guaranteed by a bank in Canada and payable to Kwanlin Dün First Nation;
- (b) a certified cheque drawn on a bank in Canada and payable to Kwanlin Dün First Nation;
- (c) a security bond acceptable to Kwanlin Dün First Nation;
- (d) an irrevocable letter of credit from a bank in Canada; or
- (e) cash.

Security – amount to be paid

69. (1) If the director determines that security must be paid under section 92 of the Act, the director must notify the applicant, interest or authorization holder in writing of the amount to be paid.
- (2) Within 30 days of the date of the notification in subsection (1), the applicant, interest or authorization holder must pay to Kwanlin Dün First Nation the amount of security set out in the notification.

Review by director

70. The director may review the amount of security paid by an interest or authorization holder.

Additional security

71. If security paid under section 92 of the Act is insufficient to reimburse Kwanlin Dün First Nation for reasonable costs incurred by Kwanlin Dün First Nation to carry out remedial or preventative work to protect, conserve, restore or rehabilitate settlement land, the director may require an interest or authorization holder to pay additional security.

**SCHEDULE 1
LAND CLASSES**

1. Residential
2. Recreational
3. Traditional activity
4. Commercial
5. Industrial
6. Quarry of specified substances
7. Agriculture
8. Grazing
9. Wilderness commercial
10. Trapping
11. Big game outfitting
12. Utility
13. Institutional – not-for-profit, charitable
14. Government
15. Other uses

**SCHEDULE 2
FEES**

Application Fee

Type	Applicant	Land Class	Fee
1. Lease	Citizen or Beneficiary	commercial, industrial, quarry of specified substances	\$100.00
	Non-citizen Non-beneficiary	a. residential, recreational b. trapping, outfitting, wilderness commercial c. commercial, industrial, quarry of specified substances	a. \$100.00 b. \$250.00 c. \$250.00
2. Land use authorization	Citizen or Beneficiary	commercial, industrial, quarry of specified substances	\$100.00
	Non-Citizen or Non-beneficiary	a. other uses b. trapping, outfitting, wilderness commercial c. commercial, industrial, quarry of specified substances	a. \$100.00 b. \$200.00 c. \$250.00
3. Development authorization	Citizen or Beneficiary	commercial, industrial, quarry of specified substances	\$100.00
	Non-Citizen or Non-beneficiary	a. other uses b. trapping, outfitting, wilderness commercial c. commercial, industrial, quarry of specified substances	a. \$100.00 b. \$200.00 c. \$250.00
3. Subdivision approval	Citizen or Beneficiary	commercial, industrial, quarry of specified substances	\$50.00

LANDS REGULATIONS

	Non-Citizen or Non-beneficiary	a. residential, recreational b. commercial, industrial, quarry of specified substances	a. \$50.00 b.\$100.00
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Land use fee

Authorization holder	Use per land class	Fee
Citizen or Beneficiary	Commercial, industrial, quarry of specified substances	\$50.00
Non-citizen or Non-beneficiary	All land classes	\$100.00

Registration, copies and other

Applicant	Type	Fee
All	Registration of renewal, amendment, assignment, or transfer of interest or authorization	\$10.00
All	Registration or discharge of instruments	\$10.00
All	Certificate of Search	\$5.00
All	Copies of documents and maps	\$1.00 per page or \$1.00 per map
All	Certified True Copy of document in lands and resources register	\$5.00
All	Registration of documents under <i>Land Titles Act</i> , 2015 (Yukon)	Cost recovery based on Land Titles Office fee schedule

**SCHEDULE 3
RENTAL RATES**

INTEREST AND LAND CLASS	INTEREST HOLDER	PROCESS	AMOUNT OR RATE
1. Lease – Residential or Recreational	Citizen or Beneficiary	Based on policy approved by the Council	\$1.00 per annum plus GST
2. Lease – Agricultural	Citizen or Beneficiary		Determined by the director
3. Lease – Grazing	Citizen or Beneficiary		Determined by the director
4. Lease Grazing	Non-citizen or Non-beneficiary	Based on: a) policy approved by the Council, or b) agreement with another government	5% of leasehold market value per annum plus GST or minimum rate: \$250.00 per annum plus GST whichever is highest
5. Lease – Institutional or Government	Not-for-Profit, Charitable, or Religious Organizations Government	Based on: a) policy approved by the Council, b) agreement with another government, or c) lottery or tender	\$100.00 per annum plus GST
6. Lease – Trapping	Citizen or Beneficiary		\$1.00 per annum plus GST
7. Lease – Trapping	Non-citizen or Non-beneficiary		5% of leasehold market value per annum plus GST or

LANDS REGULATIONS

			minimum rate: \$250.00 per annum plus GST whichever is highest
8. Lease – Residential	Non-citizen or Non-beneficiary	Lottery or Tender	\$1.00 per annum plus GST
9. Lease – Recreational	Non-citizen or Non-beneficiary	Lottery to Tender	5% of leasehold market value per annum plus GST
10. Lease – Commercial or Industrial	All	Based on: a) policy approved by the Council, or b) agreement with another government	15% of leasehold market value per annum plus GST or minimum rate: \$500.00 per annum plus GST whichever is highest
11. Lease – Quarry of specified substances	All	Based on: a) policy approved by the Council, or b) agreement with another government	5% of leasehold market value per annum plus GST or minimum rate: \$250.00 per annum plus GST whichever is highest
12. Lease – Big Game Outfitting	All	Based on: a) policy approved by the Council, or b) agreement with another government	5% of leasehold market value per annum plus GST or minimum rate: \$500.00 per annum plus GST or combination of minimum rate and revenue agreement
13. Lease –	All	Based on: a) policy approved by the Council, or	5% of leasehold market value per annum plus GST

LANDS REGULATIONS

Wilderness Commercial		b) agreement with another government	or minimum rate: \$500.00 per annum plus GST or combination of minimum rate and revenue agreement
14. Lease Agricultural	All	Based on: a) policy approved by the Council, or b) agreement with another government	15% of leasehold market value per annum plus GST or minimum rate: \$500.00 per annum plus GST whichever is highest
15. Lease or Easement Utility	All	Based on: a) policy approved by the Council, or b) agreement with another government	10% of leasehold market value per annum plus GST or minimum rate: \$500.00 per annum plus GST whichever is highest
16. Lease – Commercial, Industrial or Quarry of specified substances	All	Lottery or Tender	If leased at leasehold market value: \$500.00 per annum plus GST. If leased at development costs: a) percentage based on land class; or b) \$500.00 per annum plus GST as determined by the director.

**SCHEDULE 4
DESIGNATED WATERS**

1. Marsh Lake
2. Fish Lake
3. Yukon River
4. McClintock River
5. Kusawa Lake
6. Teslin River
7. Lake Laberge
8. Takhini River
9. Ibex River
10. Watson River
11. Alligator Lake
12. Bonneville Lake
13. Lewes River
14. Rose Lake
15. Primrose River
16. Jackson Lake (also known as Louise Lake)
17. Croucher Creek
18. Wolf Creek
19. McIntyre Creek