



Hamlet of Cambridge Bay By-Laws

By-Law Name:	Land Administration
---------------------	---------------------

By-Law Number:	254
-----------------------	-----

Description

A By-law of the Municipal Corporation of the Hamlet of Cambridge Bay in Nunavut, to provide for the administration of municipal lands, pursuant to the Hamlets Act, R.S.N.W.T., 1988, c. H-1, as duplicated for Nunavut by s.29 of the *Nunavut Act*, S.C. 1993, c.28; and as amended by S.Nu. 2003 C.3 S.53.5 .

By-Law

WHEREAS the Council of the Municipal Corporation of the Hamlet of Cambridge Bay deems it to be desirable to establish a uniform process of real property owned, leased or otherwise held by the Hamlet;

NOW THEREFORE, the Municipal Corporation of the Hamlet of Cambridge Bay, at a duly assembled meeting, enacts as follows:

1. Interpretation

In this by-law:

“Acquisition”

means acquiring of land by the municipality;

“Standard Lease”

means a lease which has an annual payment but does not accumulate equity unless converted to an equity lease;

“Council”

means the Council of the Municipal Corporation of the Hamlet of Cambridge Bay;

“Development Costs”

means the costs directly incurred by the municipality in developing land, including, but not limited to, the costs of:

- i. planning and engineering design;
- ii. project management;
- iii. administrative costs;
- iv. road construction;
- v. land fill;
- vi. open spaces for access, drainage, right-of-way, parks, playgrounds or other recreation, or for municipal uses;
- vii. piped water and sewer lines;

- viii. electrical distribution lines (and poles);
- ix. legal surveys;
- x. land acquisition and disposal costs;
- x. financing charges, including interest, for any loans incurred in developing the land;
- xi. provision of any other utility services.

“Disposal”

means the lease, or other disposition of land;

“Equity Lease”

means a lease for which all lease payments are credited against the total lot price until such time as the lot price is paid in full, at which time lease payments are \$1.00 per year;

“Fair Market Value”

means the price at which property would exchange hands in a free market, between a buyer and a seller each willing and having reasonable knowledge of relevant facts, under no compulsion to buy or to sell, assuming a reasonable time available for the transaction to be negotiated and completed;

“First Time Home Owner”

means an individual who has not previously owned a residence in Nunavut within the last five years, whether or not that residence was in Cambridge Bay;

“Land”

means real property owned, leased or otherwise held or acquired by the municipality;

“Lease”

means a contract between the lessor (municipality) and the lessee (person, people, or company) for the right to the use and enjoyment of lands for a specified period of time at a stipulated price;

“Lessee”

means an individual or other legal entity having a lease from the lessor;

“Lessor”

means the municipality which leases land to the lessee;

“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;
“Lot Price”	means the valuation of a lot;
“Minister”	means the Minister of Community Government Services;
“Municipality”	means the Municipal Corporation of the Hamlet of Cambridge Bay, which is represented by the Senior Administrative Officer or his or her designate, except when decisions of Council are required;
“New Lots”	means vacant lots which are available or developed after the date of this by-law;
“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 exclusive, benefit to the lessee;
“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;
“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: i. size of land parcel; ii. site conditions; iii. desirability of location; iv. adjacent land uses; and v. proposed land use. The addition of site specific factors for new lots shall not exceed development cost for the entire subdivision.

2. Application of the By-law

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

3. Advertising of the Land for Disposal

- A) Subject to section 3(C), the municipality shall not lease or otherwise dispose of land until it has published a notice of such proposed lease or other disposition:
- a) by delivery of written notice to all postal boxes in the Hamlet; or
 - b) by advertisement for two consecutive weeks in a newspaper having weekly circulation in the municipality; or
 - c) by notice posted in five(5) prominent places in the municipality for a period of two weeks.
- B) Each advertisement or notice shall contain:
- a) a sketch, depicting with reasonable accuracy the size and location of the parcel or parcels of the land to be leased or otherwise disposed of;
 - b) the minimum consideration for which the land will be leased or otherwise disposed of;
 - c) an indication as to the method to be employed in leasing or other wise disposing of lands; or
 - d) an indication as to where and when applicants may obtain information and application forms.
- C) Sub-sections 3(A) and 3(B) shall not apply to:
- a) lands required by the Federal or Territorial Governments;
 - b) lands which can only be of use to an adjoining owner/lessee; or
 - c) additional adjacent lands required for expansion of an owner's/lessee's existing or proposed development.
- D) The municipality shall re-advertise for lease or other disposition of lands for which:
- a) an application has been made but withdrawn by the applicant after the acceptance by the municipality;
 - b) lease has been granted but terminated or surrendered prior to the construction of any improvements on the lands; or
 - c) re-zoning has taken place and the lands remain untenured; or

4. Preconditions to Acquisition and Disposal of Lands

- A) Land speculation will be discouraged.
- B) Neither the municipality nor any authorized representative of the municipality shall make or enter into any offer, agreement or other arrangement 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.
- C) No by-law for the acquisition, lease or other disposition of land shall be passed pursuant to section 53.5 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:
 - i) if the lands are occupied;
 - ii) if there are any improvements situated on the lands;
 - iii) if there are any easements affecting the lands; and
 - iv) such other information as Council may, in its discretion, consider to be relevant;
 - c) the Senior Administrative Officer(SAO) 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 in effect in the municipality, and the Planning Act.
- D) 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) the terms and conditions and valuation upon which the lands may be leased or otherwise disposed of; and
 - d) 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.
- E) The ledger kept pursuant to Section 12 of this by-law shall be open to inspection by the public at the Municipal office during normal business hours.

5. Terms and Conditions of Land Disposals

- A) For new leases on new lots, the municipality shall issue only equity leases. Standard leases will apply in all other cases, subject to section 9.
- B) The municipality, in leasing or otherwise disposing of land for residential purposes, shall ensure that prospective private home owners have preference over land applicants who wish to acquire more than one lot at a time, except when lots are required by:
 - a) The Federal or Territorial Governments;

Hamlet of Cambridge Bay By-Laws

- b) The Nunavut Housing Corporation or their clients; or
 - c) The Municipality.
- C) Every disposal of land shall be in writing and leases shall be executed in accordance with the Land Titles Act and this by-law.
- D) The Municipality, in leasing or otherwise disposing of land, shall require that commencement of construction must begin within twelve (12) months and construction shall be completed within twenty-four (24) months of the effective date of the lease. Subject to Section 17, if construction is not undertaken as outlined in this Section, the lease may be cancelled.
- E) The Municipality may allow a maximum extension of twelve (12) months to either term outlined in section 5(D). 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.
- F) The municipality shall dispose of land by one or a combination of the following means:
- a) ballot draw as per Appendix "H" or "I";
 - b) first come, first served basis;
- G) Council shall decide at its discretion, as to which means will be employed to the disposal of land, as per section 5(F).
- H) Prior to disposing of land through 5(F)(a) or 5(F)(b), Council shall, by resolution, at a duly assembled meeting decide and provide public notice of which method shall be used.
- I) The municipality shall, when disposing of land through means of a ballot draw, give preference to prospective applicants in the following manner:
- a) Ballots shall be sorted in the following categories:
 - i) Category One first time homeowners residing in the municipality for more than Five (5) years;
 - ii) Category Two persons residing in the municipality for more than Two (2) years;
 - iii) Category Three all others.

6. Pricing of Existing Lots

- A) The municipality in leasing existing developed lands shall determine lot price by either of the following:
- a) replacement cost valued at new lot pricing; or
 - b) the fair market value as determined by:
 - i) a qualified land appraiser or assessor; or
 - ii) fair market value
- B) Standard Lease Rates
- a) The Standard lease rate per lot or portion of a lot is based on zoning designation as per the *Zoning By-Law* in force, as listed in the following schedule:
 - i) Residential and Commercial Neighbourhood:
 - (1) \$667 per year for lots up to 900 square metres, or;
 - (2) \$0.75 per square metre calculated on area over 900 square metres, with a minimum rate of \$667 per year;
 - ii) Core Area & Community Use:
 - (1) \$800.00 per year for lots up to 900 square metres, or;
 - (2) \$0.90 per square metre calculated on area over 900 square metres, a minimum rate of \$800.00 per year shall be charged.
 - iii) Industrial Active & Passive:
 - (1) \$1000.00 per year for lots up to 900 square metres, or;
 - (2) \$1.15 per square metre calculated on area over 900 square metres, a minimum rate of \$1000.00 per year shall be charged.
 - iv) Other land uses: as decided by Council;
 - b) Council may vary the standard lease rate for dispositions of land to registered non-profit organizations.
 - c) Council may change a standard lease rate to match the land use, rather than the zoning designation, for lessees that are considered legal “nonconforming use”;
 - d) The standard lease rates will be reviewed annually, with the lessee being notified of any changes to the standard lease rate a minimum of ninety (90) Days before the five year anniversary date of the standard lease.
- C) The term of all Standard lease documents shall be:
- a) 30 years for residential land use;
 - b) 20 years for commercial land use;
 - c) 20 years for industrial land use;

Hamlet of Cambridge Bay By-Laws

D) The term of leases referred to in Section 6(C)(a) or 6(C)(b) may be varied at Council's discretion based on the nature and value of improvements to be constructed.

E) The lease term of all other land-uses will be at Council's discretion.

7. Pricing of New Lots

A) The municipality shall recover development costs in the valuation of lands for disposal subject to Section 7(B).

B) The municipality may, when it is unable to lease or otherwise dispose of a lot, reduce the price of the lot below its development cost:

- a) when the lot has not been developed through financing from the Government of the Nunavut or a financial institution; or
- b) when the lot has been developed through financing from the Government of the Nunavut or a financial institution and the reduced land valuation is approved by the Minister.

C) Equity Lease Rates

- a) The lot price for new lots shall be determined by development cost including any allowance for site specific factors. From the effective date of this by-law a value of **\$32.85** per square metre shall be used. This rate shall be reviewed annually, and if changed, notice shall be posted in five (5) prominent places in the Hamlet.
- b) Where an equity lease is issued, 15% of the lot price must be paid at the time of signing of the equity lease and the remainder must be paid within 90 days (3 months) of the signing date.
- c) After all the equity lease payments are paid in full, the lease rate shall be \$1.00 payable April 1 each year.
- d) The term for all Equity Leases will be 30 years.
- e) Fully paid equity leases will be converted to fee simple title if/when that option is approved by referendum in the future.
- f) Upon surrender or termination of an equity lease, the Municipality may refund a portion of the equity accumulated for the lot in question as per section 7 (C) (i)
- g) Any refund shall be based on the principal portion of the total rental paid during the term of the lease.
- h) The refund shall be subject to a deduction for rent for the use of the land by the lessee. The deduction will be the higher of the following:

- i) Rental, calculated from the effective date of the lease to the acceptance of the surrender/termination of lease (ex:(total equity/initial lease term)x number of years of use); or
 - (1) If surrendered 10% of the principal portion of total rental paid, or 10% of the total rental, whichever is less;
 - (2) If termination, 20% of the principal portion of total rental paid, or @0% of the total rental, whichever is less.

8. Application for Land

- A) The municipality shall only accept a written application for land in the form of Appendix D. This form shall contain, but not be 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 application fee as set out in Appendix E;
 - g) a declaration of residency, if required; and
 - h) a declaration of not owing money in arrears to the Hamlet signed by the SAO or designated person(s).
- B) After an application has been received, the Hamlet will reply within a reasonable time period, giving the status of the application approved, rejected or requiring more information.
- C) If the application is approved, the application fee in Section 8 (A) shall be applied to the first years rent for a standard lease, or to the 15% down payment in an equity lease.
- D) If the application to lease is approved, the applicant has Thirty (30) days to sign the lease and pay all required fees or the application may be declared refused by the SAO.

9. Converting Existing Standard Leases to Equity Leases

- A) The municipality shall may allow conversion of existing standard leases to equity leases;
- B) Conversion from a current standard lease to an equity lease shall be at the written request of the current lessee;
- C) Where leases are surrendered, the new lease may be an equity lease;
- D) The lot price, as determined by Section 7(C)(a), shall be adjusted by:
 - a) applying a discount factor of 2/3 (two thirds) of lease payments made by the current lessee per year back to the year the current lessee under the standard lease, or an preceding lease to the current lessee of the same property;

Hamlet of Cambridge Bay By-Laws

- b) In no instance shall the adjustment be more than 75 % of the lot price as determined by section 7(C)(a). The lot price for any conversion shall be a minimum of 25% of the lot price as determined by section 7(C)(a).
- E) Interest on overdue payments shall not be credited to the discount pursuant to section 9(D), but shall none the less remain due and payable.
- F) Where an existing standard lease is converted to an equity lease, 15% of the lot price as determined by section 7(C)(a) shall be made on execution of the equity lease and the remaining amount must be paid in equal annual payments within a period not exceeding 5 years from the date the equity lease is commenced, after which the annual lease rate shall be \$1.00.
- G) Notwithstanding (F) above, payment of the balance of the lot price may be made at any time.

10. Lease Assignments/Transfers/Amendments

- A) Assignments/Transfers/Amendments may be consented to subject to the following:
 - a) standard lease rental, equity lease payments outstanding, and any other accounts receivable owing to the municipality by the original lessee and the new lessee must be paid in full;
 - b) any taxes owing to the Government of the Nunavut must be paid in full;
 - c) proof of ownership of improvements;
 - d) satisfactory completion of improvements;
 - e) provision of the duplicate original of lease if available or completion of a statutory declaration of loss form;
 - f) paying a non-refundable fee as set out in Appendix E.

11. Lease Surrenders

- A) Surrenders may be granted subject to the following:
 - a) standard lease rental, equity lease payments outstanding, and any other accounts receivable owing to the municipality by the lessee must be paid in full;
 - b) all outstanding debts to the municipality paid in full, and any taxes owing to the Government of the Nunavut 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 if required by Council;
 - d) the lessee must deliver up to the municipality the duplicate leasehold title where one exists.
 - e) Additional documentation;
 - f) Cost of analysis, which may include environmental analysis.

12. Cancellation of Lease

Hamlet of Cambridge Bay By-Laws

- A) The municipality may cancel any lease due to non-compliance with any terms and conditions of a lease.
- B) The Municipality may give notice of intention to cancel by way of registered mail, and/or hand delivered.
- C) The municipality is under no obligation to keep the mailing address of the lessee current, it is the lessee's responsibility to update the municipality as to their latest address.
- D) Rent payable under a lease shall continue to be charged, until the expiry of the appeal period in respect to the Order in Court terminating the lease.
- E) Section 12 in no way restricts the municipality's right to collect outstanding debts owed by the lessee.

13. Off Site Levies

- A) When disposing of land the municipality may levy a surcharge to a lessee to help pay for all or part of the municipality's capital cost for all or any of the following:
 - a) new or expanded 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;
 - e) playground or public green space; and
 - f) land required for, or in connection with, any of the facilities described in (a), (b), (c) & (d).
- B) 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 Nunavut.
- C) The municipality shall clearly identify to the public that any off-site levy is a separate surcharge above the lease rental which is collected at the time of lease execution.
- D) The municipality shall place all off-site levy revenues in a separate account to be used for the purpose set out in Section 13(A)

14. Easement

- A) 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.

15. Land Use Permit

Hamlet of Cambridge Bay By-Laws

- 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 “F”;
- B) Application for a land use permit shall be in the form of Appendix “G”;
- 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.

16. Land Development Reserve Account

- A) 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.
- B) The municipality shall, in regards to the account identified in Section 16(A):
 - 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.

17. By-Law Administration

- A) 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.
- B) The Hamlet shall charge a fee as set out in Appendix E that is based on staff time taken and Hamlet materials and equipment used.
- C) 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”	Land Administration Fees
Appendix “F”	Land Use Operations
Appendix “G”	Application for Land Use Permit
Appendix “H”	Ballot Draw Procedures - Residential
Appendix “I”	Ballot Draw Procedures - Commercial
- D) 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.
- E) This By-Law hereby repeals the Land Administration By-Law #226.

Hamlet of Cambridge Bay By-Laws

Date of First Reading	(Day) 26	(Month) 04	(Year) 2011
<p>_____</p> <p style="text-align: center;">Mayor Senior Administrative Officer</p>			
<p>After due notice and a Public Hearing,</p>			
Date of Second Reading	(Day) 24	(Month) 05	(Year) 2011
<p>_____</p> <p style="text-align: center;">Mayor Senior Administrative Officer</p>			
<p>_____</p> <p style="text-align: center;">Mayor Senior Administrative Officer</p>			
Approved by the Minister of Community and Government Services	(Day)	(Month)	(Year) 2011
<p>_____</p> <p style="text-align: center;">Minister</p>			
Date of Third Reading and Passed	(Day)	(Month)	(Year) 2011
<p>_____</p> <p style="text-align: center;">Mayor Senior Administrative Officer</p>			

APPENDICES

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

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.

Appendix “A”	:	Sample Land Acquisition By-law
Appendix “B”	:	Sample Land Disposal By-law (Lease)
Appendix “C”	:	Sample Land Lease By-law
Appendix “D”	:	Sample Land Application Form
Appendix “E”	:	Land Administration Fees
Appendix “F”	:	Land Use Operations
Appendix “G”	:	Application for Land Use Permit
Appendix “H”	:	Ballot Draw Procedures – Residential
Appendix “I”	:	Ballot Draw Procedures – Commercial



Hamlet of Cambridge Bay NU.

Schedule A

Sample Land Acquisition By-law

A By-Law of the Municipal Corporation of the Hamlet of Cambridge Bay in Nunavut to acquire real property, pursuant to the Hamlets Act, R.S.N.W.T. 1988, c.H-1, as amended by S. Nu, 2003, C-3, s.53.5.

WHEREAS the Council of the Municipal Corporation of the Hamlet of Cambridge Bay, 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 Cambridge Bay to acquire from _____ for the sum of (\$ _____) the land described in Schedule "A"
2. The noted land shall be acquired for municipal purposes.

Read a first time this _____ day of _____, 200 _____ A.D.

Mayor _____ Senior Administrative Officer _____

Read a second time this _____ day of _____, 200 _____ A.D.

Mayor _____ Senior Administrative Officer _____

Read a third time and finally adopted this _____ day of _____, 200 _____ A.D.

Mayor _____ Senior Administrative Officer _____



Hamlet of Cambridge Bay NU.
Schedule D

LAND APPLICATION FORM

Applicant: _____ Age 19+: Yes ___ No___
Name of Business or Surname & First name
(This will be the name your Lease falls under)

Address: _____
(Applicants full address, including community name and postal code)

Phone: Home # _____ Work # _____ Email: _____

Occupation: _____ Employed By: _____

Co-Applicant (If Applicable)

Co-Applicant: _____ Age 19+: Yes ___ No___
Surname First name

Occupation: _____ Employed By: _____

If there is more than one applicant: (check one)

Joint Tenancy _____ Tenancy in Common _____

Contact Person for Application

If the Applicant is a business, the section is required.

Same as above: Yes _____ No _____

Name: _____ Age 19+: Yes ___ No___
Surname First name

Address: _____
(Applicants full address, including community name and postal code)

Phone: Home # _____ Work # _____

Hamlet of Cambridge Bay By-Laws

The undersigned hereby make application to the land described as follows:

Surveyed Land:

Lot: _____ Block: _____ Plan: _____

Street/Civic Address: _____

If the land you are applying for is not surveyed by a Certified Land Surveyor, list its proposed lot number and name of the development area, or describe the dimensions and location of the land, and attached a copy of the lands map showing the location of the land outlined in red.

The land will be used for: (circle one)

Residential Commercial Neighbourhood Commercial Core Industrial Active or Passive

Other: (Specify) _____

Are there any buildings or improvements on the land now? Yes _____ No _____

If Yes, will these improvements be removed? Yes _____ No _____

If existing improvements remain, attach proof of ownership to complete this application. Attached: _____

Existing improvements have a value of \$ _____ and are described as follows: _____

Owner of existing Improvements:

The undersigned agree to construct the following improvements:

Estimated Value: \$ _____

Requires approximately _____ months to complete

Terms and Conditions:

If there are buildings and other improvements proposed by the applicant, s/he must, on his/her own responsibility, submit to the Territorial Fire Marshall's 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 all be the applicant's 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.

The submission of this application and payment of the deposit do not in themselves convey any right to land.

If the 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.

1. All rights to 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 that 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 materials;
 - (b) The rights of the recorded holders of mineral claims and any other claims or permits affecting the land;
 - (c) The right to enter upon, work and remove any rock outcrop required for public purposes;
 - (d) such right or rights-of-way and 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 purpose of installing and maintaining any public utility

Hamlet of Cambridge Bay By-Laws

Please Check:

The undersigned understand the failure to comply with any terms and conditions of the lease will be grounds for cancellation of the said instrument. _____

The undersigned certify that I/We have read and understood the terms conditions listed on this form and am/are in complete agreement with them. _____

The undersigned understand that the information that I/We have given in this application is true and correct. _____

The construction of buildings and improvements will conform to local by-laws and building standards. _____

This application will not be considered unless accompanied by a deposit of: \$250 and Plot Plan of Proposed Improvements. _____

Signature of Applicant

Signature of Co-Applicant

Date

Date:



Hamlet of Cambridge Bay NU.

Schedule E

Land Administration Fees

1.	Application Fee	\$ 600.00/initial
2.	Amendment to Application Fee	\$ 50.00/each time
3.	Transfer of Lease Fee	\$ 250.00/each time
4.	Surrender of Lease Fee	\$ 150.00/each time
5.	Assignment of Lease Fee	\$ 250.00/each time
6.	Amendment of Lease Fee	\$ 250.00/each time
7.	Ballot draw ballot fee	\$ 250.00/each time
8.	Consent to Mortgage Letter Fee	\$ 75.00/each letter
9.	Letters of Compliance Fee	\$ 100.00/each letter
10.	Applicant's Lawyer Response Fee	\$ 100.00/each letter
11.	Lease Status Letters	\$ 50.00/each letter
12.	Full size copies of maps (A4 to A2 or equivalent)	\$ 10.00/each
13.	Full size copies of maps (A1 or equivalent)	\$ 25.00/each
14.	Full size copies of maps (A0 or equivalent)	\$ 35.00/each
15.	Copies of Legal Documents(physical or digital)	\$.25/per page
16.	Lot Boundary Pin Finding	\$ 350.00/every time



Hamlet of Cambridge Bay NU.

Schedule F

Land Use Operations

The Hamlet may issue Land Use Permits for those uses of land that will be short-term (temporary) in nature. A permit may be issued for site investigation, the temporary storage of materials, etc. One of the main concerns when issuing a permit is the environmental impact of the temporary use. A permit will not be used for any undertaking that will be long term or permanent (construction of a building, etc.). All Land Use Permits will outline conditions, restrictions, and expiry date. Any extensions must be brought to the Hamlet Council and will be reviewed for the original purpose only. Any alteration of the original purpose must start over from the application process.

Fees will be determined based on the following calculation:

$(\text{Square metres used} / \text{Square Metres of Lot}) = \text{Percent used}$

$(\text{Days of Use} \times \text{Standard Lease Rental}) / \text{Days in a Year} = \#$

Then: $\# \times \% = \text{Cost of Use}$

Example:

There is a sea can being stored on a 1000m² lot. It will take up 250 m² of space, and be stored for 200 days. The standard lease rental for the lot is \$750. (Residential Rate of .75cents for anything over 900m²)

$250/1000 = 25\%$

$(200 \times 750) / 365 = 410.96$

$410.96 \times 25\% = 102.74$

Therefore, the total land use cost will be: \$102.74



Hamlet of Cambridge Bay NU.

Schedule H

Ballot Draw Procedures – Residential

1. Ballot draws shall be administered by the Senior Administrative Officer.
2. All applicants for ballot draws must be at least 19 years of age.
3. No applications for ballot draws will be accepted from companies, groups, or societies.
4. No applicants for ballot draws will be given approval to exchange, transfer or assign their ballot or application.
5. First Time Homeowners are defined as never owning a home in Nunavut prior to the ballot draw. Proof by statutory declaration may be required.
6. Proof of residency may include utility bills or other bills showing the applicant as the payer with a Cambridge Bay address for a period of five or two years as per section 21 of this by-law.
7. Only one ballot per family unit allowed. Family unit is described as all parents, and their children currently residing together.
8. Each ballot application shall include a certified cheque or money order for a non-refundable ballot fee of \$250.00.
9. Lots are leased on an “as is” basis. It is the responsibility of the lessee to deal with soil conditions and provide pads for housing construction to meet development permit requirements.
10. Ballot holders should be present at the time of the ballot draw. Ballot holders may provide a letter of proxy or a power of attorney for a party acting on their behalf during the ballot draw should they not be able to attend.
11. On the date of the ballot draw, the draw will be held in three stages
 - Category 1 – First Time Homeowners five year plus residency
 - Category 2 – First Time Homeowners 2 years to five years residency
 - Category 3 – All Others
12. Each Category applicants will be drawn to determine the order of selections of lots still available.
13. The person whose name is drawn first shall have first selection and so on to the last person drawn.
14. Each lot chosen by the person whose name is drawn shall not be available for following names drawn.
15. Any lots remaining after the ballot draw shall be available on a “first come, first served” basis.
16. Ballot draw selections may not be exchanged, transferred, or assigned.
17. All selections will be subject to all requirements of this by-law, the zoning by-law and development permit requirements.



Hamlet of Cambridge Bay NU.

Schedule I

Ballot Draw Procedures – Commercial

1. Ballot draws shall be administered by the Senior Administrative Officer.
2. All applicants for ballot draws must be at least 19 years of age.
3. No applicants for ballot draws will be given approval to exchange, transfer or assign their ballot or application.
4. Proof of residency may include utility bills or other bills showing the applicant as the payer with a Cambridge Bay address for a period of five or two years, as well as an active business license for the same period.
5. Only one ballot per individual or business allowed. Each ballot application shall include a certified cheque or money order for a non-refundable ballot fee of \$250.00.
6. Lots are leased on an “as is” basis. It is the responsibility of the lessee to deal with soil conditions and provide pads for construction to meet development permit requirements.
7. Ballot holders should be present at the time of the ballot draw. Ballot holders may provide a letter of proxy or a power of attorney for a party acting on their behalf during the ballot draw should they not be able to attend.
8. On the date of the ballot draw, the draw will be held in three stages
 - Category 1 – Individual or Business owners with five year plus residency
 - Category 2 – Individual or Business owners with 2 years to five years residency
 - Category 3 – All Others
 - Proof of statutory declaration may be required.
9. Each Category applicants will be drawn to determine the order of selections of lots still available.
10. The group or company whose name is drawn first shall have first selection and so on to the last person drawn.
11. Each lot chosen by the group or company whose name is drawn shall not be available for following names drawn.
12. Any lots remaining after the ballot draw shall be available on a “first come, first served” basis.
13. Ballot draw selection may not be exchanged, transferred or assigned.
14. All selections will be subject to all requirements of this by-law, the zoning by-law and development permit requirements.