



JAN 16 2019

MR. MICHAEL NADLI
MLA, DEH CHO

Oral Question 427-18(3) Land Availability for Community Development

This letter is in follow-up to the oral questions you raised on October, 23rd, 2018 regarding land availability for community development. Specifically, you asked whether the processes used to apply for commercial and residential land are different. The following are the standard steps associated with both residential and commercial applications:

Residential

- An applicant submits a completed Commissioner's Land Application form and fee for an available parcel of Commissioner's land;
- Once the Department of Lands has deemed the application complete, it is sent out for consultation with Indigenous governments, the appropriate municipal government, and other government departments;
- If no issues arise, or accommodations are necessary, as a result of consultation, a residential lease is drafted, for a maximum of 30 years and priced at 5% of the assessed value of the land, annually.

Commercial

- An applicant company submits a completed Commercial/Industrial Land Application form and fees for an available parcel of Commissioner's land, as well as additional information required including:
 - A written statement of what the land will be used for (a business plan is ideal);
 - A detailed site plan;
 - A calculation of the security that will be required to cover the potential restoration costs of the land. The amount of security is affected by factors such as the amount of fuel or other potentially hazardous materials stored on the property and how it will be stored, the number and type of buildings to be placed on the land, the location of the land, and so on. This calculation is reviewed and verified by the Department of Lands before proceeding.

.../2

- Once the Department has deemed the application complete, it is sent out for consultation with Indigenous governments, the appropriate municipal government, and other government departments;
- If no issues arise, or accommodations are necessary, as a result of consultation, a commercial or industrial lease is drafted for a maximum of 30 years and priced at 10% of the assessed value of the land annually.
- The lessee must provide the full amount of performance security before the lease will be executed.

The differences between the two processes include the additional documents required to accompany a commercial application, as well as the security requirement.

I am committed to work with the Department of Municipal and Community Affairs (MACA) to ensure smoother land transfers to communities. The Department is currently working in collaboration with MACA to provide input into the development of Community plans and bylaws to best prepare and position the municipality for the acquisition of land, when it is required. We are also currently working directly with MACA to address the transfer of community assets in fee simple to community governments.

Thank you for raising these important issues.



Louis Sebert
Minister of Lands

- c. Clerk of the Legislative Assembly
Legislative Coordinator
Deputy Minister, Lands