



**Indigenous and
Northern Affairs Canada**

**Affaires autochtones
et du Nord Canada**



Making



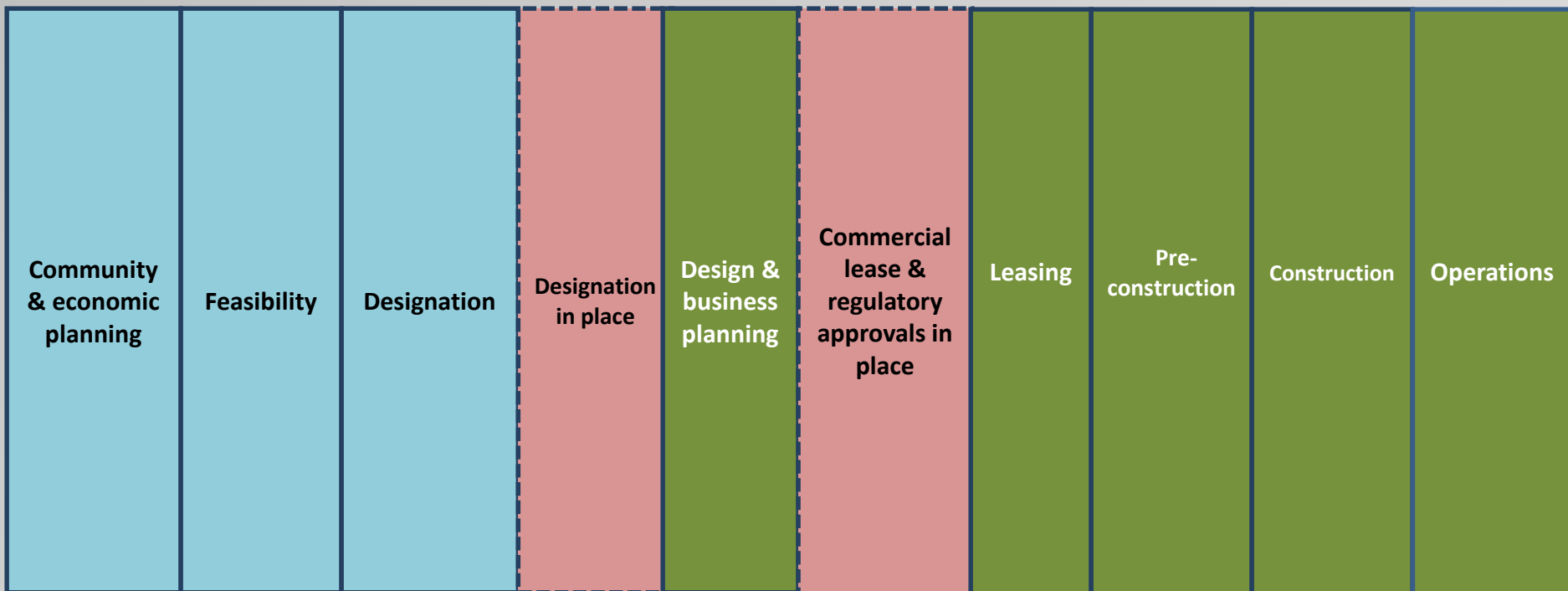
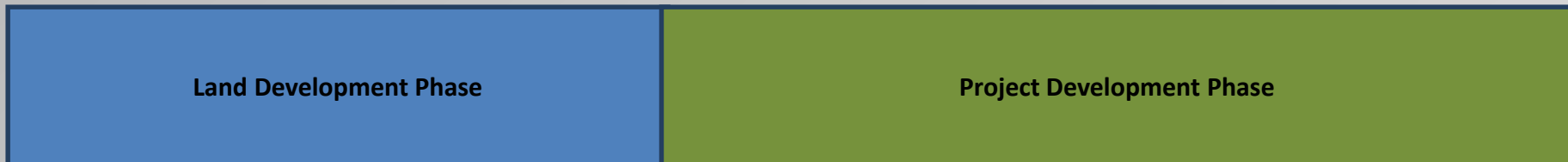
on reserve by commercial leasing

Links 2 Learning - December 2015

Presenters: Rizwana Lalani, Richard Horne, Petula Maxwell and Joseph Linkevic (Osoyoos)



PROJECT DEVELOPMENT CYCLE





The Lease boils down to 5 topics:

1. Lot and drawings
2. Use
3. Term
4. Rent
5. Environment





1. LOT

Legal Description?



YES



NO



Encumbrances?



YES



NO

Access to the Land?



YES



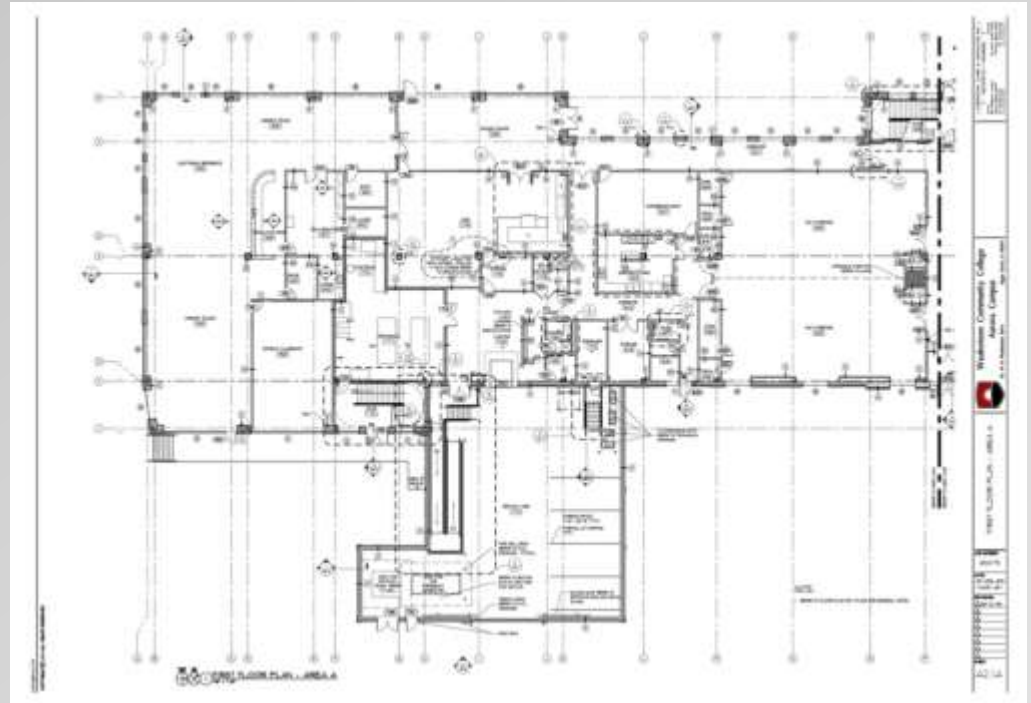
NO





CONSTRUCTION DRAWINGS

- Construction drawings must have stamp + signature of engineer
- Revised plans are required for any new Improvements.
- As-built plans are required upon completion of construction.





2. USES





OTHER COMMON USES.....



- Run of River Hydro (Kanaka Bar)





- Residential....
- Penticton (Skaha Hills)





RACE TRACK (NOT THAT COMMON!)





3. TERM

- **Term of the lease cannot extend beyond designation**
- **Terms may vary but does not exceed 99 years**





4. \$RENT\$ TYPES

- **Pre-Paid**

- Simplest...or is it?
- Management Questions?
- Who can predict the future?



- **Fair Market**

- Rent Reviews
- Appraisals
- Base + Participation?



- **Nominal Rent Headlease**

- Usually with a Band Corporation
- Subleases
- Designation must allow



FINAL \$RENT\$ THOUGHTS....

Many creative options....

- Will depend on use, term, proponent
- Financial and Legal advice necessary
- Community's own economic development cycle?





5. ENVIRONMENT



- **Environmental Site Assessment (ESA)**
- **Environmental Impact Assessment (EIA)**



Thanks for Participating!

Questions welcome.



***INAC wants your leasing project to be a
success***