

LEASING AND LAND AND BUILDING DEVELOPMENT YUKON AIRPORTS AND AERODROMES AVIATION BRANCH

Aviation Branch leases and licenses land and office space at Yukon airports and aerodromes where available. The Branch reviews proposals for development on aerodrome property to ensure compliance with all zoning requirements (lines-of-sight, airport and electronic zoning), compatibility with development plans and adherence to environmental criteria. Industry and/or community consultation may be required.

GETTING STARTED

This document will familiarize potential tenants with the procedures of obtaining development approval as well as some of the terms and conditions for leasing and construction on aerodrome property. Once you have selected a site, the next step is to complete a Project Application form (PA) for the proposed development. (Attached to this document). This preliminary application will ensure that the project meets basic criteria.

A PA should include:

- A written description of the proposed facility and its use.
- The location and size of the proposed development.
- The proposed building placement, height and dimensions.
- The anticipated construction date.

Project Applications for land or building space at Erik Nielsen Whitehorse International (ENWIA) Airport or Yukon community aerodromes should be forwarded to Airport Realty and Business Coordinator at Marilyn.Seaman@gov.yk.ca.

Contact with the Yukon Environment and Socio-Economic Assessment Board (YESAB) must be made at this point to determine if an assessment is required. A copy of any YESAB submissions affecting aerodrome lands must be provided to the Branch at the earliest opportunity.

After Aviation Branch staff review the PA, the applicant will be contacted and advised if additional information is required, such as:

- A site plan showing the location of the land parcel in relation to existing buildings, runways, taxiways, aprons and service roads (Scale 1:2000).
- A plot plan, where applicable, showing the orientation of the proposed facility on the land parcel (Scale 1:500), including:
 - Dimensions of the facility and clearances from existing structures.
 - Roadway and taxiway access.
 - Vehicle and aircraft parking areas.
 - Culverts and surface drainage.

- Water and sewer lines (or other methods compatible with current environmental standards).
- Power and communications lines.
- Fencing and landscaping.
- Tower/antenna locations.
- Constructions drawings of the proposed facility including:
 - Architectural details with all floor plans labeled as to use, exterior elevations and distances from property lines.
 - Proposed mechanical installations.
 - Proposed electrical installations.
 - A description of all communications systems.

If a detailed application is not relevant to the proposed activity, the relevant authority will advise the client of the information required to make an application so that an informed decision can be made.

WHAT ELSE SHOULD I KNOW?

Land and building space is leased on an “as is” condition. In some circumstances the tenant is required to lease the full area of any pre-planned or developed parcel (s). In other circumstances the tenant may propose the size and location of a parcel.

All tenants are responsible for connections to any existing utility, taxiway or road system at their own cost. Construction of the proposed facility must be completed to a state suitable for occupancy within a defined time period or the lease will be subject to cancellation.

Finally, all airport tenants and users are required to enter into a lease/license agreement with the Aviation Branch. Once a lease is in place, the Branch may ask tenants to provide a legal survey of the parcel indicating buildings and lease boundary lines. Lease terms and conditions include fair and reasonable policies and practises aimed at protecting the public interest, the environment, reducing liability to the public, and ensuring a safe operating environment.

SIGNING THE LEASE

A signed and executed lease/license is required before a site can be occupied or constructions begin or an activity commences. The Branch must receive copies of the following documents:

- Approved YESAB application (if applicable);
- Approved City of Whitehorse development plan and applicable building permits;
- A completed Nav Canada Land Use Submission Form plus confirmation from Nav Canada that the construction may commence. The lease holder or contractor is required to submit a completed Land Use Submission Form to Nav Canada six (6) weeks prior to the construction start date.

- A completed Transport Canada Plan of Construction must be received by Aviation Branch thirty (30) days prior to the construction start date.
- A completed Transport Canada Aeronautical Assessment for Obstruction Evaluation (26-0427E) (1412-05) plus confirmation from Transport Canada that the construction may commence. The lease holder or contractor is required to submit a completed Aeronautical Assessment for Obstruction Evaluation to Transport Canada ninety (90) days prior to the construction start date.

Contact the Airport Realty and Business Coordinator at Marilyn.Seaman@gov.yk.ca for information.

Lease terms depend on the scale of the intended investment. Major projects are eligible for a maximum term of 30 years, excluding renewals. Other projects may be granted terms of 5, 10, 20 or 25 years.

Rental fees are based on a percentage of the appraised market rent for the land. Some types of operations (i.e. car rental or gift shops) may be assessed a percentage of gross revenue (Concession Fee) in addition to an annual rent. Other operations, such as fuel facilities, may be assessed a concession fee per litre of aviation gas or lubricating oil sold. Other activities may simply be cost recoverable or payable on a flat rate.

Rent reviews are conducted at the start of each five-year term of the lease taking into account newly appraised land values. Payment of all lease or license fees is due in advance.

The Airport Manager must approve facility alterations or other changes during the term of the lease.

ZONING REGULATIONS

If you are interested in developing land on or near an airport, you should be aware of Federal Airport Zoning Regulations. There are three objectives of legislated airport zoning:

1. To prevent lands in the vicinity of the airport from being developed in a way that is incompatible with the operation of the airport. These regulations limit the heights of structures in the flight ways surrounding the airport.
2. To prevent land in the vicinity of an airport from being developed in a way that is incompatible with the safe operation of the airport or aircraft. These regulations eliminate activities that obscure visibility or attract birds that could be hazardous to aircraft operations.
3. To prevent lands from being used or developed in a manner that would cause interference with signals or communications to and from these facilities.

Transport Canada has Airport Zoning Regulations at the following airports:

- Old Crow
- Watson Lake
- Whitehorse

The latest regulations can be found at:

<http://www.tc.gc.ca/eng/acts-regulations/regulations.htm>

For more information please contact:

Airport Realty and Business Coordinator at 867-667-8441, or

A/Airport Manager, Erik Nielsen International Airport at 867-667-8850, or

Superintendent, Airports at 867-634-2948