



Airport land lease lottery processes and procedures

Guidelines for applicants



TABLE OF CONTENTS

TABLE OF CONTENTS	2
Introduction	3
Requirements for applicants.....	3
Application components	3
The application process	4
Application closing time.....	5
Receiving the application	5
Withdrawal of an application	5
Addenda.....	6
Lottery terms and conditions	6
Application evaluation process and procedures	7
Confidentiality.....	9
Collection of personal and business information	9

Introduction

This document contains information to assist applicants in submitting an application for a fixed wing aviation land parcel through a pre-qualified lottery. Please read all documentation before starting your application. The documentation consists of a release package for the specific dispositions as well as these lottery processes and procedures.

This disposition of these airport lease parcels will be determined by applicants demonstrating that they fulfill eligibility and pre-qualification requirements. Applicants who meet these requirements will have their names submitted to the lottery draw.

The Government of Yukon will then draw the names of pre-qualified applicants at random on the date of the lottery. This will form the draw list. Successful applicants will be awarded a parcel based on the order of preference indicated in their application.

The following website is updated with lottery information and documentation for these lease parcels:
Yukon.ca/land-lottery-aviation-lease-parcels.

If you have any questions about the application process or any other related matter, call Transportation Aviation Branch at 867-455-2888/867-332-0135 or email us at aviation.lands@yukon.ca.

Our staff will be happy to assist you.

Requirements for applicants

Only applicants who meet the following requirements can submit an application. Applicants must be:

- a) 19 years of age or older, and
- b) A Canadian citizen or Landed Immigrant of Canada; or
- c) A corporation which is incorporated under the laws of Canada.

Application components

Application processes and procedures

Contains lottery requirements, processes and procedures.

Release package

Contains specific information pertaining to the parcels, statutory declaration, application form and outlines eligibility, pre-qualifying Business and Development Plan or Development Plan criteria, and other requirements for applications.

As the applicant, it is your responsibility to become familiar with the lottery documentation and to understand the lottery requirements prior to submitting an application.

Additional application requirements for corporations

An individual acting as an agent on behalf of a corporation must also provide the following:

- A copy of a resolution of the Board of Directors authorizing the corporation to enter the lottery process and designating the agent to act on behalf of the corporation.

An agent may represent only one application and may not submit their own application.

Verifying age

A scanned of a piece of valid photo identification (such as a driver's licence or passport) must be included in the application to confirm the applicant has reached the age of nineteen (19) years.

The application office

All applications must be submitted by mail (through a courier only) or in person to the application office as detailed in the release package in order to be considered.

Email applications will not be accepted.

The application office expressly reserves the right to:

- amend the lottery documentation at any time before the closing time;
- re-commence or cancel the lottery process at any time without limitation; and
- reject or disqualify an applicant who has received notification of being a successful applicant.

The application process

All forms must be completed in full.

An applicant must initial any adjustment, change or correction to information provided by the applicant on any form prior to submission.

An applicant must sign and provide their legal name where indicated on the application.

Submitting an application

An individual applicant, business entity or corporation is allowed to submit only one (1) application for a particular disposition.

The applicant is responsible for ensuring the application is submitted according to the lottery documentation.

Applications must be put forward by a single applicant.

The application may not be amended after it is submitted. If an applicant wishes to amend an application, the application must be withdrawn and a new application submitted prior to the closing date of the lottery.

The applicant must provide contact information (phone number and an email address) on the application to be contacted if successful in the lottery draw.

The applicant must list the parcels they wish to lease in priority order on the application form in order to be considered for the lottery.

Incomplete applications will be rejected and the applicant will be notified. The application will not proceed to the qualification process and the applicant will not be permitted to submit another application.

The applicant represents and warrants by the submission of the application that all information contained therein is accurate and they agree to the terms and conditions of the lottery process.

Any application component transmitted to Transportation Aviation Branch in a manner other than what is described in the release package is deemed not to have been submitted.

Application closing time

Applications must be submitted to the application office and **received** prior to the closing time described in the release package.

An application cannot be received after the closing time. Any applications received after closing time will be deemed to have not been submitted.

An application cannot be amended after the closing time.

It is the responsibility of the applicant to confirm the application closing time and submission requirements and to ensure that the application is received by the application office prior to the closing time.

Only the application office may, by addendum on the Yukon government public website, extend the closing time at any time prior to the closing time.

Receiving the application

Applications will be date stamped when they are received.

The application office is available to answer questions about the lottery application process and answer applicant's questions about requirements for submitting the application.

Neither the application office nor Transportation Aviation Branch staff can assist the applicant with choosing parcels because parcel selection is solely the applicant's responsibility.

Withdrawal of an application

An applicant may withdraw an application from the lottery by emailing aviation.lands@yukon.ca to withdraw their application office prior to the closing time. This email must be from the email listed in the lottery application package in order to be considered to withdraw the application.

Applications withdrawn prior to the closing time shall be returned to the applicant upon request. The applicant may re-submit an application after an application has been withdrawn if this is done prior to closing time.

If a request for withdrawal is received after the closing time and before the draw list is created, the application will be rejected and not returned to the applicant.

Addenda

A written addendum issued by the Government of Yukon, Highways and Public Works, Transportation Aviation Branch, Business and Development Unit, is the only means of varying or changing lottery details and documentation.

If the application office releases additional information or makes an amendment to the lottery documentation, the written addendum will be posted online at yukon.ca/land-lottery-aviation-lease-parcels

It is the responsibility of the applicant to take note of all addendums issued by the application office.

Addenda issued prior to the closing time shall become part of the lottery documentation provided the Government of Yukon determines that the addendum has amended the terms and conditions of the lottery documentation.

An addendum issued up to seven (7) days prior to the closing time does not require an extension to the closing time.

An addendum issued within seven (7) days of the closing time shall include an extension to the closing time to ensure there is at least seven (7) days between the addendum date and the closing time.

Submitting an application constitutes a representation by an applicant that they have reviewed all lottery documentation including addendums made prior to submitting an application.

Lottery terms and conditions

By submitting an application, the applicant agrees, if successful, to enter into a licence or lease within fourteen (14) calendar days from the date of the lottery, failing which the applicant shall forfeit their place on the draw list. Licence and lease agreements will be emailed to successful applicants as soon as they confirm that they have accepted a parcel.

The applicant must be the party entering into the licence or lease.

Submitting an application is deemed to be conclusive evidence that the applicant has inspected the parcel available and made all investigations necessary to obtain full understanding as to the condition of the parcel, means of access, and the terms of the licence with the intention to lease. The applicant is deemed to have obtained all necessary information, local or otherwise about circumstances which may influence or affect the application.

The application office shall not be responsible for any verbal advice, information or instructions given to an applicant unless confirmed in writing.

By submitting an application, the applicant acknowledges that they have not relied on any statements, representation, or information made, furnished or given by the Government of Yukon or Government of Yukon officials other than that contained in the lottery documentation, including addendums.

By submitting an application, the applicant acknowledges and agrees to be fully responsible for interpretation of the information contained in the lottery documentation.

By submitting an application, the applicant represents and confirms to the Government of Yukon, with the knowledge and intention that the Government of Yukon may rely upon such representation and confirmation, that the application has been prepared without fraud or collusion with other applicants.

An applicant is solely responsible for the costs and expenses in preparing and submitting the application.

Each applicant, by submitting an application, irrevocably waives any claim, action or proceeding against the Government of Yukon including without limitation, any judicial review or injunction application against any Government of Yukon employee, advisor or representative for damages, expenses or costs including costs of preparation, loss of profits, loss of opportunity or any consequential loss for any reason including:

- a) any actual or alleged unfairness on the part of the Government of Yukon at any stage of the lottery process; or
- b) if the Government of Yukon is subsequently determined to have accepted a non-compliant application or otherwise breached the terms of the lottery documentation.

An applicant represents and warrants by submission of an application, to being aware of the conditions and provisions of the licence or lease agreement.

Application evaluation process and procedures

Qualifying applications

After closing time, all received applications will be evaluated based on the applicant's Business and Development Plan (for commercial applications), Development Plans (for recreational applications) and other eligibility criteria as outlined in each release package.

Applications which meet all application requirements, eligibility criteria and achieve the minimum score indicated for admission to the lottery in Business and Development Plan (for commercial applications) or Development Plan (for recreational applications) will be deemed to be qualified applicants and admitted to the lottery draw.

If an applicant is deemed qualified, the application office will inform the applicant before the lottery draw.

Qualified applications will then be assigned a lottery ticket number to be entered into the lottery draw.

Failure to achieve the minimum required score outlined in the Business and Development plan evaluation criteria for commercial applications or Development Plan for recreational applications or failure to meet the eligibility requirements as outlined in the release package will be cause for disqualification of an application.

Rejected applications

The application office reserves the right to reject or accept any and all applications without further explanation.

Failure to comply with the requirements set out in this document and the lottery package will be cause for rejection of an application.

The application office may reject any application at any time before a licence or a lease is entered into where:

- a) there is sufficient evidence, satisfactory to the application office, indicating that the application is a result of collusion between applicants; or
- b) there is sufficient evidence, satisfactory to the application office, that the applicant has been involved in fraud, bribery, fraudulent misrepresentation or criminal activity that would adversely impact the ability of the applicant to enter into a licence or lease.

If an application is rejected or disqualified before the lottery draw, the application office will inform the applicant in a timely manner.

No appeal

There is no appeal of decisions made regarding the evaluation of applications. Transportation Aviation Branch will be pleased to meet and discuss a disqualified application with the applicant two weeks after the lottery draw has been concluded.

Lottery process and procedures

On the lottery date, all lottery tickets will be drawn randomly from a lottery draw barrel.

The order drawn creates a draw list.

Tickets will be drawn from the lottery draw at the designated date and time. Parcels will be allocated to successful applicants based on their order in the draw list.

Draw list and procedures

Parcels are offered using the draw list, in the order of priority indicated on the applicant's application.

At the discretion of the application office, the draw list is considered valid until either:

- a) no parcels remain; or
- b) there are no more applicants on the draw list.

The application office will notify successful applicants within 24 hours and unsuccessful applicants in due time, using the contact information provided on the application.

A successful applicant must contact the application office within 3 business days of notification to accept or decline the offered parcel.

Failure to accept the parcel offered within 3 business days will result in the parcel being forfeit.

If an applicant declines or forfeits the parcel offered, that applicant:

- a) will not be offered another parcel within the same disposition; and
- b) will be disqualified from entering into any subsequent lotteries for parcels for that specific disposition if subsequent lotteries are deemed necessary.

The forfeited parcel will be offered to the next qualified applicant using the draw list in the manner described above.

A successful applicant may not trade parcels with any another applicant.

Applicants who decline or forfeit a parcel will be eligible to enter subsequent lotteries for other dispositions.

Posting results

The application office will publish the list of successful applicants and their parcel allocation to Yukon.ca

Licence and lease information and instructions

Licence and lease process

The successful applicants are required to enter into a licence or lease within fourteen (14) days of accepting a parcel, or forfeit their right to that parcel.

In the event that a successful applicant fails to enter into a licence or lease within fourteen (14) days of accepting a parcel, the applicant shall be deemed rejected, and the parcel forfeited. The parcel will be offered to the next qualified applicant on the draw list.

Other successful applicants will not be permitted to trade parcels for a forfeited parcel if that parcel is forfeited because the successful applicant failed to enter into a licence or lease.

Additional names may be added to the licence or lease, however the original applicant may not remove their name.

An additional signatory will not have their name on a licence or lease unless specifically requested by the applicant.

The original applicant will not be able to assign their lease to another party until one year has elapsed from the signing date of the lease.

All applicable approvals and permits must be obtained before site activities can begin.

Confidentiality

Aviation Branch will keep the identities of all applicants confidential until the lottery is drawn. The total number of applicants will also remain confidential until the lottery is drawn.

After the lottery, the names of successful applicants will be posted to Yukon.ca. The names of qualified applicants whose position in the draw list does not allow them to access a parcel and rejected or disqualified applicants will remain confidential.

Collection of personal and business information

Information is collected under the following laws: The *Financial Administration Act* (FAA) and the *Access to Information and Protection of Privacy Act* (ATIPPA), for the purpose of assessing the eligibility and viability of your proposed aviation development. Your business and personal information will be managed according to sections 24(1) and 29(c) of the Act.

Questions about the collection of this information can be directed to the application office.