

Project Team Contributors:

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# KANAWAKI GOLF CLUB PROJECT

# Information

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- The Kanawaki Golf Club has been operating in the community since 1910.
- Total Reserve Land: 224.4 acres under the Kanawaki Lease Agreement.
- Common Land: 8.85 acres
- Private Land: 215.5 acres
- Individual Private Interest Holders to date: Approx. 60

# Background/Leases

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- The Kanawaki Golf Club is leased and operated by non-natives.
- 1910 - members of the Outremont golf club came to Kahnawake scouting for land to re-locate their golf club.
- Mohawk “locatees” were promised money and continuous employment in exchange for lease of their land.

# History/Leases cont'd

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- In July 1910 nine agreements to lease were signed between the president of the Golf Club and nine locatees and approved by DIAND.
- October 1, 1910 the first lease was signed, with the nine annexed agreements, between the president of the Golf Club and DIAND on behalf of the Crown.
- Since that time a total of 8 leases have been signed.

# History/Leases cont'd

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- ❑ In 1967, Council initiated talks to enter into a new lease.
- ❑ The existing lease was signed in 1974 (retroactive to 1971) by DIAND (as Lessor), Kanawaki (as Lessee), MCK and by individual private interest holders.

# Present Lease Structure (1971-2021)

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- The lease is a hybrid and is composed of a **lease** under Section 58 (3) of the Indian Act and a **permit** under Section 28 (2) of the Indian Act.
  
- Definitions:
  - ❖ 58. (3) The Minister may **lease** for the benefit of any Indian, on application of that Indian for that purpose, the land of which the Indian is lawfully in possession without the land being designated – (The Minister acts on behalf of the individual interest holders)
  
  - ❖

# Present Lease Structure cont'd

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- Definitions cont'd:

- ❖ 28. (2) The Minister may by **permit** in writing authorize any person for a period not exceeding one year, or with the consent of the council of the band for any longer period, to occupy or use a reserve or to reside or otherwise exercise rights on a reserve – (MCK represents common land).

# Terms of Present Lease

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- 50 year term 1971-2021.
- Kanawaki has the option to renew the lease in 2021 for an additional term of 25 years (2021-2046).
- Consumer Price Index increase to rent is added every 5 years.