



CITY OF ST. ALBERT CITY COUNCIL POLICY

NUMBER	TITLE
C-P&E-11	Corporate Land Management
ORIGINAL APPROVAL DATE	DATE LAST REVISED

Purpose

To establish guiding principles, process and accountabilities related to the strategic management of Land owned by the City of St. Albert.

Policy Statement

The City shall plan for, acquire, develop, and dispose of Land to meet its land needs as identified through Council bylaw, policy, or resolution.

Definitions

“Acquisition” means the obtaining of Land through purchase, lease, transfer, dedication, donation, expropriation, easement, or other method to acquire Land or an interest in a land parcel.

“Act” means the *Municipal Government Act*, RSA 2000, c.M-26, as amended, and including any regulations thereunder.

“City” means the municipal corporation of the City of St. Albert or, where the context so requires, the area contained within the boundaries of the municipality.

“City Manager” means the Chief Administrative Officer of the City of St. Albert;

“Contaminated Land” means any land owned by the City which substances occur in concentrations that exceed the maximum acceptable amounts under an environmental standard.

“Corporate Land Management” shall mean the acquisition, development, and disposition of Land owned by the City. This does not include the day to day operational use of the land or facilities that are on the Land.

“Disposition” means the sale, exchange, donation, transfer, or other disposition of an interest in City Land, but for the purpose of this Policy shall not include the granting of a lease or easement interest in City Land. Leases of City Land shall be administered in accordance with Council Policy C-CAO-16 (City Owned Building Lease Rates).

“Donation” means a voluntary gift of Land, given without compensation or other consideration.

“Expropriation” means the Acquisition of Land in accordance with the *Expropriation Act*, RSA 2000 c.E-13, as amended, and including any Regulations thereunder.

“Highest and Best Use” means the reasonably probable and legal use of property, that is physically possible, appropriately supported, and financially feasible, and that results in the highest value as identified by the City.

“Land” shall mean any portion of the surface of the earth. Land may contain buildings that have limited utility or finite term usage for municipal purposes, but are incidental to the strategic or economic advantage of the land itself.

“Land Development” shall mean to alter the landscape in any number of ways such as: changing landforms from a natural or semi-natural state for a purpose such as residential or commercial development.

“Land Use Planning” shall mean the systematic assessment of land, and includes consideration of alternatives for land use, and economic and social conditions to select and adopt the best land-use options.

“Land Evaluation Matrix” shall mean a city designed document that evaluates the technical and service requirements for each capital project requiring land.

“Market Value” shall mean the amount that a Land parcel might be expected to realize if it is sold on the open market by a willing seller to a willing buyer.

“Repurpose” shall mean to change the identified City purpose for the land as outlined in the Corporate Land Strategy if a higher and better purpose for a City owned parcel is identified.

“Reserve Land” means environmental reserve, conservation reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve.

“Surplus Property” means City-owned Land that the City Manager declares to be surplus to the City’s requirements. For the purposes of this Policy, “Surplus Property” shall not include:

- i. Lands to be transferred to a school authority to be used for school site development in accordance with the Act, and
- ii. Lands intended to be transferred to Municipal, Provincial or Federal Government authority for the development of park or recreational amenities, or for the development of public utilities.

Responsibilities

1. City Council is responsible for:
 - a. Considering and approving long-term plans, land management administrative recommendations, and all other initiatives that support the implementation of this Policy; and
 - b. Considering resource requirements that are necessary to advance land management initiatives required to advance the implementation of this Policy.
2. The City Manager is responsible for:
 - a. Ensuring a five-year work plan that outlines the strategies, initiatives, and activities is prepared and presented to City Council on an annual basis. The work plan shall also include the following:
 - i. A Land Inventory of the City’s current land holdings and the intended purpose of each parcel of land (including planned disposition of land that is not identified as required),
 - ii. All projected land needs that are not provided for within the city’s current Land Inventory,
 - iii. The forecasted/projected market value of each city owned land parcel, and;
 - iv. The relevant financial reserves fund balances (Major Recreational Lands and Facilities [Schedule C2] and Municipal Land and Facilities Reserve [Schedule C5]).
 - b. Establishing City Manager Directives and other related protocols required to support the Corporate Land Management strategies and processes; and
 - c. Seeking City Council resolution regarding all administratively recommended land transactions, subject to authorities granted directly to the City Manager by Bylaw or Policy.

Service Standards/ Expectations

1. Land Acquisition:

- a. Subject to legislative or regulatory requirements or restrictions, the City will seek to acquire lands solely for the following purposes as identified through bylaw or resolution:
 - i. *To address City needs;*
 - ii. *To acquire future school sites* in accordance with the provisions of the *Municipal Government Act*;
 - iii. *In conjunction with partnerships with non-profit and community service agencies* when the associated purposes can be proven to further the City's strategic objectives;
 - iv. *To facilitate the development of affordable housing*, when the associated purposes can be proven to further the City's strategic objectives;
 - v. *Other strategic reasons*, including but not limited to, community improvements and anticipated community growth.
- b. The City shall acquire lands:
 - i. At the lowest possible negotiated cost, and greatest economic and community advantage to the City;
 - ii. Taking advantage of any reasonable partnership opportunities that may be available;
 - iii. At least five (5) years prior to its expected date of utilization, when possible, or when associated capital projects are approved.
- c. Land may be acquired on the basis of Market Value or less, or
- d. entitlements as defined by the *Expropriation Act*.
- e. At the discretion of the City Manager, an independent appraiser may be contracted to appraise Land identified for acquisition.
- f. Prior to Acquisition, the City Manager shall conduct an assessment of the physical and environmental condition, restrictions / encumbrances, tax implications or any other important characteristics which may impact the Land's value or use. Where applicable, such assessments shall be completed in accordance with any applicable federal and/or provincial legislation.
- g. Land will be allocated/identified for City purposes based on the Land Evaluation Matrix.
- h. The City will finance land acquisition in accordance with City Council Policy C-FS-01, Financial Reserves, unless directed otherwise by Council.

2. Land Use Planning and Land Development:

- a. The City will develop lands for its own purposes, as required to fulfill Council direction as identified through bylaw, policy, or resolution.
- b. The City will not improve Land for the sole purpose of selling it unless authorized by Council.
- c. The City will act strategically to facilitate land development through investment in market research and through the development of information intended to promote and encourage private sector development.

- d. The City will repurpose Land in its inventory only if a more appropriate community or public use can be proven, and:
 - i. The City will not repurpose land designated as park for alternative, non-related uses unless directed by Council.
 - ii. The process to consider repurposing of City held Land will include community participation as defined within Council Policy C-CAO-20, Public Participation Policy.
 - iii. The City will hold City owned Land that assists the City in achieving direction provided by Council through approved bylaw, policy, or resolution.

3. Land Disposition:

a. General Disposition Considerations:

- i. Prior to Disposition, the City Manager shall conduct an assessment of the physical and environmental condition, restrictions / encumbrances, tax implications or any other important characteristics which may impact the Land's value or use. Where applicable, such assessments shall be completed in accordance with any applicable federal and/or provincial legislation.
- ii. All reasonable fees, costs and expenses incurred by the City in relation to Land identified for disposition, even if the Land is disposed of at a nominal value, shall be identified for recovery from the purchaser on or before the closing date.
- iii. At the discretion of the City Manager, an independent appraiser may be contracted to appraise Land identified for disposition.
- iv. Proceeds from the Disposition of Land will be managed as per City Council Policy C-FS-01, Financial Reserves, unless directed otherwise by Council.
- v. Environmentally or culturally sensitive areas identified as being worthy of protection shall be transferred only to appropriate organizations, such as conservation authorities or other levels of government, or otherwise subject to special conditions such as an ongoing easement.
- vi. Contaminated Lands shall not be disposed of without the development of an environmental risk management plan that includes an assessment of the risks related to management of contamination on lands owned by a third party.
- vii. Notwithstanding this Policy, in the case of a proposed Disposition, the City shall observe lawful conditions that accompanied the City's original acquisition of the Land.

b. The City may dispose of Surplus Property:

- i. If it assists the City in achieving Council direction;
- ii. Is at the highest possible negotiated price, and greatest economic advantage to the City, considering Market Value;
- iii. at a point in time that the City Manager considers to be optimal market conditions;

- iv. Prior to any disposition of Surplus Property, highest and best use of the land is to be considered as a target value.
- c. The proposed sale of Surplus Property shall be advertised for no less than thirty (30) consecutive days; however, if the Surplus Property proposed for sale is, because of its size, nature or location, undevelopable as a stand-alone parcel, it shall be offered for sale solely to the owner of an adjacent lot and will not need to be advertised. As a condition of any such sale to the adjacent owner, the purchaser must consolidate the Surplus Property with the adjacent lot immediately following transfer.
- d. Other Lands Considerations:
 - i. Dispositions of Land not defined hereunder as Surplus Property shall proceed in accordance with the Act.

Legal References

Municipal Government Act (MGA)

Cross References

City Council Policy C-CAO-01: City Manager Delegations
 City Council Policy C-CAO-20, Public Participation Policy.
 City Council Policy C-ED-03: Land Transactions Policy
 City Council Policy C-EUS-01 Environmental Sustainability
 City Council Policy C-FS-01: Financial Reserves
 City Council Policy C-IS-06 Public Works Sites Management

REVIEW	REVISION
Date – Department	Date – Resolution No.
REVIEW DATES	