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**TOWN OF HIGH LEVEL****POLICY NO. 247-13**

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Authority: Council  
Council Motion: #475-13  
Date Approved: November 12, 2013

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**Purpose of Policy**

To set guidelines for the Town's land management function in accordance with statutory requirements of the Municipal Government Act and the Alberta Expropriation Act.

To set guidelines for the Town's land management function, and to assure objectivity and fairness of land management practices for all Town personnel involved either directly or indirectly in the land function.

To expedite cost effective management of the Town's Public Lands.

**Policy Statement**

1. The Town shall conduct the land management function of the Town's Public Lands in the most efficient and economically viable manner.
2. The Town will conduct all Public Land transactions in a manner that results in the acquisition or disposition which shall ensure equal opportunity, due process and fairness to all parties. The methods by which decisions are made must ensure not only fairness, but the perception of fairness.
3. Public Land will be defined as either:  
  
Marketable; or  
Non-Marketable.

- a) Public Land to be considered as Marketable, with an estimated value greater than \$100,000.00 shall be considered for approval by Town Council; and
  - b) Public Land to be considered as Marketable, with an estimated value of \$100,000.00 or less shall be considered for approval by the Chief Administrative Officer.
4. The Director of Development shall review the status of Non-Marketable Public Land as required or requested by Town Council.
  5. The Town will acquire and dispose of Public Land subject to legislative requirements.
  6. The Chief Administrative Officer will approve acquisitions of Public Land where the acquisition is incidental to a capital project as approved in the capital budget.
  7. Dispositions of Public Land where the value is \$100,000.00 or less shall be approved by the Chief Administrative Officer.
  8. Dispositions of Public Land where the value is greater than \$100,000.00 shall be approved by Council.
  9. The Town may market Public Land for future residential, commercial or industrial purposes, in a "raw land" condition or enter into joint venture agreements with the approval of Town Council.
  10. Offers received for Non-Marketable Public Land shall be reviewed on an individual basis by the Director of Development in consultation with affected stakeholders. All recommendations to designate to Marketable status shall be presented to the Town Council.
  11. For any Public Land that is identified as Marketable, the physical maintenance and all associated costs shall be the responsibility of the appropriate Town Department and shall be reflected in their respective annual operating budgets.
  12. Maintenance of large active Marketable land parcels shall be funded from the operating budget.
  13. The Town may enter into lease agreements for Public Land for specific uses and;
    - a) the Chief Administrative Officer may approve leases; and
    - c) all leases will be covered by a Town Solicitor approved lease agreement; and
    - d) maintained and reviewed on a annual basis by the appropriate town department.
  14. Under Land Use Bylaw 944-13, Town Council has regulated the Use of Public Lands.
  15. Pursuant to Land Use Bylaw 944-13, consent to use Public Lands which fall under the responsibility of the Director of Development Services, and are located in residential, commercial or industrial areas, where applicable;
    - a) shall require formal approval, obtained by applying for a Development Permit; and

- b) Pursuant to Section 61 (1) and (2) of the Municipal Government Act, fees and charges shall be applicable when granting rights over Public Lands;
- c) the approval License Agreement will be registered by way of caveat with Land Titles.

16. Monies relating to the Land Management function shall be managed through the Future Development Reserve Policy 190-02

17. Applicable fees and charges related to the land management function are identified in Fees Bylaw 889-09.

## DEFINITIONS

**Acquisition** - means the act of acquiring any interest in land by any means, including without limitation, by purchase, exchange, dedication, gift or expropriation.

**Disposition** - means the act of selling, exchanging or leasing land.

**Fair Market Value** - means a price at which buyers and sellers both having reasonable knowledge of the property and being under no compulsion are willing to do business.

**Marketable** - means any Public Land owned by the Town which is vacant or improved in any manner and has been identified by Town Council or Chief Administrative Officer for disposition in accordance with this policy.

**Non-Marketable** - means any Public Land owned by the Town which shall not be considered for disposition.

**Public Land** - means all public utility lots; all easements in favour of the Town; all utility rights-of-way; municipal reserves; environmental reserves and any other land subject to the Town's direction, management or control.

**Public Utility Lot** - means land which is designated as a physical corridor for the placement of utilities, including but not limited to water, sanitary and storm sewers, drainage, electricity, natural gas, telephones, cablevision services, emergency access, pedestrian use as well as occasional vehicular access.

**RESPONSIBILITIES**

**Town Council** will approve this Policy and revisions.

**Chief Administrative Officer** will approve the procedures for the land management function and to ensure the procedures are in accordance with the policy set by Town Council.

**Director of Development Services** will establish and maintain land management function procedures, and ensure the guidelines for the Town's land management function are followed and accurately reported where applicable.

	RESOLUTION	DATE
Adopted	#475-13	November 12, 2013
Amended		