


Policy Area - General Government		Content Last Updated:
Policy Section: Administration		Supersedes Policy:
Policy Name: Sale of Municipal Lands (Municipal Reserve & Public Reserve)		Approval:
Policy No: 200-71 Revised Date:		Number of Pages: 3

## Sale of Municipal Lands

### SUMMARY

This Policy is established to establish guidelines to be followed by the Administration in pursuing the sale or responding to requests for direct purchase of lands owned by the municipality.

### BACKGROUND

The Resort Village of Candle Lake owns land within the municipality. Lands have been acquired through land dedication (buffer strips, walkways, environmental reserve, public reserve or municipal reserve); or for economic and community development initiatives. A policy is needed to guide both the Administration and Council when making decisions about the proper method for the sale of municipally owned land.

### DEFINITIONS

- 1) **Dedicated Lands** – defined in Section 2(1)(i) of the *Planning and Development Act, 2007* (i.e. Buffer Strips, Walkways, Environmental Reserve, Municipal Reserve and Public Reserve).
- 2) **Saleable Market Land** - land parcels owned by the municipality and acquired for the purpose of economic development or other strategic initiatives defined and adopted by Council.
- 3) **Open Market** - lots or parcels are offered for sale publicly in an open and transparent manner based on standard terms. Applications for purchase will be accepted by the Municipality. The Municipality, at its sole discretion, will identify a potential purchaser from these applications based on compliance with the standard terms and price. A Sale Agreement for the sale of the property may then be negotiated between the parties.

### APPLICABILITY

Instances where the sale of municipal lands may occur:

1. **Marketing of Lands Saleable Market Land**
  - a) The municipality owns Saleable Market Land which it has acquired in the past which includes individual lots and larger parcels suitable for subdivision and development.
  - b) Council may sell market lands using an open market approach and may entertain or pursue direct sale of market land to accommodate specific development proposals which are aligned with municipal strategic objectives (e.g. town centre revitalization, etc.).

- c) The sale of land will include appropriate controls through a sales agreement to prevent speculation.

## **2. Sale or Exchange of Dedicated Land**

- a) Requests from private interests to purchase or exchange all or part of a Dedicated Land parcel will be considered if all or part of the land is no longer required for the intended use as outlined in Part IX of the *Planning and Development Act, 2007*. Council may, by bylaw, authorize the sale of all or any part of a Dedicated Land parcel;
  - i) in the opinion of the municipality, they are no longer necessary or,
  - ii) should the use of the land no longer be consistent with the principle of maintaining municipal reserves, and buildings located on municipal reserves, for public purposes.
- b) When considering a proposal to sell or exchange Dedicated Lands Council shall give consideration to the following;
  - i) the current use of the lands
  - ii) the intended use of the acquired land
  - iii) level to which the acquisition would rectify an unapproved historical use
  - iv) other possible remedies available to rectify an unapproved historical use
  - v) any resulting benefit for the Municipality
  - vi) the impacts on affected property owners

### **RESPONSIBILITY**

- 3. Council shall be responsible for receiving and considering all requests for sale or exchange of municipal lands.
- 4. Administrator shall be responsible for reports to Council related to requests for the sale or exchange of municipal lands providing options and a recommendation.
- 5. Administrator shall be responsible for undertaking the process for sale or exchange of municipal lands in accordance with this policy.

### **PROCEDURE**

- 6. The sale or exchange of Dedicated Lands will be conducted in accordance with *Part IX of the Planning and Development Act, 2007*.
- 7. The sale or exchange of Saleable Market Land will be in accordance with Section 48 of the Municipalities Act.

**Contact Information**

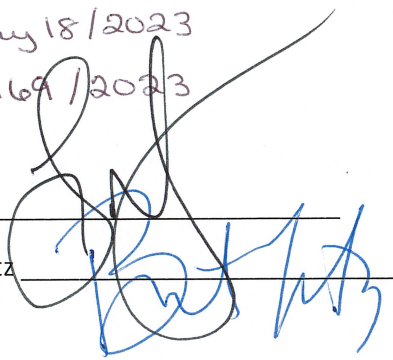
For further information on this policy, please contact the Resort Village of Candle Lake at 306- 929-2236, fax 306- 929-2201 or email: info@candlelake.ca

Date Approved: *May 18/2023*

Resolution Number: *169/2023*

Mayor Terry Kostyna \_\_\_\_\_

Administrator Brent Lutz \_\_\_\_\_

Handwritten signatures in black and blue ink. The black signature is positioned over the Mayor Terry Kostyna line, and the blue signature is positioned over the Administrator Brent Lutz line.