
Land Management

References: *Municipal Government Act, RSA 2000, c. M-26 (MGA)*
 Expropriations Act, RSA 2000, c. E-13
 Environmental Protection and Enhancement Act, RSA 2000, c. E-12

Cross-reference: SER-012-004 Road Dedication

Policy Statement

Strathcona County will acquire, use, and dispose of lands in accordance with well-defined procedures and guidelines.

Land will be acquired in an orderly and timely fashion to meet the current and future needs of the County's various programs.

The County shall require the dedication of Public Reserve Lands when reserves are owing on lands that are the subject of a subdivision application.

The County will also identify and acquire lands with essential biological diversity to create a legacy of important natural places for the benefit of present and future generations.

Held lands will be maintained in a cost effective manner and, where feasible, shall foster agricultural utilization. Where possible, municipally held land that is not being used for municipal purposes shall be leased or licensed for private party utilization.

The County shall annually evaluate its Reserve and Non-Reserve Lands to determine if there are lands that are surplus to current or future needs. The disposition and sale of these lands shall be pursued in a manner that realizes the highest possible returns to the County.

Purpose

Strathcona County's inventory of general lands and reserve lands are an item of enduring value to the County and its residents. The lands must be managed efficiently and with appropriate care to ensure their long-term viability and to ensure the maximum value is received by the County's residents for the County's ownership and stewardship of the lands.

The purpose of this policy is to guide Strathcona County in the acquisition, development, management, and disposition of lands that are owned by the County.

Definitions

Facility – a facility that is owned or controlled by the County that is not needed for municipal purposes, and is currently used as recreation and social facility site.

General Land Reserve – the funds or accounts that are used to acquire and maintain lands for the General Land Inventory

General Land Inventory – all lands, or interest in lands, that are held by the County, with the exception of Public Reserve Lands

Legacy Lands – all lands, or interest in lands, that are held or acquired by the County specifically to conserve their natural value and essential biological diversity and to be managed for long-term protection

Low-cost Housing – residential units offered at below market rates that are considered affordable under the Canadian Mortgage and Housing Corporation programs.

Public Reserve Lands – all land that is specified as municipal reserve, school reserve, municipal and school reserve, or environmental reserve, as set out in the *MGA*, and all land acquired and owned by the County where the acquisition was funded by the Public Reserve Trust Account

Public Reserve Trust Account – the funds or accounts that are used to acquire Public Reserve Lands

Recreational and Social Organization – means an organization that is incorporated under a special act of the legislature, the Agriculture Societies Act, Part IX of the Companies Act or the Societies Act, and having activities related to the promotion and encouragement of recreational services, and providing recreation facilities and services which may be provided by the County.

Guidelines

Acquisition of Land

The County will endeavor to acquire necessary land by discussion, negotiation, and agreement. When the County is acquiring land, the County shall work to pay the landowner according to fair and equitable principles, and in accordance with the fair market value of the land.

If agreement cannot be reached on the County's acquisition of required land, the County may begin expropriation proceedings in accordance with the *MGA* and the *Expropriations Act*. The County shall endeavor to obtain a voluntary expropriation under section 30 of the *Expropriations Act*.

Land that is acquired for the General Land Inventory shall be funded from the General Land Reserve Fund or other such funding source as appropriate. Land that is acquired for the Public Reserve Land Inventory shall be funded from the Public Reserve Trust Account.

Licensing of Municipal Lands

Lands in the General Land Inventory and Public Reserve Land Inventory shall be reviewed annually to determine which lands may be available for license.

Where possible, the licensing process for available lands shall prioritize agricultural utilization. The County may elect to not license an available parcel of land if the County intends to allow the land to return from agricultural use to its natural state.

The County will consider the License of land and/or facility to a Recreational and Social Organization operating activities which are beneficial to the Community.

The term of a license for County-owned land or facility shall not exceed 5 years unless approved by Council Resolution.

Every license shall have a clause allowing the County to cancel the license on short notice, to ensure the availability of the land or facility for County purposes.

Lease of Municipal Lands

Lands in the General Land Inventory and Public Reserve Land Inventory shall be reviewed annually to determine which lands may be available to lease.

The term of a lease for County-owned land or facility shall not exceed 5 years unless the lease is provided to a non-profit organization for the purpose of Low-cost Housing or approved by Council Resolution.

Every lease shall have a clause allowing the County to cancel the lease, with reasonable notice, to ensure the availability of the land or facility for County purposes.

Disposal of Surplus Lands

From the General Land Inventory

The General Land Inventory will be reviewed annually to identify lands that are surplus to the County's needs, and which can be disposed of.

Disposal of a parcel of land may be initiated by administration review, or based on a public request.

Disposition may be by:

- Tender
- Private party negotiated sale
- Real estate listing

The County will attempt to receive fair market value for the disposition of any lands. Lands cannot be disposed of while they continue to have positive usage for County operations.

From the Public Reserve Land Inventory

Authorization for disposal of land designated as Public Reserve Land must be approved by Council Resolution. Disposition of land within the Public Reserve Land Inventory must be done in accordance with Part 17, Division 9 of the MGA.

If the Public Reserve Land designation is removed, and the land is intended for municipal uses or is transferred to the General Land Inventory the funds shall be paid from the General Land Reserve to the Public Reserve Trust.

Policy Record

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SER-012-002; SER-012-003;
SER-012-005; SER-012-007;

Administrative Review: Planning and Development Services