

	City of Wetaskiwin Policy:	Land Transactions
Policy # CO-051	Approved Res. No.: 006/21 Date: January 11, 2021	Revised Res. No: Date:

Policy Statement

The City of Wetaskiwin is responsible for managing all current City-owned lands and ensuring that future land needs are being planned for. The City will seek to acquire, maintain, and dispose of land in a manner that maximizes its long term strategic and economic advantage. The City will endeavour to conduct all land transactions in a consistent, transparent, and equitable manner. This policy establishes the guiding principles, process, and accountabilities related to all land transactions for the City of Wetaskiwin.

Definitions

“Acquisition” means the acquisition of land through purchase, lease, transfer, dedication, donation, expropriation, easement, or other method to obtain an interest in land.

“City” means the City of Wetaskiwin.

“Disposition” means the sale, exchange, long-term lease, donation, transfer, or other disposition of an interest in land.

“Expropriation” means the acquisition of land in accordance with the Expropriation Act.

“Land” means land, land and any buildings affixed to the land that would without special mention be transferred by a transfer of land and may include mines and minerals.

“Market Value” means the price a willing buyer would pay, and willing seller would accept, both parties being fully informed, for land marketed for a reasonable period.

“Surplus Property” means land that has been declared, by resolution of Council, to no longer be required for the City’s purposes.

Responsibilities

1. The Chief Administrative Officer shall ensure all applicable standards and legislative requirements associated with this policy are satisfied.

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Standards

1. Acquisition Guidelines

1.1. The City will acquire land:

- 1.1.1. pursuant to a written strategy, for municipal purposes and in support of, Council approved priorities, programs, projects or policies;
- 1.1.2. at the lowest possible negotiated cost, and greatest economic advantage to the City; and
- 1.1.3. in an orderly and timely fashion to meet the current and future needs of the City; and
- 1.1.4. subject to Council approval.

1.2. When an acquisition is part of an unsolicited purchase in support of a City-mandated program (e.g. for a road widening), the City will endeavour to acquire required land by negotiation and agreement with the landowner. If an agreement cannot be reached with the landowner, the City may proceed to acquire the land by expropriation.

1.3. Acquisition of land outside of the City's boundaries may only proceed in accordance with Section 72 of the Municipal Government Act.

1.4. At the discretion of the Chief Administrative Officer, an independent appraiser may be contracted to appraise land identified for acquisition.

1.5. Prior to acquisition, the Chief Administrative Officer will conduct due diligence commensurate with the nature and character of the land. Due diligence may include, but is not limited to: obtaining a property inspection, obtaining an environmental site assessment, conduct land title and other searches and reviewing documents to identify any restrictions/encumbrances on title, tax implications or any other important characteristic which may impact the land's value or use.

2. Disposition Guidelines

2.1. The City may dispose of Surplus Property:

- 2.1.1. pursuant to a written strategy, for municipal purposes and in support of Council approved priorities, programs, projects or policies; and
- 2.1.2. at the highest possible negotiated price, and greatest economic advantage to the City; and
- 2.1.3. subject to Council approval.

2.2. Prior to any disposition of land, the land's market value must be determined. If the market value cannot be readily determined using



available data, the Chief Administrative Officer, or their delegate, may engage a qualified Multiple Listing Services broker or agent to provide their assessment or, where appropriate, obtain a land appraisal from a qualified, independent third party appraiser.

- 2.3. Dispositions of reserve land may proceed only in accordance with Division 9 of Part 17 of the Municipal Government Act.
- 2.4. Most land disposals shall proceed at market value, and in consideration of full cost recovery. Intended dispositions at less than market value shall be governed by the requirements of Section 70 of the Municipal Government Act.
- 2.5. Surplus land to be offered for sale to the general public shall be advertised in accordance with Advertising Bylaw 1976-20.
- 2.6. 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.
- 2.7. Proceeds from the disposition of land shall replenish the City's land reserve for future acquisitions, unless otherwise directed by Council.
- 2.8. Where the City intends to dispose of land that had been acquired through donation or other gratuitous means, subject to the conditions of that original acquisition, the City may consider whether the land should be:
 - 2.8.1. transferred at no cost to another level of government, local school board or recognized authority; or
 - 2.8.2. transferred back to the previous owner, or successor in title, who conveyed the land gratuitously, provided all costs to transfer the lands are borne by the previous owner or successor in title; or
 - 2.8.3. disposed of at market value.
- 2.9. Subject to section 2.3, environmentally or culturally sensitive areas identified for 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.
- 2.10. Any public road or right of way that has been closed in accordance with section 22 of the Municipal Government Act and declared Surplus Property may be presented for sale. Notice of the City's intent to sell shall be first provided to the adjacent landowner(s). If the City does not receive an acceptable offer from an adjacent landowner owner within the time

provided by the City, the property may be placed for sale on the open market.

3. Ongoing Use Guidelines

3.1. When City-owned land is not required for immediate use but may be required to meet identified long-term needs, the land may be offered for lease, license, or other arrangement allowing for its temporary use by another party.

3.2. Leases, licenses, easements, or other similar arrangements shall be at market value, unless:

3.2.1. the agreement is with another level of government;

3.2.2. a reciprocal agreement has been entered into by the City, such as an agreement with a school board;

3.2.3. the agreement is with a not-for-profit organization that actively provides services which supplement City services; or

3.2.4. public utility lot license of occupation for adjacent properties can be entered into for a period of 10-years at the encroachment rate.

3.3. The City may grant an easement interest:

3.3.1. If the easement is considered appropriate by the relevant City department(s);

3.3.2. If the granting of the easement does not render the retained City land no longer viable for the use for which the land was obtained; and

3.3.3. If it is determined that the location of the easement has limited or no impact on the future value or future City development of the lands over which the easement is sought.

4. Out of Scope

4.1. This policy is not applicable to those properties acquired through the tax recovery process.

5. Reporting

5.1. The Chief Administrative Officer shall present to Council, on an annual basis, an update containing a confidential assessment of the City's:

5.1.1. current land holdings, including estimated market value and identified purpose; and

5.1.2. projected land requirements, including recommended approach and operating/capital financing capacity.