



Disposal and Licensing of Surplus Municipal Land

Planning & Development
Policy M4

Policy:	M4 – Disposal and Licensing of Surplus Municipal Land
Policy Department(s):	Planning & Development
Adoption Date:	June 14, 2009
Adoption Reference:	196/06/99
Effective Date:	June 14, 2009
Last Amended:	December 12, 2022

Policy Purpose

To provide direction on the administration of a fair, transparent and consistent formal process when considering the Disposal and Licensing of Surplus Lands initiated by the County or at the request of an individual or an organization.

Policy Statement

The County is committed to building sustainable, prosperous and safe communities. We do this by “placing the people we serve at the centre of our work, being good stewards of our land, air and water, demonstrating fiscal responsibility and good financial management, and providing programs and services in an effective and efficient manner”. As part of this commitment, the County holds lands for public purposes to be utilized by its citizens and contribute to an enhancement of their quality of life.

Over time land may become surplus to the County’s needs. The strategic and economic benefits from the Disposal and Licensing of the County’s interest in these Surplus Lands allows us to achieve fiscal sustainability and effective land use management. The County will strive to maintain its future needs and receive the greatest economic advantage through the use of sale, leasing, and licensing of Surplus Lands. We will negotiate fair market prices for the Disposal of Surplus Lands and ensure the value obtained from the disposal is reinvested into future land needs.

Definitions

“Council” means the duly elected Council members of the County of Grande Prairie No.1.

“County” means the municipality of the County of Grande Prairie No. 1 having jurisdiction under the Municipal Government Act and other applicable legislation.

“Disposal” means the sale, transfer, donation, or leasing of County land interests.

“Fee Simple Land” means any lands which are held in freehold title to the County of Grande Prairie No.1 and are not encumbered by a reserve designation.



Disposal and Licensing of Surplus Municipal Land

Planning & Development
Policy M4

“Former Reserve Land” means lands which are owned by the County and were previously encumbered with a reserve designation.

“License” means the non-exclusive right to access or use County owned land in a manner outlined in an agreement.

“Reserve Land” means land that is designated as reserve ([Municipal Reserve](#), [Environmental Reserve](#), [School Reserve](#), Municipal and School Reserve or Conservation Reserve) for reserve purposes as legislated under the Municipal Government Act.

“Reserve Fund” means funding that has been allocated strictly to the use of a designated reserve.

“Sale” shall mean the transfer of legal title in land.

“Surplus Land” means lands located within the County where Council has determined that the disposition of the said land is in the best interest of the County after consideration of all relevant factors and operational requirements. Surplus lands include Reserve Land, Former Reserve Land and Fee Simple Land.

Policy Guidelines

1. Administration will review annually the inventory of municipally held land and make recommendations for disposal to Council if any lands are considered surplus.
 - 1.1. Lands may be considered surplus for any reason, including but not limited to economic growth, fiscal sustainability, job creation, community development and or to ensure effective land use management.
2. The Disposal of municipal lands will be considered in the context of the overall policies of the County, including the Municipal Development Plan, Land Use Bylaw, and Strategic Plan.
3. All matters related to the Disposal of Municipal lands shall meet the following requirements of the Municipal Government Act:
 - 3.1. Municipal Government Act. Part 3. Division 8 — Limits of Municipal Powers, Division of Lands — Section 70
 - 3.2. Municipal Government Act, Part 16 — Requirements for Advertising — Section 606
 - 3.3. Municipal Government Act, Division 9 – Use and Disposal of Reserve Land – Section 671
4. Unsolicited offers received for the Disposal of Surplus Municipal Land, shall be provided in writing to the County with a clear description of the offer, including what type of disposal is being proposed, the location of the proposal, the offer price, and the reasoning behind it.
5. When Council deems it is appropriate to sell land to an independent third party seeking to purchase land from the County, Council may authorize Administration by resolution to negotiate a sole source sale. Any such sale through a sole source process shall be



Disposal and Licensing of Surplus Municipal Land

Planning & Development
Policy M4

advertised for a minimum of two weeks to allow the public to comment on the proposed sale.

6. If the sale of Surplus Land is initiated by County Administration, Council may authorize Administration by resolution to proceed with a method of Disposal for the Surplus Land. The approved methods of sale include public tender or real estate listing.
 - 6.1. If an offer is received below fair market value, Administration shall take the proposal to Council and may be authorized by resolution, to either accept the offer price, re-initiate a Disposal process, or cancel the disposal.
 - 6.2. If an offer is received at fair market value or higher, Administration will accept the offer.
7. Council may, by resolution, deem Surplus Land available to Lease or License, if the use/proposed activity is permitted by the title designation.
 - 7.1. Council shall direct Administration to implement leasing or licensing by a private negotiated agreement, request for proposal and or tender.
 - 7.2. The term of the Lease or License will be limited to three (3) years, unless otherwise directed by Council.
 - 7.3. Renewal of Leasing and Licensing will be at the discretion of Administration and will only be considered after review of all necessary information and circulation to applicable Departments or agencies.
 - 7.3.1. If contention or concerns arise, lease/license will be presented to Council for a renewal decision.
 - 7.4. Schedule of fees bylaw to be followed unless otherwise stated by Council.
8. Any public road or road allowance that has been closed pursuant to Policy M10 and Section 22 of the Municipal Government Act and all other applicable legislation, may be designated as Surplus by Council and may be considered for Disposal.
9. Requests for the transfer, exchange or donation of Surplus Land will only be done at the consent of Council by resolution.
10. Net proceeds from the disposal of Surplus Land will be allocated to the proper revenue account depending on their title. The disposal revenue from Reserve Land and Former Reserve Land shall be allocated into the appropriate Reserve Fund. Whereas the disposal of Fee Simple Lands shall be dealt with on an individual basis and coded accordingly.

Attachments

N/A



Disposal and Licensing of Surplus Municipal Land

Planning & Development
Policy M4

References

Legal Authorities	Municipal Government Act, RSA 2000, c M-26
Related Plans, Bylaws, Policies, Etc.	Policy B1 – Policy Development Policy M10 – Road Plan Cancellation and Closure, Leasing or Licensing of County Road Allowances Land Use Bylaw Municipal Development Plan Schedule of Fees, Rates and Charges Bylaw
Other	County of Grande Prairie Strategic Plan Sale of Municipal Land Procedure

Revision History

Review Date	Description
December 12, 2022	Reviewed and Amended CM20221212.018
November 9, 2020	Reviewed and Amended CM – 20201109.032
June 14, 2009	Adoption Date CM – 196/06/99