

 <p>TOWN OF TABER</p>	<h1>Land Sales</h1>
Procedure No.: ECON-1	Council Resolution No.: N/A
Department: Planning & Economic Development	Authority: CAO
Effective Date: May 15 2024	Revision Date: May 3 2024
Review Date: November 2025	Repealed Date:
Supersedes: Land Sales Policies Residential-Industrial/Commercial No. 53M-82830	
Related Policy No.: ECON-1	
Related Policy Name: Land Sales	

1.0 PURPOSE

- 1.1 To establish consistent review principles and process for selling municipally owned land.

2.0 DEFINITIONS

- 2.1 **CAO** means the Chief Administration Officer for the Town of Taber within the MGA;
- 2.2 **COUNCIL** means the Mayor and Councilors of the Town of Taber;
- 2.3 **MGA** means *Municipal Government Act* RSA 2000, C M-26 as amended and the regulations thereunder;
- 2.4 **TOWN** means the municipality of the Town of Taber;
- 2.5 **APPRAISAL** means an official valuation of the property by an authorized person
- 2.6 **LAND SALE AGREEMENT CONTRACT** means the standard land sale contract for the sale of Town owned lands;
- 2.7 **LANDS** means all properties whether vacant land or land containing buildings.

3.0 OPERATING GUIDELINES

This section applies to the sale of all lands of the Town except highways, roads and lanes (held in title by the Crown).



- 3.1 The Planning & Economic Development Department shall use the standard Land Sale Agreement Contract for all land sales to ensure consistency and comprehensiveness when selling Town owned land.
- 3.2 Once a land sale is being negotiated, or a purchase offer has been received, a land sale folder will be created to house all documentation.
- 3.3 If the proposed land sale includes land that the Municipality was not actively advertising, the Planning and Economic Development Department shall review the proposal in the context of the overall legislation and policies of the Municipality, MDP, IDP, LUB and any applicable Area Structure Plans.
 - 3.3.1 The proposed sale shall also be circulated to other Departments to determine feasibility.
 - 3.3.1.1 Should the proposed sale include a road right of way or any municipal or institutional reserve lands, the Direction of Planning & Community Services shall be given the opportunity to comment on the proposal.
 - 3.3.1.2 The Request for Decision to Council should include documentation of fair market value as defined in Section 3.7.
- 3.4 Upon receipt of a Land Sale Agreement or Purchase Offer the Director of Planning & Community Services shall review any proposals and prepare a Request for Decision for Council that includes the following:
 - 3.4.1 A description of the subject property (including the location, zoning, development permit requirements, and any other relevant information),
 - 3.4.2 Copy of the title and plan (including any applicable covenants registered on title), and
 - 3.4.3 Offer price and proposal information.
- 3.5 Once an offer has been accepted, the Planning and Economic Development department will contract an accredited Alberta Land Surveyor if the land to be sold requires a Subdivision. The associated costs (including surveyor, subdivision, and title registration) shall be paid for by the Town unless otherwise directed by Council or negotiated in any purchase offer.
- 3.6 Once an offer has been accepted, the Planning and Economic Development department will contract an accredited Alberta Land Surveyor if the land to be sold requires a Road Closure. The applicant shall pay the Road Closure fee to cover the associated costs (including surveyor, subdivision, and title registration) unless otherwise directed by Council or negotiated in any purchase offer.
- 3.7 If the proposed land sale is accepted by Council and the sale price is lower than the fair market value, which can be determined by various methods including, but not limited to, a realtor's assessment, a formal appraisal report or the property's tax assessment. Then *Municipal Government Act*, Part 3, Division 8, Limits on Municipal Powers, Disposal of land – Section 70 and *Municipal Government Act*, Part 16, Requirements for Advertising – Section 606 must be followed:



- 3.7.1 If selling properties under fair market value, the Town must advertise the sale. The proposed resolution of the sale must be advertised for a minimum of two (2) weeks, and
- 3.7.2 The proposed resolution should not be passed until 60 days after the last date of the advertisement of the proposed resolution as required under the Petition, Section 231, of the MGA.
- 3.8 Once an offer has been accepted, the Planning and Economic Development department will contact a legal representative to act on behalf of the Town for the land sale (as per Obtaining Legal Advice Policy ADM-1).
- 3.9 All documents received from Land Titles should be given to the Manager of Finance and filed in the Land Sales File.



May 10, 2024

CHIEF ADMINISTRATIVE OFFICER

DATE

