

COUNCIL POLICY



Land Management

Number:	CP-22	Approved:	July 8, 2025
Department:	Corporate Services		
Resolution No:	TP/25/226	Replaces:	SER-008-001 FIN-001-004
Last Review Date:	NEW	Next Review Date:	May 2030

1. POLICY STATEMENT

- 1.1. The Town of Ponoka's inventory of general lands and reserve lands are an item of enduring value to the Town 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 Town's residents from the Town's ownership and stewardship of the lands.

2. PURPOSE OF POLICY

- 2.1. The purpose of this policy is to guide the Town of Ponoka in the acquisition, development, management, and disposition of lands that are owned by the Town.

3. SCOPE

- 3.1. This policy regulates the acquisition, management and disposition of Town-owned lands which are not used to provide municipal services.

4. DEFINITIONS

- 4.1. CAO – the Town of Ponoka's Chief Administrative Officer.
- 4.2. Contaminated Site - a location where substances exist in the soil, groundwater, or surface water at concentrations exceeding acceptable environmental standards as designated under Alberta's Environmental Protection and Enhancement Act (EPEA).
- 4.3. Council - means the municipal Council of the Town of Ponoka.
- 4.4. General Land Inventory – all lands, or interest in lands, that are held by the Town, with the exception of Public Reserve Lands.
- 4.5. Non-profit Organization (NPO) - a society, credit union or co-operative or any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.
- 4.6. Public Reserve Lands – all land that is specified as municipal reserve, school reserve, municipal and school reserve, conservation reserve or environmental reserve, as set out in the Part 17 of the MGA.
- 4.7. Town – The Town of Ponoka.
- 4.8. Vendor Take-Back Financing Agreement – any agreement in which the Town provides a purchaser with some or all of the financing for the purchase of an interest in Town-owned lands.

5. GUIDELINES

- 5.1. The Town will acquire, use, and dispose of lands in accordance with well-defined procedures and guidelines.
- 5.2. The Town shall require the dedication of Public Reserve Lands when reserves are owing on lands that are the subject of a subdivision application in accordance with the land use bylaw and the MDP or as afforded through legislation.
- 5.3. The Town 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.

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- 5.4. Held lands will be maintained in a cost-effective manner. Where possible, municipally held land that is not being used for municipal purposes shall be leased or licensed for private party utilization and, where feasible, shall foster agricultural utilization.
- 5.5. The Town shall annually evaluate its General Land Inventory 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 Town.
- 5.6. The sale of Public Reserve Lands will only be undertaken once the requirements of the Municipal Government Act (MGA), Sections 674-676, have been fully satisfied.

6. LAND ACQUISITION

- 6.1. The Town will endeavor to acquire necessary land by discussion, negotiation, and agreement. When the Town is acquiring land, the Town shall work to pay the landowner according to fair and equitable principles, and in accordance with the fair market value of the land.
- 6.2. If agreement cannot be reached on the Town's acquisition of required land, the Town may begin expropriation proceedings in accordance with the MGA and the Expropriations Act. The Town shall endeavor to obtain a voluntary expropriation under Section 30 of the Expropriations Act.
- 6.3. The Town will engage legal counsel before finalizing any land acquisition which has been designated as a Contaminated Site. If it is suspected that contaminants may have been stored or released on the land in the past, an acceptable environmental site assessment will be included as a condition of sale.

7. LEASE OF MUNICIPAL LANDS

- 7.1. Town owned parcels of land shall be reviewed annually to determine which lands may be available for lease.
- 7.2. Where possible, leasing available bare land shall prioritize agricultural utilization. The Town may elect to not lease an available parcel of land if the Town intends to re-designate the land as Public Reserve Land or develop the land for municipal use.
- 7.3. The Town will consider the Lease of land with or without a Town-owned facility to a Non-profit Organization whose operating activities are beneficial to the community. Consideration of a Lease of land to a for-profit business will be subject to Council approval.
- 7.4. The term of a license for Town-owned land or facility shall not exceed 5 years unless approved by Council Resolution.
- 7.5. Every lease shall have a clause allowing the Town to cancel the lease, with reasonable notice, to ensure the availability of the land or facility for Town purposes.

8. DISPOSAL OF SURPLUS LANDS

- 8.1. The Town's General Land Inventory will be reviewed annually to identify lands that are surplus to the Town's needs and which are recommended for sale. If an identified parcel has been designated as a Contaminated Site or has been used to store potential contaminants as part of Town operations, the land will be subject to an assessment and possible remediation under the EPEA guidelines.
- 8.2. The surplus lands list, along with a valuation of each parcel's current fair market value, will be subject to Council resolution before releasing to the public.

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- 8.3. Disposal of a parcel of land may be initiated by administration review, or based on a public request. When a formal written request is received by an interested party to a parcel not on the surplus lands list, Council must add it to the list by resolution before disposition may proceed.
- 8.4. Disposition may be by:
- Tender and/or request for proposal;
 - Private party negotiated sale; or
 - Real estate listing
- 8.5. The Town will attempt to receive fair market value for the disposition of any lands. If a parcel of land is marketed or sold for less than its fair market value, it will be advertised in accordance with Section 70(1) of the MGA.
- 8.6. Lands cannot be disposed of while they continue to have benefit to Town operations.
- 8.7. Proceeds on dispositions of surplus lands will be used in accordance with the Town's Financial Reserves Policy.
- 8.8. The Town will not enter into any sale agreement which includes a Vendor Take Back Financing Agreement.

9. RESPONSIBILITIES

- 9.1. Council:
- Approve this policy and any subsequent revisions;
 - Approve the annual surplus lands list; and
 - Approve re-designations between the General Inventory and Public Reserve lands in accordance with Sections 674-676 of the MGA.
- 9.2. CAO:
- Implement this policy and ensure compliance by Town staff;
 - Approve procedures, forms, and templates to be used by Town staff in the execution of this policy;
 - Establish the format and content of lease agreements in a form and manner that is consistent with this policy; and
 - Enter into purchase or sale agreements under this Policy.
- 9.3. General Manager of Corporate Services:
- Review Town-owned lands to determine parcels available for lease or lands recommended to be declared as surplus lands;
 - Execute lease documents in accordance with this Policy; and
 - Prepare and evaluate public tenders or requests for proposals related to the sale or lease of Town owned land.

10. REFERENCES

- Municipal Government Act
- Expropriations Act
- Societies Act
- Environmental Protection and Enhancement Act
- The Town of Ponoka Financial Reserves Policy

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APPROVAL

Original Signed

Original Signed

Signature of Mayor

Signature of CAO

Date

Date

POLICY RECORD

Approval and Amendment History

Date of Council Approval	Council Motion Number	Description	Date of Next Review
July 8/25	TP/25/226	New	