



Lethbridge County Policy Handbook

EFFECTIVE: January 24, 2018 **SECTION:** 100 NO. 172 Page 1 of 2
APPROVED BY: County Council **SUBJECT:** Land Disposition
REVISED DATE: December 6, 2021

POLICY STATEMENT

Lethbridge County owns multiple parcels of land within its boundaries, many of which provide no benefit to the County and in some cases, may even be a liability. Increasing property values and development pressures dictate that Lethbridge County should have a responsive strategy in place so that when County-owned land that is no longer needed, is not anticipated to be needed and has the potential to generate revenue, may be disposed of in a fair and timely manner. The Department of Community Services through the Planning and Development Department working collaboratively with all other departments, will take primary responsibility for land disposition management and inventory.

The Municipal Government Act (MGA) shall guide any land disposition matter not addressed in this policy and in the event of conflict with this policy, take precedence.

POLICY GOALS

The purpose of this policy is to establish a framework for the consistent, effective and timely disposition of surplus County-owned land.

PROCESS FOR CONSIDERATION OF LAND DISPOSAL

The following steps shall be taken when considering the permanent or temporary (via land lease) disposition of County-owned land:

- Step 1: County-owned land that may be surplus is identified and brought to the attention of the Community Services Department.
- Step 2: The Chief Administrative Officer and all department Directors are informed of land that has been identified as no longer being needed. If there is consensus that a parcel or parcels serve no value to the County, a Council resolution approving the sale or lease of specifically identified parcels must be acquired. If Council does not approve, the lands shall remain in the County's name for an indefinite period of time.



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- Step 3: Once Council has approved the disposal of a parcel, the land shall be publicly advertised for sale or lease, as the case may be. The price of land shall be market value, as determined through market evaluation, current assessment or through independent appraisal. Council reserves the right to transfer an interest in land for less than market value in accordance with the MGA.
- Step 4: Offers to purchase or lease County-owned land must be approved by Council, prior to transfer of ownership or execution of lease agreements, unless otherwise delegated by Council.

Exceptions

Council direction will ultimately determine the process to be followed. In determining the course of action that will be taken for the disposition of a given piece of property, Council's decision may be influenced by various factors such as: the effect which the sale, lease, or alternate use of the subject property by a third party may have on adjacent land, the proposed future use of the property by an interested party, the potential benefit that the County may realize by negotiating a trade of land for other property that may have strategic value or interest for the county, etc.

At the conclusion of the review process, Council may determine that there are extenuating circumstances that justify waiving the open process established through this policy. In those circumstances, Council may direct Administration to take specific actions regarding the property in question. This may include retaining the right to negotiate a lease or sale agreement with a party that Council has determined may be impacted in a significant way by the lease or sale of the subject property to a third party. A tenant's previous stewardship of land may also be taken into consideration. All exceptions to the open public process outlined above shall be carried out in accordance with the relevant sections of the Municipal Government Act.

LAND SALE COSTS

Costs associated with legal, subdivision, survey, title registration, sale transfer costs, etc. will be at the cost of the purchaser, where applicable. Any up front County costs associated with a sale will be funded through the purchase proceeds.