

Municipality of Opportunity No 17
LAND POLICY

TITLE: **LAND DEVELOPMENT AND SALE POLICY**

POLICY NUMBER: **L.1**

EFFECTIVE DATE: **MAY 11, 2011**

LEGISLATION REFERENCE: **M.G.A. Part 17**

Purpose of Policy:

This policy sets out the conditions under which the municipality may develop and sell land owned by the municipality. It further sets guidelines for the regulation and administration of land sales, establishes rates and fees for land related activities.

Definitions:

1. Area Structure Plan – A statutory plan that is adopted by Council for the purpose of providing a framework and guide for subsequent subdivision and development of specific neighborhoods or areas of the municipality.
2. Development – As per definition in the Municipal Government Act:
 - a) an excavation or stockpile and the creation of either of them;
 - b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land;
 - c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
 - d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
3. Direct Control District – An area of land identified by Council where all development applications and land sale proposals are approved at the sole discretion of Council.
4. Engineering Standards – MD approved design standards which prescribes a concise set of conditions and requirements that must be satisfied by a material, product, process, procedure, convention, or test method; and the physical, functional, performance and/or conformance characteristics thereof.
5. Infrastructure – Roads, Water/Sewer, Approaches, Lift Stations, etc.

6. Municipally Developed Land – Land that has been surveyed and subdivided into a single lot which has local improvements extended to the lot such as water/sewer, approach.
7. Quality Assurance Testing – As built inspections that confirm the improvement(s) have been constructed to the MD design standards.
8. Raw Land – Land in its natural state with no man-made improvements including survey and infrastructure;
9. Serviced Commercial – Land situated within highway commercial, hamlet general or direct control districts which have access, water and sewer services extended to the lot.
10. Serviced Industrial – Land situated within an industrial or business district that have access, water and sewer services extended to the lot.
11. Serviced Residential – Land which has access, water and sewer services extended to the property line of the lot which is located within a residential district.
12. Purchase Agreement – Development and Land Sale Agreements.

POLICY STATEMENTS:

A. Development of Raw Land

1. **The municipality will determine the location and design of residential raw land within the hamlets.**
 - a. The plan of development will be as per approved engineering standards.
 - b. Raw land available for sale and offers to purchase raw land shall be determined on its own merit by the Council.
 - c. Administration will predetermine Residential, Commercial, and/or Industrial raw land development locations based on the Area Structure Plan and Infrastructure needs for each community.
 - d. Administration may advertise for Commercial and/or Industrial raw land developers to service and construct commercial and industrial subdivisions through a Request for Proposal process annually. Requests for Proposal will take qualitative considerations with timelines set for successful proposals.

2. The municipality may sell raw land for commercial/industrial private developers under the following conditions:

- a. The municipality has no plans for developing or otherwise using the raw land.
- b. The proposed development must conform to the requirements of the land use bylaw.
- c. The proposed development must conform to the engineering design standards adopted by the municipality. The developer shall ensure that the appropriate quality assurance testing has been completed and reports in this regard provided to the municipality.
- d. The developer is responsible for the cost of all services including water, sewer, roads, power, natural gas, sanitary and storm sewer where applicable and necessary, access to the property, and for any other costs associated with the sale, sub-division and development of the property.
- e. Where the developer constructs utilities or other services which benefit parts of the municipality not included in the development, Council may approve a cost-sharing arrangement.
- f. Developers purchasing raw land must complete the subdivision within three (3) years of approval date.
- g. Developers will be required to enter into a Development Agreement and within the agreement to provide security to guarantee the completion of the subdivision at minimum 20% of the total construction costs including road access construction and water mains and sanitary lines where applicable and necessary.

B. VALUATION AND SALE OF LAND

1. Commercial / Industrial Raw Land

- a. Raw land applications must be accompanied with \$150.00 application fee (non-refundable) and shall be sold at \$2,500 per acre.
- b. All sales will be cash and purchaser shall be required to put a minimum 10% deposit on the value of the land being sold in addition to non-refundable application fee. The developer is responsible to arrange financing as required.
- c. All proposals for the use of raw land, including future subdivisions, must be presented to council and council shall on approval sell the land.
- d. Developers/Applicants who rescind their land application after it has been approved will be subject to an administrative processing fee based on 10% of land sale value.

- e. All Land within the area identified as Wabasca Downtown Commercial Core shall be sold at \$25,000 per acre which is under the Direct Control of Council to approve all development proposals prior to any sale of land.
- f. All Industrial Raw Land within the area identified as Wabasca Light Industrial Area shall be sold at \$2,500 per acre, subject to land sale and development agreement.

2. Municipally Developed Land

- a. Administration is authorized to determine lands for sale, advertise and sell land providing the WD Housing Authority annual needs are first met. The land shall be sold on a first come first served basis.
- b. Municipal lots shall be valued at the following rates:

<u>Wabasca:</u>	Serviced Residential:	\$10,000 per ½ acre
	Serviced Industrial:	\$15,000 per acre
	Serviced Commercial:	\$25,000 per acre
	Raw Land:	\$ 2,500 per acre

<u>Red Earth:</u>	Serviced Residential:	\$10,000 per ½ acre
	Serviced Industrial:	\$15,000 per acre
	Serviced Commercial:	\$25,000 per acre
	Unserviced Industrial:	\$ 5,000 per ½ acre
	Raw Land:	\$ 2,500 per acre

<u>Sandy Lake:</u>	Serviced Residential:	\$10,000 per ½ acre
	Serviced Industrial:	\$15,000 per acre
	Serviced Commercial:	\$25,000 per acre
	Unserviced:	\$ 5,000 per ½ acre
	Raw Land:	\$ 2,500 per acre

<u>Calling Lake:</u>	Existing Serviced Residential Lot (Central Drive):	\$ 7,500 per lot
	Serviced Industrial:	\$15,000 per acre
	Serviced Commercial:	\$25,000 per acre
	Unserviced:	\$ 5,000 per acre
	Raw Land:	\$ 2,500 per acre

- c. Anyone making an offer to purchase a parcel of land shall be required to put a minimum 10% down payment on the value of land being sold and the land shall be held a maximum of 21 banking days subject to successful financing.
- d. Applicants owing overdue debts with the municipality will not be considered for approval.

- e. Applicants who are under litigation with the municipality will not be considered for approval.
- f. The proposed development must conform to the land use bylaw and Area Structure Plans.
- g. Land sold for residential, commercial, and industrial uses as per policy requirements shall be developed within (3) three years (with a possible 1 year extension if the construction has commenced but construction delays occurred as a result of material and/or supplies, shipping issues or contractors are not accessible) of the registration date
- h. The responsibility for locating actual lot lines and corner pins on the property rests with the Vendor.
- i. Following the expiration of the 2 (two) year building requirements the MD reserves the right not to exercise the rights to its land buy back.
- j. Purchasers who rescind their land application after the Purchase Agreements have been signed will be subject to an administrative processing fee of 10% of land sale value.
- k. Single lot purchases will be limited to one lot per applicant and/or household. For the purpose of this policy this includes corporations, spouses, children, grandchildren, and siblings of the applicant.
- l. Individuals who wish to purchase multiple lots may be permitted to purchase up to a maximum of five (5) lots. The first parcel purchased shall be sold as per the policy of \$10,000 per half acre and any additional parcels purchased up to a maximum of 5 in total shall be purchased at the MD's cost to develop that subdivision per lot.
- m. Individuals who purchase multiple lots are required to develop the land within a period of two years and the development must conform to the land use bylaw.
- n. All residential dwellings and commercial structures (development) must have a minimum assessed value of \$50,000.00. If a proposed development has an age value of 10 years or more, the development permit application will be treated as a discretionary application and brought to the Municipal Planning Commission for a decision.

C. PETROLEUM & NATURAL GAS RENTAL RATES AND FEES

LEASE TYPE:	FIRST YEAR RATE:	SUBSEQUENT RATE:	YEARLY RATE:
Road Lease	\$400/Acre for 1 st 3 acres plus \$125.00/Acre thereafter	\$400.00	
Mineral Surface Lease	As Negotiated	\$650/acre per year (adverse affect, loss of use)	
Seismic Activity	\$200.00 Administration Fee & \$500.00 per mile of line within hamlet boundaries.	N/A	

Notes for Table Above:

- a) When an access road to a well-site exceeds the size of the well-site – SEE ROAD LEASE ABOVE.
- b) Where an access road is equal to or less than the size of the well-site, the road lease rate charges will be \$650.00 per acre.

AGREEMENTS	ADMINISTRATION FEE	FIRST YEAR FEE	SUBSEQUENT YEAR FEE
Road Crossing (One time fee for an agreement to cross an MD administered road with a pipeline)	\$600.00/Crossing	N/A	NA
Pipeline Agreement	\$200.00	\$1,000.00/Acre Approach plus Damages	N/A
Temporary Additional Working Space adjacent to Pipeline	\$250.00/Acre	N/A	N/A
Approach Agreements (One time fee for an agreement to connect a private road to an MD administered road)	\$600.00	N/A	N/A

APPROVED ON MAY 11, 2011 - MOTION 0287-2011-17MDC