



## COUNCIL POLICY C-PD16

## Municipal Reserve Disposition

Prepared By:	Planning and Development Services	Council Approval Date:	April 26, 2011
Effective Date:	April 26, 2011	Council Resolution No.:	113-11
References:	Procedures C-PD16-P1 <i>Municipal Government Act</i> Municipal Development Plan Land Use Bylaw Recreation, Parks and Open Space Master Plan	Previous Revision Date:	January 9, 2007 (Policy PD 016)
Function:	Property Management	LAS Review Date:	October 31, 2014

**PURPOSE**

The purpose of this policy is to outline under what circumstances Parkland County will not support the disposition of Municipal Reserve within Parkland County.

**POLICY STATEMENT**

Although Section 674 of the *Act* allows for the disposition of Municipal Reserve, Parkland County is committed to ensuring that all County residents benefit from the dedication and distribution of Municipal Reserve land and will therefore be heedful when considering any request for the disposition of Municipal Reserve. In this respect, Parkland County will not support the disposition of County Municipal Reserve land if Council deems the Municipal Reserve to have community and/or environmental significance.

**DEFINITIONS**

1. "Act" means the *Municipal Government Act* being the Revised Statutes of Alberta, 2000, Chapter M-26.1, and amendments thereto.
2. "May" means discretionary compliance or a choice in applying policy.
3. "Municipal Reserve" means land owned by the County and designated as Municipal Reserve (MR) as defined under the *Act*. It also includes Undesignated Reserve land that, based on an assessment of reserve as completed by the County, is equivalent to MR relative to the criteria outlined in the *Act*. Municipal Reserve land does not include Environmental Reserve (ER) or School Reserve (SR) as defined under the *Act*.
4. "Shall" means mandatory compliance.
5. "Undesignated Reserves" means reserve lands in older subdivisions that may be known as community reserve, park, or simply reserve (R) as described on the legal subdivision plan. These designations refer to language that was used in previous legislation, prior to 1980 in Alberta.

**SCOPE**

This policy applies to any application received for the proposed disposition and sale of Municipal Reserve land in Parkland County.

**MANAGEMENT RESPONSIBILITIES**

1. Administration is expected to:
  - a. provide input and recommendations to Council with respect to reserve disposition applications,
  - b. provide Council with a review of the reserve's significance as set out within this policy, and
  - c. administer the reserve disposition process, under the authority of the *Act*.
2. The Manager of Planning and Development Services is responsible for the development, implementation, monitoring, and evaluation of this policy.

**STANDARDS**

1. Council *will not* approve the disposition of Municipal Reserve land if it is deemed to have community and/or environmental significance. In determining a reserve's significance, Council shall consider the following:
  - a. The reserve parcels proximity to a water course or water body. Municipal Reserve land adjacent to lakes, rivers, streams or any significant water feature(s) *will not* be approved for disposition;
  - b. The ecological value of the Municipal Reserve, including an evaluation of natural amenities including treed areas, hills, lookouts, views, ravines, wetlands, etc., to ensure protection of environmentally significant and valuable natural features. If the Municipal Reserve lands fall within an environmentally significant area as defined within the County's Municipal Development Plan and Environmental Conservation Plan, a Biophysical Assessment shall be required as part of the disposition application;
  - c. The role of the reserve as a linkage between existing and future municipal and environmental parcels to ensure the long term development of a continuous linked recreation/open space or trail system;
  - d. The role the Municipal Reserve land plays in meeting the existing and future open space and recreational needs of the subdivision and/or surrounding community;
  - e. If applicable, the role of the Municipal Reserve as a buffer between incompatible land uses;
  - f. The number and usefulness of other Municipal Reserve in the surrounding community;
  - g. The suitability of the Municipal Reserve for the intended use as indicated in the application requesting its disposition;
  - h. The Petition of Support obtained within the required sixty (60) day period submitted with the application. At Council's discretion, an application for the disposition of Municipal Reserve may proceed with or without a Petition and regardless to the results of any petition forwarded by the community. In multi-parcel residential subdivisions, Council *may* reason that should the Petition not contain support from at least two-thirds (2/3) of the registered landowners in the subdivision, the application *may* be refused.
  - i. If applicable, the fragmentation of the Municipal Reserve resulting in smaller, less valuable recreational land;
  - j. If applicable, all relevant policies for the Municipal Reserve land as identified under the County's Recreation, Parks and Open Space Master Plan; and
  - k. Public Input through a Public Hearing as outlined in the *Act* and amendments thereto.
2. All applications requesting the disposition of Reserve Land will be processed in accordance with the *Act*, as well as the process outlined in Procedures C-PD16-P1.
3. If Municipal Reserve is approved for disposition, money obtained from the sale of such lands shall be allocated to the County's Reserve Trust Fund in accordance with the *Act* to purchase or enhance parks or natural areas in Parkland County.