

SALE OF LAND BELOW MARKET VALUE - STILLWATER

Recommendation

That the sale of surplus road right-of-way, as set out in Attachment 1 of the March 20, 2024, Financial and Corporate Services report FCS02211, on the terms and conditions outlined in Attachment 2 of the March 20, 2024, Financial and Corporate Services report FCS02211, be approved, and that the agreement be in form and content acceptable to the City Manager.

Requested Action		Committee decision required	
ConnectEdmonton's Guiding Principle		ConnectEdmonton Strategic Goals	
CONNECTED This unifies our work to achieve our strategic goals.		Regional Prosperity	
City Plan Values	CREATE		
City Plan Big City Move(s)	Catalyze and converge	Relationship to Council's Strategic Priorities	Economic Growth
Corporate Business Plan	Serving Edmontonians		

Executive Summary

- Administration is recommending Executive Committee approval for the sale of surplus, City-owned roadway land at less than market value.
- As per the *Municipal Government Act*, the City must advertise proposed City land sales that are below market value and subsequently have it approved by the appropriate Council Committee following a petition period. The proposed land sale was advertised in accordance with the *Municipal Government Act*. If the City does not receive sufficient petition during the petition period, Executive Committee can approve the proposed transfer.

REPORT

On December 9, 2019, the Buyer dedicated the Land in the Stillwater neighbourhood as road right-of-way, as part of Plan 1923445, for the purpose of road construction. In July 2023, Administration determined that a portion of the dedicated land, as shown on Attachment 1, was

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surplus to the City's requirements. Administration is seeking Executive Committee approval to transfer the surplus roadway land back to the Buyer for \$1 per the terms and conditions outlined in Attachment 2 and as outlined by the Principles Surrounding the Disposal of Surplus Road Right-of Way as shown in Attachment 3 (the "Principles").

As part of a meeting between the Urban Development Institute and Administration in January 2007, Administration and the development industry created the Principles as best practices for disposal of surplus road right-of-way, including closed Government Road Allowances, and how they are dealt with in the Arterial Roadway Assessments. The Principles state that dedicated roads determined to be surplus are to be returned to the original owner for \$1. As such, the proposed transfer aligns with the Principles. Such transfers are subject to approval by the appropriate Council Committee as they are outside of Administration's delegated authority.

Next Steps

If the recommendations are approved:

- Administration will execute the Sale Agreement and continue progressing the Road Closure Bylaw to public hearing.

Budget/Financial Implications

If Executive Committee approves this transfer, there would be no gain or loss recognized upon sale. A market value sale of this land was not considered within the development of the 2023-2026 Operating Budget so a below market value sale would not impact the operating performance reporting of Land Enterprise.

Community Insight

As per sections 70, 231(9) and 606 of the *Municipal Government Act*, the City advertised the proposed below market value sale of the subject property to the Buyer for two consecutive weeks, January 11, 2024, and January 18, 2024, in the Edmonton Journal. If the City does not receive sufficient petition during the petition period, Executive Committee can approve the proposed transfer.

GBA+

The lands will be sold back to the original owner who dedicated the land to the City of Edmonton, identity factors were not considered in this process.

Attachments

1. Site Plan
2. Sale Agreement Terms and Conditions
3. Principles Surrounding the Disposal of Road Right-of-Way