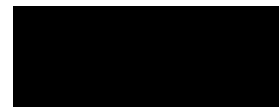




**TOWN OF OKOTOKS  
ADMINISTRATIVE GUIDELINES**

**Title:** Municipal Land Reserve



**Number:** A21-09

**CAO Approval  
Date:**

July 26, 2021

**Review Date:** As required

**Revised Date(s):**

**Originating/Lead Business Centre:** Community Growth & Sustainability

- Reference(s):**
- *Municipal Government Act (MGA)*
  - Chief Administrative Officer's (CAO) Delegation of Authority Administrative Guideline
  - Land Disposal Administrative Guideline
  - Land Acquisition Administrative Guideline
  - Land Acquisition Policy

**Purpose**

The purpose of the Municipal Land Reserve Administrative Guidelines is to formalize the process for dedicating, disposing of, and acquiring reserve lands, and park lands for public purposes by the municipality, in the Town of Okotoks (Town).

1. Definitions

<b>Community Services Reserve</b>	A Community Services Reserve is applied to the building envelope of a building or land that has been designated as a surplus school site, transitioned to a community use for public purposes.
<b>Conservation Reserve</b>	A Conservation Reserve preserves land that is considered environmentally significant to the municipality, but does not qualify to be taken for Environmental Reserve.
<b>Environmental Reserve</b>	Environmental Reserves protect and enhance the natural environment.
<b>Locally Significant Natural Area</b>	Means an area designated by the municipality that includes ecological characteristics such as providing natural groundwater recharge, grasslands and slopes and that may include historic or archaeological sites. This may be determined through the Natural Asset Inventory

	for areas identified as ecologically significant areas. The vegetation consists mainly of native species, and all new planting also be native.
<b>Municipal Reserve</b>	Municipal Reserves provide parks and open space for the use of and enjoyment by residents.
<b>Municipal and School Reserve</b>	A Municipal and School Reserve is used to dedicate land for jointly owned playing fields.
<b>Natural Area</b>	Where ecosystems are functional with minimal influence from anthropogenic processes, providing habitat for native plant and animal species
<b>Natural Assets</b>	Naturally occurring habitats or ecosystems that contribute to the provision of one or more services required for the health, wellbeing, and long term sustainability of a community and its residents. These areas are predominantly covered by native vegetation (trees, shrubs, grasses) or are naturally occurring water bodies such as lakes, wetlands, streams, and rivers. Also referred to as ecological or eco-assets, they can be managed along naturalized (human designed) assets and green infrastructure to maintain/provide services for the community.
<b>Naturalized Assets</b>	Natural Assets that have been enhanced, altered, or engineered to establish ecosystem functions, in order to provide or improve core municipal and ecosystem services. These assets are maintained in a non-manicured state, as the intent is to establish a stable ecosystem.
<b>Park</b>	Means lands acquired by the Town through dedication of reserves, boulevards within road right-of-ways, closed roads, public utility lots, and lands acquired as fee simple for the purpose of park development.
<b>School Reserve</b>	A School Reserve is used to dedicate land for the school building envelope. Lands dedicated are jointly managed through the Joint Use Agreement between the Town, the Foothills School Division No. 38 Board of Trustees, and Christ the Redeemer Catholic Separate Regional Division No.3 Board of Trustees.

## 2. Town of Okotoks Guiding Plans

<b>Environmental Master Plan (EMP)</b>	Adopted in 2018, the EMP provides a framework for the Town to follow in order to arrive at a sustainable future by identifying strategies for targeting climate change mitigation and adaptation, ecological protection and enhancement, urban landscape design, water conservation, waste reduction, and green economic growth.
<b>Recreation, Parks and Leisure Master Plan</b>	Adopted in 2017, the Recreation, Parks and Leisure Master Plan develops a comprehensive, strategic road map for the delivery of recreation, parks, and leisure services in the Town and surrounding areas that it serves. The Plan articulates the intended outcomes and social good that Town decision makers strive to see with investment in these valued public services.
<b><i>Uniquely Okotoks</i> Municipal Development Plan (MDP)</b>	Adopted in 2021, <i>Uniquely Okotoks</i> defines the Town's policies with respect to Parks, Schools, and Open Space (Sections B5 and C7). These policies explore the protection of existing natural spaces and means with which the development of new spaces should be undertaken to create active, passive, unstructured recreational and natural landscapes.

## 3. General

- 3.1 The Town's Subdivision Authority may require the dedication of reserve lands.
- 3.2 The dedication of reserves is fundamental in the ongoing creation of complete communities and supports sustainability by enabling environmental and social governance.
- 3.3 A Subdivision Authority is allowed to require the dedication of reserve land as follows:
  - 3.3.1 Environmental Reserves in its natural state or used as a public park.
  - 3.3.2 Municipal Reserve, School Reserve, or Municipal and School Reserve, which may be used by a municipality or school authority or by them jointly for a public park, a public recreation area, for school authority purposes, or to separate areas of land that are used for different purposes.

- 3.3.3 Community Services Reserve such as surplus school building sites that can be used for public service uses with a community benefit.
- 3.3.4 Conservation Reserve includes land that in the opinion of the Subdivision Authority has high ecological or historical value, meets criteria for environmentally sensitive areas in the regional plan, or is designated environmentally significant under provincial criteria, where the landowner is compensated by the municipality.

4. The following criteria shall apply to the allocation of reserves and their management:

4.1 Environmental Reserve

- 4.1.1 Environmental Reserves shall be required when the Town determines that a natural feature, which may include ravines, gullies, wetlands, water courses, slopes greater than 15%, or locally significant natural features are to be preserved, in accordance with the MDP.
- 4.1.2 When a proponent is required to set aside lands as Environmental Reserves, the area shall be preserved in its natural state. If the area has been disturbed by previous development activities, including but not limited to agricultural practices, the proponent shall restore the area to its native origins or pre-development conditions. When work is proposed to occur within the Environmental Reserves area, either to restore it to its native origins or to work within the area for the purposes of securing infrastructure for proposed development, the proponent shall:
  - 4.1.3 Obtain all permits required through Alberta Environment including all *Water Act* approvals;
  - 4.1.4 Obtain all permits required for working in a water course where the body of water contains fish or is considered navigable and requires permits from the Federal Department of Fisheries and Oceans;
  - 4.1.5 Obtain permits from the Town and approval from the Development Authority to undertake work within a Natural Area and include plans limiting the scope of any operations and soil erosion control measures and reclamation plans; and
- 4.1.6 When necessary, measures shall be taken to monitor the impact of any work within or adjacent to the Environmental Reserves area. This monitoring should be relative to the scale of the project being undertaken.

4.2 Municipal, School, and Municipal and School Reserve

- 4.2.1 Municipal, School, and Municipal and School Reserve be provided at 10% of the net developable land area within the proposed subdivision area.

4.2.2 The use of Municipal Reserve, School Reserve, and Municipal and School Reserve shall be limited to the use of these lands for schools, public parks, approved municipal and recreation purposes and in accordance with agreements made with School Divisions from time to time, or in accordance with Reserve Agreements that may be entered into with School Districts. The following standards apply:

4.2.2.1 The dedication of lands as reserve shall be required in all new development in the Town at a minimum of 10%.

4.2.2.2 Dedication of reserve lands above the 10% maximum shall be allowed when the proponent agrees to provide excess reserve lands and acknowledges that the Town shall not be liable to reduce the reserve requirements on other titled property.

4.2.2.3 Cash-in-lieu of reserves, in the case of residential areas, is not permitted unless constraints dictate that no reasonable alternative to dedicate reserves exists.

4.2.2.4 Cash-in-lieu of reserves in non-residential (commercial and industrial areas) shall not be permitted unless it is determined that the:

- a. strategic needs related to parks, recreation, and school purposes of the Town have been met;
- b. value of the cash-in-lieu value is consistent with the market value of the lands; and
- c. construction value of the undeveloped park area is provided to accommodate parks construction elsewhere in the Town.

4.2.3 Where a proponent proposes to set aside lands for Municipal Reserve, School Reserve, or Municipal and School Reserve in an application for Area Structure Plans, Neighbourhood Structure Plans, and/or subdivision plans, the proponent shall obtain approval from the Town and local school authorities.

#### 4.3 Community Services Reserve

4.3.1 Surplus land dedicated as Municipal and School Reserve may be redesignated as Community Services Reserve and utilized for public service uses with a community benefit as outlined in the *MGA*.

#### 4.4 Conservation Reserve

4.4.1 Locally Significant Natural Areas, as identified by the Subdivision Authority, should be dedicated as Conservation Reserve. The landowner would be compensated by the municipality in an amount

equal to the market value of the land at the time the application for subdivision approval was received by the Subdivision Authority.

#### 4.5 Strategic Land Acquisitions

4.5.1 The Town may acquire lands through purchase (fee simple acquisition), in accordance with the Land Acquisition Administrative Guideline, for the purpose of developing parks or preserving environmentally significant features as identified in municipal, regional, or provincial plans when one of the following occur:

4.5.1.1 Town Council determines there is a community recreation need that is not being met and cannot be reasonably met given the available supply of lands provided through previous acquisitions;

4.5.1.2 An area exists that provides Town wide recreation opportunities, responds to distinctive site circumstances, unique community needs, and provides unique programming opportunities for specific user groups;

4.5.2 Reserves for parkland are used first to fund said parks, construction value contributions are used second and other Town revenues are used last.

4.5.3 Conservation Reserve is to be acquired in accordance with the policies of the MDP.

#### 5. Reserve Land Disposals

5.1 The Town may dispose of reserve lands through sale in accordance with the Land Disposal Administrative Guidelines in the following instances:

5.1.1 Reserve land with the following characteristics:

5.1.1.1 parks or pathway connectors with limited desirability from a geographic perspective or physical perspective;

5.1.1.2 disconnected or fragmented from current park and pathway network;

5.1.1.3 encumbered with utilities;

5.1.1.4 inaccessible or unusable by the general public (i.e. hindered by railway or other such infrastructure);

5.1.1.5 Community Entrance sign lots and/or Municipal and School Reserve sites in accordance with the Joint Use Agreement.

5.1.2 Municipal School Reserve Land considered for the actions below:

- 5.1.2.1 Sale of a school, subject to the terms in the *MGA*, with review by the Land Committee before the property is placed on the market. All proceeds from the sale must be paid into the Reserve Fund.
- 5.1.2.2 Return Reserve Land and building to the Town, where the Town will assume responsibility of the property.
- 5.1.2.3 Demolition if a building is declared surplus and no alternative use can be found, where costs of the demolition are charged to the Joint Use Reserve Fund and any excess charged to the parties involved.

6. Parks Construction

- 6.1 Municipal Reserve and Municipal and School Reserve must be developed in accordance with the City of Calgary Construction Standards and Specifications (current year), as amended by Town's General Design & Construction Specifications (current year).