

	<b>Use of Town-Owned Land</b>	
	<b>Policy Type:</b>	Executive Limitation
	<b>Number:</b>	EL-F-2.1
	<b>To be Reviewed:</b>	Once per term
	<b>Approval Date:</b>	April 26, 2021
	<b>Motion Number:</b>	21.C.167
	<b>Revised Date(s):</b>	

### **Policy Statement:**

This policy identifies what types of decisions and actions the Chief Administrative Officer (CAO), and or designates **may not do** in order to achieve Council's Ends.

These limitations set boundaries regarding the use of Town-owned land as to what means to achieve the Ends **would be unacceptable** even if the means worked.

The CAO shall not allow Town-owned land to be improperly used, unprotected, or undervalued.

Further, without limiting the scope of the above statements by the following, the CAO shall not:

1. Enter into a lease or licence agreement on behalf of the Town below the current market rent unless:
  - 1.1. it can be shown that for a variety of reasons (e.g. shape, size, location, etc.) the offer reflects market rent; or
  - 1.2. the agreement is with a local authority or a designated non-profit organization.
2. Allow Town-owned property to be leased for the placement of billboard signs except as otherwise permitted under prior policy;
3. Allow inappropriate use of Town property, rights-of-way, or utility lots.

### **Definitions:**

Lease - a contractual arrangement between a landlord and a tenant for the legal right to exclusive possession of a premises or property for a period of time in return for payment of rent.

Licence - a contractual arrangement between a licensor and a licensee for the non-exclusive use of a premises or property in return for payment of rent.

Local authority - a municipal authority; a regional health authority under the *Regional Health Authorities Act*; a regional services commission; the board of trustees of a school division under the *Education Act*; a library board established under the *Libraries Act*; and a police service as defined under the *Police Act*.

Market rent - a payment that a premises or property would be expected to realize on the open market, indicated by recent transactions for comparable space, between a willing landlord/licensor and a willing tenant/licensee, both parties being fully informed.

Non-profit organization - a society or co-operative established under a law of Canada or Alberta; a corporation that is prohibited from paying dividends to its members and distributing the assets to its members on a winding-up; or any other entity established under a law of Canada or Alberta for a purpose other than to make a profit.

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