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| <b>Policy Number:</b>      | <b>C-416</b>                      |
| <b>Policy Owner:</b>       | <b>Capital Project Management</b> |
| <b>Adopted By:</b>         | <b>Council</b>                    |
| <b>Adoption Date:</b>      | <b>2010 April 20</b>              |
| <b>Effective Date:</b>     | <b>2010 April 20</b>              |
| <b>Date Last Amended:</b>  | <b>2019 October 08</b>            |
| <b>Date Last Reviewed:</b> | <b>2019 September 18</b>          |

## Purpose

- 1 This policy establishes a consistent process for the acquisition of land in conjunction with the development of infrastructure completed by Rocky View County (the County) or under County controlled contracts.



## Policy Statement

- 2 Council may acquire land for municipal purposes in accordance with the provisions of the *Expropriation Act* and section 14 of the *Municipal Government Act*.
- 3 This policy promotes orderly and timely land acquisitions, consistency, and fairness for the affected property owners, and helps maintain public infrastructure to safe and appropriate standards.



## Policy

- 4 From time to time, the County may need to acquire land for the construction or expansion of public infrastructure, including but not limited to roads, water, wastewater, and storm water infrastructure.
- 5 The County proactively plans land acquisitions in association with the County's capital budget as well as anticipated County development and growth patterns as set in Council approved plans and bylaws.
- 6 The County negotiates agreements with property owners for the purpose of land acquisition whenever possible.

- 7 When acquiring land, the County negotiates agreements based on the market value of the affected land in order to provide compensation for the property owner.
- 8 If a negotiated agreement cannot be reached, the County may seek expropriation if directed by Council in accordance with the provisions of the *Expropriation Act*.



## References

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|---------------------------------------|---|
| Legal Authorities                     | <ul style="list-style-type: none"> <li>• <i>Expropriation Act</i>, RSA 2000, c E-13</li> <li>• <i>Municipal Government Act</i>, RSA 2000, c M-26</li> </ul>   |
| Related Plans, Bylaws, Policies, etc. | <ul style="list-style-type: none"> <li>• Rocky View County policy C-216, <i>Tangible Capital Assets</i></li> <li>• Rocky View County policy C-318, <i>Pathways and Trails</i></li> <li>• Rocky View County policy C-400, <i>Annual Road and Bridge Program</i></li> <li>• Rocky View County policy C-425, <i>Road Management</i></li> <li>• Rocky View County policy C-459, <i>Storm Drainage Improvements Policy</i></li> <li>• Rocky View County policy C-460, <i>Capital Priorities Policy</i></li> <li>• Rocky View County bylaw C-7356-2014, <i>Transportation Offsite Levy Bylaw</i></li> </ul> |
| Related Procedures                    | <ul style="list-style-type: none"> <li>• Rocky View County procedure PRO-416, <i>Infrastructure Land Acquisition</i></li> </ul>   |
| Other                                 | <ul style="list-style-type: none"> <li>• N/A</li> </ul>   |



## Policy History

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| Amendment Date(s) – Amendment Description   | <ul style="list-style-type: none"> <li>• 2019 October 08 – Council amended to align with current practices and policy standards</li> </ul> |
| Review Date(s) – Review Outcome Description | <ul style="list-style-type: none"> <li>• 2019 September 18 – Minor changes to current practices, update to format required</li> </ul>      |



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## Definitions

9 In this policy:

- (1) “acquisition” means the obtaining of a fee simple title, lease, license, easement, workspace or option to purchase land required for construction of public infrastructure construction through negotiation or expropriation from a property owner;
- (2) “capital budget” means the budget that is presented to Council on an annual basis identifying projects to be advanced by the County that will result in a new or tangible capital asset for the County;
- (3) “County” means Rocky View County;
- (4) “expropriation” means the taking of land without the consent of the property owner by an expropriating authority in the exercise of its statutory powers;
- (5) “*Expropriation Act*” means the Province of Alberta’s *Expropriation Act*, RSA 2000, c E-13 as amended or replaced from time to time;
- (6) “market value” means the amount the land might be expected to realize if sold in the open market by a willing seller to a willing buyer;
- (7) “*Municipal Government Act*” means the Province of Alberta’s *Municipal Government Act*, RSA 2000, c M-26, as amended or replaced from time to time; and
- (8) “Rocky View County” means Rocky View County as a municipal corporation and the geographical area within its jurisdictional boundaries, as the context requires.