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Town of Espanola Land Utilization Strategy and Policy for Municipal Land and Building Acquisition and Disposition

Fostering Strategic Development, Economic Growth, and Community Well-Being

Approval: September 9, 2025

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1. Purpose and Intent

The Town of Espanola Land Utilization Strategy and Policy provides an integrated framework for the strategic management, acquisition, and disposition of municipally owned land and buildings. It is designed to support the Town’s goals for sustainable growth, economic vitality, and community well-being, while ensuring compliance with the Municipal Act, 2001 and alignment with Town’s Official Plan, related strategies, and bylaws.

This document functions both as a strategic framework—guiding long-term land use decisions—and as a governing policy—detailing the procedures for acquiring, managing, and disposing of municipal lands.

2. Strategic Vision

Through proactive and responsible land management, the Town of Espanola seeks to:

- Unlock land value to meet community needs.
- Encourage housing development, business growth, and public infrastructure.
- Form partnerships with private and non-profit sectors to leverage land for broader social and economic benefits.
- Ensure land transactions align with the Town’s Official Plan, Affordable Housing Strategy, Economic Development Strategy, and sustainability goals.

3. Guiding Principles

This strategy and policy is grounded in the following principles:

- **Public Benefit:** Prioritizing land use that delivers affordable housing, jobs, infrastructure, and community amenities.
- **Transparency & Accountability:** Ensuring open processes and public reporting wherever feasible.
- **Sustainability:** Encouraging environmental protection and green development practices in accordance with the Climate Action and Adaptability Plan as amended.
- **Equity & Inclusion:** Advancing projects that benefit diverse and underserved populations.

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- Collaboration: Partnering across sectors to achieve community goals.

4. Definitions

- Fair Market Value (FMV): The most probable price a property would achieve in an open, competitive market as of a specified date.
- Viable Land: A parcel that is eligible for a building permit or can be combined with other parcels to support development or redevelopment.
- Non-Viable Land: A parcel that, on its own, cannot be developed or is designated for limited uses (eg., land exchanges, leases under 21 years).

5. Strategic Land and Building Acquisition

5.1 Objectives

The Town will consider land or building acquisitions that:

- Enable residential development, particularly affordable or attainable housing.
- Support economic development, including job creation and commercial or industrial investment.
- Provide sites for public infrastructure, such as parks, transportation facilities, and community hubs.

5.2 Evaluation Criteria

Acquisition opportunities will be assessed using the following criteria:

- Proximity to services and infrastructure
- Zoning compliance or rezoning potential
- Development or redevelopment potential
- Structural condition (for buildings)
- Environmental or heritage constraints
- Alignment with community and strategic goals
- Overall budgetary considerations

5.3 Acquisition Process

1. Identification and Staff Assessment of opportunities
2. Feasibility Study examining planning, financial, legal, and environmental considerations

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3. In-Camera Report to Council with recommendations
4. Council Decision (public resolution)
5. Negotiation and Execution of acquisition, if approved

6. Disposition of Surplus or Underutilized Lands and Buildings

6.1 General Disposition Process

For the sale of viable land, the Town will:

1. Circulate internally for departmental comment
2. Declare the land surplus by Council resolution
3. Obtain an appraisal to determine Fair Market Value or provide justification as to why an appraisal was not undertaken (eg. cost of appraisal is more than expected value of land)
4. Provide public notice via website, newspaper, or real estate listing
5. Accept offers through a standardized process:
 - 10% deposit required
 - Buyer pays own legal fees
 - Town covers legal and survey costs related to the sale

6.2 Non-Viable Lands

- Do not require surplus declaration or public notice unless directed by Council.
- Can be sold directly, particularly for land exchanges or limited-use purposes.
- Town costs (except for land exchanges) will be recovered from the purchaser unless waived.
- Agreements may be required to secure Town interests.

6.3 Council Discretion

Council retains full discretion to:

- Accept or reject any offer
- Establish sale terms
- Determine whether proposals meet the Town's strategic priorities

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7. Strategic and Nominal Sale Program – Purpose-Driven Land and Building Disposition via RFP

7.1 Purpose

The Town of Espanola may dispose of municipally owned land or buildings through a competitive Request for Proposals (RFP) process where it has been determined by Council that a strategic opportunity exists to advance specific community, economic, or infrastructure priorities.

This process may include:

- Nominal sales (eg., \$1), and/or
- Strategic sales at a market or below-market value, as determined appropriate by Council.

7.2 Strategic Objectives

Council may authorize a land or building sale through the RFP process when the proposed development or use:

- Supports the creation of affordable, supportive, or attainable housing
- Encourages economic revitalization or job creation
- Enables the redevelopment or adaptive reuse of underutilized or vacant properties
- Facilitates the provision of community infrastructure or public services
- Advances Strategic Plan objectives, environmental sustainability or objectives under Town plans.

7.3 Council Authorization

Prior to initiating the RFP, Council must:

- Identify the land or building to be offered for sale
- Establish the strategic intent and desired public outcomes
- Approve the terms of disposition, including:
 - Minimum or nominal sale price (as applicable)
 - Required community or development contributions
 - Project timelines and deliverables
 - Evaluation criteria for proposals

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7.4 RFP Process

The RFP will be publicly advertised and will include:

- A description of the property
- Clearly defined development objectives
- Required proposal components, such as:
 - Development concept and business case
 - Project timeline and financing plan
 - Public benefit justification
 - Experience of the proponent
 - Community consultation approach
- Evaluation criteria established by Council, focused on:
 - Alignment with strategic goals
 - Public benefits (eg., housing, jobs, amenities)
 - Feasibility and capacity to deliver
 - Long-term value to the Town

7.5 Evaluation and Recommendation

Proposals will be evaluated by an interdepartmental committee, which may include representatives from:

- Planning
- Economic Development
- Finance
- Public Works/Environmental Services
- Community and Recreation

The committee will assess each proposal and provide a recommendation to Council.

7.6 Council Decision and Agreement Execution

Following review, Council will:

- Approve the selected proponent, and

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- Authorize the execution of a Development Agreement outlining:
 - Sale terms and financial conditions
 - Project milestones and accountability measures
 - Public benefit commitments
 - Remedies for non-compliance (eg., land reversion clauses)

7.7 Monitoring and Compliance

The Town will monitor the implementation of the project through:

- Regular reporting from the proponent
- Site inspections as needed
- Enforcement of Development Agreement terms

In the event of default or failure to meet obligations, the Town may pursue legal remedies, including reclaiming the property where conditions warrant.

8. Public Register and Transparency

- The Town will maintain a public register of municipally owned lands.
- Available properties and public notices of sale will be posted on the Town website.
- A local real estate office may be engaged when appropriate to increase visibility.

9. Legal and Procedural Compliance

- All land sales must be approved by Council Bylaw.
- The sale of municipal land does not guarantee planning or zoning approval.
- The Town is not liable for third-party errors or omissions in information used in land transactions.

10. Implementation, Monitoring, and Review

10.1 Implementation

This Strategy and Policy will be implemented by the Administration with Council oversight.

10.2 Monitoring

The CAO/Clerk or designate will be responsible for monitoring this strategy and policy by:

- Monitoring outcomes of land transactions

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- Tracking community benefits and project deliverables
- Adjusting acquisition and disposition strategies based on market and community feedback

10.3 Review Cycle

This Strategy and Policy will be reviewed every five years or sooner if required due to legislative changes, market conditions, or if strategic direction shifts.

11. Effective Date and Repeal

This Land Utilization Strategy and Policy takes effect on the date of Council approval and replaces:

- Land Disposition Policy No. L07-01290