

		POLICY
SECTION: COMMUNITY DEVELOPMENT	NO: CD-DI-01	
REFERENCE: REAL PROPERTY	Date: March 23, 2026	
		Next Review Date: March 2028

TITLE: DISPOSAL OF REAL PROPERTY POLICY

1.0 POLICY STATEMENT

The Council of the Corporation of the City of Dryden City of Dryden (“the City”) is committed to the fundamental principles of accountability and transparency as they are key values within the City’s open Government Framework. The City will be guided by the following principles regarding the disposal of real property:

2.0 DEFINITIONS

- 2.1 Appraisal: A valuation of the market value of Land that satisfies Section 8.1 of this policy.
- 2.2 Act: The Municipal Act, 2001, S.O. 2001, Chapter 25, as amended.
- 2.3 Acquire/Acquisition: A transaction that adds new real property by purchase, lease, exchange, gift, trust, or any other means.
- 2.4 City: The Corporation of The City of Dryden.
- 2.5 Council: The Council of The Corporation of The City of Dryden.

- 2.6 Development Agreement: A legal agreement between the municipality and a developer/landowner that sets conditions for specific land development, ensuring the project aligns with community goals, infrastructure needs, and planning regulations (like zoning, site plans, subdivisions).
- 2.7 Disposal/Dispose/Disposition: The sale, transfer, conveyance or exchange of the fee simple interest in Land or the granting of a lease for a term of twenty-one (21) years or longer, but does not include the granting of an easement or right-of-way.
- 2.8 Land(s): Real property owned by the City including buildings and other improvements thereon.
- 2.9 Land Sale and Development Committee: An internal staff committee comprised of the CAO, Economic Development Manager, Director of Public Works, Chief Building Official, Planner and City Clerk.
- 2.10 Lease: The Lease of Land for a period of no more than 20 years.
- 2.11 Market Value/Valuation: The current, estimated price a property would sell for in an open competitive market, and is based on recent sales records of similar properties and local supply and demand.
- 2.12 MLS: Multiple Listing Service of the local real estate board.
- 2.13 Notice: A written, printed, published, verbal, electronic or posted notification.
- 2.14 Real Property: Land and anything permanently attached to it, such as buildings and natural resources.
- 2.15 Road/Highway: All original roads, road allowances, streets, highways, laneways, access roads or any other road or highway as defined by the Act or other relevant legislation that is owned by the City.
- 2.16 Sale: The sale, transfer, conveyance or exchange of the interest in Land.
- 2.17 Surplus: Any Land the City declares surplus by resolution of Council.
- 2.18 Viable Land: A parcel of Land, which on its own, would be eligible for a building permit.

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3.0 SCOPE

- 3.1 This policy is applicable to all City operations involving the Acquisition and Disposition of Lands, including any agencies, boards or commissions whose financial operations are accounted for within the City's financial statements.
- 3.2 The primary purpose of this policy is to ensure compliance by the City with section 270(1) of the Act which requires municipalities adopt policies regarding the sale, acquisition and other disposition of municipally owned Land. The secondary purpose is to establish a consistent, transparent and accountable procedure to be followed in the disposition of real property assets by the City.

4.0 APPLICATION AND ADMINISTRATION

- 4.1 All Acquisitions and Dispositions of Land will be in accordance with the accepted conveyance practices and in accordance with all applicable federal and provincial legislation and municipal by-laws and policies.
- 4.2 All Surplus Lands sold shall require the registration of Development Agreements on title completed at the expense of the purchaser.

5.0 EXCLUSIONS

- 5.1 This policy shall not apply to:
- a) A transaction governed by any federal legislation or legislation of the Province of Ontario such as the sale of Land under Part XI (Sale of Land for Tax Arrears) of the Act and any related Ontario Regulation made by the Minister;
 - b) Land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act;
 - c) The sale of Land under Section 110 (Agreement for Municipal Capital Facilities) of the Act;

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- d) Land transferred to the City for security or for temporary roads or other works in connection with any agreement to which the City is part under the Planning Act;
 - e) Cemetery plots owned by the City; or,
 - f) Lake access points owned by the City.
- 5.2 There will be no Disposition of parkland and natural environment areas without Council approval. Disposition of parkland and other Lands having significant natural features requires satisfaction of Official Plan requirements and, if applicable, the implementation of appropriate measures to protect the significant natural features.

6.0 RESPONSIBILITY

Acquiring and Disposition of Land requires Council approval unless the transaction meets the criteria of authority delegated to the CAO and other City staff under the City's Procurement Policy, Delegation of Authority By-law or Restricted Acts By-law.

7.0 SURPLUS LANDS

- 7.1 Council shall pass a resolution at an Open Meeting to declare the Land Surplus prior to Disposition.
- 7.2 Land does not have to be declared Surplus prior to being marketed for Sale. However, before Land is sold, it must comply with this policy.

8.0 SURPLUS LANDS

- 8.1 Prior to the Sale of any Land, City staff shall obtain an Appraisal or Market Valuation of the Land, at its own expense. Such Appraisal or Valuation will include one of the following:

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- a) An estimate of Market Value prepared by a licensed appraiser in the form of a Letter of Opinion;
 - b) An estimate of Value prepared by an employee of the City, based on raw Land costs, development costs, overhead and carrying costs, and may include an allowance for profit;
 - c) In special circumstances, at the discretion of staff or upon the direction of Council, by resolution, a formal Appraisal.
- 8.2 Prior to obtaining an Appraisal or Market Valuation, City staff shall request a quote for conducting these services.
- 8.3 Any Appraisal or Market Valuation shall be used solely as a guide and shall solely determine the terms or price upon which the City may agree to sell any piece of Land as other factors may determine the Sale price of Land

9.0 NOTICE

- 9.1 The methods of providing Notice that the City intends to declare Lands Surplus and may be sold may include at least two of the following:
- a) Posting on the municipal website. This may include social media, but cannot be social media only;
 - b) Listing on a Council Agenda as Land which may be declared Surplus and which is to be Disposed of;
 - c) Circulation in print media, local or regional;
 - d) Any other means of communication that is deemed appropriate in the circumstances to give notice to the public;
 - e) Any combination of the above.

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10.0 METHOD OF DISPOSITION

10.1 All Surplus Land will be Disposed of using one or more of the following methods of Sale:

- a) Direct sales for non-Viable Land, Land exchanges, Disposals to government/quasi-government agencies;
- b) Listing on the City's website and/or MLS;
- c) Tender process;
- d) Public auction;
- e) Land exchange;
- f) Direct negotiations with prospective purchasers; or,
- g) Listing agreements with licensed realtors.

10.2 Exceptions:

- a) Land which has a Market Value as determined through Section 8.1 of this policy to be less than \$10,000. City staff shall offer the Land for Disposal on the City website and place a For Sale sign on the Land, if feasible, and advertise as deemed appropriate by the CAO.
- b) Landlocked Land of any size which may be sold directly to the abutting property owner(s), provided that the Land is sold at no less than the Market Value. City staff will contact all abutting property owners to gauge interest regarding Acquisition of the landlocked Land and to determine whether a consensus can be arrived at in splitting the Land amongst them. If a consensus cannot be reached, all interested abutting Land owners will be requested to provide City staff with offers for the whole landlocked property.
- c) Land which is not Viable Land and which cannot be rendered Viable Land by means of consent under the Planning Act may be sold directly to the abutting property owner(s) for lot consolidation purposes at the value established through

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Section 8.1 of this policy, taking into consideration all relevant factors, but at no less than a cost recovery basis. City staff will contact all abutting property owners to gauge interest regarding Acquisition of the Land and to determine whether a consensus can be arrived at in splitting the Land amongst them. If a consensus cannot be reached, all interested abutting Land owners will be requested to provide City staff with offers for the non-Viable property.

- d) Land located in areas lacking municipal services will be retained by the City until services are available except as provided in special circumstances. In the event of a special circumstance involving the potential Disposal of un-serviced Lands, City staff will bring the issue to Council for consideration.
- e) Any survey and/or reference plan required shall be obtained at the expense of the purchaser unless Council, by resolution, determines otherwise.

11.0 RESPONSIBILITIES

- 11.1 The CAO shall be responsible for developing and implementing forms and procedures for the administration of this policy by City staff.
- 11.2 The CAO and the Land Sale and Development Committee shall recommend to Council Lands that may be considered Surplus and seek Council's approval to offer the Land for Sale.
- 11.3 The CAO shall retain qualified MLS brokers or agents to assist, as appropriate, with Acquisition and/or Disposition of Land.
- 11.4 The City Clerk shall be responsible for the closing of Acquisition and Sale transactions and reporting any to the appropriate City departments and to the City's Treasurer/Director of Finance for the purposes of maintaining corporate records.
- 11.5 The Treasurer/Director of Finance shall prepare and maintain all databases and records with respect to City Land assets.
- 11.6 The Land Sale and Development Committee shall receive and review all proposed Acquisitions of Land and Disposals of City Land. The Committee shall provide comments, information and input as to whether the Land being proposed for Disposal should be declared Surplus.

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- 11.7 All offers to purchase Land from the City by means of an Agreement of Purchase and Sale shall be accompanied by a deposit in an amount of not less than ten percent (10%).
- 11.8 Unless otherwise directed by Council, all Disposals of Land will be on a cash basis. If the CAO determines that exceptional and specific circumstances exist that would warrant consideration of a Disposal on something other than a cash basis, the CAO will present the exceptional and specific situation to Council for determination.
- 11.9 All City staff shall ensure that filing and retention of records related to the Acquisition and Disposition of Land is in accordance with legislative requirements, guidelines of governing and professional bodies and City Records Management policies.

History			
Approval Date:	March 23, 2026	Approved by:	By-law 2026-15
Review/Amendment Date:		Approved by:	
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