



# TOWN POLICY

## COUNCIL POLICY:

# Private Land Development Policy

**POLICY NUMBER: P-45-2**

**RESOLUTION NUMBER:** 2017-208

**ADOPTED:** September 12, 2017

**SUPERSEDES:**

Policy #P-45

Policy #P-45-1

**PREPARED BY:** Chief Administrative Officer

**DATE:** September 4, 2017

**UP FOR REVIEW:** September 4, 2022

### Policy Statement:

The Mayor and Council of the Town of Cardston (the Town) desire to establish policy regarding private land development guided by the following principles:

- It is the intent of the Town to have clear and determined direction of its involvement with private landowners desiring to develop either residential or commercial properties;
- The Town desires to facilitate private land development where appropriate and in the best interest of all community stakeholders;
- The Town desires to accommodate private development to have an adequate inventory of residential and commercial lots available to support appropriate community growth;
- The Town intends to spend municipal funds appropriately and to receive satisfactory return on land and infrastructure investments;
- Should the Town invest in infrastructure for development, it is recognized that there is a suitable amount of general benefit versus the degree of local benefit relative to the cost to be borne by local taxpayers;
- And the Town recognizes the responsibility of the private landowner to fund private development as they will realize the profits of private land sales. The Town also recognizes that there is a positive financial implication via tax revenue to the Town resulting from private development.

### The purpose of this policy is to:

Establish a policy governing municipal participation in private land development which includes the following:

- 1) All development of private land must follow a Town Council approved area structure plan.
- 2) All off-site levies will be due as per the off-site levy policy and off-site levy bylaw that is in place at the time of the development.





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- 3) Survey, subdivision and zoning costs are the responsibility of the land owner.
- 4) In the event that there are existing utilities adjacent to the parcel being privately developed, the off-site costs will be due as per the development agreement.
- 5) All utilities that will transfer to the Town following construction must comply with all provincial and municipal codes and must be subject to inspection by the Town prior to ownership transfer.
- 6) The Town will not be responsible for costs of acquiring easements, right of ways, or roadways solely servicing private land. In the event that the roadway will ultimately service multiple property owners, the Town may endeavor to acquire the lands for the road or easements, and may if deemed reasonable, charge the costs of acquisition, subdivision and easements to the property owners as per the processes contemplated in section 8 below.
- 7) The Town will, where reasonable & at the discretion of the Council, pay for the costs of getting utilities to the private developer property line.
- 8) The Town may pay for part or all costs of private development up front, if the costs will be repaid by private landowners via Local Improvement Tax and as approved by Council. Council may also consider an arrangement where any costs paid by the Town will be reimbursed by the private developer(s) at a key development time such as subdivision or sale of the land. Council will consider the probability of reasonable return of invested tax dollars as well as the potential time frame for recouping the expense. This charge may be registered on all affected properties by way of caveat.
- 9) The Town may vary its level of participation with private land owners to accommodate a specific type of housing in the community of which there is an identifiable need.
- 10) In the scenario where there are multiple landowners adjacent to required infrastructure, the responsibility for investment can be ambiguous. In this case, the Town will assist in acting as liaison / coordinator between the land owners to attempt to work out a compromise. Should the Town become financially involved, the details in section 8 above will be considered.

