

Report to Council

Report Title:	Sale and Disposition of Land Policy		
Prepared By:	Fiona Hamilton, Director of Legislative and Legal Services (Clerk)		
Department:	Clerk's		
Date:	March 10, 2026		
Report Number:	CLK2026-04	File Number:	C11CL, A09, L07
Attachments:	Current Disposition of Real Property Policy, Draft new Sale and Disposition of Land Policy		

Recommendation:

That the Council of the Municipality of Brockton hereby accepts Report Number CLK2026-04 – Sale and Disposition of Land Policy, prepared by Fiona Hamilton, Director of Legislative and Legal Services (Clerk) for information purposes and further approves a by-law coming forward to adopt the revised Sale and Disposition of Land Policy and repealing By-law 2007-87.

Report:

Background:

The purpose of this report is to outline the key differences between the existing By-Law 2007-87 – Disposition of Property and the proposed Sale and Other Disposition of Land Policy (L07-0800-26) and to highlight the advantages of adopting the updated policy.

Adoption of the new policy is recommended to modernize the Municipality's procedures for the sale and disposition of land, improve transparency and administrative flexibility, and align municipal practices with current legislative requirements and strategic priorities.

Importantly, updating this policy is also required as one of the implementation actions under the Housing Accelerator Fund (HAF) program. The revised policy supports the Municipality's ability to facilitate housing development, including affordable and attainable housing initiatives.

Analysis:

The Municipality currently regulates the sale or disposition of municipal land through By-Law 2007-87, adopted in November 2007. The by-law establishes general requirements for declaring land surplus, obtaining an appraisal, and providing public notice prior to the disposal of municipal property.

While the by-law satisfies the basic legislative requirements of the *Municipal Act, 2001*, it is limited in scope and does not reflect modern municipal practices or emerging policy priorities such as supporting housing development, providing additional valuation options, and offering greater flexibility in disposition methods.

The proposed Sale and Other Disposition of Land Policy (L07-0800-26) provides a more comprehensive framework governing the declaration of surplus lands, valuation, public notice requirements, and methods of disposal

Key Differences Between the Existing By-Law and the Proposed Policy

1. Expanded Scope and Modern Framework

The existing by-law focuses primarily on procedural requirements such as declaring property surplus, obtaining an appraisal, and issuing public notice.

The proposed policy establishes a broader governance framework that includes:

- Defined processes for declaring land surplus
- Multiple valuation options
- Detailed notice provisions
- Defined methods of sale or disposition
- Authority for administrative procedures and guidelines.

This provides clearer direction for staff and Council when disposing of municipal land.

2. Flexible Valuation Methods

Under By-Law 2007-87, the Municipality is required to obtain at least one appraisal prior to disposing of real property unless specific exemptions apply, which can be costly and take significant time.

The proposed policy expands valuation options to include:

- Independent appraisals
- MPAC assessments
- Opinions of value from licensed real estate agents
- Market value established through arm's length agreements
- Other valuation methods approved by Council.

This provides greater flexibility while still ensuring that municipal land is disposed of at fair market value when appropriate.

3. Expanded Exemptions and Administrative Clarity

While the current by-law includes a limited list of exemptions from appraisal requirements, the proposed policy introduces a more comprehensive set of exemptions covering situations such as:

- Easements and utility infrastructure
- Municipal capital facilities
- Tax sale properties
- Land transfers required by legislation

- Land transactions supporting affordable or attainable housing.

These provisions provide clearer direction and reduce unnecessary administrative steps for routine or legislatively mandated transactions.

4. Clear Methods of Disposition

The existing by-law does not outline specific methods by which municipal land may be sold or disposed.

The proposed policy identifies several permitted methods, including:

- Public tender
- Request for proposals
- Listing with a real estate broker
- Private sale
- Auction
- Land exchange
- Other methods approved by Council.

This improves transparency and allows Council to select the most appropriate approach depending on the circumstances.

5. Support for Housing and Strategic Initiatives

The new policy allows Council to authorize the sale of municipal land **for less than market value** when it is in the best interest of the Municipality, particularly where the disposition supports affordable or attainable housing or housing for vulnerable populations.

This provision is not present in the 2007 by-law and represents a significant policy enhancement supporting housing development objectives.

Alignment with the Housing Accelerator Fund

Adoption of the updated **Sale and Other Disposition of Land Policy** is a required action under the Municipality's Housing Accelerator Fund commitments.

The policy supports the program's objectives by:

- Enabling the Municipality to more efficiently dispose of land for housing purposes
- Providing flexibility to support affordable and attainable housing projects
- Establishing clear procedures that reduce administrative barriers to development
- Improving transparency and consistency in land disposition decisions.

By modernizing the Municipality's policy framework, Council will ensure that land transactions can better support housing supply and community growth.

Conclusion

By-Law 2007-87 has served the Municipality for nearly two decades; however, it no longer reflects modern municipal practices or current strategic priorities.

The proposed **Sale and Other Disposition of Land Policy** provides a comprehensive, flexible, and transparent framework for the disposition of municipal land. It also aligns municipal procedures with legislative requirements and supports the Municipality's Housing Accelerator Fund commitments.

Strategic Action Plan Checklist:

What aspect of the Brockton Strategic Action Plan does the content/recommendations in this report help advance?

- Recommendations help move the Municipality closer to its Vision Yes
- Recommendations contribute to achieving Heritage, Culture, and Community Yes
- Recommendations contribute to achieving Quality of Life Yes
- Recommendations contribute to achieving Land Use Planning and the Natural Environment Yes
- Recommendations contribute to achieving Economic Development Yes
- Recommendations contribute to achieving Municipal Governance Yes

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective? Yes

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Fiona Hamilton, Director of Legislative and Legal Services (Clerk)

Reviewed By:



Sonya Watson, Chief Administrative Officer