

## Quarterly Summary of Real Estate Transactions – Q3 2021

### **RECOMMENDATION:**

The Infrastructure and Planning Committee recommends that Council direct that the Recommendations, Report and Attachments remain confidential pursuant to Sections 23, (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act* until the report is published in the Council agenda.

### **RECOMMENDATION OF THE INFRASTRUCTURE AND PLANNING COMMITTEE, 2022 MARCH 3:**

That Council receive this Report and Attachments for the Corporate Record.

## **HIGHLIGHTS**

- Pursuant to Real Property Bylaw 52M2009 and LAS2011-17, Administration must report quarterly to Council on closed transactions approved through delegated authority. This includes:
  - Remnant land sales less than \$5,000,000;
  - Stand alone sales;
  - Other dispositions;
  - Land exchanges;
  - Acquisitions less than \$5,000,000;
  - Occupations less than \$500,000 – City as Licensor
  - Occupations less than \$500,000 – City as Licensee; and
  - Options to purchase and housing agreements
- What does this mean to Calgarians? This report to Council demonstrates accountability and ensures the appropriate oversight for the delegated authority for transactions.
- Why does this matter? This report ensures that The City's real estate transactions align with the City's role in developing and selling City-owned land to create vibrant communities, attract diverse and quality employers, support the development of affordable housing and acquire land for future infrastructure.
- Previous Council direction is pursuant to Real Property Bylaw 52M2009 and LAS2011-17.
  - On 2017 September 11, Council approved Bylaw 32M2017 to amend Real Estate Property Bylaw 52M2009, which grants delegated authority to the City Manager, who further delegates to those offers as set out in the Delegation of Authority by the City Manager.
  - On 2011 March 21, Council approved LAS2011-17 and directed Administration to report quarterly only on closed transactions approved through Delegated Authority.
    - Strategic Alignment to Council's Citizen Priorities: A prosperous city
    - Background and Previous Council Direction is included as Attachment 1.

## **DISCUSSION**

- Pursuant to Bylaw 52M2009 Section 18 (5) *"The City Manager must prepare and submit to Council a report listing all Transactions approved pursuant to the Bylaw every three (3)*

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*months, or as otherwise directed by Committee or Council, commencing January, 2010.”*

Further to Section 18 (5) of Bylaw 52M2009, Administration was directed to report quarterly only on closed transactions approved through delegated authority through LAS2011-17.

- Real Property Bylaw 52M2009 is supported by a business process review that established well-defined real estate processes in a consistent, accountable, and effective manner. The redesigned processes, procedures and forms ensure the necessary due diligence and documentation to support Bylaw 52M2009. Delegated authority was only exercised as defined in the Bylaw.
- All of the attached remnant land sales are less than \$5,000,000 and are to the adjoining property owner(s).
- All of the attached stand alone sales have been the subject of method of disposition reports and have been approved by either Land and Asset Strategy Committee or Infrastructure and Planning Committee and Council.
- All of the attached acquisitions are requirements of Council approved projects or otherwise authorized by Council and less than \$5,000,000.
- All of the attached leases/licenses have an annual base rent or fee less than \$500,000, the term does not exceed five (5) years and there are no more than two (2) options to renew, as per Bylaw 52M2009 Section 8(1)(a).
- The negotiated prices of the real estate transactions referenced in the Attachments are either based on internal valuations or independent appraisals which were endorsed by Administration's Valuation Review Committee, or are based on set rates and fees. One exception is for real estate transactions that are for nominal consideration. Valuations or appraisals have not been completed for nominal consideration real estate transactions.

## STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- Public Engagement was undertaken
- Public Communication or Engagement was not required
- Public/Stakeholders were informed
- Stakeholder or customer dialogue/relations were undertaken

## IMPLICATIONS

### Social

Bylaw 52M2009 provides a single point of reference for Council, Administration and the public concerning the authorities and responsibilities for real estate transactions to be undertaken by Real Estate & Development Services. Staff members are provided with training and are supported in implementing business processes and the Bylaw for all real estate transactions.

### Environmental

The real estate processes are in accordance with The City of Calgary's Sales, Acquisitions and Leases Environmental (S.A.L.E.) Policy effective 2020 January 14.

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### Economic

Where applicable, the changes to the processes and authorities for real estate transactions will streamline the transaction timeline by four to six weeks, thus reducing the time and financial costs associated with finalizing the transaction.

### Service and Financial Implications

No anticipated financial impact

### RISK

The approval processes place additional decision-making responsibility on Administration for The City's real estate transactions. The potential risks associated with giving Administration greater authority, are mitigated in several ways:

- Increased due diligence and documentation achieved by the clearly defined business processes for all real estate transactions;
- All proposed real estate transactions documented by a land report or land authorization form will be reviewed by the Management Real Estate Review Committee or authorized delegated authority position;
- Administrative approvals will only be exercised where the established guidelines are met;
- The General Manager for the Deputy City Manager's Office can opt to forward any proposed sale, lease or acquisition under their authority on to the Infrastructure and Planning Committee and Council for approval; and
- Quarterly reporting to the Infrastructure and Planning Committee and Council regarding closed transactions approved by Administration.

### ATTACHMENTS

1. Previous Council Direction
2. Summary of Remnant Land Sales less than \$5,000,000 – Q3 2021
3. Summary of Stand Alone Sales – Q3 2021
4. Summary of Acquisitions less than \$5,000,000 – Q3 2021
5. Summary of Occupations less than \$500,000 – City as Licensor – Q3 2021
6. Summary of Occupations less than \$500,000 – City as Licensee – Q3 2021

#### Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Chris Arthurs, General Manager	Deputy City Manager's Office	Approve
Michael Thompson, General Manager	Utilities & Environmental Protection	Inform