



**Subject:** *Management of Real Property Policy*  
**To:** Corporate & Residential Services Committee  
**Date Prepared:** July 8, 2024  
**Prepared by:** Amy Pyne, Manager, Real Estate & Corporate Projects  
**Approved by:** Kim Ramsay, Chief Administrative Officer

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### Summary

Municipal real estate functions are managed as a centralized service area in the Corporate Services department. The proposed new Management of Real Property Policy (the “Policy”) is the first policy being brought forward as part of a larger governance framework staff deem necessary to support the service area. The proposed Policy documents how the Municipality of East Hants (“East Hants”) will carry out services related to Municipal Real Property and documents East Hants’ commitment to a Real Property Management Program.

### Financial Impact Statement

There is no financial impact associated with this report.

### Recommendation

Staff recommend that adopting the proposed new Management of Real Property Policy.

### Recommended Motion

#### Regular Meeting of Council (Policy & In-Camera) - July 16, 2024

*Move that the Corporate & Residential Services Committee recommends to Council that Council give notice of intent to approve the Management of Real Property Policy as attached to the Executive Committee agenda dated July 16, 2024.*

#### Regular Meeting of Council - July 24, 2024

*Move that the Corporate & Residential Services Committee recommends to Council that Council approve the Management of Real Property Policy as attached to the Executive Committee agenda dated July 16, 2024.*

### Background

Real estate service functions were centralized in Corporate Services in 2021. Real estate functions include acquisitions, disposals, easements, leasing, licensing, general portfolio management activities, and other fee simple, limited interest, and occupancy agreements, as required.

The proposed Policy is part of a larger governance framework that staff intend to consider and build-out over the short-term, to ensure the necessary policies, strategies, processes, and templates are in place to ensure a consistent, fair, and transparent approach to managing municipal Real Property. Proposed/future Real Property policies will be in alignment with East Hants’ Asset Management Program, to ensure Real Property (as a municipal “asset”) is managed in a responsible manner, throughout its lifecycle, to support the consistent and sustainable delivery of municipal services.

Real Property is defined as land and all improvements permanently affixed to the land, including on, above, or below the surface of the land or water. Municipal Real Property is any Real Property, and Real Property Interests (rights to use property), belonging to East Hants.

As part of the development of the Policy, the Manager of Real Estate & Corporate Projects engaged the following staff members:

- Policy Analyst;
- Procurement Officer;
- Director Team; and
- CAO.

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## Discussion

The purpose of the proposed Policy is to:

1. Provide commitment to best practices;
2. Ensure Real Property is planned for, acquired, used, and disposed of in a manner supports Municipal objectives;
3. Limit East Hants' exposure to liability by establishing Real Property standards for the management, use, and occupation of Real Property;
4. Authorize the CAO to establish and manage a corporate Real Property Management Program.

The proposed Policy would apply to Real Property managed and Real Property Transactions undertaken by East Hants.

There are a number of definitions included in the proposed Policy, with the intention of ensuring the understanding and consistency of terminology used within Real Property management.

The Policy is divided into two sections:

1. Real Property Management; and
2. Real Property Transactions

### Real Property Management

The intent of the policy statements in this section is to provide a high-level overview of how Real Property is to be managed at East Hants. The philosophies of this section include:

- Acquisition, use, operations and maintenance, and disposal strategies for Real Property are to be based on best practice and in alignment with the Corporate Asset Management Program (i.e. risk management, data frameworks, lifecycle strategies);
- Real Property decisions are to align with Municipal goals and objectives (i.e. Strategic Plan, Capital Budget, Business Plans, service area master plans);
- The Municipal Real Property Inventory shall be kept current, accurate, and complete.

### Real Property Transactions

The intent of the policy statements in this section is to provide a high-level overview of how Real Property Transactions are to be managed at East Hants. The philosophies of this section include:

- Transactions are to be in compliance with the MGA;
- Unless authorized under the CAO Authority Policy, transactions require the approval of Council;
- Transactions are to be conducted on the basis of Fair Market Value, unless otherwise approved by Council, as permitted under the MGA;
- Transactions are to demonstrate appropriate due diligence (title, financial, condition).

Council's Disposal of Surplus Property Policy will remain as a standalone policy; staff are currently reviewing said Policy and will return to Council with recommended updates.

### STRATEGIC ALIGNMENT

The draft Policy aligns with the Municipal Key Strategy of Corporate Excellence.

### LEGISLATIVE AUTHORITY

Section 50 of the MGA outlines the powers of a municipality regarding property; Section 51 outlines the rules for the sale or lease of municipal property.

The CAO Authority Policy includes the authority of the CAO to implement Real Property Transactions on behalf of Council.

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### Alternatives

Committee may recommend any other policy amendments as appropriate.

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### Attachments

PROPOSED Management of Real Property Policy