

Procedure

Climate Resilient City Building Leasing - City as Landlord



This procedure falls under C627 *Climate Resilience Policy*.

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| Program Impacted | Environmental Stewardship <i>The City of Edmonton's operations and service delivery sustains and conserves the environment.</i> |
| Approved By | City Manager |
| Date of Approval | June 10, 2021 |
| Approval History | This is a new Administrative Procedure with content formerly in: May 9, 2017 (C532 <i>Sustainable Building Policy</i>) April 10, 2007 (C532 <i>Sustainable Building Policy</i>) |
| Next Scheduled Review | June 10, 2024 |

1. Application

- 1.1. This procedure is for Occupied, City Owned Buildings That Have Been Leased To Others who are responsible, as per 1.2 below, for climate resilient Building practices in those Buildings (i.e. has Operational Control and may or may not have Authority to Complete Work).
- 1.2. This procedure applies only when initiated after the approval of this procedure and incorporated within the leasing agreements at the time of lease renewal or creation of a new lease when not otherwise prevented by the terms of the agreement, unless the tenant has agreed to participate in related programs outside of the lease agreement.
- 1.3. Single family residential leased Buildings are not within the scope of this procedure.

2. Governance

- 2.1. The Deputy City Managers (DCM) who have oversight of real estate, facility planning, design, construction, operation, maintenance, renewal and demolition of City Owned Buildings; and environmental strategy shall be accountable for ensuring that City Buildings comply with this Administrative Procedure.
- 2.2. The business section responsible for real estate (Real Estate) shall be responsible for updating leases as appropriate. The business section may ask the Climate Resilience Building Team for

technical expertise support for program or guidance development if required. This work of the responsible business section shall include:

- 2.2.1. Development of guidance documents such as procedures, standards, guidelines, best practices, manuals, tools, and leasing language.
 - 2.2.2. Communications to or training of appropriate parties that shall use these guidance materials or participate in these programs.
 - 2.2.3. Development and prioritization of capital and operating budget profile(s) that are impacted by this Administrative Procedure.
 - 2.2.4. Through training and recruitment, ensure there is sufficient internal expertise related to Climate Resilient Building Practice, to support effective and efficient procedure implementation (e.g. Key Procedure users shall be supported in the application and maintenance of LEED or other green professional accreditations).
 - 2.2.5. Annual, or as requested, reporting to the Climate Resilient Building Committee on program or guidance status including above mentioned items.
- 2.3. A Climate Resilient Building Team shall exist for the purposes of oversight, as outlined in their Terms of Reference. Oversight by the Climate Resilient Building Team includes the following;
- 2.3.1. Policy implementation, including ensuring that the appropriate business section(s) develop and maintain guidance documents such as procedures, standards, guidelines, best practices, manuals, and tools. This will include communications to or training of appropriate parties on the use of these policy implementation tools.
 - 2.3.2. Policy evaluation in the form of compliance reporting: annual reporting to the City Manager and City Council on policy compliance, including all exceptions to the Administrative Procedures; and
 - 2.3.3. Periodic evaluations of the appropriateness and effectiveness of the Administrative Procedure, and Climate Resilient Building Team membership.

3. Requirements

- 3.1. The City will incorporate requirements for participation in the following program into lease agreements with tenants with Full-Building Leases at the time of lease development or renewal. Roles, responsibilities, and timelines of implementation of these procedures will be identified in the lease as written. This work is to be led by the City as outlined in the Existing City Building Administrative Procedure:
 - 3.1.1. the City's Energy Benchmarking Program,
 - 3.1.2. City's Corporate GHG Inventory (if within scope of protocol),
 - 3.1.3. BOMA BEST Program,

- 3.1.4. Recommissioning and Continuous Optimization program when the lease agreement requires that the City maintain the facility,
- 3.1.5. Measurement and Verification Program when the lease agreement requires that the City complete retrofits.
- 3.2. For non-Full-Building Leases and leases smaller than 600 square meters the City will incorporate language to support participation in the City's Energy Benchmarking Program and Corporate GHG Inventory (primarily through requirements to provide utility information where needed), and participation in the City's BOMA BEST program as a tenant when added at the point of lease renewal. Roles and responsibilities of implementation of these procedures will be identified in the lease as written.

4. Exceptions

- 4.1. Buildings that meet the application criteria (Section 1: Application) of this Administrative Procedure, but for some extraordinary reason cannot meet the Administrative Procedure requirements, may apply for an exception. Exceptions should only be requested as an absolute last resort.
- 4.2. In any case where the requirements of this procedure will not be met for lease renewals a request for an exception may be evaluated (and approved if appropriate) by real estate in the regular lease negotiation process.
- 4.3. If real estate is unsure if a formal exception request is appropriate or would appreciate feedback from the Climate Resilient Building Team they may request an informational meeting with the Climate Resilient Building Team.
- 4.4. If real estate believes the matter should be assessed by the Climate Resilient Building Team for a formal exception review or the issue pertains to a Full-Building Lease a request shall be made as follows:
 - 4.4.1. A summary of the issue, reasoning for the exception request, and supporting documentation shall be submitted to the Climate Resilient Building Team. This request must be signed by the appropriate General Supervisor and/or Director.
 - 4.4.2. The Climate Resilient Building Team will review the documentation and take one of the following actions:
 - 4.4.2.1. First: Provide a recommendation to Real Estate for additional steps or opportunities to be investigated that could improve project alignment with the Administrative Procedure requirements. Real Estate will implement the suggestions and report back to the Climate Resilient Building Team with the results if still not compliant with the Administrative Procedure. Then:

- 4.4.2.1.1. Agree with the submitted analysis and recommend that the project is granted an exception (with or without conditions). Or;
 - 4.4.2.1.2. Disagree with the submitted analysis and recommend that the project is not granted an exception (either in full or part). Providing a recommendation for how the project could meet the Administrative Procedure requirements.
 - 4.4.3. Once the Climate Resilient Building Team provides a recommendation, Real Estate will submit the request along with the Climate Resilient Building Team's recommendation to the DCM(s), whose business unit(s) are responsible for achieving the specific policy standard(s) via the appropriate protocols. The DCM's approval is required to formally authorize an adjustment to the policy standards through an exception to the policy.
- 4.5. The formal decision and approval from the DCM or decision made by real estate during the leasing process must be submitted to the Climate Resilient Building Team for tracking and reporting purposes each year.

Definitions

Unless otherwise specified, words used in this procedure have the same meaning as defined in the C627 Climate Resilient Policy.

- **Authority to Complete Work** The full authority to introduce and implement asset improvement or construction at the Building (e.g. renovations, additions).
- **Buildings** As defined by the National Building Code (Alberta Edition).
- **City Owned Buildings** Buildings that are legally owned by the City including arenas, pools, leisure centres, libraries, fire stations, police stations, administration Buildings, maintenance and shop Buildings.
- **City Owned Buildings That Have Been Leased To Others** Buildings or portions of Buildings that the City leases or licences to others. This includes Buildings occupied by Edmonton Public Library and Edmonton Police Services.
- **Climate Resilient Building Practice** Identified processes, practices or systems widely recognized as ways of improving Building resilience. Such practices extend beyond green Building certification that is based on initial Climate resilient design and construction, and emphasizes Climate resilient practices throughout the entire Building lifecycle.
- **Full-Building Leases** Leases where the tenant, not the City holds the lease for the entirety of the building.
- **Occupied Building** A Building that is regularly occupied by staff, contractors or visitors. Occupied Buildings exclude: LRT stations; conditioned storage Buildings; pump stations; power substations;

Buildings that are not occupied by individuals year-round (e.g., a seasonal park pavilion, outdoor pool, etc.).

- **Operational Control** The full authority to introduce and implement its operating policies at the operation. As further defined by The Climate Registry. Local Government Operations (LGO) Protocol for the Quantification and Reporting of Greenhouse Gas Emissions Inventories (Version 1.1, May 2010).
- **Resilience/Resilient** The concept of Resilience covers the proactive capacity of public, private, and civic sectors to withstand disruption, absorb disturbance, act effectively in a crisis, adapt to changing conditions including climate change, and grow over time.

References

- [The Climate Registry](#). 2010. Local Government Operations (LGO) Protocol for the Quantification and Reporting of Greenhouse Gas Emissions Inventories (Version 1.1, May 2010)
- [Climate Resilient Buildings Team - Terms of Reference](#)
- National Building Code (Alberta Edition)