



3416 3 AVENUE NW PART 1 - Purchaser Application Form

Non-profit organizations who are interested in acquiring land from The City of Calgary (“The City”) for affordable housing developments under the Non-Market Housing Land Disposition Policy must complete the following application form. Applications will be reviewed and considered based on the Evaluation Criteria. If applicants wish to submit an application for more than one development site, then applicants must factor their ability to deliver multiple projects into their applications (i.e. timeline, funding, resources, etc.).

Applicants are also advised that:

- (a) The City may be required to disclose a part or parts of any application or any other records relating to the application pursuant to its disclosure obligations as contained in, and in accordance with, the *Freedom of Information and Protection of Privacy Act* (Alberta) (the “FOIP Act”), including requests to access information made pursuant to FOIP;
- (b) The City may disclose applications and other confidential information about applicants to its advisors engaged in connection with the Property and the Non-Market Housing Land Disposition Policy; and
- (c) The FOIP Act may provide protection for confidential and proprietary business information. Applicants are strongly advised to consult their own legal advisors as to the appropriate way in which confidential or proprietary business information should be identified in their applications.

Subject to the provisions of the FOIP Act, The City will use reasonable commercial efforts to maintain in confidence the confidentiality of any information identified by an applicant as confidential in a manner consistent with the FOIP Act, but The City will not be liable in any way whatsoever to any applicant or applicant team member if such information is disclosed based on requirements of the FOIP Act, an order or decision of Alberta’s Office of the Information and Privacy Commissioner or otherwise as required under applicable laws.

The successful applicant (“Purchaser”) must agree to comply with all Sales Terms and Conditions attached to this application and agree to pay the purchase price for the Property in cash on the Closing Date. The Purchaser will also be required to obtain development permit (DP) approval and land use redesignation (if required) from the Approving Authority at least 60 days prior to the Closing Date. The Purchaser shall construct their development in strict compliance with the approved DP.

The information applicants provide is not an offer or a contract and does not constitute an interest in land. The purpose of this application is to provide information to The City regarding a desire to purchase the Property. The completion and tendering of the application in no way obligates the applicant to purchase the Property and is not in any way binding upon The City. It is for information purposes only. Once the Purchaser is selected, a proposal letter will be signed by both The City and the Purchaser and corporate approval (“Corporate Approval”) by the General Manager, Infrastructure Services, on behalf of City Council, will be required to move forward with a sale. Upon The City obtaining such approval, the parties will enter into an agreement of purchase and sale containing the Sales Terms and Conditions outlined in the proposal letter to acquire the Property. The Purchaser will also be required to enter into a housing agreement, an option to repurchase (building commitment) agreement and option to repurchase (housing agreement) agreement. Please note that the Sales Terms and Conditions are subject to modification throughout The City’s Corporate Approval process. The City shall notify the Purchaser in writing of any modifications made to the proposal letter. There shall be no binding obligations on any party until all of the legal agreements are fully executed.



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The City reserves the right to negotiate with only those parties it determines, in its sole discretion. The City reserves the right to amend or abandon any property listing at its sole discretion.

PROPERTY

Municipal Address(es)	3416 3 AVENUE NW
Purchase Price (non-negotiable)	\$545,000.00 plus GST

APPLICANT INFORMATION:

Legal Name of Applicant (or corporation that will appear on title)	
Operating name if different	
Street address	
City/Town	
Province	
Postal Code	
Website Address	
Number of years in business	
Primary contact name	
Title	
Telephone number	
Other/Cell number	
Fax number	
Email address	
Supporting Team	
Architect:	
Planner (urban/municipal):	
Builder:	
Project/Construction Manager:	
Housing Consultant:	
Financial (Lender/Banker/Accountant):	



PROPOSED PROJECT DESCRIPTION

For purpose built rental projects, applicants will be required to commit to a 40 year affordability restriction for all units. For ownership projects, applicants will need to demonstrate how they will keep the units affordable to first-time homebuyers for at least 20 years including how any proceeds generated from the sale of units will be reinvested into additional non-market housing units in Calgary.

Projects that contain market housing units will not be permitted.

1. Project type (check one)

- Purpose Built Rental
- Ownership
- Mixed model (rental and ownership)

2. Form and Yield

Building Form	Approx. # of housing units	Approx. size of each housing unit
Low rise (single detached, semi-detached, or row housing)		
2-6 storey apartment		
High-rise apartment		

3. Proposed development timeline

Number of days following the land award announcement will the development permit application be submitted	
Estimated construction start date	
Estimated occupancy date	

PROJECT COSTS AND FUNDING

Please indicate the total estimated costs of the proposed project. Substantiation of cost estimates may be requested and/or examples of previous projects demonstrating experience in cost estimation.



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	Estimated Costs
Land/Property acquisition	\$
Hard costs (provide details)	\$
Soft costs (provide details)	\$
Other (provide details)	\$
Total	\$

Please indicate proposed funding sources, including confirmed and unconfirmed sources. Applications will be required to provide proof of confirmed funding sources as part of the required attachments (See Part 2 – Required Attachments).

Equity	Confirmed Resources	Unconfirmed Resources
Cash (provide details)	\$	\$
Mortgage financing (provide details)	\$	\$
Grants / loans (provide details)	\$	\$



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Other assets (provide details)	\$	\$
Total	\$	\$

Total Confirmed Resources / Total Estimated Costs = x 100 = % secured funding

Signature of Applicant/Authorized Official*

Date

Print Name of Applicant/Authorized Official*

GST No.

Legal Counsel:

Name: _____

Firm: _____

Address: _____

E-mail: _____

Telephone: _____

* If the person completing this application is different from the Applicant, please provide the following:

Relationship to the Applicant:

Title: _____

E-mail: _____

Telephone: _____



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SALE TERMS AND CONDITIONS (these terms and conditions will form part of the formal Agreement of Purchase and Sale)

1. Closing Date/Possession/Adjustment Date:
 - (i) Once all Conditions Precedent have been waived or satisfied, the Closing Date will be sixty (60) days following or as agreed to between The City and the Purchaser.

2. Conditions Precedent (must be waived or satisfied in writing):
 - (i) The Purchaser shall have forty five (45) days from the date The City receives Corporate Approval for the proposed sale of the Property to conduct its due diligence.
 - (ii) The Purchaser shall submit an application for a development permit and land use redesignation (if required) to the Approving Authority on or before ninety (90) days following Corporate Approval for the proposed sale of the Property.
 - (iii) The Purchaser, at its sole cost and expense, to obtain a development permit approval at least sixty days (60) prior to the Closing Date.
 - (iii) The Purchaser, at its sole cost and expense, to obtain passage of a bylaw amending the land use of the Property to that set out in its application at least sixty (60) days prior to the Closing Date.
 - (v) The Purchaser shall deliver the executed housing agreement and the options to repurchase to the Vendor at least sixty (60) days prior to the Closing Date.

3. Special Terms and Conditions:
 - (i) The sale is subject to a building commitment ("Building Commitment") to be satisfied within THIRTY-SIX (36) months from the Closing Date (the "Building Commitment Date"). Building Commitment is defined as the Purchaser completing construction of the development, as evidenced by receipt of an occupancy permit.
 - (ii) The Purchaser to grant The City two options to repurchase for the Property, one for the Building Commitment and the other for the housing agreement.
 - (iii) The Property is sold "as is" and the Purchaser shall assume all responsibility and liability including any environmental matters existing as of the Closing Date.
 - (iv) The Purchaser acknowledges no finder's fees or real estate commissions shall be payable by The City on the transaction
 - (v) No later than a minimum of thirty (30) days prior to the Purchaser submitting its development permit application to the Approving Authority, the Purchaser shall provide to The City's Real Estate & Development Services department (RE&DS) a full copy of the development permit application. RE&DS shall have ten (10) business days to review same and confirm the development permit application meets the intention of developing affordable housing on the Property as set out in of this application. The Purchaser shall immediately advise RE&DS of any additions, changes or amendments



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to the development permit application which may affect the affordable housing component.

- (vi) The City shall grant the Purchaser a temporary license of occupation to allow the Purchaser access to the Property to conduct its due diligence.
- (vii) The Purchaser shall construct its development in strict compliance with the approved development permit (Condition Precedent 2(iii)).
- (viii) The Purchaser acknowledges that its ability to provide affordable housing options to Calgarians in need is materially important to The City in agreeing to sell the Property to the Purchaser.
- (ix) The Purchaser acknowledges that The City, in its sole discretion, reserves the right to:
 - a. not approve future funding assistance to the Purchaser or its subsidiaries or affiliates; and
 - b. not approve future transactions with the Purchaser or its subsidiaries or affiliates;

if the Purchaser fails to complete a development in accordance with the approved development permit (Condition Precedent 2(iii)) or sells the Property to an entity whose mission and mandate is not to provide non-market housing or will not be using the Property for the purpose for which it was sold.

- (x) The Purchaser shall not transfer or assign any interest in the Property, without the prior written consent of The City.
- (xi) The City shall be recognized by the Purchaser as a supporter of the proposed development on the Property equivalent to the market value of the Property less Consideration paid, including City representation at the groundbreaking event. Details of the sponsorship recognition shall be based on the Purchaser's standard of recognition of support.
- (xii) (NON-MARKET RENTAL ONLY/ LONG-TERM CARE (LTC)/DESIGNATED SUPPORTIVE LIVING ONLY (DSL)): The Purchaser must keep rents in compliance with the minimum affordability criteria -- eligible projects for a minimum of 40 years from the date of the development completion permit for the project. The Purchaser will be required at its sole cost and expense to promptly provide a declaration of compliance and annual rent rolls to The City as requested by The City in its sole discretion from time to time.
- (xiii) (AFFORDABLE HOMEOWNERSHIP ONLY): The Purchaser will be required to keep the for-sale units available for eligible purchasers in compliance with the minimum affordability criteria – eligible projects for a minimum of twenty (20) years from the date of the development completion permit for the project or demonstrate how the proceeds from the sale of an affordable unit will be used to develop another affordable homeownership unit within Calgary, Alberta. The Purchaser will be required at its sole cost and expense to promptly provide a declaration of compliance and a statement of sales to The City as requested by The City in its sole discretion from time to time,



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detailing that the units developed on the Property were sold to eligible purchasers and such other information as may be requested by The City.

- (xiv) The Purchaser shall, at its sole cost and expense, be responsible for all conditions, obligations, fees, levies and costs related to the development or development permit application. The Purchaser shall also be responsible for environmental matters, constructing and improving utility service connections, any required offsite servicing and transportation servicing.
- (xv) All encumbrances currently appearing on title to the Property shall remain on title as permitted encumbrances, unless otherwise specified in the Proposal Letter between The City and the Purchaser.
- (xvi) Such other terms as may be agreed to between the parties.