

ATTACHMENT NO. 1

Topic	Existing Clause	Proposed Clause	Discussion
<p>Acquisition of real property not exceeding \$300,000</p>	<p>CAO may enter into APS for the acquisition of lands, including easements provided that:</p> <p>(a) the value does not exceed \$50,000</p> <p>(b) value is at or below market value as determined by an appraiser</p> <p>(c) agreement is in</p>	<p>The authority to approve and execute documents relating to the acquisition of land or any interest in land except leases and expropriations (including but without limitation acquisitions in fee simple or easement, right-of-way, license, joint use, reciprocal agreements, land exchanges or any offer, notice, application) is delegated as follows subject to the following conditions:</p> <p>(a) If purchase price does not exceed \$50,000, Manager, Real Property has authority.</p> <p>-If value does not exceed \$300,000, CAO has authority.</p> <p>(b) Purchase price does not exceed market value by more than ten percent (10%) as determined by an appraisal</p> <p>(c) agreement is in form and content approved by City Solicitor</p>	<p>Comparable thresholds from other municipalities:</p> <p>Burlington:</p> <p>(1) \$50,000 and under – Coordinator of Realty Services</p> <p>(2) \$150,000 and under – General Manager</p> <p>(3) \$250,000 and under for the City Manager</p> <p>Mississauga (Its policy includes authority to enter into leases as well):</p> <p>1) \$50,000 and under – Manager of Realty Services</p> <p>2) \$100,000 and under – Director of Facilities and Property Management</p> <p>3) \$250,000 and under – Commissioner of Corporate Services and Treasurer</p> <p>4) \$500,000 and under – City Manager</p>

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	<p>form and content approved by CAO and City Solicitor</p> <p>(d) sufficient funds available in operating or capital budgets as approved by council</p>	<p>(d) sufficient funds are available in operating or capital budgets as approved by council</p> <p>(e) All applicable Council approved policies are met</p>	
<p>Acquisition of real property exceeding \$300,000, conditional on Council approval</p>		<p>The CAO shall have the authority to submit conditional offers for the acquisition of real property subject to Council approval, including the authority to submit deposits, provided that such deposits are not greater than \$300,000.</p>	<p>None</p>
<p>Leasehold Interest</p>	<p>Enter into Lease Agreements, Licenses and Permission to Enter Agreements provided that:</p> <p>(a) Lease value over its term does not exceed</p>	<p>Authority to approve and execute documents relating to the lease of real property (including without limitation any renewal of existing or expired leases) is delegated as follows subject to the following conditions:</p> <p>(a) If rent does not exceed</p>	

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Disposition of Land not exceeding \$300,000	<p>\$50,000 plus GST</p> <p>(b) sufficient funds available within the department operating or capital budgets as approved by council</p> <p>(c) rent is at or below market value as determined by appraiser</p> <p>(d) term including renewals does not exceed 10 years</p> <p>(e) agreement in a form and content satisfactory to CAO and City Solicitor</p>	<p>\$50,000, Manager, Real Property has authority.</p> <p>-If rent does not exceed \$300,000, CAO has authority</p> <p>(b) sufficient funds available within the department operating or capital budgets as approved by Council</p> <p>(c))Term including renewals does not exceed 10 years</p> <p>(d) Agreement in a form and content satisfactory to the City Solicitor</p>	
	Enter into Agreements of Purchase and Sale for the disposition of real property provided:	Authority to approve and execute documents relating to the disposition of land or any interest in land (including but without limitation disposition in fee	Comparable thresholds from other municipalities: Burlington:

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	<p>simple or easement, right-of-way, license, joint use, reciprocal agreements, land exchanges or any offer, notice, application) is delegated as follows subject to the following conditions:</p> <p>(a) If price does not exceed \$50,000, Manager, Real Property has authority.</p> <p>-If value does not exceed \$300,000, CAO has authority.</p> <p>(b) Sale price is at least 90% of fair market value, as determined by appraisal</p> <p>(c) Agreement is in form and content satisfactory to the CAO and the City Solicitor</p> <p>(d) All applicable Council approved policies are met</p> <p>(a) The value does not exceed \$50,000</p> <p>(b) Real property declared surplus</p> <p>(c) Disposition is at or above fair market value as determined by appraisal</p> <p>(d) Agreement is in form and content satisfactory to the CAO and</p>	<p>(4) \$50,000 and under – Coordinator of Realty Services</p> <p>(5) \$150,000 and under – General Manager</p> <p>(6) \$250,000 and under for the City Manager</p> <p>Mississauga (Its policy includes authority to enter into leases as well):</p> <p>5) \$50,000 and under – Manager of Realty Services</p> <p>6) \$100,000 and under – Director of Facilities and Property Management</p> <p>7) \$250,000 and under – Commissioner of Corporate Services and Treasurer</p> <p>8) \$500,000 and under – City Manager</p> <p>(Please note that Mississauga only requires that the consideration be at least 90% of Market Value)</p>	

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<p>Minor General Agreements (any agreement pertaining to real property that is not covered by the above sections on Acquisition, Disposition and Leases, and is not related to any development application, including without limitation, Encroachment, estoppels certificates, Landscaping and Parking Agreements)</p>	<p>City Solicitor</p> <p>None</p>	<p>The Manager, Real Property shall have the authority to enter into General Agreements provided that:</p> <p>(a) The nature of the agreement is minor, as determined and approved by all affected departments;</p> <p>(b) The form, terms and conditions of the agreement are satisfactory to the City Solicitor;</p> <p>(c) The permit, legal fees and other costs, as determined by the City, are paid by the applicant.</p>	<p>This clause is from Burlington's Delegated Authority By-Law.</p> <p>Mississauga treats these types of agreements as either acquisitions or dispositions and lumps them together with the same clauses.</p>

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Releases of permanent and temporary easements	CAO has authority	CAO and Manager of Real Property have authority to approve and execute releases of permanent and temporary easements and other registered interests in land that have expired or are no longer required	
OTHER AGREEMENTS			
General Agreements	None	The CAO shall have the authority to enter into Confidentiality Agreements, Non-Disclosure Agreements and Nominee Agreements appointing external nominees	
Documents and Agreements required for closing real property transactions	None	The City Solicitor, or his/her designate, shall have the authority to execute any and all documents and agreements required to complete real property transactions	
Documents to preserve the City's interests in litigation or potential litigation	None	The City Solicitor, or his/her designate, shall have the authority to execute any and all documents and agreements required to preserve the City's interests relating to any litigation or potential litigation	