



By-law 2021-29

**A By-Law to Amend By-Law 2013-113
A By-Law to Delegate Authority to
Conduct Certain Real Property Transactions**

WHEREAS Section 23.1 (1) of the *Municipal Act* S.O 2001, c, as amended, provides that a municipal council may delegate its powers and duties under the Municipal Act to officers or employees of the municipality;

AND WHEREAS on June 17, 2013, Council enacted By-Law 2013-113 A By-Law to Delegate Authority to Conduct Certain Real Property Transactions;

AND WHEREAS Council considers it desirable to amend By-Law 2013-113 to delegate authority to execute agreements and/or documents to grant easements to Alectra Utilities Corporation, and/or its affiliates required to service City-owned lands to the City's Senior Manager, Real Property;

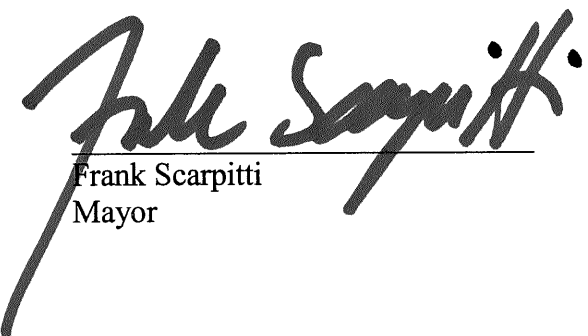
**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:**

1. THAT By-Law 2013-113 A By-Law to Delegate Authority to Conduct Certain Real Property Transactions is amended as follows:
 - (a) The following be added as a new Section 2. (j) immediately following section 2. (i):

(i) Easements to Alectra	<p>The authority to execute documents and/or agreements to grant easements over City-owned lands to Alectra Utilities Corporation and/or its affiliates required to service City-owned lands outside of rights-of-way and to determine the purchase price for such easements is delegated to the Manager, provided that:</p> <ol style="list-style-type: none">(a) The form of such agreements and/or documents are satisfactory to the City Solicitor; and(b) Subject to the exception noted below, the purchase price is at least 90% of Fair Market Value. <p>In the event that the requirement for such easement is not prompted by third party development or construction, the Manager, is authorized to agree on a purchase price that is less than 90% of Fair Market Value, including a nominal purchase price.</p>
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Read a first, second, and third time and passed on April 20, 2021.


Kimberley Kitteringham
City Clerk


Frank Scarpitti
Mayor