

## COUNCIL REPORT

M&C No.	2018-285
Report Date	December 07, 2018
Meeting Date	December 17, 2018
Service Area	Growth and Community Development Services

His Worship Mayor Don Darling and Members of Common Council

***SUBJECT: Proposed Local Government Services Easements – 147 Lansdowne Avenue***

### ***OPEN OR CLOSED SESSION***

This matter is to be discussed in open session of Common Council.

### ***AUTHORIZATION***

Primary Author	Commissioner/Dept. Head	City Manager
<b><i>Jody Kliffer / Mark Reade</i></b>	<b><i>Jacqueline Hamilton</i></b>	<b><i>Neil Jacobsen</i></b>

### ***RECOMMENDATION***

That Common Council assent to the submitted subdivision plan entitled “Subdivision Plan – Plazacorp Property Holdings Inc. Subdivision”, located at 147 Lansdowne Avenue (PID 00370973), with respect to the vesting of the proposed Local Government Services Easements.

### ***EXECUTIVE SUMMARY***

The purpose of this report is to seek Common Council’s assent to Local Government Services Easements to protect existing City piped infrastructure.

### ***PREVIOUS RESOLUTION***

On May 1, 2017 Common Council authorized the acceptance of money-in-lieu of the required land for public purposes (LPP) for the subdivision of the subject parcel.

### ***STRATEGIC ALIGNMENT***

It is in the interest of The City of Saint John to obtain easements for the protection and maintenance of municipal services.

### ***REPORT***

The applicant is seeking to subdivide an existing lot at 147 Lansdowne Avenue (PID 00370973) to create a commercial lot fronting on Lansdowne Avenue which

would include the building containing the existing Subway restaurant. The creation of the proposed lot requires the establishment of Local Government Services Easements to accommodate existing City services. Assent from Common Council for the acceptance of the Local Government Services Easements is required pursuant to Section 88(7) (a) of the *Community Planning Act*.

The proposed easements over Lot 2018-1 would protect existing municipal piped infrastructure (combined sanitary and storm sewer). The location and width of the easements has been confirmed by staff as sufficient to accommodate the existing underground infrastructure. The purpose of this report is to recommend the necessary formal acceptance of the easement by resolution of Common Council. The accompanying easement document is being prepared by the City Solicitor's Office for execution by the City and the Developer.

Often the vesting of Local Government Services Easements is considered by Council in a recommendation from the Planning Advisory Committee when dealing with more significant subdivision and development applications where additional approvals are required. However, in this case there are no other approvals that require the consideration of the Committee, and the *Community Planning Act* does not require the Committee's involvement when only dealing with easements.

The vesting of the proposed easements is supported by staff. Therefore Council's assent to the attached subdivision plan with respect to the proposed Local Government Services Easement is recommended.

#### ***SERVICE AND FINANCIAL OUTCOMES***

Not Applicable

#### ***INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS***

Infrastructure Development, Saint John Water, the City Solicitor's Office and Real Estate Services have reviewed this report and the proposed Local Government Services Easements.

#### ***ATTACHMENTS***

Subdivision Plan – Plazacorp Property Holdings Inc. Subdivision Lot 2018