



Part 3: Land for Public Purposes

Land for Public Purposes Dedications

- 16(1) As a condition of approval of a Subdivision Plan, land representing ten percent of the area of the proposed Subdivision, exclusive of the land to be Vested as Public Streets, is to be dedicated to The City of Saint John at such location as Assented to by Council pursuant to the Act as Land for Public Purposes and so indicated on the Subdivision Plan, except where a money in-lieu dedication or a combination of a Land for Public Purposes and a money in-lieu dedication pursuant to sections 17 or 18 have been provided.
- 16(2) Land for Public Purposes must be dedicated to The City of Saint John as a Pedestrian Walkway where:
- (a) Such Pedestrian Walkway has not been provided as a Street;
 - (b) Such Pedestrian Walkway is required by paragraph 14(4)(c) or subsection 14(5);
 - (c) ~~Such land is identified as a “City Wide Route – Proposed,” “City Wide Route – Future,” “Community Route – Proposed,” “Community Route – Future,” “Neighbourhood Route – Proposed,” or “Neighbourhood Route – Future” in Appendix C of the Trails and Bikeways Strategic Plan; and~~
 - (d) Such Pedestrian Walkway would not be located on land Zoned Heavy Industrial.
- 16(3) No other land except that identified in 16(2) shall be accepted by The City of Saint John as Land for Public Purposes.

Money in-lieu Dedications

- 17(1) As a condition of approval of a Subdivision Plan, a sum of money representing eight percent of the market value of the land of the proposed Subdivision at the time of submission for approval of said Subdivision, exclusive of the land to be Vested as Public Streets, is to be provided to The City of Saint John as accepted by Council pursuant to the Act as a money in-lieu dedication, except where Land for Public Purposes or a combination of Land for Public Purposes and money in-lieu dedication pursuant to sections 16 or 18 have been provided.
- 17(2) **Notwithstanding subsection 17(1), and pursuant to Section 75(1)(g) of the Act, subdivisions that satisfy the following set of criteria as determined by Council shall be eligible for the acceptance of money-in-lieu of Land for Public Purposes without the necessity of obtaining individual assent from Common Council:**
- (a) Lands to be subdivided must not require the dedication of Land for Public Purposes as identified by Parks and Public Spaces and Growth and Community Services.**



- (b) Lands to be subdivided must not be subject to a previous Council Resolution relating to the acceptance of either Land for Public Purposes or money-in-lieu of Land for Public Purposes.
 - (c) Lands to be subdivided must abut a developed Public Street or such other access suitable for the passage of motor vehicles as may be approved by the Planning Advisory Committee as being advisable for the Development of land, including a Private Street. And
 - (d) Lands to be subdivided must involve the creation of no more than 5 lots.
- 17(3) The determination of market value of land shall be made by The City of Saint John, but where a Developer does not accept such determination, at the cost of the Developer, an Appraiser acceptable to both the Developer and The City of Saint John shall determine such value.
- 17(4) Any payment of money in-lieu dedication involving a cheque must be certified by a Canadian financial institution.

Attachment 2: Subdivision By-Law Amendments (Amending format)

BY-LAW NO. C.P. 122-3 A LAW TO AMEND THE SUBDIVISION BY-LAW OF THE CITY OF SAINT JOHN

Be it enacted by the Common Council of The City of Saint John as follows:

A By-law of The City of Saint John entitled "The Subdivision By-law of The City of Saint John", enacted on the 21st day of March, A.D. 2016, is hereby amended as follows:

1 By deleting subsection 16(2) and replacing it with the following:

"16(2) Land for Public Purposes must be dedicated to The City of Saint John as a Pedestrian Walkway where:

- (a) Such Pedestrian Walkway has not been provided as a Street;
- (b) Such Pedestrian Walkway is required by paragraph 14(4)(c) or subsection 14(5); and
- (c) Such Pedestrian Walkway would not be located on land Zoned Heavy Industrial.

2 By deleting section 17 and replacing it with the following:

"Money in-lieu Dedications

- 17(1) As a condition of approval of a Subdivision Plan, a sum of money representing eight percent of the market value of the land of the proposed Subdivision at the time of submission for approval of said Subdivision, exclusive of the land to be Vested as Public Streets, is to be provided to The City of Saint John as accepted by Council pursuant to the Act as a money in-lieu dedication, except where Land for Public Purposes or a combination of Land

for Public Purposes and money in-lieu dedication pursuant to sections 16 or 18 have been provided.

- 17(2) Notwithstanding subsection 17(1), and pursuant to Section 75(1)(g) of the Act, subdivisions that satisfy the following set of criteria as determined by Council shall be eligible for the acceptance of money-in-lieu of Land for Public Purposes without the necessity of obtaining individual assent from Common Council:
- (a) Lands to be subdivided must not require the dedication of Land for Public Purposes as identified by Parks and Public Spaces and Growth and Community Services;
 - (b) Lands to be subdivided must not be subject to a previous Council Resolution relating to the acceptance of either Land for Public Purposes or money-in-lieu of Land for Public Purposes;
 - (c) Lands to be subdivided must abut a developed Public Street or such other access suitable for the passage of motor vehicles as may be approved by the Planning Advisory Committee as being advisable for the Development of land, including a Private Street; and
 - (d) Lands to be subdivided must involve the creation of no more than 5 lots
- 17(3) The determination of market value of land shall be made by The City of Saint John, but where a Developer does not accept such determination, at the cost of the Developer, an Appraiser acceptable to both the Developer and The City of Saint John shall determine such value.
- 17(4) Any payment of money in-lieu dedication

involving a cheque must be certified by a Canadian financial institution.”

IN WITNESS WHEREOF The City of Saint John has caused the Corporate Common Seal of the said City to be affixed to this by-law the day of _____, A.D. 2025 signed by:

Mayor /Maire

City Clerk/Greffier municipall

First Reading	-	Première lecture	-
Second Reading	-	Deuxième lecture	-
Third Reading	-	Troisième lecture	-