

## COMMON COUNCIL REPORT

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|--------------|-----------------|
| M&C No.      | 2021-134        |
| Report Date  | April 28, 2021  |
| Meeting Date | May 03, 2021    |
| Service Area | General Counsel |

His Worship Mayor Don Darling and Members of Common Council

***SUBJECT: License Agreement for Use of Portion of South Market for the Demolition of Adjacent Buildings***

***AUTHORIZATION***

|                               |                                |                           |
|-------------------------------|--------------------------------|---------------------------|
| Primary Author                | Commissioner/Dept. Head        | City Manager              |
| <b><i>Curtis Langille</i></b> | <b><i>Melanie Tompkins</i></b> | <b><i>John Collin</i></b> |

***RECOMMENDATION***

That The City of Saint John enter into a License Agreement with W/L Holdings Inc. in the form as attached to M & C #2021-134 to facilitate the demolition of the buildings, located at civic # 85 to #91 King Street on a portion of PID No. 39420, known as South Market Street, and further that the Mayor and City Clerk be authorized to execute the said License Agreement.

***EXECUTIVE SUMMARY***

W/L Holdings Inc. is planning to demolish two buildings at the head of King Street, of which one is referred to as the former Woolworth's building. Once demolished, the proponent will be constructing a substantial, multi-residential building with ground floor commercial. The buildings to be demolished are significant in stature and require additional lands surrounding them to provide for adequate buffering for safety along with additional space to adequately complete the work. The attached license agreement would provide the proponent a four-month period commencing May 17<sup>th</sup> to use a portion of the City Market lands, commonly known as South Market Street. The sketch included with this agreement illustrates the area of South Market to be used in conjunction with the demolition of the adjoining site. City staff, including those responsible for the City Market, have been involved in the planning of this project and are supportive of the recommendation. The attached license agreement ensures appropriate insurance and other measures are in place to protect the interests of the City, including the City Market.

***PREVIOUS RESOLUTION***

N/A

***REPORT***

The following is in addition to the information contained in the *Executive Summary* of this report.

The sketch included in the License Agreement as Schedule “A” illustrates the portion of South Market Street that is proposed to be used during the demolition of the two buildings owned by W/L Holdings Inc. In addition, portions of the right-of-ways for both King and Charlotte Streets will also be required. The License includes terms and conditions that are intended to protect the interests of the City, including appropriate insurance, dust control mitigation/cleaning of the City Market (if required) and repair of any damage to the Licensed area. There have been a number of meetings between various staff and the proponent to ensure every precaution has been taken to ensure the City and members of the public are safe during the demolition.

Staff has also commenced discussions with the proponent about the need for another license over South Market during the construction phase of this project. A separate report will be presented to Council in due course in this respect.

### ***STRATEGIC ALIGNMENT***

Revenue generation, cost avoidance and tax base growth are critical contributors to the City’s vision to become sustainable and to achieve growth and prosperity. This aligns with Council’s priority for a vibrant City.

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

It is expected that there will be some disruption to the City Market, specifically as it relates to the loading zone area on South Market. City Market staff are planning to minimize this impact by offering alternate arrangements for this purpose on North Market and Germain Street. Staff have also mitigated disruption to pedestrian access through South Market by ensuring through access is maintained at all times. The fee for the license is \$1,000.00 for the 4-month term of the license agreement.

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

Several City departments were engaged in the preparation of this report and the underlying License Agreement, including: Growth and Community Services, Fire Department, Director of Strategic Affairs and the General Counsel’s team. Their comments were included in this report where applicable. The General Counsel team drafted the License Agreement.

### ***ATTACHMENT***

*License Agreement*