DECISION/DIRECTION NOTE

Title: **Update – Air Rights in front of 430 Water Street**

Date Prepared: **June 20, 2019**

Report To: **His Worship the Mayor and Members of Council**

Councillor and Role: **Councillor Hope Jamieson, Ward Councillor**

Ward: **Ward 2**

Decision/Direction Required:

Previously Council approved the conditional sale of the air rights over the front of 430 Water Street, as shown on the attached diagram (Schedule "A").   The developer will need Council's approval (subject to development approval) for the acquisition of easements or land for the pillars included in the design. The purchase price will be established at fair market value.

Discussion – Background and Current Status:

The developer has completed preliminary designs and has determined that support pillars are likely required in relation to the previously approved overhang. This impact on City land was not contemplated under the previous air rights approval.

It is staff's understanding that Council wishes to maintain some control over the open space in this vicinity. An easement for the pillars may be the best route considering the aforementioned issue.

Key Considerations/Implications:

1. Budget/Financial Implications:
    a. City will receive fair market value for the land

2. Partners or Other Stakeholders:
    a. Jag Hotel

3. Alignment with Strategic Directions/Adopted Plans:
    a. Sustainable City
    b. Connected City
    c. Effective City

ST. JOHN'S

4. Legal or Policy Implications:
   a. Easement to be prepared, developer to provide survey are their cost.

5. Privacy Implications:
   a. N/A

6. Engagement and Communications Considerations:
   a. N/A

7. Human Resource Implications:
   a. N/A

8. Procurement Implications:
   a. N/A

9. Information Technology Implications:
   a. N/A

10. Other Implications:
    a. N/A

Recommendation:

We recommend that Council approve either the sale or an easement for the lands impacted by the pillars, subject to development approval.

Prepared by/Date: Andrew Woodland, June 20, 2019

Reviewed by/Date:

Approved by/Date:

Attachments: Schedule "A"
**   Schedule "B"**

Schedule "A"

Schedule "B"