



Subject: *Easement Request over portion of PID 45085289, Highway 214*
To: Corporate and Residential Services Committee
Date Prepared: February 3, 2025
Related Motions: N/A
Prepared by: Amy Pyne, Manager, Real Estate & Corporate Projects
Approved by: Kim Ramsay, CAO

Summary

Riverstone 214 LTD has requested an easement for power and telecommunication services, as part of their development along Highway 214, Elmsdale. The proposed easement is approximately a 78.5m², and would be located on a portion of municipally owned PID 45085289, which was acquired for future business park lands. The proposed easement location does not conflict with the current conceptual plans for business park expansion.

Council approval of the easement request is required, per the CAO Authority Policy.

Financial Impact Statement

East Hants does not currently have a fee program for transactions pertaining to municipal real property.

Recommendation

Staff recommend granting the easement.

Recommended Motion

Move that the Corporate and Residential Services Committee recommend that Council authorize the CAO to enter into an easement agreement for power and telecommunication services over a portion of PID 45085289 to support Riverstone 214 LTD's development on Highway 214, Elmsdale.

Background

As part of Riverstone 214 LTD's (the "Developer") development on Lot 3 and Lot 1A, Highway 214, PIDs 45428810 and 45428802, the Developer has requested a 78.5m² (845 ft²) power and telecommunication services easement and right of way ("Parcel SE-1") over East Hants' owned Lot C (Remainder), Highway 214, PID 45085289 (the "Parent Property"). The Parent Property (~49 acres) was acquired from the Giansante Family in 2024 for business park expansion lands.

The easement request would be granted to Bell Canada, with further permission for Nova Scotia Power and other public utility providers to share the use of the equipment installed (power poles, etc.).

The development agreement includes a 70-unit apartment building, a 24 residential unit building with commercial on the ground floor, and a single-level commercial building.

Staff and the Developer have worked together to determine a location on the Parent Property that would minimize impact on future business park development. The approximate proposed location is illustrated by a blue star in Figure 1 below. The full easement sketch, illustrating the exact location on the Parent Property, is attached as Appendix A.

Figure 1 - Aerial Map of Easement Location and Surrounding Properties



Map Reference	Property Note
A/B/C	PIDs 45428810, 45428802, 45416831; owned by Riverstone 214 LTD, party to Development Agreement
D	PID 45085289; owned by East Hants; acquired in 2024 for future business park lands
E	PID 45377637; owned by East Hants; lift station
F	PID 45432267; owned by Domenico and Rosina Giansante
G	PID 45411410; owned by Carmelita Giansante-Mercer; Carmie’s Daycare
Blue Star	Proposed easement location (approximate), Parcel SE-1

Discussion

The proposed easement location has been reviewed internally by Engineering and Economic & Business Development staff. The proposed easement location does not conflict with the current conceptual plans for business park expansion.

Municipal legal counsel would be consulted on the easement agreement prior to execution. East Hants will explore a provision that allows this infrastructure to be moved at a later date, should the municipality require it, at municipal expense.

STRATEGIC ALIGNMENT

This file aligns with the key strategies of Corporate Excellence and Sustainable Infrastructure.

LEGISLATIVE AUTHORITY

The CAO Authority Policy, section 1.2.10 indicates that the CAO may grant easement agreements that may encumber the future use of Municipal real property following Council’s approval of the easement.

FINANCIAL CONSIDERATIONS

East Hants does not currently have a standardized fee program for real property transactions. Council could choose to implement a fee based on the fair market value of the easement and/or administrative fees.

Alternatives

Council may choose not to grant an easement to the Developer.

Attachments

Easement Sketch