

Town of Riverview COUNCIL REPORT FORM



Presented to: Mayor and Town Council

Presented by: Colin Smith

Date: June 24, 2023

Subject: Old Public Works Site – Environmental Matters

Background

After the Engineering and Public Works Department moved to the new Operations Centre in 2017, the Town proceeded with steps to remove the old public works building and clean the site up based on issues identified in the Environmental Impact Assessments (Phase I – overall site, and phase II – fuel tanks) that the Town had completed and submitted to the Province of NB to meet their requirements. Once that work was completed that met the Provincial requirements, Town Council directed staff to list the property for sale in 2018.

Since then, the Town has had a few interested parties and, in fact, had two preliminary purchase and sale agreements under consideration. The developer that had the last proposed purchase and sale agreement with the Town, had completed a number of due diligence exercises, including further environmental work and geotechnical assessment on site. During that process, the developer identified additional work that needed to be done because of further environmental clean up requirements and some geotechnical site limitations. However, they were still interested in proceeding with the proposed purchase and sale agreement. The developer prepared a preliminary rezoning concept plan for the Town's consideration that was never formally submitted.

However, late in the winter of 2023 the developer indicated they would no longer proceed with the potential development and purchase of this land. Their decision meant the Town had to revisit its plans for this site. Subsequently also the Town is now responsible for developing a plan to address the additional environmental issues identified on the site because the sale agreement fell through (third party was accepting that responsibility). The Provincial Department of Environmental and Local Government requires that the contaminated sites be addressed before this site could be developed.

Stantec Consulting Ltd. has prepared a scope of work (Phase II Environmental Site Assessment) to further evaluate the areas of the site not covered by the previous Phase II EIA, and establish a remediation plan so the Town can close the site file again with the Province of NB. The EIA Phase II will provide us an estimate on how much we need to budget in 2024 to clean up and close the site.

That assessment needs to be completed, and the necessary remediation work needs to be completed before the Town can attempt to sell the land again or look for an alternative municipal purpose for it. Therefore, staff is recommending to proceed to get the EIA plan completed in 2023. While the EIA is an unbudgeted item (as is noted below) there are funds available in the current General Operating Fund which would allow staff to proceed with this work if Council endorses the plan.

The due diligences activities completed by the third party, which also identified some further limitations to the overall site development because of the historical infilling that has occurred on that site in the past. These issues were noted with the five acres of the property closer to Cleveland Road. While the EIA is being completed, Town Staff will also have to revisit options the Town may want to consider as it must address the development limitations of the site due to past infill. Options could include using staff or contract resources to remove fill and put in appropriate fill; accept a lower price on the land; maintain that portion of land as green space; etc. The intent would be to have this analysis completed before the 2024 budget process to identify options for Council's consideration.

CONSIDERATIONS

Legal: n/a

Financial: Disposal of this land would bring revenue to the Town's reserves.

This was an unbudgeted expenditure in 2023 because the expectation would be the purchaser of the site would have completed the necessary work to close the site. The Town must now proceed with this work. In the current year to date, May projections indicate that the Town's General Operating Fund is in a surplus position, therefore, there are funds available to complete this work this year.

Policy: Strategic Land Management

Stakeholders: Land developers; Neighbouring resident

Strategic Plan:

- Planning for the Future
- Smart and Sustainable Growth

Interdepartmental Consultation: Parks and Recreation and Engineering + Public Works

Communication Plan: n/a

RECOMMENDATION FROM STAFF

That Town Council direct staff to authorize Stantec Consulting Ltd. to proceed with a Phase II Environmental Site Assessment to establish an environmental closure plan for that site and use available funding in the 2023 General Operating budget to complete the project.