

# Town of Riverview COUNCIL REPORT FORM



Presented to: Mayor and Town Council

Presented by: Colin Smith

Date: December 11, 2023

Subject: Land Swap – Trans Aqua

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## **Background**

As a reminder to Council the following motion was approved at the Special Council meeting held on June 25, 2023, which provided staff direction to acquire the former Department of Transportation and Infrastructure (3<sup>rd</sup> crossing land in East Riverview) and then staff were to work on plans to sell that land to interested parties.

***Moved by: Councillor J. Thorne Seconded by: Deputy Mayor S. Murphy***

***That Riverview Town Council accept the staff recommendations with respect to the DTI land as outlined in the Council Report Form dated June 25, 2023. Motion Carried***

It has taken some time to work through the legal and deed transfer process with the Province of New Brunswick, but the transfer of land was registered on November 7, 2023. Therefore, the Town is now able to start selling portions of this land to the other interested parties. The Town will be able to execute one of the three arrangements in 2023. The Town's initial goal was to complete all these arrangement in 2023; however, it was not anticipated the legal transfer process would have taken as long as it has to this point. Council approved the first disposition of land to MoeMar Homes at a Special Council meeting on November 27, 2023.

This Council Report Form is outlining the second transaction - a land swap with Trans Aqua.

Trans Aqua has been very interested in acquiring all or portions of PID 05009949 and PID 05009956 to create a larger buffer zone so that they could control between themselves and the Point Park neighbourhood. As part of its efforts to create a buffer zone, Trans Aqua has owned PID 00642736 (1 acre lot fronting Hillsborough Road) for several years.

There are potential commercial development opportunities for the land fronting Hillsborough Road if a developer would be able to consolidate about two acres of PID 05009949 with the one-acre lot that Trans Aqua owns adjacent to that land (PID 00642736).

Therefore, what Town Management is proposing is for the Town to enter into an agreement with Trans Aqua where the Town swaps PID 05009956 and a subdivided portion of PID 05009949 (18 acres roughly in total) to Trans Aqua for their property PID 00642736, which is fronting Hillsborough Road. The rationale for the disparity in land volume that is being traded is because the land along Hillsborough Road has high development value, while the very narrow land between Trans Aqua and the Point Park neighbourhood has limited potential development value and would be of great value to Trans Aqua to ensure the buffer remains between Trans Aqua and its residential neighbours.

Once this transaction is approved and the various land survey work is completed, the Town can move forward with the third transaction in this program - selling the 3 acres fronting on Hillsborough Road to an interested party. That developer would need to submit a rezoning application for its proposed plans. The rezoning would be one of the attached conditions to that final transaction. It is anticipated the rezoning application will be submitted to Council for their consideration in 2024.

The attached image provides a high level view of the land along Hillsborough Road we are acquiring from Trans Aqua (the small square) and shows the land we are transferring to Trans Aqua.

**Staff's recommendation:**

***That Riverview Town Council authorize the transfer of portions of PID 05009949 and PID 05009956 to Trans Aqua in exchange for Trans Aqua's PID 00642736 and that Town Council authorize the Mayor and Town Clerk to sign all necessary documentation.***

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**Council Report Form from June 25, 2023, Special Council Meeting**

The Province of New Brunswick had declared the land in east Riverview (PIDs 05023478, 05009949, 05009956) as surplus and reached out the Town to inquire if we are interested in acquiring the land at market value. The Province's disposal process requires that it offer surplus land to municipalities first, before selling the land on the open market.

The attached map outlines the land in question. The three properties are just over 50 acres of land and has been valued by the Province at \$352,400, plus HST. The Province is looking for the full value of the assessment they received. If the Town would like to acquire this land at a significantly lower amount, the Town would need to prepare a business case to outline what is the benefit to the Town and Province for us to get the land at a reduce amount.

The Directors Group has assessed the land in question and determined that there is no municipal purpose for acquiring this land, but there are a number of community benefits if the land is acquired and developed in an effective manner. Those benefits include:

- In east Riverview it would allow roads, trails, etc., to connect neighborhoods that don't currently exist because this property runs in the middle of two areas in the east.
- There is commercial development potential along Hillsborough Road.
- There are benefits if Trans Aqua can acquire some of this land to create a larger buffer zone they control between themselves and the Point Park neighbourhood.

Town staff are recommending that the Town purchase the land in question from the Province of New Brunswick and then subdivide the land and sell it to interested parties that have development interest/potential in that area of Town. After approving this purchase price, the Town would move quickly to subdivide the land in three parcels that can then be sold by the Town, hopefully all within this year.

**Staff's recommendation on November 25 was:**

1. For Town Council to approve the purchase of the former DTI land (PIDs 05023478, 05009949, 05009956) from the Province of New Brunswick for \$352,700 plus HST and authorize the Mayor and Town Clerk to sign all necessary documentation. (if this direction is provided in a closed meeting, this motion will need to be ratified at regular council meeting to finalize the process).
2. Proceed with subdividing the land into three parcels; and
3. Give direction to staff to complete the necessary purchase and sale agreements with the interested parties and bring those agreements forward to Council for approval when finalized.

The objective is to complete these transactions in the same fiscal year so proceeds from the sale to the three parties exceed the costs required to purchase and it will have a positive impact on the Town's financial position.

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**CONSIDERATIONS**

Legal: purchase and sale agreement would be required.

Financial: if done properly can be at no cost to the Town

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

Proposed purchase and sale of DTI land discussed with Council in closed session to receive direction to bring item forward to this public Council meeting. (previous discussions on May 27, 2023; February 2022)

Communication Plan: n/a

**RECOMMENDATION FROM STAFF**

To execute proposed recommendation above.