

MINUTES OF SUBDIVISION AND ROAD HEARINGS OF COUNCIL FOR THE RURAL MUNICIPALITY OF REYNOLDS HELD IN THE COUNCIL CHAMBER OF THE MUNICIPAL ADMINISTRATION OFFICE IN HADASHVILLE, MANITOBA ON SEPTEMBER 27TH, 2016

PRESENT: REEVE: David Turchyn
COUNCILLORS: Garry Gaetz (Ward 1)absent
Curtis Buley (Ward 2)
De-Ann Holmes (Ward 3)
Michael Turchyn (Ward 4)
Michael Huzel (Ward 5)
Rob Shendroski (Ward 6)
Alan Kelly (Ward 7)

CHIEF ADMINISTRATIVE OFFICER: Trudy Turchyn

The hearing was called in conformity with the requirements of the Section 125 of the Planning Act P80.

6:30 p.m.

SUBDIVISION AND ROAD CREATION HEARING

Paul and Audrey Conyette Subdivision File 4611-16-7296 Pt. River Lot 10-8-14E.

Reeve Turchyn advised of the hearing procedures and requirements of the hearing.

CAO announced the purpose for the hearing and advised on notices sent to: surrounding land owners within 100 meters of the property; Community and Regional Planning Branch; and posted on bulletin boards.

REEVE TURCHYN REQUESTED THAT ANYONE IN FAVOUR OF THE PROPOSAL TO PRESENT THEIR SUPPORT.

CAO read the subdivision report and recommendations from Community and Regional Planning Branch.

CAO read a letter of support from Doris Ames who wanted assurance that the river bank would be protected from clearing of trees and brush. She was also concerned about sewage and chemical contamination flowing into the Boggy River.

No other support was presented in favour of the subdivision and road creation.

REEVE TURCHYN REQUESTED THAT ANYONE OPPOSED TO THE PROPOSAL TO NOW PRESENT THEIR OBJECTIONS.

CAO read a letter from Laura Atkinson opposing the development based on: contaminants and waste, produced by the development, being carried by high water into the Boggy Creek; developing the swamp land will not appeal to investors and would have a negative impact on the ecosystem; and roads should not be created into lots but rather lots should be subdivided with frontage on existing roads.

CAO read a letter from Doug Vandersteen and Mavis Milroy opposing the development based on: the peace and enjoyment of their property would be disrupted; there would be unwanted noise, traffic and waste as well as displacement of wildlife. They did agree that a three lot subdivision would better suit the current development of the area.

Diane Kunec supplied a written submission and read it at the hearing, citing the following concerns: small lots not in harmony with existing pattern of development; development is too dense for area; development will result in more noise, traffic, litter and water pollution; the peaceful enjoyment of area properties will be destroyed; contamination of wells and possibly surface water by septic fields; removal of forest cover will increase runoff causing flooding of properties downstream; approximately 25% of forest and vegetation cover will be removed; non-native plants (weeds) will grow and diminish wildlife habitat; fences built perpendicular to the river will impede the movement of larger animals; all taxpayers would be paying for maintenance of the road to the development; costs to maintain a road in the swamp will be significant; increased heavy machinery and traffic will result in municipal roads having to be repaired by the RM; increased traffic will result in increased maintenance of roads; small increase in net municipal revenue will be insufficient to warrant disruptions to present residents.

Ms. Kunec would support the development on the following basis: reduce number of lots to three; lot owners to pay for ongoing maintenance costs of road; 30m setback requirement from all surface water; developer pay for all road repair and maintenance costs for municipal roads during construction of development roads and buildings; restrict lots to holding tanks only; developer provides proof of financing for infrastructure costs.

Ms. Kunec also provided pictures showing water on the subject property.

Bob Guse advised that he contacted the realtor who has the listing to sell the proposed lots. He had concerns about the written statements used in describing the property and about the realtor's comments that the subdivision has the green light from the municipality and only had to finalize the approval. The realtor advised that presale of lots is required so the Conyettes can use the money to finance construction of the road into the subdivision. Mr.

Guse advised that a road constructed through a swamp is very expensive.

Diane Kunec advised that they are concerned about the risk and questioned who would monitor the road construction. She also questioned how the developer and realtor will provide access to the proposed development without trespassing on the neighbours' properties.

Diane Kunec presented the CAO with a petition signed by the majority of people who live in the area, stating their opposition to the subdivision.

Gary Gusberti advised that he agrees with everything that has been said. He advised that he lived in St. Andrews where there is dense population and the septic tanks leak. He now lives on River Lot 8-8-14E which is saturated from all the rain this year. A septic field will not work in a swamp such as the proposed subdivision. He also wondered about what standards would be set for construction of houses in the development. He does not want to see a development such as Cedar Creek or the small lots across Boggy Road from his property. He would support a three lot subdivision on River lot 10-8-14E.

Harriet Yarmill advised that she was very concerned after hearing the realtor's description of the proposed lots. She does not want hunting or shooting towards the property she has partial ownership of, across Boggy Creek. She believes the developer should have attended the hearing to respond to questions.

David Young addressed the hearing to advise that the environmental assessment done by the Province of Manitoba failed to take into account the impact of the development on wildlife. The natural environment should be protected because it is rich in animal and plant life. The standard pattern of animal movement is east to west. The development is perpendicular to this natural pattern, therefore, serious consideration should be given to this pattern.

Councillor Buley asked what the lot in the corner of the diagram was. Diane Kunec explained that the lot was created in a subdivision approximately 3 years ago.

Kerri Ann Bryan advised that she agrees with the opposition to the subdivision.

Diane Kunec advised that during the draught in 2012 when the Birch River stopped flowing, the subject land still had water sitting on it. She also asked about notification of a decision and the appeal process.

CAO advised that once Council makes a decision, everyone who spoke at the hearing would be notified of the decision.

Janis Dicks from Community and Regional Planning Services, explained that once the municipal office notifies her of council's decision, she would issue a conditional approval or notify the developer that the proposed subdivision was denied. There will be 30 days from the date of the conditional approval/denial of approval, wherein the conditions can be appealed to the Municipal Board.

No other opposition was presented against the subdivision and road creation.

Reeve Turchyn advised that, since there was no other information in support or opposition at this hearing, that the hearing was closed.

Reeve David Turchyn

Trudy Turchyn
Chief Administrative Officer
(Subject to errors & omissions)