

**CALLING THE COUNCIL TO ORDER**

Mayor R. Murray Rinn called a special meeting of the Council of the Town of Carman for Thursday, September 2, 2004 at 7:00 p.m. in the Council Chambers of the Memorial Hall. All members of Council were informed of the meeting at the last regular meeting of Council and then by phone. Mayor Rinn called the meeting to order at 7:00 p.m. Also present were Councillors Al Boxshall, Ron McClain, Bob McKenzie, Ron Stanger, Jane Swanton, Ed Vandersluis; Chief Administrative Officer Cheryl Young. Also in attendance were David Boles (Community Planning Services), Crawford Jenkins (Adhoc Committee), Terry Dyck (Representing the Developer), Earl Laycock (Land Owner), Colleen Claggett-Woods, Fred Colvin and Allan Mryglod (Prairie Rose School Division), Linda Revel and Ernie Bart (Carman Community Pathway to Active Living), Stan and Jessie Heaman, Mary Voth, Judy Dalebozik, Keith Beaulieu, Stella and George Wiebe, Cindy Van Der Veen (Ross Place Residents) and Donna Vandersluis.

The purpose of the Special Meeting of Council was to meet with the citizens, community groups and developer to discuss the proposed Plan of Subdivision for the former W. Ross Laycock property located in the Town of Carman.

Mayor Rinn updated the group as to the stage of the Plan of Subdivision. The Developer has submitted the Plan of Subdivision to Community Planning Services and it has been circulated to the government agencies. Through this process issues have been identified and it was suggested that these should be addressed prior to proceeding with the subdivision approval process.

Issues that have been raised from the circulation of the subdivision application:

**Prairie Rose School Division -**

□ *Ensure there is adequate distance between north side of the school and the residential property to address safety and access issues. The north wall of Carman Collegiate is seven feet from the property line. The community pathway is approximately 30 feet from the building. A sufficient buffer zone between the school and the residential property/pathway to ensure the safety of the children, perform maintenance work or for emergency vehicles needs to be given.*

Fred Colvin reported that no progress has been made on the school division purchasing additional property to the north of the Collegiate. Terry Dyck advised that the lots in the subdivision could be reduced in depth to increase the area along the north side of the school. Terry felt an extra 20 feet could be made available for the school division to purchase and then leave the 10 feet for the community pathway. Fred Colvin reported that the School Division does not want the Community Pathway located on school property. It was reported to keep the pathway and tree buffer it would require 45 to 50 feet on the north side of the school, which was not a realistic request. The group felt that the 30 feet compromise would provide the added protection for the collegiate and provide a community pathway.

□ *Creation of a new street would increase traffic accessing and exiting PTH #3 and affect the southwest exit of Carman Collegiate. Highways Department has indicated that the exit from Carman Collegiate should be relocated to a ninety-degree angle connection with the proposed public street. The location, width and parking allowances of the proposed street are currently unknown, as is the question of whether sidewalks would be built. School Division would like to see a cross walk accessing 3<sup>rd</sup> Street SE should the new public street be approved. Although the current row of spruce trees immediately west of the Collegiate are on property owned by the Developer, it would create an excellent barrier between the two properties. It was suggested in the School Division's submission to Intergovernmental Affairs that the new street should be centered within the approximately 100 feet of available space thus facilitating the preservation of this row of trees.*

Fred Colvin reported that the proposed street joining with the collegiate driveway might provide an improvement to this area. Fred was concerned about the signage and the crosswalk on PTH #3 and advised that this needed to be a lighted corridor, however Manitoba Transportation has not made a decision on this matter. Council agreed that signage and a crosswalk could be provided by the Town on the walkway between the collegiate and 3rd Street SE across the proposed new street. Fred advised that the School Division is proposing a parking lot on the northwest corner of the collegiate property that would require

another entrance/exit on the north end of the property onto the new street. Fred advised that it is their intentions to still have only one-way traffic through the parking lot of the collegiate.

Terry Dyck advised that he has no problem with changing the location of the roadway, as was suggestion by the School Division.

Fred Colvin commented that if a sidewalk system were to run along the west side of the new street it would keep the pedestrian traffic away from the school buses. This would be very important to the School Division and would provide a higher level of safety for the students.

#### **Transportation and Government Services –**

- *The Department recommended that the applicant gain permission from the school to relocate their westernmost access from PTH 3 to a ninety-degree angle connection with the proposed public road.*
- *A requirement of approval is that the applicant must obtain a Highway Traffic Board permit for a change in land and access use for the proposed public road connection.*
- *The applicant states his intent is to develop further east into the RM of Dufferin. The Department suggests this proposal plan for a street connection from the eastern loop of the public road to connect to the residual lands to the east and into Dufferin.*
- *The Department may have traffic and drainage concerns with this proposal. Community Planning Services feels the issues concerning the need for a permit and drainage requirements will be addressed by their office at the conditional approval stage.*

The Department of Transportation and Government Services did not send representatives to the meeting, so these matters were not discussed at this time.

#### **Adhoc Committee representing Pathway & Ross Place**

- *The committee feels that the amount of green space proposed in the development is under the guidelines. Based on the number of lots in the plan (40) times 4 persons per lot (figure used by Community Planning Services) there should be 6400 sq. m. of dedicated green space. The developer shows only 2095 sq. m.*

Terry Dyck advised that he felt the amount of green space indicated on the plan was sufficient and followed the guidelines and the developer would likely exceed the recommendations in the next phases of the development. Crawford Jenkins disagreed and stated that it would be a disadvantage to the owners of property in Phase One if the green space were shortchanged. Dave Boles advised that it is Council's decision on the amount of green space or public reserve required in each subdivision and the total amount could not exceed 40 sq. m.

- *The committee would like to see plans for all phases of the development to determine how the proposed development would affect the pathway. It is becoming apparent that the Pathway, as we know it today and what we would like to see in the future, does not fit into the developer's plans. The committee is concerned that the Pathway and the esthetics of the area are in jeopardy if the Council does not take a firm stand to ensure that they are given due consideration in the planning and development process.*

Terry Dyck advised that the Developer is open to have the community pathway stay where it is and continue on private property. It will be necessary to deal with the Pathway and its location as each phase of the area is developed. Linda Revel stated that the group is appreciative that the community can continue to use the private property for a community pathway and that we all need to work together to ensure we have this asset for future years. Terry advised that Ron Hiebert feels that the pathway is good for his development.

Bob McKenzie advised that there are some tools available regarding green space and public reserve requirements that might aid in future phases (Public right to access along river and Planning Act requirements). Dave Boles also advised DFO regulations might apply to this area.

□ *To address the concerns of the Ross Place residents with regard to drainage, the committee suggests a 50-foot buffer between the existing Ross Place lots and the proposed development.*

Dave Boles advised that an engineer providing a drainage plan for the entire area should solve drainage concerns. Ron Stanger advised that the Town of Carman is currently dealing with a by-law that would require all building lots first provide a grading plan to have water runoff drain to the street. Mayor Rinn advised that the Town would want to ensure this area has proper drainage from the start and not have the Town of Carman inherit a problem later when the development is finished. He advised that the area might require a storm drain, however an engineer would provide a plan and recommendations for the development. Dave Boles advised that the requirement for a drainage plan would become part of a Development Agreement and the Development Agreement would become a condition of the subdivision approval. Mayor Rinn advised that he could not see asking the developer to donate an additional 50 feet of land if the drainage concern is handled through the engineer study and recommendations.

□ *The corridor of trees immediately north of and adjacent to the school property should remain. These trees would provide a natural boundary between the proposed lots and the school and would serve to enhance the value and attractiveness of those lots.*

Terry Dyck felt that there were a lot of the trees north of the collegiate that should be removed because of the condition of them. He stated that the developer proposes to build a fence along the south property line to provide a buffer between the residential lots and the community pathway.

**Town of Carman –**

□ *Under the Town of Carman Zoning By-law the area affected is within the AL Zone and will need to be rezoned to RS – Residential Single Family Zone to accommodate this application. It has been decided to proceed with this process and the Rezoning By-law will be given first reading on Thursday, September 9, 2004. The public hearing for this rezoning by-law will be held on Thursday, October 14, 2004 at 7:30 p.m.*

□ *Council needs to be confident that there is a forecasted demand for these 40 proposed lots. It might be more advantageous for both the developer and the municipality if the development were phased with respect to the associated service costs and property tax assessments.*

Terry Dyck advised that the developer might be interested in phasing this development in. He felt that the logical start would be to subdivide and service the north portion of the subdivision and start with the first 10 to 17 lots. Dave Boles advised that the Development Agreement could outline that the balance of the area would be developed in additional phases. There was a consensus at the meeting that this would provide the lots easiest serviced by the developer and give him the ability to concentrate construction in one area.

**Developer –**

□ *The applicant indicates the intention for a future development to extend into the RM of Dufferin. The applicant needs to explicitly identify the lot that will be set aside for the future road expansion into the RM of Dufferin. Given the 66-foot wide dimensions, Community Planning Services assumes this will be Lot 11. The selected lot should be transferred to the Town of Carman as a public reserve and later it can be closed and opened as a road to facilitate any future development into the RM of Dufferin.*

Terry Dyck advised that it was the intention of the developer to dedicate Lot 11 (the 66-foot lot) to the Town for the future roadway. This had always been the developer's intent and was missed on the circulated plan.

Mayor Rinn called for any other concerns and/or issues from the floor –

Linda Revel questioned whether the liability insurance through the Town of Carman would cover the pathway now that Mr. Ross Laycock has passed away. She also questioned whether it would cover anyone injured in the Rural Municipality of Dufferin portion of the pathway. Cheryl Young will contact the Insurance Company to get these questions answered.

Ernie Bart questioned why the developer would choose Lot 11 as the extension into the Rural Municipality of Dufferin portion of the development. Terry advised this was to maintain the pie shaped lots in the corners of the Carman subdivision portion. Ernie advised that he would like to see a topographical design to see if this was a good choice for the roadway. Ernie also questioned the demographics of the clients and whether there was a study completed to see if these lots are needed. Mayor Rinn advised that there is a very limited number of residential lots left in Carman and it is felt that more residential building lots are required.

Judy Dalebozik questioned whether the drainage plan or study would be made available to the residents of Ross Place to ensure their property is not hampered by the development. Mayor Rinn advised that once it is received, it could be reviewed at the Town of Carman office.

Dave Boles advised that the Plan of Subdivision would not need to be re-circulated. Any changes to the plan should be included as conditions when Council deals with the approval process of the plan of subdivision. This would include the proposed change to allow Prairie Rose School Division to purchase 20 feet of the property, phasing the subdivision, etc.

Mayor Rinn thanked everyone for participating in and attending the meeting this evening.

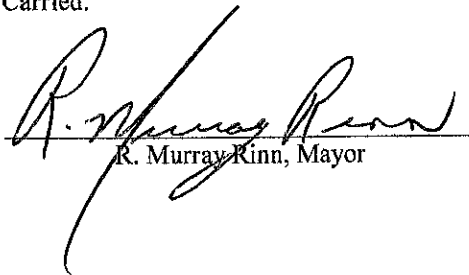
#### ADJOURNMENT

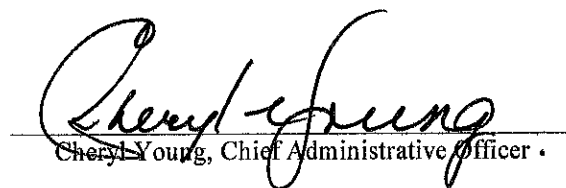
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A. Boxshall – R. McKenzie

RESOLVED the Council of the Town of Carman adjourns its special meeting of Council at 8:15 p.m.

Carried.

  
R. Murray Rinn, Mayor

  
Cheryl Young, Chief Administrative Officer