

One objection made against subdivision proposal

■ It is not Riverview's responsibility to get involved in what would be better handled by a judge, says economic development officer

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Creation of a major subdivision for Riverview — comprising 187 residential lots, 163 of which will accommodate single-family dwellings — recently moved a step closer to fruition.

The subdivision is being integrated with the Moncton Golf and Country Club in Riverview and developed by Clayton Developments Ltd. of Halifax. Most of the houses will be large, upscale homes with the remaining 24 units being set aside for townhouses.

The lots will be created on the 63-acre (25-hectare) property, which stretches from the southern tip of the 18-hole golf course to the planned location of the East-West corridor.

Riverview town council gave the project another nudge last Monday night by approving first and second reading of a

rezoning application from the developer. The latter is asking to have the property north of the Pinewood Road entrance to the subdivision rezoned to RM Residential Mix from PRI Parks, Recreational and Institutional.

The two readings immediately followed a public hearing in council chambers, which saw only one objection made against the rezoning. It was made by Riverview resident Ross MacCallum, who claims that the development interferes with the 1992 registered agreement he has with the golf club via his right-of-way through the property.

"Our right-of-way is the only connector between our (his and his wife Joan's) two parcels of property, the remnants of the original historic Moses Somers' farmland," he said. He said the construction of public streets and services intersecting at points along the right-of-way will diminish its range of uses.

"If council approves the application, it sends us the message that, in our case, it will tolerate unlawful behaviour of the corporate citizen exposing the rights of private citizens who have dutifully undertaken to protect their property rights," said MacCallum.

Mike Hanusiak of Halifax, senior vice-president of Clayton Developments Ltd., said in a telephone interview that he

made it "very clear" to MacCallum at the public hearing that there would be no houses located on his right-of-way. And the public streets will be constructed with the same respect for the Riverview residents' property rights, he said.

"He will be able to move back and forth across the route, the same as in the past," said Hanusiak. "We have no intention of impeding his ability to go from Point A to Point B.

"We have found rights-of-way on many, many properties, before" said the developer, "and we have always managed to work around them. We respect his (MacCallum's) position and if we can't work with it, we will work around it," he said.

Brenda Orchard, economic development officer for the Town of Riverview, said that some of the concerns expressed by MacCallum are not relevant to the rezoning and others are "civil matters" that would be best settled by a judge. "That is not the town council's responsibility," she said.

Orchard said the public hearing was held to get input regarding the developer's rezoning request. She said the town's role is simply to approve or reject a rezoning bid, not to favour one side or the other regarding a right-of-way question.