



**PUBLIC HEARING**  
**TO CONSIDER PROPOSED LOCAL IMPROVEMENTS -**  
**Devere Road (Pine Glen Road to Montgomery Avenue)**  
**Orin Drive**  
**Monday, March 11, 2019**  
**6:30 p.m.**  
**30 Honour House Court - Council Chambers**

Members Present: Mayor Ann Seamans  
Deputy Mayor Tammy Rampersaud  
Councillor John Coughlan  
Councillor Jeremy Thorne  
Councillor Cecile Cassista  
Councillor Andrew LeBlanc  
Deputy Mayor Tammy Rampersaud

Staff Present: C. Smith, CAO  
A. Crummey, Town Clerk  
D. Richard, Deputy Town Clerk  
M. Ouellet, Director of Engineering & Public Works  
S. Thomson, Director of Economic Development  
T. Finlay, Director of Human Resources  
G. Cole, Director of Parks, Recreation and Community Relations

Others: Kaitlyn Lacelle, Urban Planning  
Kevin Neatt, Director of Planning & Development, Clayton  
Developments

Regrets: Councillor Lana Hansen

**1. Call to Order Public Hearing - re Proposed Local Improvements**

Mayor Seamans opened the public hearing regarding the proposed local improvements at 6:30 p.m.

**2. Public Hearing Procedure and Guidelines (Town Clerk)**

The Town Clerk reviewed the guidelines for the public hearing.

The Town Clerk confirmed that as required in Part 12- Local Improvements of the new *Local Governance Act*, all property owners who will benefit from the improvements planned for Berkley Drive-Pine Glen to McAllister, Devere Road-Pine Glen to Montgomery, Orin Drive and Weir Drive were sent notices advising them of this Public Hearing and giving them the opportunity to submit a written objection by the deadline date of March 8, 2019.

The Town Clerk confirmed that in addition to this public hearing, an Open House was held on Tuesday, February 12, 2019 to discuss in more detail with the residents the work to be completed and the local improvement process. She noted that approximately 13 people attended.

The Town Clerk reported that one objection has been received from a resident of the Devere Road project and one from a resident of Orin Drive, both are attached to Council's agenda.

The Town Clerk stated that the Public Hearing is for Devere Road (Pine Glen to Montgomery) and Orin Drive only, as according to the *Local Government Act*, if no written objections are received a Public Hearing is not required.

**3. Review of written submission(s) on the Proposed Local Improvements - Town Clerk**

Mayor Seamans confirmed that two letters of objection had been received one pertaining to the proposed local improvement to Devere Road and the other from Orin Drive.

**4. Open up to Comments & Opinions from the Public**

Mayor Seamans called upon S. Welner who had submitted a letter of objections in connection with proposed local improvements on Devere Road.

S. Welner of 230 Cleveland Avenue confirmed with Mayor Seamans that she did not wish to speak at this time but that her letter be read aloud.

The Town Clerk read the written submission by S. Welner.

Mayor Seamans called upon Curtis Moase who had submitted a letter of objection to the proposed local improvement on Orin Drive.

Curtis Moase of 2 Orin Drive stated that the street was previously damaged by other construction projects which have taken place in the area for the past three or four summers. (Hillsborough Road and Hawkes Street). As result of the construction projects Orin Drive was used as a gravel pit. He indicated that he had contacted his Ward Councillor who visited the street but nothing resulted from it. C. Moase noted that there are only 2 houses on the street and 4 vehicles that use the street on a regular basis. He indicated that he owned his property since 2007 and no maintenance has been carried out since that time. C. Moase concluded by saying that he did not think the residents should be responsible to pay for the upgrade to the street for damage caused by construction projects in the area and a lack of maintenance.

M. Ouellet confirmed with Deputy Mayor Rampersaud that the undertaking of local improvement to streets within the Town of Riverview have been carried out since the 80s. He did confirm that the work which was carried out on Hawkes Street last year had used Orin as a temporary construction yard for materials. He indicated that he was not aware of extra work or extra cost to repair Orin Drive as a result of the work carried out on Hawkes Street.

M. Ouellet confirmed with Deputy Mayor Rampersaud that the proposed local improvement would be the same type of work to Orin regardless of other construction projects that took place in the area.

C. Moase confirmed with Councillor Cassista that he experienced flooding in 2007 which maxed out his insurance premium and has to pay some out of pocket expenses. That occurred when the whole lower part of the Town flooded. He also confirmed that he did not attend the open house although he had communicated with the department on numerous occasions. He also had his Ward Councillor visit the property.

C. Moase contends that the pavement was in good repair until the heavy equipment from the other construction projects used the street on a regular basis.

M. Ouellet stated that Orin Drive has been on the local improvements list since 2003 and was proposed for 2019.

M. Ouellet confirmed with Deputy Mayor Rampersaud that the street is ranked among the highest for local improvement of any street in the Town. He commented that the sanitary sewer is in disrepair and can no longer be relied

upon. There is also no storm sewer on this street. M. Ouellet commented that the local improvement proposed work will bring the street up to Town standards.

C. Moase noted that since he has resided on the street, he recalls only one water main break which as occurred last year.

M. Ouellet indicated that the index tells us that Orin Drive has had more breaks per km per year than many other streets. It was just a coincidence that local improvement was carried out on Hawkes Street last year.

C. Moase pointed out that the street is only 100 meters long.

Councillor Bennett noted that he would like staff to provide Council with the actual number of recorded waters breaks on Orin Drive.

S. Welner confirmed with Councillor Cassista that she has not experienced any flooding in her home and is only aware of one other instance of flooding by her neighbor, Jack Bell, which happened last November. She also confirmed that she was not in favour of a sidewalk on her side of the street.

Mayor Seamans advised that the Town's goal has been to repair all the streets that do not have curb and gutter and have been working toward since the 80s to accomplish this goal.

M. Ouellet confirmed with Mayor Seamans that the Town was experiencing a significant amount of cast iron pipe breaks and has actively been replacing them since 2006. The Town has been combining the water main renewal streets with the streets that have a poor Pavement Condition Index. He noted that every street in the Town was indexed in 2014 which resulted in the development of a list of streets in terms of priority. Typically the Town has undertaken 2-4 streets per year since 1980. In 2019 the Town is proposing 4 streets.

M. Ouellet confirmed with Councillor Bennett the rate being charged to the home owners is a consistent charge per meter of \$115. The residents of Orin Drive are not paying any more than other streets that have underwent local improvements in recent history.

M. Ouellet confirmed with Councillor Bennett that it would be possible to defer the street but there are many other streets anxiously awaiting local improvements.

M. Ouellet confirmed with Councillor Cassista that in 2014 the Town hired a consultant that evaluated the condition of the asphalt on every street. This was accomplished through the use of video cameras and sensors and each street was evaluated and ranked. He commented that the proposed local

improvement streets are being considered at range from 10-20 on a scale of 1 to 100. He noted that this means that these streets are well beyond patching and have reached the point where they need to be reconstructed. M. Ouellet noted that the plan now (being 5 years later) is to re-evaluate all the streets for comparative purposes and determine if the streets have deteriorated further.

M. Ouellet confirmed with Councillor Cassista that when a developer constructs a new subdivision the developer is responsible to construct a street up to the Town's Municipal standards. These costs are then built into the cost of the lot and essentially passing on the cost to the purchaser. The levy being charged to the home owner by the Town on a local improvement street is lower than the developer would charge on a new street. The Town is only charging the home owner a small portion of the over cost to reconstruct the street.

C Moase maintained that the use of the street as a gravel pit served to deteriorate his street.

C. Smith explained that the payment that is being charged to the home owner relates to the curb and gutter portion. The home owner is not paying for the condition of the pavement. C. Smith remarked that the local improvement cost to the home owner represents 10-14% of the entire cost of the project which will include sewer upgrades, installation of a storm sewer as well as curb and gutter (which will bring the street up to municipal standard).

C. Moase questioned why there is a need for curb and gutter on a street that has only 2 houses on it.

C. Smith explained that the Town is increasing the standard of the street to municipal specifications. While he appreciates that some people don't see the same value as others, Council has given direction to upgrade the streets throughout Riverview.

M. Ouellet indicated that the drawings for the street reconstruction are almost complete and confirmed that the Town will not be encroaching on private property to carry out this work.

Mayor Seamans inquired whether any other member of the audience wanted to speak.

Jack Bell indicated that he has resided at the corner of Devere Road and Downey Avenue for the past 39 years. He appreciates the points raised by C. Moase with respect to construction projects in other areas affecting your own street. He expressed concern over the short distance between the proposed sidewalk and his home which will be less than 2 feet! J. Bell pointed out that

there are 9 houses involved and the street is below grade. He is concerned about the possibility of flooding once the street is constructed. His home did experience flooding on one occasion.

M. Ouellet noted that the Town did consider the installation of a sidewalk on the north side of the street but it has since been removed from the plans. He indicated that the drawings are almost ready to share. He would have liked to touch base with those residents on Devere Road before tonight to let them know about the removal of the sidewalk but the timing just did not work.

M. Ouellet pointed out that these streets have been selected 12 - 14 years ago for improvements but they have only now come to the top of the priority list.

J. Bell was concerned as to how he was going to get over the curb once it was installed and also fate of the 13 Maple trees that have grown along the street.

Kevin Cairn resident at 229 Downey Avenue indicated that he lives on a corner lot. He had heard that Downey Avenue was going to receive local improvements in the future and was concerned that he would have to pay twice.

C. Smith noted that as per the legislation it defines how a corner lot is calculated. He explained that the calculations are based on the diagonal. He pointed out that the Town has consistently applied the formula for corner lots since the local improvements began.

K. Cairn confirmed with Councillor Cassista that he is ok with the curb and gutter but he is worried about the baby barn and fence that may be encroaching on Town property. He wondered who pays to move it if that should be the case.

M. Ouellet indicated that if Mr. Cairn did not receive a letter this winter regarding an encroachment on the right of way then he did not have to worry. All residents who were encroaching would have received notification.

Mayor Seamans confirmed that there were no further comments.

## **5. Conclude Public Hearing**

Mayor Seamans declared the public hearing to be concluded at 7:14 p.m.