

Submission to the Statutory Review Committee on Access to Information and Protection of Privacy

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An e-mail from Peter Shapter to the ATIPPA Review Committee

Re: municipalities and freedom of info

There was a case in Chamberlains some years ago concerning the completion of a subdivision - probably the "Stratton Place" affair? The neighbours who bordered on the land to be developed woke one morning to find excavators at their back fence operating under Council permit.

Not to mention this surprise [*sic*] and disruption, a little investigation showed that there were suspected survey "errors". The ward councillor at the time, Mr. Davis - now (Provincial) Minister Davis - made a resolution to the council suggesting that in the future for residents who were directly adjacent (as to the public in general) to a development be advised of such by letter. The resolution was defeated.

Fair enough. In a free capitalistic society, private corporations have the perfect right to not only do legitamate [*sic*] business but to profit as lucratively [*sic*] as they can as long as no laws are broken and taxes and fees paid. Land assemblers are not a regulated occupation and have to "fly below the radar", buy low consolidate, sell high. Privacy is essential.

Maybe corporate rights equal citizen rights in Canada, but they certainly do not exceed citizens' rights. In a town where only a 9 cm (width of a fence post) error lead to a partial demolition and reconstruction (\$25,000) of a new \$400,000 house surely excavators nudging fence posts constitutes trespass(??) permit or no permit.

Another case, the developer did not register a parcel of land in the assembly for six years. The land was not used, fences not repaired, yet suddenly the title was pristine! Another property nearby now being developed is still shrouded in mystery. A copy of the permit and combination survey/sketch - complete with errors - is given to any who pay \$5 and apply but no names! It was alleged that the now "owners" had a "rental agreement" for fifteen years even though the administrator of the estate was deceased at the time. Now they with a bank "invested" in a house and land that they do not visibly repair and only aggravate and annoy neighbours. It appears that this family was once a large farming family from an adjacent [*sic*] town whose meadows were purchased by two prominent developers. Is it such a stretch that this land is about to be flipped, and the sometimes intimidating behaviour to the neighbours devalues adjacent land and makes the people want to sell below market value, just for peace and quiet. Not unusual in a community that quiet, friendly and peaceful until Hibernia was discovered AND water and sewer installed circa 1980!

Big difference between "Land Development" and Homesteaders versus "Land pirates" and "puppet owners". Does any "public body" have any right to protect and condone this activity, especially when such a "public body" is merely a "creature of statute" or "municipal institution" (BNA Act sec 92 a?).

It is not always a matter of "...does the Government have a right to withhold essential information...", but by blacking out info they become a party to the development fiasco?

E. Peter Shapter