

Public Involvement Summary

As per the terms of Item #2 of the TRC Comments received on December 22, 2016 and Section 6 and Appendix C of *A Guide to Environmental Impact Assessment in New Brunswick*, Horizon Management Ltd. (the Company) conducted the following public involvement process.

- On March 7 & 8, 2016, the company held an Open House for the project in association with the application for PAC re-zoning approval. (summary attached)
- On April 21, 2017, the company sent out a letter (attached) describing the proposed project and the EIA process to:
 - Neighbours on property adjoining the proposed development site (27)
 - Respondents to the PAC Process(5)
 - Several attendees to the Open House on March 7 & 8, 2016 (14)
 - Local Provincial and Municipal Officials (MLA's and Mayor) (4)
- On April 22, 2017 the Company placed a public notice in the newspaper (Telegraph Journal) (attached)
- On April 24, 2017 the Company delivered the registration document to two locations local to the project area, the SJ Regional Office for NBDELG and the Saint John Library, Market Square for public viewing
- By May 19, 2017, the Company had received 8 responses from the list above.
- On June 13, 2017, the Company contacted the 8 respondents with an offer to meet each of them face-to-face to discuss and, if possible, alleviate their concerns.
- Three respondents accepted the face-to-face offer and we met with them June 15 – 27, 2017.
- Responded in writing to the 8 respondents with the Public Involvement Summary and the response to their specific comments / questions, September 19, 2017 (attached)

Ashburn Road – The Crossing

Open House – March 7 & 8, 2016 (4pm to 7pm)

Attendance:

Over the 2 evenings attendance was estimated to be around 100 people (50 to 75 On Tuesday, 35 to 50 on Wednesday) including the following individuals who identified themselves:

- [REDACTED] interested citizens
- Phil Childs – Sea Pro GM
- Phil Comeau – Council candidate
- Mike Cooper – owner Alpine Motors
- CBC TV – Mathew Bingley
- CHSJ Radio
- Gordon Dalzell – community activist
- Erik Falkjar – PAC Chair
- [REDACTED] - interested citizen
- [REDACTED] - interested citizens
- Anne McShane – PAC member
- [REDACTED] - interested business person
- Derek Mitchell – PAC member
- Chris Nason – Saint John Astronomy Club
- Phil Ouellette – City staff
- [REDACTED] – relative
- Mark Reade – City staff
- Shelly Rinehart – Deputy Mayor
- [REDACTED] – interested business person
- Roberta Stafford – Glen Falls Association
- Rick Steven – PAC member
- [REDACTED] – immediate neighbors
- Neighbors – [REDACTED]

Some of the comments received:

- Over 90% in favor of project, great project, get started now, city needs the economic boost
- Developer has great track record with East Point
- Why are other malls complaining
- Where exactly is project located
- How will flood risk or impact on area to be managed
- What impact on traffic
- Immediate neighbors concerned re flooding, blasting and disruption of life style
- Do we need another commercial node in City
- Turn off the East Point sky tracker lights
- Why include housing when infill locations already available in city, particularly downtown

Public Notice Letter:

Horizon Management Ltd
Ashburn Place, 479 Rothesay Avenue, PO Box 1289
Saint John, NB
E2L 4G7

April 21, 2017

Re: EIA Registration – “The Crossing” Ashburn Road Development

As a person who may be interested in “The Crossing” Ashburn Road Development, Horizon Management Ltd. would like to update you on the project. The project is currently registered for review with the Department of Environment and Local Government under the “Environmental Impact Assessment Regulation, Clean Environment Act”.

The purpose of the proposed undertaking is to initiate a mixed-use commercial and residential development, including, but not limited to, highway services; food and hospitality; business and commercial; retail; residential and recreation and green space. The project would be located on a green field site on the east side of Saint John, New Brunswick. The property is bound on the east side by Highway 1; the Ashburn Road would intersect the developed site on the west side as seen in the attached site plan.

The EIA registration document can be examined at Saint John Public Library, Market Square, Saint John, NB; the Department of the Environment and Local Government Saint John Regional Office at 8 Castle Street, Saint John, NB, and at the Department of the Environment and Local Government, Sustainable Development, Planning and Impact Evaluation Branch, 3rd floor, 20 McGloin Street, Fredericton, NB.

Any comments should be submitted on or before May 19, 2017 directly to the proponent at:

Public Comments
Horizon Management Ltd.
Ashburn Place
PO Box 1289
Saint John, New Brunswick
E2L 4G7

Or info@horizonmgt.ca

Additional information about the proposal and the public involvement process is available at: <http://www.gnb.ca/0009/0377/0002/index-e.asp>

Yours truly,

John Wheatley

Horizon Management Ltd.

Recipients of Public Notice letter (sent by mail)

MLA's

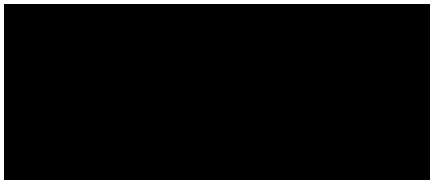
- Glen Savoie,
MLA, Saint John East
2075 Loch Lomond Rd
Saint John, NB E2N 1A1
- Trevor Holder,
MLA, Portland, Simonds
229 Churchill Blvd
Saint John, NB E2K 3E2
- Ted Flemming,
MLA, Rothesay
70 Hampton Road
Rothesay, NB E2E 5L5

Mayor

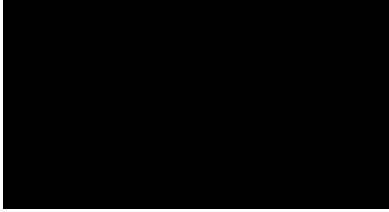
- Don Darling,
Mayor, Saint John
15 Market Square
Saint John, NB
E2L 4L1

Respondents to PAC

1. Paul Moore,
Vice President, Commercial Properties Limited
400 - 58 King St
Saint John, NB
E2L 1G4
2. Sandy Robertson,
CEO, Canada Water Supply
409 Woodward Ave,
Saint John, NB
E2K 4N1



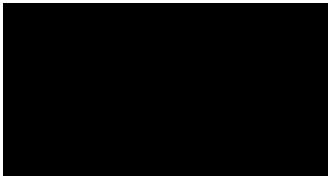
4.



Attendees at Open House

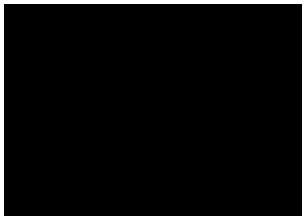
1. Mike Cooper, Alpine Motors

2.

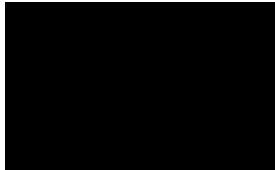


3. Curt Nason, President
Saint John Astronomy Club
nasonc@nbnet.nb.ca

4.

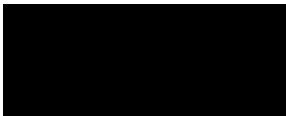


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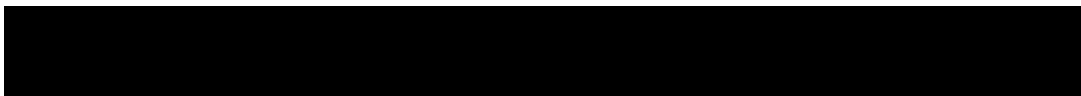


6. Phil Childs, Sea Pro GM

7. Gordon Dalzell



8.



9. [REDACTED]

10. [REDACTED]

11. Graeme Stewart-Robertson
ACAP Saint John
139 Prince Edward Street, Suite 323
Saint John, New Brunswick
E2L 3S3

Neighbors

Ashburn Road

- Loyalist City Towing, 341 Ashburn Road, Saint John, NB E2L 3V9
- [REDACTED]
- Ernie's Home Improvement Ltd., 380 Ashburn Road, Saint John, NB E2K5B2
- Alpine Motors, 450 Ashburn Road, Saint John, NB E2K 5K7
- LIUNA, 895 Ashburn Road, Saint John, NB E2K5J9
- Seamaster Services, 901 Ashburn Road, Saint John, NB E2K5J9
- Hatfield Properties Ltd., 935 Ashburn Road, Saint John, NB E2L 3V1

Foster Thurston Drive

- Maritime Rescue & Medical Inc, 7 Foster Thurston Drive, Saint John, NB E2K 5J4
- Tirecraft, 17 Foster Thurston Drive, Saint John, NB E2K 5J4
- [REDACTED]
- [REDACTED]

Rothesay Road

- [REDACTED]
- [REDACTED]

Fulton Lane

- [REDACTED]
- [REDACTED]

Jones Drive

- [REDACTED]
- J&LA Enterprises, 35 Jones Drive, Saint John, NB E2K5J6
- [REDACTED]
- Bayview Credit Union Limited, 60 Jones Drive, Saint John, NB E2K5J7
- [REDACTED]
- [REDACTED]
- [REDACTED]

Hunters Cove Road

- [REDACTED]

Stagecoach Drive

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

NOTICE

**Registration of Undertaking
Environmental Impact Assessment Regulation
Clean Environment Act
Opportunity For Public Comment**

On November 22, 2016, Horizon Management Ltd. registered the following project with the Department of the Environment and Local Government in accordance with Section 5(1) and Schedule "A" of the Environmental Impact Assessment Regulation: "The Crossing" Ashburn Road Development Saint John, New Brunswick.

The purpose of the proposed undertaking is to initiate a mixed-use commercial and residential development, including, but not limited to, highway services; food and hospitality; business and commercial; retail; residential and recreation and green space. The project would be located on a green field site on the east side of Saint John, New Brunswick. The property is bound on the east side by Highway 1; the Ashburn Road would intersect the developed site on the west side.

The EIA registration document can be examined at Saint John Public Library, Market Square, Saint John, NB; the Department of the Environment and Local Government Saint John Regional Office at 8 Castle Street, Saint John, NB, and at the Department of the Environment and Local Government, Sustainable Development, Planning and Impact Evaluation Branch, 3rd floor, 20 McGloin Street, Fredericton, NB

Any comments should be submitted on or before May 19, 2017 directly to the proponent at:

Public Comments
Horizon Management Ltd.
Ashburn Place
PO Box 1289
Saint John, New Brunswick
E2L 4G7
Or info@horizonmgt.ca

Additional information about the proposal and the public involvement process is available at: <http://www.gnb.ca/0009/0377/0002/index-e.asp>

Notice Placed by: Horizon Management Ltd.

Telegraph Journal Notice
22 April 2017

Horizon Management Ltd
Ashburn Place, 479 Rothesay Avenue, PO Box 1289
Saint John, NB
E2L 4G7

September 19, 2017

Re: EIA Registration – “The Crossing” Ashburn Road Development

This is an update to our previous communications with you on this project following your response to our call for public input. Our Environmental Impact Assessment (EIA) process for this project is progressing as we complete the various technical and environmental studies to provide required information to the EIA's Technical Review Committee. These studies are nearing completion and will be uploaded to the New Brunswick Department of Environment and Local Government (NBDELG) website shortly as we formally respond to the questions raised by the Technical Review Committee.

An important part of the Public Involvement portion of the EIA process was the public advertising and the mail out that was sent to you and many others in April 2017 soliciting comment.

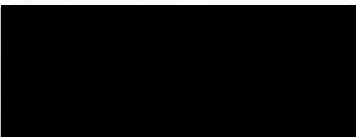
The next step in the public involvement process is for us to submit a Summary of the Public Involvement process to the NBDELG. This summary is independent of the Technical Review Committee's work and therefore not public. However, as one of the people who submitted a written comment, we have attached, for your information, a copy of the summary, including the specific response to your comments.

We thank you for your continued interest in this proposed development.

Yours truly,

Horizon Management Ltd.

John Wheatley



May 26, 2017

Horizon Management Limited
479 Rothesay Avenue
PO Box 1289
Saint John, NB
E2I 4G7

Attention: Mr. John Wheatley, Business Development

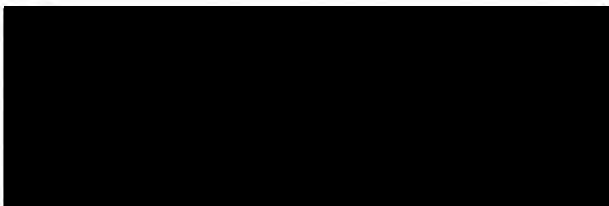
Dear Mr. Wheatley:

Thank you for the opportunity to submit my comments and questions regarding the EIA Registration for the proposed Ashburn Road Development, The Crossing. I request that my concerns be responded to and my questions fully answered.

Thank you also for granting me an extension to the comment period. I'm sincerely grateful for the opportunity to comment on the potential impacts this extensive development could create and to ask questions.

I look forward to having my comments responded to and my questions answered in a timely manner.

Yours truly,



From reading the EIA Registered Document (November 2016) and the four studies, the Preliminary Watercourse and Wetlands Assessment (July 2005), the Geotechnical Investigation (July 2005), the Rare Plant Survey (September 2016), and the Hydrology and Hydraulics Report (March 2008), concerns have arisen for me in many areas. To reduce the comments and questions to a manageable size, I've chosen to focus on five areas.

- A. Flood risk
- B. The risk of water pollution
- B. Relevance of data collected 8 to 12 years ago to the size and scope of the project in 2016
- C. Satisfaction of EIA regulations and Common Council's five conditions before construction begins
- D. Claims of economic benefits to Saint John that are unsupported by evidence

Size of Parcel Studied

A 49 hectare parcel of land with a 60,000 square meter commercial development is the proposed size of the development in the EIA Registered Document, dated November, 2016. (EIA, p. 9) The parcel of land investigated in the Watercourse and Wetland study, completed in 2005, Appendix 2, is approximately 32 hectares. The scope of the Hydrology and Hydraulics Report, 2008, Appendix 4, is a 41 hectare parcel of land with 49,500 square meters of commercial development. Since the parcel of land and size of development proposed in 2016 is significantly larger than it was 8 and 12 years ago, the data from those studies may not be able to address the multiple impacts the development in its present size could have, and the conclusions these studies present may need to be revised in the light of more up-to-date data.

- What plans has the proponent made to conduct up-to-date studies that based on the present size proposed for the development?

Proposed Beginning of Construction

In the EIA Registration document, the proponent projects construction to begin in the Spring of 2016. This would include putting in the main access road, realigning the drainage ditch from Highway 1, and straightening Little Marsh Creek by removing its meander. (EIA p.10-13)

However, on April 18, 2016, Saint John Common Council set out five conditions that had to be satisfied before any portion of the site could be developed: a Traffic Impact Study, Site Servicing Study, Stormwater Management Study, the issuing of a Certificate of Determination by the province, and detailed development plans including typical building floor plans and building elevations. (EIA p. 17-18)

- While the Hydrology and Hydraulics Report (2008) may satisfy the requirement for a Stormwater Management Study, the data is nearly 9 years old. The rainfall maximum for a 1 in 100 year storm is assumed to be 163 mm based on historical data to 2005. (Appendix 4, p. 4) This maximum may have to be revised in the light of data from more recent severe precipitation events.

- What plans has the proponent made to conduct Watercourse and Hydrology Studies based on a maximum that includes current rainfall intensities and frequencies?

- Please provide a list of documents proving that the other four conditions have been satisfied before construction begins, including the records and dates of Common Council's approval of each of the above conditions, and information for where the public can access these documents.

- On what grounds can the proponent apply to begin construction in the Spring of 2017 without providing proof that all five conditions required by Common Council have been satisfied?

Potential Effects on Wetlands

"A 10.6 hectare Regulated Wetland occupies a portion of the southern part of the site. (See Figure 4)

"Portions of this wetland will be affected as part of the final development." (EIA p. 14)

"In later years of this development, some development within the Regulated Wetland is likely to occur. Mitigation to this possibility is described in Section 5. Figure 6 shows where that development might take place." (EIA p.15)

The EIA document states that "when the development does approach the Regulated Wetland, much of that area will become the linear Urban Wetland and Naturalized Storm Water Pond, all of which will have minimal or positive impact to the existing site. *At that time, a calculation of the required Compensatory Mitigation based on agreed upon ratios can be made.*" (italics mine) EIA p. 17

However, EIA Regulations require the inclusion of "a compensation plan.....that may involve the restoration or creation of *two to four times the amount of wetland that has been impacted* by the proposed project." (italics mine) (Appendix 1, p. 5)

This EIA application has been submitted *without stating the number of hectares* the proponent plans to provide as compensation for the lost wetlands. EIA regulations call for a compensation plan, not a statement that compensation ratios can be calculated in the undetermined future. The EIA Registration has been submitted without fulfilling this requirement.

Figure 6 in the EIA Registration shows that much of the 10.6 hectares of Regulated Wetland may eventually be built on. If the proponent doesn't yet know how much of the wetland will be developed because the land will be sold off in lots, the proponent could take 10.6 hectares as the figure on which to calculate compensation ratios. Two times 10.6 hectares is 21.2 hectares, and four times the area is 42.4 hectares. The 17.3 hectare parcel of land proposed as mitigation doesn't amount to even twice the area of wetland developed.

- Given that projection, what plans has the proponent made to restore or create wetland of two to four times the 10.6 hectares potentially impacted by the development as required by EIA Regulations? (Appendix, p. 5)

Construction near a Watercourse

In order to work within 30 metres of a watercourse or alter the channel corridor, a Watercourse and Wetlands Alteration Permit (WWAP) is required under the Clean Water Act. "Existing and new hydraulic/geomorphic features of the watercourse including bed material analysis, scaled drawings, plan, profile and cross-sectional views must accompany the WWAP application package." (Appendix 1, p.5)

- Has a WWAP application package been submitted? When is it dated? Where and how can it be accessed?

Again, the Preliminary Watercourse and Wetland Study is dated 2005 and the Hydraulics and Hydrology Report dated 2008. The watercourse, creek channel and surrounding wetlands may well have been changed during the intervening 8 to 12 years which have brought more severe storms and heavier precipitation more often due to climate change.

- What plans does the proponent have to submit a WWAP with a current study that takes the increasing frequency and intensity of severe weather events into account rather than relying on data generated by parameters relevant 8 to 12 years ago?

Flood Mitigation

The Crossing would be located in a flood-prone area that frequently floods during storms and heavy precipitation events. The Hydrology Report acknowledges that flooding already occurs in areas in and near The Crossing property. (Appendix 4, p.8) Even if the proponent creates or restores wetlands that are twice to four times the 10.6 hectares of regulated wetland lost to development, troubling questions remain.

38 acres, or 5.4 hectares, of land with wetland characteristics

This area is located at the north end of the Ashburn property and is described in the Preliminary Watercourse and Wetlands study as having wetland characteristics. The study adds that this area would need to be delineated by a certified wetlands technician recognized by the province of New Brunswick to determine its exact character. (Appendix 1, p. 4) This is the area where the proponent plans to construct the main access road, realign the drainage ditch and straighten the creek.

-What plans has the proponent made for this area to be delineated by a certified wetland technician before the above construction begins?

Because this 38-acre area has not been classified as a Regulated Wetland, there is no legal requirement for the compensation and mitigation that exists for the 10.6 hectares of Regulated Wetland. However, the area still performs the same water-absorbing functions whether or not it has Regulated Wetland status. The 17.3 hectare property is already too

small under EIA regulations to compensate for the loss of the water-absorbing services provided by the 10.6 hectare Regulated Wetland without adding 15.4 hectares of land with wetland characteristics. Even if not required by law, best practices demand that this additional water storage loss be included in the wetland restoration plan.

- What plans has the proponent made to restore or create wetland of two to four times the capacity provided by a total of 26 hectares with wetland characteristics?

Flood Risk and Mitigation

Even with this land now undeveloped, more frequent storms and severe precipitation events often result in flooding of the underpass connecting Rothesay Avenue to Highway 100, stretches of Rothesay Avenue running parallel to the eastern boundary of the Ashburn property, the Glen Falls residential area, and the stretch of McAllister Drive running east past Exhibition Park to the intersection of Major Brooks Drive.

To add to the problem, precipitation will produce significant runoff from the vast expanse of paved streets and parking lots within the Crossing as shown in Figure 1, for which the proponent has provided no area estimates. The green spaces running along Rothesay Avenue, the realigned drainage ditch and straightened creek channel are narrow. The creek's loop will have been filled in and its filtering and absorbing capacity lost. The proposed green space at the south end of the property increasingly will be lost to development. The 17.3 parcel proposed as an Urban Wetland and the City-owned parcel east of Highway 1 and south of Strescon (no area provided) are too far south of the development to provide flood mitigation for the development and immediate area. They seem to be mainly effective in preventing flooding in the Russell Avenue and Crown Street area of the city. (Appendix 4, p. 8)

- What plans has the proponent made to prevent flooding of the immediate neighbours of The Crossing, among them the Rothesay Road Exit, the Rothesay Avenue businesses parallel to the Crossing, Glen Falls and the intersection of Mcallister Drive and Rothesay Avenue?

Another concern is potential flooding of the rail yard. The spectre of the rail bed undermined by flooding and the risk of derailment is terrifying to contemplate due to the hundreds of rail cars containing flammable, corrosive and hazardous materials daily passing through.

- What plans has the proponent made to prevent flooding of the railway tracks and the rail yard?

Figure 6 of the EIA Registered Document shows a narrow green belt parallel to Rothesay Avenue, trees aligning the highway drainage ditch, narrow green spaces along parts of the straightened channel of Little Marsh Creek, some remaining green space in the Regulated Wetland to the south, and a large green area to the north of what looks like apartment buildings located on the west side of Ashburn Road at Jones Drive.

- How many hectares are these green spaces?

- What are the characteristics, wetland or otherwise, of these green spaces? Will they compensate for the lost wetlands?
- What plans does the proponent have to leave or restore the natural wetland environment and vegetation in these green spaces instead of planting with shade trees and vegetation not found in wetlands?
- Has the proponent considered redesigning the development to respect the natural characteristics of the area by situating the buildings and streets around the existing creek channel instead of straightening it and reducing its water-absorbing and particulate-filtering capacity?
- What plans does the proponent have to surface the streets and parking lots with water-permeable materials instead of impermeable asphalt to reduce runoff and filter out much of the particulate matter and petroleum products polluting runoff water which is otherwise going to flow into and pollute Little Marsh Creek and the restored Marsh Creek watershed?
- Where will the additional compensatory wetlands be located that are required to fulfil the EIA requirement for two to four times the wetland lost? (Appendix 1, p. 4)
- If the compensatory wetlands are not located near or in the development, then how will they replace the water absorption previously provided by the lost wetland in The Crossing?
- How many hectares will these compensatory wetlands comprise?

Weather Data

Risk of flooding from extreme rainfall uses projections is based on a 1 in 100 year rainfall amount of 163 mm in 24 hours for a 1:100 year storm event. This amount was calculated using records of historic storms held by Atmospheric Environment Service. (Appendix 4, p. 5)

Since the Hydrological Study was done in 2008, extreme rainfall events have occurred more frequently. 1:100 year storms, such as Hurricane Arthur, with rainfalls frequently in excess of 100 mm are occurring more often. Driven by climate change, all indications are that this pattern is likely to continue and worsen.

- What plans does the proponent have to conduct a current study that includes data from severe weather events up to and including the present?

Both lands proposed for potential storm water storage, the Lower Marsh Creek Parcel and the City of Saint John lands are both located south of The Crossing. (Appendix 4, p.2) While these sites could be refurbished to retain 525,000 m³ of storm water flowing down from The Crossing and surrounding area, such storage areas seem to be measures to prevent flooding of the Russell Avenue, Thorne Avenue and lower Crown Street areas from floodwaters draining out of the Crossing and its neighbours. They would not prevent flooding of the

Rothesay Road exit, the businesses along Rothesay Avenue, Glen Falls and Rothesay Avenue at McAllister Drive.

- What measures has the proponent put in place within The Crossing itself to store floodwaters that will compensate for the loss of water absorption and filtration capacity of two to four times the 10.6-hectare Regulated Wetland?

- What measures has the proponent put in place within The Crossing itself to store floodwaters that will compensate for the loss of water absorption and filtration capacity of the 15.4 hectares of land with wetland characteristics slated for immediate development?

Removing 356,000 m³ of soil in the Lower Marsh Creek Parcel to create a manmade wetland with 400,000 m³ of water storage could be very expensive. Since this site is a former industrial site, the soil may be contaminated, requiring both removal and treatment. This would increase the expense, (Appendix 4, p.2)

- If the Lower Marsh Creek Parcel and the Marsh Creek City Lands are refurbished to provide storm water storage, who will pay for this work, the taxpayers of Saint John or the proponent?

EIA Document, Section ix. Future Modifications, Extensions, or Abandonment

The Watercourse and Wetlands report states that future modifications, extensions and abandonment options must be addressed *before* the EIA proposed document is registered. (Italics mine) (Appendix 1, p.5)

In the EIA Registration document, the proponent states that any future modification, extension, abandonment, demolition or rehabilitation beyond to scope of this registration *will be discussed with the Department* (Italics mine) (EIA p. 13).

The EIA Registration document doesn't include any plans to satisfy the above requirement.

- On what grounds can the proponent begin construction in the Spring of 2017 before satisfying this EIA requirement?

Fish in Little Marsh Creek

Electrofishing carried out on the site by TAP in June 2005 found only one white sucker (*Catostomus commersoni*), three Sea Lamprey (*Petromyzon marinus*) and hundreds of Three-spine stickleback (*Gasterosteus aculeatus*), all species with no commercial value. No salmon species were found. (EIA p. 14) (Appendix 1, p. 4 -5)

Again, this study was conducted before the restoration of the Marsh Creek Watershed led by ACAP Saint John. As a result of the restoration, fish species could be returning and new species could be entering the watershed, including Little Marsh Creek. However, no data from after the restoration is provided in this EIA registration.

-Rather than basing the EIA Registration on 12-year-old data, what plans does the proponent have to conduct a study at the present time to determine current species and their numbers in Little Marsh Creek following the watershed restoration?

Duty to consult re traditional uses of land

Discussion were initiated with the NB Aboriginal Affairs Secretariat with respect to Duty to Consult responsibilities, however, to avoid duplication of effort, it was felt that based on the nature of this project, Duty to Consult would best be covered as part of the EIA process. (EIA, p. 15)

The requirement for historical land use was to be satisfied before the EIA registration was done. If the Duty to Consult is to be covered as part of the EIA process and not prior to EIA registration, then this registration has not satisfied the requirement that it be done prior to registration.

- On what grounds can this EIA application be accepted when this requirement wasn't satisfied?

Economic Benefits Claimed

The proponent claims that The Crossing will make it possible for visitors to obtain information about Greater Saint John and amenities, and will thus motivate visitors to enter the city and access its attractions and services. (EIA document, p.5)

Given that this development is projected to contain commercial enterprises including but not limited to gas stations, restaurants, convenience stores, recreational facilities, and perhaps some apartment buildings, it has the character of centres such as the Big Stops in Salisbury and Aulac. From my own experience and behaviour, I have observed that motorists continue on down the highway after refuelling, eating, using the washrooms, and making a few purchases. The need to enter the city for these services has been removed.

- What evidence can the proponent provide that The Crossing will not just be another centre that motivates visitors to drive past Saint John rather than visit it?

- What evidence of economic spinoffs for the City additional to more property tax for Saint John will result from this development?

Saint John is already overburdened with infrastructure spread across nearly 300 square kilometres for only around 60,000 people. With The Crossing, the City will have to provide signage, street lighting, water and sewerage, snow ploughing and sanding, and bus service if The Crossing is to be accessible to people who don't own cars.

- What evidence can the proponent provide that property taxes from the enterprises and residences in the Crossing will cover and even exceed increased infrastructure expenses?

Conclusion:

From reading the EIA document and appendices, my conclusion is there are too many requirements that haven't been met, and too many questions remaining about flood risk, risk of water pollution, the relevance of data collected 8 to 12 years ago to the size and scope of the project in 2016, the EIA regulations and Common Council's five conditions that haven't yet been fully satisfied, and the lack of evidence to support the economic benefits for the City that the proponent claims this project will bring. Add to these concerns the unsustainable nature of a car-dependent development that increases rather than lessens the need to drive, and the picture emerges of a project out of step with today's needs for sustainable development that reduces our carbon footprint and preserves rather than destroys wetland and the valuable water absorption and filtration services they provide.

Therefore, construction should not proceed until all environmental and municipal requirements are satisfied and a comprehensive review completed.

From: [REDACTED]
Date: May 10, 2017 at 4:35:18 PM ADT
To: "info@horizonmgt.ca" <info@horizonmgt.ca>
Cc: "elg/egl-info@gnb.ca" <elg/egl-info@gnb.ca>
Subject: The Crossings environmental assessment

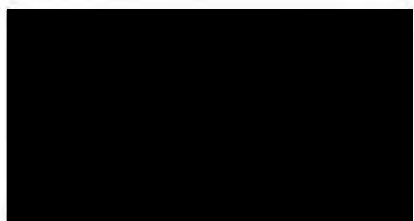
Good afternoon,

1. I'm forwarding a recent article in Maclean's for your consideration. <http://www.macleans.ca/news/canada/its-time-we-stopped-paying-for-your-river-view/>
2. I'm wondering if you could tell me why you are soliciting responses regarding the environmental assessment of the proposed Crossings development rather than informing interested parties that they should direct their concerns to the Department of the Environment and Local Government.

Sincerely

[REDACTED]

[REDACTED]



17 May 2017

Dear Mr Wheatley,

Horizon Management Ltd

Ashburn Place PO Box 1289

479 Rothesay Avenue

Saint John, NB E2L 4G7

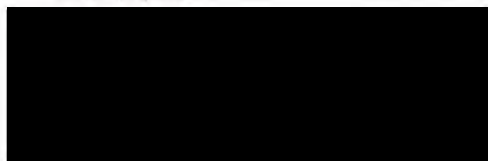
Thank you for your note of April 21, 2017.

I am puzzled, however, that such a notification would not have come from the City of Saint John. It should not be coming from the promoter of this particular development.

I believe that a comprehensive environmental assessment carried out by professionals retained and supervised by the province should be conducting these studies and not developers who stand to benefit from the project being promoted.

All of the objections that I raised last year (see letter of April 2016 attached below) still remain.

Thank you,



Cc Mayor and Council of the City of Saint John

1 April 2016

Dear Mayor Norton and Members of Council,

Attached is a letter concerning the Application from Horizon Development Ltd regarding its proposal to develop THE CROSSING, as a commercial corridor, residential area and green space.

I attended the developer's presentation to the PAC on March 15, 2016. At that meeting three people spoke in opposition to the proposal. Two of these, [REDACTED] sent written comments to you and the Common Council. Their detailed analyses of the difficulties in the general area were covered comprehensively and I will not be repeating their concerns.

My observations which were presented orally to the PAC are briefly outlined below:

WATER ISSUES:

For 35 years as a resident of Brookville I have watched the annual Spring freshet flooding at the intersection of Rothesay Road and Ashburn Lake Road and the disruption it creates in the traffic flow. Rain storms in late summer and early Fall have also been known to create flash flooding. (As illustrations, please refer to the attached photographs.) I do NOT recall seeing the word "FLOODING" in the Horizon Crossing proposal.

TRAFFIC ISSUES

Each afternoon a phalanx of vehicles descends at this intersection en route to homes in the Valley. Even on a dry day this creates a huge bottle neck. It is difficult to see from the proposal presented on March 15 how THE CROSSING could be easily accessed from the highway or even Rothesay Road with the current road system.... As it barely "handles" the existing traffic.

ERRANT DEVELOPERS (not to imply that the current proposal, if it is approved, will end up the same way but this has been our experience):

About 10 years ago a development was created called the Highlands of Drury Cove. To date maybe half of the lots have been sold and the original developers of that project have long since moved on. In their pitch to the surrounding areas (including Brookville) we were told that walking trails and biking trails would be built into the Highlands project. Today a drive through the Highlands reveals overgrown trails that are barely passable for foot traffic! I have often wondered who is in charge of holding developers to their promises. The developers are gone and with their departure so are their promises.

Finally, as an ordinary citizen who periodically walks through our various malls, especially Brunswick Square and McAllister Place and notices the empty spaces awaiting rental, I ask myself how is a city that continues to experience population shrinkage able to justify the creation of additional retail space along

the highway in a water logged piece of ground—substantially removed from the McAllister Place and East Point developments.

I have attached photographs of the principal intersection (Rothesay Road and Ashburn Lake Road) as a reminder of the environmental reality and challenges of this location.

What has surprised me is that the City Planning Department did not seem to grasp the severity of the water and traffic issues and was apparently unable to adequately recognize the serious impediments to a development of such magnitude at this location. Equally surprising at least one Councilor publicly endorsed the proposal, claiming, "...it's a wonderful idea, we're backing it."

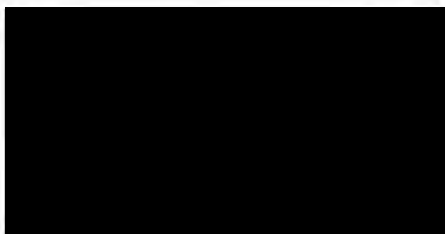
[<https://ca.news.yahoo.com/saint-john-developer-proposes-major-165627471.html> Accessed 10/1/2016]

Two members of the PAC committee, [REDACTED], voted against the proposal, claiming, as I recall, that they did not have sufficient information to support the proposal. Insufficient information is an understatement!!

The PAC, the Common Council, the City need a more thorough proposal that considers the underlying issues of this project: water, traffic, and lastly, the alleged need for such a development.

Kindly let me know that this email has reached you.

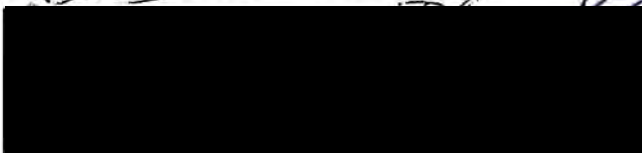
Thank you.



FROM

GORDON W. DARZELL

Original copy
Gordon W. Darzell



May 16, 2017

RECEIVED
MAR 18/17

Comments to
EIA Registration for
"The Crossing"

Oakburn Road Development
Saint John, NB.

PUBLIC COMMENTS

To Horizon Management Ltd

Oakburn Place
479 Westway Ave.

PO BOX 289
Saint John, NB
E2L 4G7

COPY SENT TO CHRISTIE WARD

DEPT OF
ENVIR

Attention to John W. Heatley and
Bill Bonland

I have reviewed the registration
document dated Nov 16, 2016 and the
Public Notice published in the Telegraph
Journal and on about Apr 20, 2017. Additionally,
I have read the April 21, 2017
update letter enclosed in the EIA

registration document. My
comments are in response
for public comments before
May 19, 2017, the regulated
30 day comment period under
the Environmental Impact
Assessment Regulation under
Class Environment Act of New Brunswick.

I have identified many
questions and issues of
concern regarding this Project.
My expectation and understanding
is that you, as the Proponent,

will respond to and answer
all my questions in a Summary
of Comments from the Public
to be sent to the Minister
as part of this EIA process.
Further, this Summary Report
will be publicly available.

Based on my review of the
EIA Registration Document
with so many issues of
concern and questions raised,
I am recommending to the
Minister that this Project

4

undergo a Comprehensive
Review under the EIA Regulations.

Finally, in terms of
preparation for these issues,
I did attend the Open House
last Fall (Nov 2016)

(5)

The following part of the submission is to identify my issues of concern and many questions. I would request your response be as complete and thorough as possible to assist in this stage of the Public EIA Review.

Issue # 1

The EIA Registration Document is dated Nov 16, 2016. There is an update letter April 21, 2017. Please explain why the delay.

(6)

in terms of this process
what created this delay?
What changes if any were
made? Did the T.R.C. have
changes or recommendations
identified that you had to
make? If so what were

they? The T.R.C. comments and your responses
need to be included in the Summary of Comments.

vii . P.10 Construction Details (if applicable)

Object to your proposed
time frame found in the statement

"It is proposed that construction
would commence during the Spring of
6...

(7)

with the construction of the main
access road: an extension of
the connector from Kothecay Ave
to Kothecay Road". This
is unacceptable due to the
fact that this Project is
in the early stage of an EIA
Review process. The update letter
of April 21, 2017 makes no
reference of any change in
the proposed ^{start} of
construction activities and
assume the statement cited is
not valid? Please clarify

(8)

Considering that the Minister
has yet to make any
decisions re approval, how
can this Report justify
a Spring 2017 commencement
of construction activities?

Please provide an explanation
and justification.

1.0 v

Property Ownership:

Please list "affiliated companies"?

are there (U.S. + foreign investment partners)? Are they solely New Brunswick companies. Are there

other

principals involved in this development. Was Louche Card Company ^(Creston) or Conroy Oil involved with this development.

The reason for this question is to determine if this development is planning a Big Stop, ^{facility} ^{as} ^{highway} gas, truck, restaurant development either by Conroy Oil (Serving Big Stop) or a Creston

(10)

Commercial enterprise This
inquiry is in response to section
2.0 Project Overview statement
"This proposed development
will potentially include, but not
limited to: highway services
food and hospitality"

The Report needs to clarify
more specifically what kinds of
highway services food and hospitality
has in mind or in talks with
potential tenants. I notice the
site map Fig 1 has three large
building figures that could mean
large Big Stops like facilities
as is in Salsbury or at the Blue Corner
in Ormaiztegui Ave.

The public needs clarification. It appears that such a development could be built first with other components to follow such as residential. As I write this another possibility comes to mind a new mid-way Superstore. The public has a right to know what is being planned in this development considering the significant adverse impact the Project will have on the environment. Clarification and explanation is needed. Please provide. If you cannot or will not provide reasons.

(12)

Please define what you mean by "mixed use commercial and residential development". For example does residential mean single dwelling homes such as we see in Chestnut Heights? Apartment building such as on Michael Crescent behind the former St. Joseph's Church structure? What about Garden Homes or Senior Housing? Will social housing funds be used if such residential housing will be built. Are there any Federal Gov Dept involved in the residential development aspect of this Project? Please list

V Siting Considerations ✓

Reference:

"This Project received rezoning approval from Common Council of the City of Saint John (MOU 2016) pending environmental from the Port of New Brunswick"

There is insufficient information in this EIA registration regarding this entire rezoning aspect.

Please respond to the following questions as part of that rezoning under Section 39. Please use ^{some of the} conditions:

- ① Traffic Impact Study
- ② Site Servicing Study
- ③ Stormwater Management Study

Question

Have they been completed?

If so please provide digital links in your Summary of Public Participation Issues and Responses you will be issuing to the Minister.

These Studies need to be completed first before the Minister's environmental approval. I hope the Proponent does not expect the Minister to make any kind of a decision at this and before these Studies are completed by both the Minister (TAC) and the public

with reluctant feedback and comment.
 Is that what the report
 expects or will? if not
 please explain. Thank you.

Reference to "highway services
 again needs specific examples.
 Could this include truck stop
 truck repair such as Midland Truck
 repair center
 and McAllister Drive. What
 about a hotel, motel for
 travellers travelling by Sandstone?
 There is no analysis on
 the retail impact on
 by retail mall sites such
 as McAllister Mall that will all

Malls are struggling with declining sales, store closings etc.

This Project could be financially harmful for McAllister Mall and other small strip malls just a few kms. from this Project. If the new Walmart Superstore were to be a

future tenant of this development this could be disastrous for McAllister Mall. Please provide explanations of this writer has it worry please take this

opportunity to explain on the public record as per the EIA

Public Review - what kind of retail outlets

Please provide list of permitted types of businesses permitted with your rezoning approval. For example, I understand that no industrial facilities are permitted. But I am not sure what other types are permitted. Please provide list that the City Planning Dept can make available (hard and on line references please)

and Section 2.0. Project Overview refers to "but not limited to" What does that mean?

What other kinds of development
 features, options could go
 on this site apart from what
 your registration document
 states in this section?

I understand from the Open House
 last Fall that the commercial
 stores and businesses will be
 designed in a street scape
 single building designs. Is this
 correct? Could a strip mall
 design be included or is that
 out of the question?

Now regarding "recreational and green
 space"

explain what you mean by recreational? Could this include an indoor recreational center multi purpose use such as what is being considered at Salt Lake Exhibition grounds?

Such a recreational complex has been proposed for this ^{EX} site. This project if such a facility were to be approved could interfere with the long talked about indoor recreational center on the Exhibition grounds property. I can advise if such a facility on your site is being considered or is it just outdoor recreational facilities?

2.0 (iii)

Purpose / Rationale / Need for undertaking

The Proposal has not provided justification for need of such a facility. There are already ample retail (mall/department store) East Point other retail facilities. Some for recreational (including future indoor facility at Exhibition Park site also Rockwood Park just beside the proposed site. The purpose is to meet the financial needs of the development to profit from this development after taking cheap swamp land, fill it in with aggregate and make lots of money off the lots etc.

Siting Considerations 2.0 v. 1.9

I take strong exception to the Proponent's statement and question its accuracy in respect to the second part of the sentence

This site has the to encourage people to discover and explore all that our City has to explore" and further

"The crossing would help to change this perception by providing a visible and convenient exit point from the highway to attract travelers to stop learn about and visit our city"

This Project will not meet that objection. Yes, travellers could visit the site ^{may} ~~has~~ the houses but it will not cause them to visit our City unless they had already had plans to do so.

The Proponent states Saint John is ^{score} as good by area not a drive in area. This is an incorrect assumption and Gen. Laurin looks, visits and strong. Saint John has much to offer. The Proponent uses this prevention as a drive by area to falsely justify his Project.

On what study or documented reference does the Proponent make this assertion? The ~~Complete~~ Comprehensive Review and full Environment Impact assessment needs to be done to test the Proponent's claims.

When are any direct surveys completed? What involvement or ^{consultations} ~~consultations~~ has the

Proponent had with tourism agencies, local, provincial

This EIA needs to see

data from Prod. Dept of Tourism

Enterprise Sandpalm, City of Sandpalm

Please consult and respond.

and the Registrators document there
is the statement "ideally
situated) to be used by traffic"

This Project identifies
another significant impact
in so far as it encourages
and depends on vehicle
traffic. When you look at
the definition of environment
in the EIA Regulations it is
for more than the natural
elements some of which
were studied as noted in
(x p. 13 Project Related Documents
I will have more to comment
on than later in this submission

Since the Project is "ideally situated to be used by traffic" it raises the issue where thousands of people may not find it readily accessible such as those in lower social economic levels, seniors who may not drive or those who will be more dependent on bus. For those who prefer to or can walk or bike this development will be difficult and challenging if not outright dangerous to access with these highway access roads in and surrounding the site.

I believe there may well
 could be safety / risk
 issues that could place
 some customers at risk
 Was there any consideration
 to the claim by the writer
 that community members
 safety has been factored in
 for those who are not
 vehicle dependent? ^{a safety analysis}
^{for non-dependent}
 users is needed.
 Because of the location
 thousands of infants may not
 be able to readily access
 the see park, recreational
 features of Project. Has

27

the Proponent even thought of
this aspect? or so what
mitigation steps in place
to address this barrier and
impact. Citizens without cars will find this
site challenging to use.
There are many citizens
in Saint John who fall within
the poverty line. Saint John
has about average ^{level} of poverty.
Thousands of people may
not be able to access this
site which appears to be
designed for tourists, visitors
and those with a vehicle.
Why didn't the Proponent
purchase available land on

28

Rothway Ave (old CNSS Radio Tower site) where land is currently available. Could one reason be the fact that these large tracts of land cost ^{five} million dollars where the proposed site (average land) is considerably cheaper?

One point that I request the Proprietor to consider is this. After the Proprietor fills in the wetland and other lands with aggregate and blanket as stated; will the Proprietor's land be much more valuable to the Proprietor. I assume Yes. Therefore, this winter

29

concludes that site development is about the Proposer's plan to make considerable profit by improving otherwise swamp land [^] left in its natural state for which it was intended.

Please provide the public review with what is the current price per acre of this land as it is today (B) or what will be the projected land value after it is developed?

The long term needs of the
Proposer as a developer
appear to be a driving factor
in proceeding with this site
development. The Proposer
even admits that this
Project will be long term
"where market conditions
warrant" (or words to that effect)

This land should be left in its
natural state as it plays an
important role in flood mitigation
which will be needed more than
ever due to climate change
impacts such as intense weather
events. Move on this lot.

Please comment on my
 conclusion that this Project
 will be enhancing the
 Programs of Survival well
 being at the expense
 of the natural environment
 which is ^{an} more
 valuable to our local
 Society considering the
 importance this land
 serves in protecting
 all those businesses along
 Rotheray Ave, Glen Falls
 residents.

I want to know if

the Proponent will cover the costs of financial damages after the flooding of these surrounding areas worth millions of dollars.

This is why a socio economic full cost accounting analysis needs to be done. Have you done one? If not this is just another reason why the Minister needs to order a full examination (ALL ASPECTS OF ENVIR.) and comprehensive review. Does this Proponent agree? If not please explain why not.

Finally, re financial aspects;
 Has the Proponent consulted
 the Insurance Board of
 Canada to determine if
 they think this location
 is suitable from a flood
 risk perspective. I plan
 to contact them
 to get their view on insurance
 risk, perhaps the Proponent
 and tenants will have to pay over next
 30 to 40 years. All tenants
 need to be fully informed
 of the flood risk impacts
 to their enterprises. An
 insurance risk analysis needs to
 be completed.

There is reference to "recreational space" in the document.

Please be specific as to what is or could be developed under this recreational space category.

I am concerned that the San Juan Recreation Association proposals for a multi purpose indoor recreational facility could be at risk due to ^{your} competing development at this Crossing proposal. Can the Proponent comment? Will your recreational space development just be outdoors or will indoor facilities be planned?

P.5 iii Purposes/Rationales / Need for undertaking

Reference to a "host of new businesses and services"

I see the reference to businesses but it is unclear what you mean by "services". Please elaborate and describe examples of what kind of "services" we can expect.

Ref to "generate both direct and indirect employment positions". How many are anticipated? Have you completed market studies to validate your conclusions?

P.5 iii

References to "similar types of development seen in other municipal centers and that does not currently exist here in Saint John"

- (1) Please provide names of other municipalities in Canada or U.S. (North east) that have similar developments.
- (2) Please provide web links to them so the public can see Quik's developments already in existence.
- (3) Are any built or similar types of wetlands, flood prone areas like this one proposed?

Of so please provide
 EIA studies / references so
 we can review them.

Ref to "considerable" spillover
 benefits to other businesses
 in the City benefiting from
 increased motor traffic to the
 area"

Need more than general
 statement. Please provide some
 specific examples.

What about all the businesses
 that won't benefit like other
 stores in the new retail

area like McAllister Mall
 and East Point shopping area?

There needs to be a study
and analysis of the downside
of this Project and those
businesses negatively impacted
Where is that study? Has it
been completed? If so
attach to your Summary
Report of Public Participation.
Will you commit to this
Some for those other foregoing
Section 39 Condition studies
we need them now as part
of the EIA Public Review process

Please report on "significant
new property tax revenue"
Billpack figure will do
for now.

"Increased visit traffic"
How much? Has a traffic
study been done? If not
one needs to be completed.

"very significant new revenue
stream for the city" Is this
above the property tax?
Doesn't property tax go to
Providence? Please elaborate
on "new revenue stream
for city" over and above tax.

There is also 17.3 hectares
 of green space parcel of land
 that will be destroyed?
 Will all 17.3 hectares
 be covered over or just
 part of this area will
 aggregate? There needs to be
 a **COMPREHENSIVE REVIEW**
 with a full comprehensive
 environmental assessment
 as part of that I am recommending
 a full environmental review
 by Minister that as you know
 calls for an expert PANEL to be
 authorized by Minister who will
 review that full EIA Study, work with

the public by holding a Public Meeting, listen to the public concerns, review all studies ask questions, report answers and identify needed conditions
See Sisson MINE Comprehensive Review Report for your reference
Anything less than a Comprehensive Review / Full Environment Impact Assessment by Minister prior to any approval decision is needed nothing less will be acceptable.
Does the Proponent agree this is best course of action?

If not please explain why.

Here are the reasons:

- (1) The environmental impact is going to be significant and adversely impact environments despite any mitigation steps planned by Proponent.
- (2) The studies included need to be peer reviewed by experts such as this Panel as part of a comprehensive review process under Clean Environ. Act EIA Regulations.

P. 9 VI

Physical Components and Dimensions of the Project

I am very concerned that the
 Proponent wants to build this
 complex on 10.5 ^{hectares} regulated
 Wetland or more of wetland.
 How much more? These wetlands
 play an important role in
 nature and one of them is to
 handle flood plain conditions
 tidal surges. And 2007 or 2008
 Ashland Lake fd was covered
 over (except high points) in
 water over and above the water
 saturating the wetlands/marsh
 area.

Multiple agencies, government departments need to be more engaged.

The registration document refers to some analysis, ^{that is} 17 years old. Geotechnical Investigation Hydraulics and Hydrology Report ^{is} 9 years old. Documents outdated, need ^{some} updating.

(Ref Page 4 of that Report:

Rainfall data selected for all analysis was the 1 in 100 design storm for Saint John which is based on analysis of historic storms by AES. Total depth of the selected storm is

163 mm for 24 hours.

Data base used is not longer accurate based on new climate / atmospheric science where such storm ^{data} cited will not be 1 in 100 yrs at that depth but will be much more frequent with higher rainfall amounts. There have been storms in Toronto 2014, Nfld other Canadian U.S regions were 200 mm rain have fallen in less than 24 hrs (in Texas / Southern US see example)

Now Univ of Ottawa researcher Dr Paul Beckwith concludes the worst

SEE
ATTACHMENT
#1

46

is yet to come. He ~~publically~~
stated 2 weeks ago on CBC

Newsweek that these predictions
based on 1 in 100 year storm
can no longer be considered

reliable. They will be more
frequent, ^{weather events} intense & therefore

the Tarrain Study conclusions
cannot be accepted as an

accurate predictor of
what is needed to effect
or mitigate and intense

rain events. Back to
the drawing board. Please have
your experts review their
conclusion statement on page 8

Another reason why a
Comprehensive Review with
Panel and a full comprehensive
EIA Study Report is needed.

The public are at a disadvantage
to properly review and question
these technical reports
prepared by the Proponent. We
need that independent
expert Panel. Compared WVC
Project, ^{and} Lissord mine projects
both had such Panels available
as part of EIA Comprehensive
Review. Those Projects benefited
from 2 sets reviews as well ^{as} the
Public interest

and report to Climate Change impacts, this frequentation
 Dourmand and associated
 study reports fails to address
 Climate Change impacts that
 will only worsen and be more
 intense during life of the
 development and lands it
 occupies.

Terrain
 Study

P. 8 ~~Top~~ Paragraph:

"However, the fact that these
 water levels are shown to have
 decreased SLIGHTLY indicates
 that development of the crossing
 will lead to a slight decrease
 in flood levels in the Marsh Creek

waterched) or at least not
 exacerbate the current
 flooding situation."

Proposer admits it
 wants to build on or
 flood promiser

This is hardly reassurance.
 The Proposer expert acknowledges
 that even with mitigation steps
 will only slightly decrease
 flooding and not exacerbate
 the current flooding levels.

This is the reason why
 the Minister should not
 approve this Project. Even
 with a comprehensive review
 it's questionable that this
 Project should proceed at all

P. 13, COMMENTS: 3.0: DESCRIPTION OF EXISTING ENVIRONMENT.

Re Marsh Creek / Harbor Cleanup
with positive changes and
involvement with ACAAP
resulting in Marsh Creek
clean up restoration:

This Registrations document
fails to reference the extensive
study, information and project
work ^{by ACAAP, Sanit (John)} in the general area
being proposed for the development.

For many years Atlantic
Coastal Action Program (ACAAP)
has been monitoring and
studying the Marsh Creek
area under the Harbor Cleanup
effort by City of Sanit John.

Questions and Requests

- (1) Has the Department consulted ACA P Saint John?
- (2) Why don't we see more current information from ACA P's findings in your registration document?
- (3) Is the Department aware that the Marsh Creek Subwatershed + Little Marsh Creek is starting to be renewed with return of more and varied fish as part of this EIA Consultation with the public you need to access and review findings studies from ACA P and revise

your conclusions. One conclusion on page 14 4th paragraph notes that only white sucker and Lamprey and Threespine stickleback found. It is my understanding that additional fish and other creatures have been identified or are on potential return now that toxic materials found several have been ^{sp.} remedied. What about trout?

What involvement has Department had with ACP Land plan with certain aspects of this Project? Please provide summary of any involvement

P. 10 portions of this wetland will be affected as part of this development.

This is why I am not in favor of this development.

These wetlands will be removed and impacted, altering the natural environment that mitigate against flooding as well as absorb and counteract air pollutants in this heavily industrial area. Cutting down trees that are the lungs of the south is not warranted. Habitat will be destroyed.

Again its impacts like this
 require a Comprehensive
 Review process under EIA
 Regulations. Only a full
 comprehensive environmental
 study will do to identify
 all the impacts and mitigation
 steps

Pile Driving

Reference to this to prepare site
 How many piles will need to
 be driven into the proposed site?

P. 14 ii - Cultural Features:

On what basis does Proponent
 state the subject property or

54 55

adjacent lands (Please describe
where are these lands) are
not used by First Nations

How do you plan
to carry out Duty to Consult?
Have you been in contact
with aboriginal leaders
whose lands were never
ceded to the Crown. Remember
these lands were never given
up to the Crown. Peace and
Friendship Treaties were
entered into but First Nations
still have title and ownership.
Please outline in detail how
you are going to handle Duty
to Consult and with whom

This site may be Mplisett lands
and the Proponent would be
well advised to tread
carefully in this area.

Section 4.0 Summary of Environmental
Impacts

Your Hydrotechnical Study
was completed by Terrain Group.
I definitely do not agree
with its findings.

"The results obtained from
the stormwater models indicate
that development of the crossing
will not have a negative effect
on flooding in the Marsh Creek
watershed."

in order to scrutinize your conclusions, we need that expert independent panel as part of our EIA Comprehensive Review process. I and general public are qualified to analyze these technical studies, models. Does the Proponent agree with this writer that the least way to go? if not please explain.

Attention To Dept of Environment
Please make all documentation available and this from T.R.C
all T.R.C questions and answers from Proponent need to be made public

and respect to flooding events ^{30 yrs}
 in this area over last
 I kept a scrapbook
 and various local environmental
 events which I donated to the
 Proj archive. I assume you
 there has been many flooding
 events with alot more to
 come especially if Proponent
 proceeds with this development.

IMPORTANT Question:

Can you as the Proponent
 absolutely guarantee there won't
 be flooding in the Marsh Creek
 Watershed as the result of your

development even with mitigation steps you set out?

Are you prepared to cover costs from damages if there is flooding and you are wrong.

NEXT
ISSUE:

Of the Proponent is confident that there will be ^{either} no flooding on the Crossing, will, not have a negative effect on flooding in the Macoh Creek watershed; the Proponent needs to ^{agree to} compensate those impacted if there is flooding caused by this Project.

a condition in any EIA approval (known for the Minister would give such approval) to offer compensation to those impacted. Does the Government agree with such a condition being included in the EIA approval? If not explain.

Usual Re: Compensation arrangements (HABD) for loss of wetlands under regulations with Dept of Fisheries and Oceans. Please outline plans to carry out restoration or compensation to make up loss of the wetlands the project will destroy.

P10 VII Comment on

"laydown of a geotextile material"
 What is the material made up
 of? What is the product
 name of this material to be
 used?

"overlain with local aggregate"
 Can the Applicant confirm or deny
 that at least if not all of this
 aggregate will come from the
 Applicant's own site over
 near banks / rocks near East
 Pant Sluicing area?

I assume that if this is the
 case the Applicant will be
 able to prepare more pits

development of his existing
lands at East Point Shopping
Site while at the same time
use this material to prepare the
new crossing site area. The
Proposed fills two bays with one
stone. Is that the plan?

Please clarify, will you be using
your own aggregate?

Another question is whether
the Proposed will be using
aggregate from the road by
Deby Enterprises quarry?

Please provide more information
on the site preparation in terms
of aggregate quantities.

Comments on the Proposal's
Public Notices and Engagement

- (1) Yes and Open House was held Nov 2016 with 100 people over some days. What were the results from those who had concerns or questions. Did you compile a summary? Please provide
- (2) Notices in T. Journal April 21 (I believe) but I did not see any other print notices in that paper. Why not? How many were there published?
I did not hear of any radio announcements. I could

W

have missed them. Please list.

I had seen no media releases
by Papernont to update
public, again I stand to be
corrected if there were some.

I was interviewed by CBC ^(radio-TV)
on May 9th by C. Smith. The CBC
contacted Papernont for reaction
or comment on the price
C. Smith was doing but no
one available from Papernont.
This was a ^{missed} opportunity
for Papernont to inform
and educate public on your
Proposal (The Crossing) The
Papernont missed a good opportunity

15

to inform the public as well
as advise them how to get
involved. I did more
in this case than the
Department. I encouraged
the public to access the EIA
registration, make comments
by May 19, 2017

and conclusion

and recommending
to the Minister that no approval
Certificate of Determination
be issued even with
conditions as there are
so many unanswered questions
and outstanding issues
to be addressed. The
alternative option under
Prod EIA regulations is
a comprehensive review
Process that would include
more comprehensive environmental
impact assessment, a panel
be constituted and convened

67

Public Participation and
engagement This 30 day
public comment period
is not sufficient. This
Report is trying to rush
the process stating on
page 10 III Construction Details
"Construction would commence
during the Spring of 2017
of main access road"
This is counter indicated and
unacceptable.

Looking forward to reading
Your Summary of Public
Participation Report you will be

Attention Bill Godard

May 19/2017

Dear Mr. Wheatley

I delivered my comments on the Auburn Rd Development "The Crossing" on May 16, 2017. I forgot to include a reference on Climate Change Reports that I cited in my submission. This reference is one I used in my submission during that 30 day comment period on the EIA registration document.

I may have neglected to enclose (page 20A) in my submission I delivered to your office.

Please find enclosed to call to
my submission in case
it was not included.

If you or your consultant
had any problem with reading
my hand written submission
please advise. Just highlight
the word and I will swing by
your office to rewrite the word
or phrase.

I hereby provide my consent
to include my name in
your final summary of
public engagement.

Thank you
Jonathan W. Duff

20(A)

The Proponent has not provided sufficient record or justification for this Project in terms of the value to the public interest and protection of the environment. Environmental meaning natural, ~~and~~ ~~ecosystems~~ as well as the ^{negative} economic impacts this Project will have on short and long term.

More explanation re rationale is required. Please provide.

Paul Beckwith, Climate System Scientist

Abrupt Climate Change from Arctic to
Antarctic: Facts, Opinions, and Analysis

Attachment # 1
To Submission
for Ash Lawn Lake Rd
Crossing EIA
FROM G. W. DALZIEL

Ref for
Energy East

Flooding 'Tip of the Iceberg,' Climate Scientist Warns

Posted on May 5, 2017



A car sits stranded in flood waters on Rue Saint-Louis in Gatineau on Tuesday, May 2. (Radio-Canada)

Here Paul was picked up by [CBC Television](#), and has an associated [podcast clip](#) (about six minutes long) which they shared with him, and likely more to follow tomorrow, possibly nationally. There are several parts to this, and all dovetail. Simply shared thus:

"Gatineau flooding 'tip of the iceberg,' climate scientist warns.

And "Region received more than 3 times normal rainfall for April".

[From CBC Radio's Ottawa Morning - CBC News, 10 Hours Ago:](#)

"As water levels continue to rise in the national capital region, a climate scientist is warning flooding and extreme weather events are here to stay, and says homeowners should prepare.

Swollen rivers and streams have threatened hundreds of homes in the Outaouais thanks to recent heavy rainfall — three times the normal amount since April 1.

University of Ottawa climate scientist Paul Beckwith says that's due to a changing climate, and says we're seeing its effects "on a day-to-day basis" in weather patterns.

"What we can see is that the jet streams are behaving differently. They're much slower, wavier, and storms are therefore moving slower. So when they're carrying water, they're hovering over an area longer than they would be normally, so they're depositing more water," Beckwith told host Hallie Cotnam on CBC Radio's Ottawa Morning.

"Normally you think of climate change as being something that's happening over 20 or 30 years. But what we're seeing is the conditions on the planet are changing rapidly. So the arctic is a lot warmer than it used to be, so that's throwing off the heat balance on the whole planet."

Paul Beckwith, Climate System Scientist

Blog at WordPress.com.



‘Tip of the iceberg’

Beckwith points to an increase in extreme weather events across North America as proof. *“We’ve changed the chemistry of the atmosphere and the oceans with our greenhouse gases, so we’re seeing the consequences of this now,”* he added. *“It’s only the tip of the iceberg, so to speak.”*

Paul Beckwith is a climate scientist with the University of Ottawa. (CBC)

Voluntary evacuations and road closures have been underway in Gatineau and other west Quebec municipalities this week due to floods. As flood water creeps closer to homes, Beckwith warns this could become more regular occurrence for people who live near rivers or in low-lying areas.

“I think in the very near future, the elevation of a house will be on the MLS [real estate] system,” he said. *“So when you buy a house, you’ll know the local elevation. So houses that are on higher ground will command higher prices. Houses on lower ground — if you flood now, you’re going to flood in the future.”*



“...It’s just a matter of time before it happens to just about any city the way climate change is accelerating.”

Despite a day of sandbagging, Ward’s Island residents may still need to evacuate.

Ferry will be kept overnight on standby at Ward’s Dock for ‘after-hours storm and temporary shelter’.



'With Lake Ontario at its highest point in decades and with heavy rain already falling, the City of Toronto is preparing for a possible evacuation of Toronto Island Park. But its residents have spent the day laying sandbags around low-lying areas in the hope they can stay in their homes. Between 40 and 90 millimetres of rain could fall on Toronto between Thursday evening and Saturday, according to Environment Canada – a figure the weather agency increased after the storm began. [Article continues in full, here.](#)

Shoreline and flood worries as wind and rain hit Hamilton and region.

High water levels may lead to some shoreline flooding and beach erosion.

A flood watch is in effect for Hamilton as the city and much of southern Ontario brace for several more days of rain.

The Hamilton Conservation Authority (HCA) says this forecasted rainfall may result in further increases in water levels and flows in area watercourses, with the potential for significant flooding.



There is further concern about the potential impacts of northerly winds on the shores of Lake Ontario. Those winds may increase the risk of shoreline flooding and erosion, with Lake Ontario levels already high.

The latest rainfall – from Thursday through to Saturday – comes on top of records numbers for the year so far.

“This has been a record rainy first 125 days of a year, never has there been so much rain in that period in the Hamilton area,” said Dave Phillips, Environment Canada. Phillips says **Hamilton has received about 87 per cent more rain than the city would normally get so far this year.** [Article continues in full, here.](#)

To Flood or Not to Flood; Assess YOUR Risks

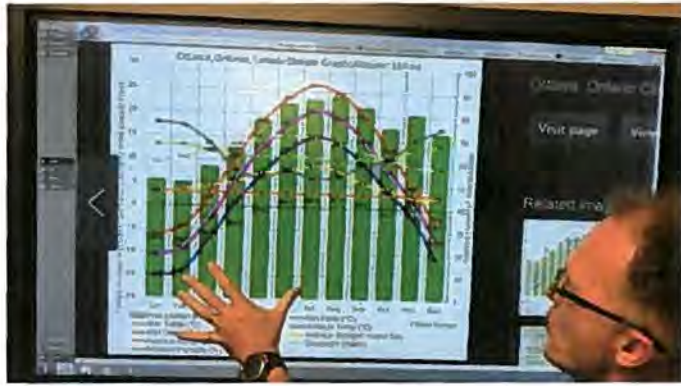


Published on May 4, 2017

I teach you the basics of how to assess your personal risk of being flooded out of your place, either from nearby river or ocean rise or overland flooding with torrential rains.

Paul Beckwith, Climate System Scientist

Blog at WordPress.com



There are some basic easy-to-use tools on the web that will let you figure out your risks. These include climographs of your region, local weather forecasts, stream and river flow gauges and forecasts, DEM (Digital Elevation Models) or detailed maps of hills and valleys in your region, types of soils, and historical data on flood occurrences, etc.

Posted in [Interviews](#), [Mention](#), [New Video](#), [Podcasts](#), [Uncategorized](#) | Tagged [CBC](#), [Hamilton Floods](#), [Ward Island](#) | [Leave a comment](#)

People's Climate March: Emergency Call to Action

Posted on [May 1, 2017](#)



Go Paul! **People's Climate March; Emergency Call to Action** // Published on Apr 29, 2017



I marched in Ottawa's version of The People's Climate March. In this video; in my speech to the masses rallying before the start of the march, I summarize some of the main reasons we all (You and I) need to call on the public

Paul Beckwith, Climate System Scientist

Blog at WordPress.com.

and politicians to recognize and act with immediate haste to deal with our ongoing global climate emergency, while we still can.

Posted in [Events](#), [New Video](#), [Videos](#) | Tagged [March](#), [Ottawa](#), [People's Climate March](#), [We Need to Declare a Climate Change Emergency and Act Accordingly](#) | [Leave a comment](#)

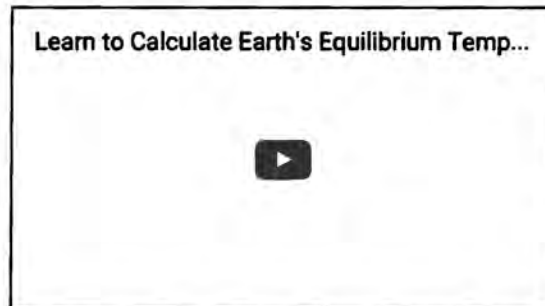
Four Videos: Calculation, Arctic Feedback 1 and 2, Arctic Methane

Posted on [April 29, 2017](#)



I thought this showed Paul at his very best ([dk](#)). And this is after seeing or hearing two hundred or more of his videos and podcasts. When Paul is on, he is REALLY on. Shows his mastery of teaching. Followed by three similarly great videos. Four videos:

Learn to Calculate Earth's Equilibrium Temperature // Published on Apr 25, 2017



Impress your friends. Get lots of admiration and be the star of the party. People will be lining up for your autograph, or a date...

I show you how to calculate the equilibrium temperature of the Earth.

All that you need is the [Stefan-Boltzmann Equation](#) from 1883 and some information on the surface area of a sphere.

Accelerating Effects of Arctic Feedback: 1 of 2 // Published on Apr 25, 2017



For years, my climate scientist hero has been [James Hansen](#). More recently, [Peter Wadhams](#) from Cambridge in the U.K. has become a hero-among-equals with Hansen, especially with his brilliant book "[A Farewell To Ice](#)", of which he sent me an autographed copy.

I discuss numerous feedbacks turning the Arctic icebox into a frigging sauna-on-steroids; including some that Peter does not cover.

Accelerating Effects of Arctic Feedbacks: 2 of 2 // Published on Apr 27, 2017



There are numerous powerful amplifying feedbacks in the Arctic, causing the temperatures there to skyrocket. This has profound implications to humanity, including enormous **threats to our global food and fresh water supplies**.

Arctic Methane: A Catastrophe in the Making // Published on Apr 28, 2017



Up to 2005, the oceans over the shallow continental shelves in the Russian Arctic (ESAS, Laptev) were ice covered, keeping the -100 meter deep oceans near freezing temperatures.

Since 2005, the ice cap cover has gone. The water has warmed as high as 17 degrees C there in summer, heating **the sea-floor, perforating the permafrost cap, and thawing methane hydrates. [Ebullition](#) (bubbling methane) is**

Paul Beckwith, Climate System Scientist

Blog at WordPress.com.

rising up the water into the atmosphere in ever increasing amounts.



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Posted in [Basic Science](#), [Climate Change](#), [Instruction](#), [New Video](#), [Rapid Climate Change](#), [Science Teaching](#), [Videos](#), [Weather](#) | Tagged [A Farewell to Ice](#) - By Peter Wadhams, [Arctic Feedback](#), [Ebullition](#), [James Hansen](#), [Learn to Calculate](#), [Peter Wadhams](#), [Stefan-Boltzmann Equation](#) | [Leave a comment](#)

Climate Change Making Storms More Intense, Changing Jet Stream

Posted on [April 22, 2017](#)



[How climate change is making storms more intense](#)

‘Massive flooding in Windsor last year was a sign of climate change — but the science behind these ever-intensifying storms is more complex than it seems’ ...

The Ontario Educational Communications Authority (TVO) profiled Paul, further down page, here:

The Changing jet stream

Cyclonic storms are moved by air currents called jet streams. The currents in Ontario are created when cold air from the north collides with warm air from the south.

“The jet stream or winds in the mid-levels of the atmosphere help guide low pressure systems as they move across North America,” says Geoff Coulson, an Environment Canada climatologist. “Every once in a while the winds in the mid-level of atmosphere will slacken off and will be in an area where there isn’t much push. This low-pressure system basically sat in that area to the south of Windsor and kept pumping moisture.”

Both poles are heating up faster than the equator is, and that’s contorting the jet stream, lowering its speed and increasing its waviness — it typically travels east-west, but waviness makes it travel north-south sometimes.

The Arctic is warming faster, Beckwith explains, because as the sea ice melts, it exposes more ocean. Since the ocean is darker than ice, it absorbs more heat — which causes more ice to melt, which exposes still more dark surfaces. Similarly, less snow cover on land exposes more dark ground.



“There are more and more examples occurring all around the world of these torrential rain events where a region or a city will get four to five months of rainfall and they get it in a night or they get it in a couple days,” Beckwith says. “And that leads to flooding because the infrastructure just can’t handle it.”

The changing jet streams have influenced not just storms but other catastrophic weather events too, Beckwith says. The European heat wave of 2003, the 2010 Russian drought, and the recent California drought were all caused by jet-stream oddities.

Beckwith says storms like that in Windsor are going to keep happening as the temperature difference between the poles and the equator continues to shrink. *“We’re heading rapidly to an arctic with less sea ice and much less snow cover,”* he explains. *“The extreme weather events that we’re seeing will get much worse.”*

And Paul’s third recent video, in series: **Abrupt Climate Changes in Global Atmospheric Circulation** //
Published on Apr 13, 2017



How is ABRUPT CLIMATE CHANGE presently shifting our global atmospheric circulation patterns? We know jet streams are slower & wavier, greatly increasing the frequency, severity & duration of extreme weather events (flooding, droughts, with intensified risk to global food supply).

Will the present 3-cell behaviour (Hadley, Ferrel, Polar) mutate to a 2-cell or 1-cell pattern? Will there even be a jet stream?

Posted in [Interviews](#), [New Video](#), [Videos](#) | Tagged [Jet Stream](#), [Ontario Educational Communications Authority](#) | [Leave a comment](#)

Earth’s Largest Living Structure IS Dying

Posted on [April 15, 2017](#)



Earth's Largest Living Structure IS Dying: 1 of 2 // Published on Apr 10, 2017



Australia's Great Barrier Reef is an enormous tourist attraction that pumps billions of tourism dollars each year into the economy. Very soon, this revenue that is so vital to Australia's financial security will have to be replaced by giving tours of coal mines.

The loss of these reefs is occurring as we speak. [Back-to-back record bleachings in 2017 and 2016](#) are massacring this vital "Amazon Forest of the Oceans". How will fish live?

Earth's Largest Living Structure IS Dying: 2 of 2 // Published on Apr 11, 2017



Australia's Great Barrier Reef is a wonder of the world. Attracting millions of tourists and pumping billions of dollars into Australia's economy, this reef is bleaching white, becoming covered in slimy algae, and will inevitably be ground to sand. **A tragedy.**

I discuss the facts on the ground, or in this case on the shallow seabed.

Posted in [New Video](#), [Rapid Climate Change](#), [Science](#), [Tragedy](#), [Videos](#) | Tagged [Australia](#), [Biosphere](#), [Bleaching](#), [Climate](#), [Climate Change](#), [Coral](#), [Coral Reefs](#), [Corals](#), [Ecosystems](#), [Global Warming](#), [Great Barmer Reef](#), [Habitat](#), [Life](#), [Southern Hemisphere](#), [SST](#), [SSTs](#) | [2 Comments](#)

Paul Beckwith, Climate System Scientist

Blog at WordPress.com.

Understanding Atmospheric Circulation, Patterns in Global Ocean Currents

Posted on [April 13, 2017](#)



Understanding Atmospheric Circulation Patterns // Published on Apr 10, 2017



I teach you how (the layperson, or not) to draw the atmospheric circulation patterns of the Earth. All you need to know is that "hot air rises", there are 3 main cells, and moving objects north of the equator turn to the right (opposite in the south).

With this knowledge in your "toolkit", you can better understand how the jet streams form, and how they change as the Arctic rapidly warms.

Patterns in Global Ocean Currents & Changes // Published on Apr 12, 2017



Draw a MAP of Earth from memory. Practice until it is somewhat recognizable. On this map, I teach you how to draw the ocean currents around the planet, including surface water flows and seafloor flows.

All you need to remember is that movement is deflected to the right in the northern hemisphere; opposite in the south. Also, that the Gulf Stream flows NE off the US east coast. Everything else flows naturally, including the

Paul Beckwith, Climate System Scientist

[Blog at WordPress.com.](#)

location of the 5 main ocean gyres. I discuss how climate is changing these patterns.



Recent full length interview on **Extinction Radio, with Jennifer Hynes: 'Extinction Radio Episode 69, 5th April 2017 – Dahr Jamail, Mike Silwa, Paul Beckwith.'** This is in **Part Three**, about one hour long.

Posted in [New Video](#), [Podcasts](#), [Videos](#) | Tagged [AMOC](#), [Antarctica](#), [Arctic](#), [Arctic Temperature Amplification](#), [Atlantic Meridional Overturning Circulation](#), [Climate](#), [Climate Change](#), [Equator](#), [Extinction Radio](#), [Ferrel Cell](#), [Global Warming](#), [Gulf Stream](#), [Hadley Cell](#), [Halocline](#), [Inter-Tropical Convergence Zone](#), [ITCZ](#), [Jennifer Hynes](#), [Jet Streams](#), [Kuroshio Current](#), [MOC](#), [Polar Cell](#), [Pycnocline](#), [THC](#), [Thermo-Haline Circulation](#), [Thermocline](#) | [1 Comment](#)

Do Jet Streams Vanish with Arctic Sea-Ice?

Posted on [April 6, 2017](#)



Do

Do Jet Streams Vanish with Arctic Sea-Ice? // Published on Apr 6, 2017



What happens to the jet streams when we lose all Arctic sea ice and snow cover? **Do they vanish?** Do they still exist as a weak remnant farther north? Does the 3 cell atmospheric circulation reduce to 2 cells or even 1 cell? It would be nice knowing these things, before they actually happen in a few short years.

Posted in [New Video](#), [Videos](#) | Tagged [Arctic Amplification](#), [Ferrell Cell](#), [Hadley Cell](#), [Jet Streams](#), [Oscillators happened to catch](#), [Polar Cell](#), [Quasi-Resonant Amplification](#), [Rapid Climate Change](#), [Resonators](#), [Rossby Waves](#) | [Leave a comment](#)

From: [REDACTED]
Subject: THE CROSSING
Date: May 18, 2017 at 12:43 PM
To: info@horizonmgt.ca



I was just looking at the updated version on the project. It looks amazing!! I live on Jones Drive and hear a mobile park was being developed around our area and looking at the drawing it does appear to have mobile homes going in. I was just wondering if our homes would be safe and if we should start looking into a new location.

Sincerely;

[REDACTED]

May 19, 2017



Horizon Management
Ashburn Place,
P.O. Box 1289,
Saint John, N.B.,
E2L 4G 7

Dear Sir(s) :

This letter is in response to a notice to the public with regard to a registration of a project known as "THE CROSSING" which appeared in the Saturday edition of 'The Telegraph Journal' in March of 2017: (APPENDIX A) for an EIA.

As a neighbour to the proposed project many concerns were raised as the proponent presented the development. Preliminary meetings were held between the proponent (developer) and the city of Saint John planning and development department - the process then makes public

through the common council (Feb, 2016) that a public meeting of the planning advisory council ^(PAC) will hear from the proponent and the public.

The process allows the PAC to make recommendations to the Common Council — (APPENDIX B CONTAINS IN MINUTES PERTAINING TO THE PROJECT). The proponent and the City of Saint John hears for the first time from the public. However, you will see in the minutes the results of the amendments necessary as the city recently adopted a major Planning and Zoning document called "Plan SJ" in the year 2014.

'Plan SJ' was a document project in order to clarify and properly zone each parcel that is currently in the boundaries, as well as for future uses of any properties where development should take place.

It is interesting to understand that the two members of the PAC who voted against the Section 39 conditions were two of the team members who help form Plan SJ - 300+ page document. The two members made it clear to the chair that the proponent did not submit enough

information to recommend any of this to Common Council. Both members of the PAC who were opposed to even recommending conditions stated to the chair that this isn't the normal procedure for the planning council to ask the developer to do all of these studies normally the information is presented at or before the meeting. This wasn't the norm.

However, this part of the process passed, ~~and~~ ^{SEC} with many of the same recommended condition Section 39's the Common Council passed the zoning amendments requested; this giving the developer 5 years to send to council the studies required (APPENDIX C CONDITION I WITH REGARD TO CONDITIONS A THROUGH F).

AT THIS POINT I WOULD LIKE TO ASK - IS PUBLIC INVOLVEMENT A PART OF THE ENVIRONMENT IMPACT ASSESSMENT?

The process calls for studies which the proponent states (in the EIA Registration) "these studies are expected to be completed within the year (Nov 16 - Nov 2017)".

I ask as a neighbour is there any method in the process to see the studies (- some of which are in the registration letter of the developer i.e. Terrain group) in the public? The proponent did have open houses with photos of other developments but no studies - This is why those conditions are being put in place.

In closing I understand that the EIA is only one of the studies put in place to examine the land/land use. I also understand that the EIA isn't a comprehensive study unless the Minister of the Environment (who has under his authority) ^{may} ~~can~~ call ball for an independent board of experts to actually look further into the flooding and watercourses as well as the wetland area within the proposed amended development site.

Thank You for your consideration of this the (see) letter. I do hope that the public and neighbours are kept in the loop and the information contained herein is helpful.

Sincerely



APPENDIX A.

Public NOTICE - REGISTRATION
OF UNDERTAKING OF AN
ENVIRONMENTAL IMPACT ASSESSMENT

NOTICE

Registration of Undertaking
Environmental Impact Assessment Regulation
Clean Environment Act
Opportunity For Public Comment

On November 22, 2016, Horizon Management Ltd. registered the following project with the Department of the Environment and Local Government in accordance with Section 5(1) and Schedule "A" of the Environmental Impact Assessment Regulation: "The Crossing" Ashburn Road Development Saint John, New Brunswick.

The purpose of the proposed undertaking is to initiate a mixed-use commercial and residential development, including, but not limited to, highway services; food and hospitality; business and commercial; retail; residential and recreation and green space. The project would be located on a green field site on the east side of Saint John, New Brunswick. The property is bound on the east side by Highway 1; the Ashburn Road would intersect the developed site on the west side.

The EIA registration document can be examined at Saint John Public Library, Market Square, Saint John, NB; the Department of the Environment and Local Government Saint John Regional Office at 8 Castle Street, Saint John, NB, and at the Department of the Environment and Local Government, Sustainable Development, Planning and Impact Evaluation Branch, 3rd floor, 20 McGloin Street, Fredericton, NB

Any comments should be submitted on or before May 19, 2017 directly to the proponent at:

Public Comments
Horizon Management Ltd.
Ashburn Place
PO Box 1289
Saint John, New Brunswick
E2L 4G7
Or info@horizonmgt.ca

Additional information about the proposal and the public involvement process is available at: <http://www.gnb.ca/0009/0377/0002/index-e.asp>

Notice Placed by: Horizon Management Ltd.

APPENDIX B

MINUTES OF THE PAC.

PERTAINING TO THE PROPOSAL OF "THE CROSSINGS"

INCLUDING RECOMMENDATIONS

TO THE COMMON COUNCIL

(SECTION 39 conditions)



SAINT JOHN

PLANNING ADVISORY COMMITTEE

MARCH 15, 2016

The regular meeting of the Planning Advisory Committee was held in the Council Chamber, Lobby Level.

PRESENT

Eric Falkjar, Chair
Andrew Miller, First Vice-Chair ON PLAN SJ
Councillor Gerry Lowe
Anne McShane HELPED DEVELOP PLAN SJ
Keith Brideau
Rick Stephen
Christopher Martin
Patrick Beamish

Jacqueline Hamilton, Commissioner Growth & Community Development
Phil Ouellette, Deputy Commissioner Growth & Community Development
Mark Reade, Senior Planner
Jody Kliffer, Planner
Kristen Flood, Planner
Lynda Lockhart, Recording Secretary
Paula Hawkins, Recording Secretary

REGRETS

Derrick Mitchell

Item 1: Agenda and Minutes

It was MOVED and SECONDED that the minutes of February 16 and 23, 2016 meetings be approved as circulated.

CARRIED

AMcS/AM

Item 8: Galbraith Equipment Co. Ltd.
395 Manchester Avenue

Type of Application: Rezoning

Kristen Flood provided a brief overview, via Power Point Presentation, of the Rezoning application to permit the expansion of the existing pit onto the adjacent property. Staff are recommending approval.

Rick Turner of Hughes Surveys & Consultants appeared before the Committee on behalf of the applicant Galbraith Construction Ltd. and indicated they were in agreement with the recommendations as contained in the staff report. Mr. Turner advised that a notice was delivered to 20 property owners immediately adjacent to the site and 2 others who expressed interest in the applicant's operations in the past. These properties are beyond the 100 metre notification area established by the Committee's Rules of Procedure. Mr. Turner further indicated the applicant had conducted an Open House to provide neighbours with the opportunity to respond to the proposal.

No one else appeared before the Committee.

After considering the report, the presentation and discussion the Committee resolved to adopt the recommendation based on the reasons outlined in the staff report.

It was MOVED and SECONDED

1. *That Common Council rezone a parcel of land with an area of approximately 4 hectares, located at 395 Manchester Avenue, also identified as PID Nos. 55190003 and 55196695, from Rural (RU) to Pit and Quarry (PQ).*
2. *That, pursuant to Section 39 of the Community Planning Act, the development and use of the parcel of land with an area of approximately 4 hectares, located at 395 Manchester Avenue, also identified as PID Nos. 55190003 and 55196695, for an expansion of the existing gravel pit shall be subject to the following conditions:*
 - a) *That no blasting occur on site, and*
 - b) *That the access to the rezoned area be limited to the existing access developed on PID 00408294.*

CARRIED

GL/RS

Item 9: Horizon Management Ltd.
459, 617-885 and 540-900 Ashburn Road and a Parcel of Land
Northeast of the One Mile Interchange

Type of Application: Municipal Plan Amendment and Rezoning

Two letters of support and three against and/or expressing concerns were received.

Mark Reade provided a brief overview, via Power Point Presentation, of the Municipal Plan Amendment and Rezoning application to permit a mixed use development consisting of residential and commercial development and an Eco-Park on lands along Marsh Creek. Mr. Reade advised staff is recommending tentative approval that would require further infrastructure studies before final approval and a condition that the applicant be given five years to complete all studies and that the lands would revert back to their existing zoning should the first phase of development not occur.

John Wheatley of Horizon Management Limited appeared before the Committee and advised he was in favour of the staff recommendation and provided a presentation giving an overview of the project noting that the project was not a typical shopping centre development, but a mixed-use development, with this location chosen for its highway access and visibility. In addition, a 60-acre area of green space would be provided northeast of the One Mile Interchange allowing for the development of active transportation connections along Marsh Creek. Mr. Wheatley noted the applicant had been working through the pre-application process with City Staff and that the applicant has completed work including a geotechnical assessment along with preliminary servicing and hydrotechnical reviews.

Mr. Wheatley responded to questions from members of the Committee related to the timing of construction, the impact of the project on the area's retail market, the proposed Eco-Park, and stormwater management. He noted that the next stage in the project, if approved, would be the completion of the required studies, one of which is an Environmental Impact Assessment that is expected to take three to five years to complete. Mr. Wheatley noted Horizon Management is a local developer that is committed to the Saint John Region and that the proposed project would complement not compete with existing shopping malls. It was also noted the proposed Eco-Park would provide linkages to proposed walking and cycling trails as well as stormwater management and wetland compensation.

In response to questions from the committee relating to timing and why the developer did not wait to have the project reviewed as part of the five-year Municipal Plan review, Mr. Wheatley noted that a series of studies have to be completed before construction and that applying now would provide time for these studies to be completed prior to the economy improving. He also noted the entire project, including the residential component could take up to 20 years to develop.

City Staff noted in response to questions from the Committee that they have been working with the applicant through the pre-application process for approximately two years and that while they do not track the development of commercial floor space within the City, the proposed residential component of the project is 288 units compared with the 5000 dwelling units forecast to be developed over the horizon of the Municipal Plan.

Elizabeth McGhan of 1107 Rothesay Road appeared before the Committee and noted concerns with traffic in the area of the development given that Ashburn Road and Rothesay Road are used by employees of the hospital and university as a commuter route. She also noted concerns with drainage in the area and questioned the need for more retail floor area given the demographics of the region.

Neil Fulton, a resident of the area near the development, appeared before the committee and expressed concerns with stormwater management in the area of the development.

Deborah Lindsay, a resident of the Highlands at Drury Cove, appeared before the committee and expressed concerns with the City potentially having to subsidize infrastructure to support the development if there was a slow market uptake with the development.

Larry Hachey, chair of Enterprise Saint John, appeared before the committee and spoke in support of the development noting highway services is a gap that is not being served by the Saint John market and that this development would complement existing retail development in the City and the tourism market. He also noted development of the proposed Eco-Park would provide active transportation infrastructure and green space which make the City more attractive to business and new residents.

David Greene, General Manager of McAllister Place, representing Primaris REIT, spoke in opposition to the application. Mr. Greene noted that in his opinion, the proposal does not conform to the intent of the Corridor Commercial (CC) zone and that sufficient information was not provided by the applicant to assess conformity of the proposal with key Municipal Plan policies including LU-4, LU-59 and LU-60. Mr. Greene also expressed concerns with the net impact of the development on the City's finances if the City has to pay for infrastructure upgrades to support the development. He also noted concerns regarding stormwater management, noting that Policy LU-62 of the Plan imposes limits on development in the McAllister Regional retail Centre until a comprehensive stormwater management plan is completed for the area. Mr. Greene also noted that given the impacts of the proposed development on the wetland, wetland compensation will likely be required by the Province.

Staff responded to a question from the Committee relating to stormwater management noting the City is completing modelling of the stormwater drainage basins with the McAllister/Westmorland area expected to be complete in 2018. This modelling, and work proposed to be completed by the developer through the proposed Section 39 conditions, will provide input into the stormwater management plan cited in Policy LU-62 of the Municipal Plan.

John Wheatley reappeared before the Committee and stated he is aware of and understands the concerns and issues expressed by the residents. He noted, in his opinion, the developer has demonstrated a good track record with the East Point Development and noted it can take over 10 years to get a tenant signed on and the project construction completed.

The Committee questioned if approving the Municipal Plan Amendment and Rezoning for only that portion of the development that is currently within the Primary Development Area (PDA) was an option. Staff replied that this option was suggested to the developer during the pre-application process. Mr. Wheatley noted that approving only a portion of the site for commercial development would present difficulties in marketing the project to prospective commercial tenants.

Some committee members expressed concern with the lack of information provided by the applicant and the effects of the proposed residential component on development in areas identified for intensification in the Municipal Plan, noting that no approvals should

be given until the applicant provides additional information. Committee members also noted that the impacts of the development on the entire Marsh Creek watershed should be reviewed. Some Committee members expressed concern with the proposed residential development noting that it does not fit the area, or the broader commercial vision of the development. In response to questions from the Committee members, Staff noted the proposed Section 39 conditions would still apply if the Committee chose not to recommend approval of the residential component of the project.

No other persons appeared before the committee.

After considering the report, letters, comments made by the applicant and the concerns expressed members of the public, the Committee resolved to amend the recommendation as follows:

It was MOVED and SECONDED that Common Council:

1. *Redesignate, on Schedule A of the Plan, parcels of land with an area of Approximately 54.8 hectares, located at 459, 885 and 540-900 Ashburn Road also identified as being PID Nos. 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, 00418160 and a portion of PID No. 00053025; and a parcel of land north east of the One Mile Interchange, also identified as being PID No. 55189385, from Park and Natural Area and Rural Resource Area (outside of the Primary Development Area); Urban Reserve, Stable Area and Employment Area (within the Primary Development Area), to Employment Area, and Park and Natural Area (within the Primary Development Area);*
2. *Redesignate, on Schedule B of the Plan, the same parcels of land, from Park and Natural Areas and Rural Resource (outside of the Primary Development Area); Urban Reserve, Stable Commercial and Commercial Corridor (within the Primary Development Area) to Commercial Corridor, and Park and Natural Areas (within the Primary Development Area);*
3. *Designate, on Schedule A of the Plan, the portion of Ashburn Road, between Foster Thurston Drive and Rothesay Road, and the portion of Rothesay Road, from Ashburn Road to Rothesay Avenue, as a Commercial Corridor.*
4. *Amend the Zoning By-Law by:*
 - a) *rezoning a parcel of land having an area of approximately 37.5 hectares, located at 459, 540-900, and 885 Ashburn Road, also identified as PID Nos. 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, and 00418160 and a portion of PID No. 00053025, from Rural (RU) and Future Development (FD) to Corridor Commercial (CC).*
 - b) *rezoning a parcel of land having an area of approximately 17.3 hectares, located north east of the One Mile Interchange, also identified as PID No. 55189385, from Future Development (FD) to Park (P).*
5. *That, pursuant to Section 39 of the Community Planning Act, the development and use of the parcel of land with an area of approximately 37.5 hectares,*

located at 459, 540-900, and 885 Ashburn Road, also identified as PID Nos. 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, 00418160 and a portion of PID No. 00053025 for a commercial development and the parcel of land with an area of approximately 17.3 hectares, located north east of the One Mile Interchange, also identified as PID No. 55189385 for an Eco-Park, shall be subject to the following conditions:

- a) *No portion of the site shall be developed prior to the completion of a Transportation Impact Study prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions. The scope of work for the transportation impact study will be established in cooperation between the City, NBDTI and the developer.*
- b) *No portion of the site shall be developed prior to the preparation of a servicing study reviewing the impacts on the City's water supply and sanitary sewer collection systems prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions.*
- c) *No portion of the site shall be developed prior to the preparation of a stormwater management study that details the approach for stormwater management on the development site and reviews the impacts of the development on upstream and downstream areas of the Marsh Creek watershed prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions.*
- d) *No portion of the site shall be developed prior to the proponent registering the project with the Provincial Environmental Impact Assessment Process and a Certificate of Determination being issued by the Province.*
- e) *No portion of the site shall be developed except in accordance with detailed plans including, but not limited to, a context plan, a site plan, typical building floor plans, typical building elevations, and a landscape plan all of which are to be prepared by the proponent and subject to the approval of Common Council, as a statutory amendment to these conditions.*
- f) *Should a significant change be proposed in the project concept plan, an addendum is required to the market study that provides additional analysis of the impacts of the proposed development on the regional retail sector as a whole, and is subject to the approval of Common Council, as a statutory amendment to these conditions. This addendum to the market study will be prepared by the developer.*
- g) *Any upgrades to the existing municipal infrastructure required to service this proposed development will be the developer's responsibility and cost. However, should any cost sharing agreement be proposed between the developer and City, which may involve another level of Government, related to costs associated with infrastructure upgrades, servicing, transportation network improvements or development of the*

project, that such cost-sharing agreement be subject to the approval of Common Council, as a statutory amendment to these conditions.

- h) The maximum floor area of a building in the rezoned area is limited to 3000 square metres
- i) The required studies outlined in conditions a) through f) inclusive shall be completed within 5 years of the date of the Municipal Plan amendment and rezoning coming into effect. Should this not occur, Common Council reserves the right to take steps to immediately repeal the rezoning agreement and the rezoning pursuant to Sections 39(5) and 39(6) of the Community Planning Act and return the land shall return to its previous zone which existed prior to this agreement; and ,

No portion of the site shall be developed prior to the preparation of a detailed phasing plan that graphically outlines the timeline for completion of the site development, prepared by the developer and is subject to the approval of Common Council, as a statutory amendment to these conditions. Common Council reserves the right to impose additional conditions relating to the timeline for completion of the project phases and the repeal of the rezoning agreement and the rezoning pursuant to Sections 39(5) and 39(6) of the Community Planning Act and the return the of the land to its previous zone which existed prior to this agreement at the time the studies are reviewed as part of the required Section 39 Amendment, and

- j) In accordance with Section 39(8) of the Community Planning Act, the applicant shall provide a certified cheque in the amount of one thousand dollars (\$1,000.00) to cover expenses related to the cancellation of the conditional rezoning agreement and/or repeal of the rezoning in the event that the conditions attached to the rezoning cannot be met, as per policy I-5 in the Municipal Plan. The certified cheque shall be repayable on the substantial completion of the development for which the rezoning is granted. This shall be provides by the Developer to the City within 30 days of Third Reading of the 2016 Municipal Plan Amendment and Rezoning.

CARRIED
NAY

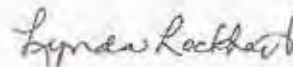
KB/GL
AM/AMcS

*Andrew Miller
+ Anne McShane as Plan 5J
Team*

There being no further business, the meeting adjourned at 10:17 p.m.



Eric Falkjar
Chair



Lynda Lockhart
Recording Secretary

APPENDIX C

MINUTES OF COMMON COUNCIL

PERTAINING TO THE 3RD READING,

OF "THE CROSSING"

INCLUDING CONDITIONS (SECTION 39)



The City of Saint John

MINUTES – REGULAR MEETING
COMMON COUNCIL OF THE CITY OF SAINT JOHN
APRIL 18, 2016 AT 6:00 PM
IN THE COUNCIL CHAMBER

Present: Mayor M. Norton
Deputy Mayor S. Rinehart
Councillor B. Farren
Councillor S. Fullerton
Councillor G. Lowe
Councillor J. MacKenzie
Councillor S. McAlary
Councillor D. Merrithew
Councillor G. Norton
Councillor D. Reardon
Councillor R. Strowbridge

Also Present: City Manager J. Trail
Deputy City Manager N. Jacobsen
City Solicitor J. Nugent
Commissioner of Finance and Treasurer K. Fudge
Commissioner of Growth and Community Development J. Hamilton
Acting Commissioner of Transportation and Environment M. Hugenholtz
B. McGovern Commissioner Water
B. Keenan City Engineer
Deputy Commissioner of Growth Community Development P. Ouellette
Fire Chief K. Clifford
Police Chief J. Bates
Common Clerk J. Taylor
Deputy Common Clerk P. Anglin

1. Call to Order

Mayor Norton called the meeting to order.

2. Approval of Minutes

2.1 Minutes of April 4, 2016

Moved by Councillor McAlary, seconded by Councillor MacKenzie:

RESOLVED that the minutes of the meeting of Common Council, held on April 4, 2016, be approved.

Numbers 00365247, 00364877, 55087175 and 55087183, for a mixed-use development shall be subject to the following terms and conditions:

- a. The development shall be limited to the applicant's specific proposal involving a combination of those uses set out in the submitted "172 City Line, Saint John, New Brunswick, Development Application for Change of Use and Letter of Intent", with the exception of a kennel;
- b. The subject site shall be developed and maintained in general accordance with the site plan and building elevation plans attached to the February 11, 2016 application for rezoning of the property to the Integrated Development (ID) zone;
- c. Notwithstanding condition (b), subsequent modifications to the site development shall be permitted subject to the standards applicable in the General Commercial (CG) zone, unless varied where deemed appropriate in accordance with s. 35(1) of the Community Planning Act; and
- d. That upon the rezoning of the property, the land and any building or structure thereon must be developed and used in conformity with the proposal and conditions identified herein.

MOTION CARRIED.

Moved by Councillor McAlary, seconded by Councillor Merrithew :

RESOLVED that the bylaw entitled, "By-Law Number C.P. 111-20 A Law to Amend the Zoning By-Law of The City of Saint John", amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 6200 square metres, located at 172 City Line, also identified as PID Numbers 00365247, 00364877, 55087175, 55087191 and 55087183, from Neighbourhood Community Facility (CFN) to Integrated Development (ID), be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED.

Read a third time by title, the by-law entitled, "By-Law Number C.P. 111-20 A Law to Amend the Zoning By-Law of The City of Saint John".

10.3 Proposed Municipal Plan and Zoning By-Law Amendments with Section 39 Conditions - Ashburn Road/One Mile Interchange (3rd Reading)

Moved by Councillor McAlary, seconded by Councillor Merrithew:

RESOLVED that they bylaw entitled, "By Law Number C.P. 106-12 A Law to Amend the Municipal Plan By-Law", amending Schedule A – City Structure, by redesignating parcels of land with an area of approximately 65.4 hectares, located at 459, 617-885 and 540-900 Ashburn Road also identified as being PID Numbers 00296673, 00357327, 00432203, 00052985, 00053017, 00053025, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, and 00418160; and a parcel of land north east of the One Mile Interchange, also identified as being PID Number 55189385, from Park and Natural Area and Rural Resource Area (outside of the Primary Development Area); Urban Reserve, Stable Area and Employment Area (within the Primary Development Area), to Employment Area, Stable Area and Park and Natural Area (within the Primary Development Area); amending Schedule B – Future Land Use, by redesignating the same parcels of land from Park and Natural Areas and Rural Resource (outside of the Primary Development Area); Urban Reserve, Stable Commercial and Commercial Corridor (within the Primary Development Area) to Commercial Corridor, Stable Residential and Park and Natural Areas (within the Primary Development Area); and amending Schedule A – City Structure, by designating the portion of Ashburn Road, between Foster Thurston Drive and Rothesay Road, and the portion of Rothesay Road, from Ashburn Road to Rothesay Avenue, as a Commercial Corridor, be read.

MOTION CARRIED with Councillor Reardon voting nay.

The by-law entitled, "By-Law Number C.P. 106-12 A Law to Amend the Municipal Plan By-Law", was read in its entirety.

Moved by Councillor McAlary, seconded by Deputy Mayor Rinehart:

RESOLVED that they bylaw entitled, "By-Law Number C.P. 106-12 A Law to Amend the Municipal Plan By-Law", amending Schedule A – City Structure, by redesignating parcels of land with an area of approximately 65.4 hectares, located at 459, 617-885 and 540-900 Ashburn Road also identified as being PID Numbers 00296673, 00357327, 00432203, 00052985, 00053017, 00053025, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, and 00418160; and a parcel of land north east of the One Mile Interchange, also identified as being PID Number 55189385, from Park and Natural Area and Rural Resource Area (outside of the Primary Development Area); Urban Reserve, Stable Area and Employment Area (within the Primary Development Area), to Employment Area, Stable Area and Park and Natural Area (within the Primary Development Area); amending Schedule B – Future Land Use, by redesignating the same parcels of land from Park and Natural Areas and Rural Resource (outside of the Primary Development Area); Urban Reserve, Stable Commercial and Commercial Corridor (within the Primary Development Area) to Commercial Corridor, Stable Residential and Park and Natural Areas (within the Primary Development Area); and amending Schedule A – City Structure, by designating the portion of Ashburn Road, between Foster Thurston Drive and Rothesay Road, and the portion of Rothesay Road, from Ashburn Road to Rothesay Avenue, as a Commercial Corridor, be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED with Councillor Reardon voting nay.

Read a third time by title, the by-law entitled, "By-Law Number C.P. 106-12 A Law to Amend the Municipal Plan By-Law".

Moved by Councillor McAlary, seconded by Councillor Merrithew:

RESOLVED that they by-law entitled, "By-Law Number C.P. 111-21 A Law to Amend the Zoning By-Law of The City of Saint John", amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 35.3 hectares, located at 459, 540-900, and 885 Ashburn Road, also identified as PID Numbers 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, and 00418160 and a portion of PID Number 00053025, from Rural (RU) and Future Development (FD) to Corridor Commercial (CC); amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 12.8 hectares, located at 617 Ashburn Road, also identified as PID Numbers 00052985 and 00053017 and a portion of PID Number 00053025, from Rural (RU) to Mid-Rise Residential (RM); and amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 17.3 hectares, located north east of the One Mile Interchange, also identified as PID Number 55189385, from Future Development (FD) to Park (P), be read.

MOTION CARRIED with Councillor Reardon voting nay.

The by-law entitled, "By-Law Number C.P. 111-21 A Law to Amend the Zoning By-Law of The City of Saint John", was read in its entirety.

Moved by Councillor McAlary, seconded by Councillor Merrithew:

RESOLVED that, pursuant to Section 39 of the *Community Planning Act*, the development and use of the parcel of land with an area of approximately 32.5 hectares, located at 459, 540-900, and 885 Ashburn Road, also identified as PID Numbers 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, 00418160 and a portion of PID Number 00053025 for a commercial development and the parcel of land with an area of approximately 17.3

hectares, located north east of the One Mile Interchange, also identified as PID Number 55189385 for an Eco-Park, shall be subject to the following conditions:

a) No portion of the site shall be developed prior to the completion of a Transportation Impact Study prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions. The scope of work for the transportation impact study will be established in cooperation between the City, NBDTI and the developer.

b) No portion of the site shall be developed prior to the preparation of a servicing study reviewing the impacts on the City's water supply and sanitary sewer collection systems prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions.

c) No portion of the site shall be developed prior to the preparation of a stormwater management study that details the approach for stormwater management on the development site and reviews the impacts of the development on upstream and downstream areas of the Marsh Creek watershed prepared by the developer and subject to the approval of Common Council, as a statutory amendment to these conditions.

d) No portion of the site shall be developed prior to the proponent registering the project with the Provincial Environmental Impact Assessment Process and a Certificate of Determination being issued by the Province.

e) No portion of the site shall be developed except in accordance with detailed plans including, but not limited to, a context plan, a site plan, typical building floor plans, typical building elevations, and a landscape plan all of which are to be prepared by the proponent and subject to the approval of Common Council, as a statutory amendment to these conditions.

f) Should a significant change be proposed in the project concept plan, an addendum is required to the market study that provides additional analysis of the impacts of the proposed development on the regional retail sector as a whole, and is subject to the approval of Common Council, as a statutory amendment to these conditions. This addendum to the market study will be prepared by the developer.

g) Any upgrades to the existing municipal infrastructure required to service this proposed development will be the developer's responsibility and cost. However, should any cost sharing agreement be proposed between the developer and City, which may involve another level of Government, related to costs associated with infrastructure upgrades, servicing, transportation network improvements or development of the project, that such cost-sharing agreement be subject to the approval of Common Council, as a statutory amendment to these conditions.

h) The maximum floor area of a building in the rezoned area is limited to 3000 square metres.

i) The required studies outlined in conditions a) through f) inclusive shall be completed within 5 years of the date of the Municipal Plan amendment and rezoning coming into effect. Should this not occur, Common Council reserves the right to take steps to immediately repeal the rezoning agreement and the rezoning pursuant to Sections 39(5) and 39(6) of the Community Planning Act and return the land shall return to its previous zone which existed prior to this agreement; and , No portion of the site shall be developed prior to the preparation of a detailed phasing plan that graphically outlines the timeline for completion of the site development, prepared by the developer and is subject to the approval of Common Council, as a statutory amendment to these conditions. Common Council reserves the right to impose additional conditions relating

to the timeline for completion of the project phases and the repeal of the rezoning agreement and the rezoning pursuant to Sections 39(5) and 39(6) of the Community Planning Act and the return the of the land to its previous zone which existed prior to this agreement at the time the studies are reviewed as part of the required Section 39 Amendment, and

j) In accordance with Section 39(8) of the Community Planning Act, the applicant shall provide a certified cheque in the amount of one thousand dollars (\$1,000.00) to cover expenses related to the cancellation of the conditional rezoning agreement and/or repeal of the rezoning in the event that the conditions attached to the rezoning cannot be met, as per policy 1-5 in the Municipal Plan. The certified cheque shall be repayable on the substantial completion of the development for which the rezoning is granted. This shall be provided by the Developer to the City within 30 days of Third Reading of the 2016 Municipal Plan Amendment and Rezoning.

MOTION CARRIED with Councillor Reardon voting nay.

Moved by Councillor McAlary, seconded by Deputy Mayor Rinehart:
RESOLVED that they by-law entitled, "By-Law Number C.P. 111-21 A Law to Amend the Zoning By-Law of The City of Saint John", amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 35.3 hectares, located at 459, 540-900, and 885 Ashburn Road, also identified as PID Numbers 00296673, 00357327, 00432203, 55003222, 55069074, 55100325, 55155378, 00297143, 00297895, and 00418160 and a portion of PID Number 00053025, from Rural (RU) and Future Development (FD) to Corridor Commercial (CC); amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 12.8 hectares, located at 617 Ashburn Road, also identified as PID Numbers 00052985 and 00053017 and a portion of PID Number 00053025, from Rural (RU) to Mid-Rise Residential (RM); and amending Schedule A, the Zoning Map of The City of Saint John, by re-zoning a parcel of land having an area of approximately 17.3 hectares, located north east of the One Mile Interchange, also identified as PID Number 55189385, from Future Development (FD) to Park (P), be read a third time, enacted, and the Corporate Common Seal affixed thereto.

MOTION CARRIED with Councillor Reardon voting nay.

Read a third time by title, the by-law entitled, "By-Law Number C.P. 111-21 A Law to Amend the Zoning By-Law of The City of Saint John".

11. Submissions by Council Members

11.1 Naming of New School in West Saint John (Councillor McAlary)

Moved by Councillor McAlary, seconded by Councillor Farren:
RESOLVED that Council give support and approval by way of a letter to the District Education Council and the Provincial Minister of Education to name the new school to be located near the site of the present Havelock School in West Saint John as the "Victor Fitzgerald School".

MOTION TABLED.

Moved by Deputy Mayor Rinehart, seconded by Councillor Merrithew:
RESOLVED that the matter be tabled for one month to gather more information from the community.

MOTION CARRIED with Councillors Reardon, Norton, Lowe, and McAlary voting nay.

From: [REDACTED]
Subject: Registration of Undertaking Environmental Impact Assessment Regulation Clean Environment Act; Opportunity for Public Comment Concerning "The Crossing" Proposal
Date: May 19, 2017 at 8:24 AM
To: info@horizonmgt.ca
Cc: Ward, Christie (ELG/EGL) Christie.Ward@gnb.ca

RS

RE: Registration of Undertaking Environmental Impact Assessment Regulation Clean Environment Act; Opportunity for Public Comment Concerning "The Crossing" Proposal

The proposed development would be situated in a swamp area of Saint John. While there are technical solutions to mitigate water it is imperative that the review of water and flooding impacts be considered on a holistic level and not limited to the development site as proposed by Horizon Management Ltd. Furthermore, in the interest of the public, site development should not be started until solutions for water mitigation are fully defined, developed and implemented. The Environment Department / Province of New Brunswick should do a "deep dive" on this matter and require a comprehensive review.

It is well known that there is flooding in east Saint John and specifically in the proposed development area. The proposed development site currently acts to mitigate worse flooding in the general Marsh Creek area – it essentially acts as a holding pond for water making its way to the Bay of Fundy via Marsh Creek. Building on such a flood plain requires significant efforts (engineering, investment etc.) along the entire Marsh Creek route to mitigate the changes in water conditions associated with impact of developing the site.

The impact of high tides, water retention due to tidal movement and wet weather all impact the entire area along Marsh Creek including the development site, major retail centres (McAlister Mall), commercial corridors (Rothsaway Ave), and residential neighbourhoods (Glen Falls). Any significant development in that general area requires a study of water / flooding and the resulting environmental impact for the **entire area**. The sketchy, limited and inadequate study provided by the applicants draws a conclusion that on the face does not make sense. Specifically the conclusion from the Terrain Report (Draft Report concerning Hydraulics and Hydrology) is just not plausible: "The development of the Crossing has no negative impact on flooding in the Marsh Creek watershed whether the storage is constructed or not." How can a major development built in a swamp, which floods regularly not have an impact on flooding? The underlying development plans which rely on the Terrain report must reflect the best available information and provide the best long term protection for the public. It is noteworthy that the "draft" study was completed a decade ago and predates current storm events, change in wind conditions, extreme rain events, rising tide levels and other climate conditions. Such changed conditions and the expected future climatic conditions vary markedly from those entertained a decade ago. It is imperative that a current study using current data and current long term projections be employed.

The threat to the environment, commercial and residential properties and to the City of Saint John is so significant that the Province of New Brunswick should require in depth studies and analysis of the environmental impacts of the development and ensure that mitigation plans and construction should be implemented in advance of the commercial site development.

Mitigation (Section 5 of the Registration document)

Mitigation activities proposed by the applicant are significantly underwhelming in the lack of plans, detail and timing. The only two mitigation proposals put forth to deal with flooding / water are (1) a Naturalized Storm Water Pond (which is never fully defined or explained) and (2) possibly at some future unspecified time, determination of the required compensatory mitigation could be made and maybe some of the mitigation may be met by using some part of a 17.3 hectare green space /eco-park area for water storage.

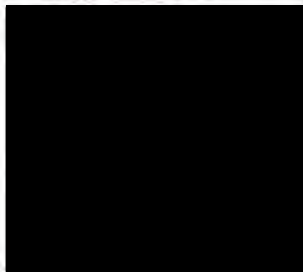
The reader of the proposal is left to assume that the Naturalized Storm Water Pond will solve current flooding conditions in Marsh Creek area and it will mitigate the impacts of the initial development stages of the

proposed development. How deep is this pond? How long is it? How wide is it? Will it contain control gates? Exactly what is the Naturalized Storm Pond? - it really is not well defined. Personally I do not see how the assumption that the Pond will solve all flooding issues can be reasonably drawn from the material presented. Very old and draft studies should not be the basis for assuming that simply widening the creek on the development site will solve all current and future water issues. If it were that easy why is there still flooding in the Marsh Creek area? If the underlying model employed is valid why does flooding continue to exist over the past 10 years? Actual flooding over the past 10 years suggests that the underlying model / approach is in error. Adding more water issues to the existing situation cannot result in no or less flooding; it can only be worse. The report should have listed all the floods in the past 10 years in the Marsh Creek area and discussed how the proponent's model did or did not properly predict the outcome. Any credible submission on water issues would have tested the theory to actual practice - the proponent did not do such despite 10 years of experience since the report was prepared. In short the credibility of the Terrain Report should be considered suspect and the Province of New Brunswick should require a "deep dive" on environmental issues.

Public Involvement (Section 6 of the Registration Document)

The proponent presented the Crossing project at public sessions as indicated in their document. However I submit that the public may have a different view of the proposal relative to what is contained in the Registration documentation. The EIA registration document distances itself from the eco-park / water storage facility (17.3 hectares) in that there are effectively no plans to build such a facility unless required associated with development in the regulated wetlands. I believe most people at the public session think that the eco-park is being built simultaneously with the development of the retail / commercial development. In a sense I believe the public look at the development of the eco-park with its capacity to prevent Marsh Creek flooding as a *quid quo pro* for the commercial / retail development. In short the public get a solution to flooding and the proponent gets a new commercial / retail centre. Clearly that is not what is presented to the Province. The proponent offers the Province a widened ditch on part of the development area and submits an outdated study that essentially says there is no potential flooding issues for building in a swamp. In sum, one perspective offered to the public and a different one to the Province.

May, 19, 2017



From: [REDACTED]
Subject: The Crossing
Date: May 18, 2017 at 7:13 PM
To: [REDACTED]

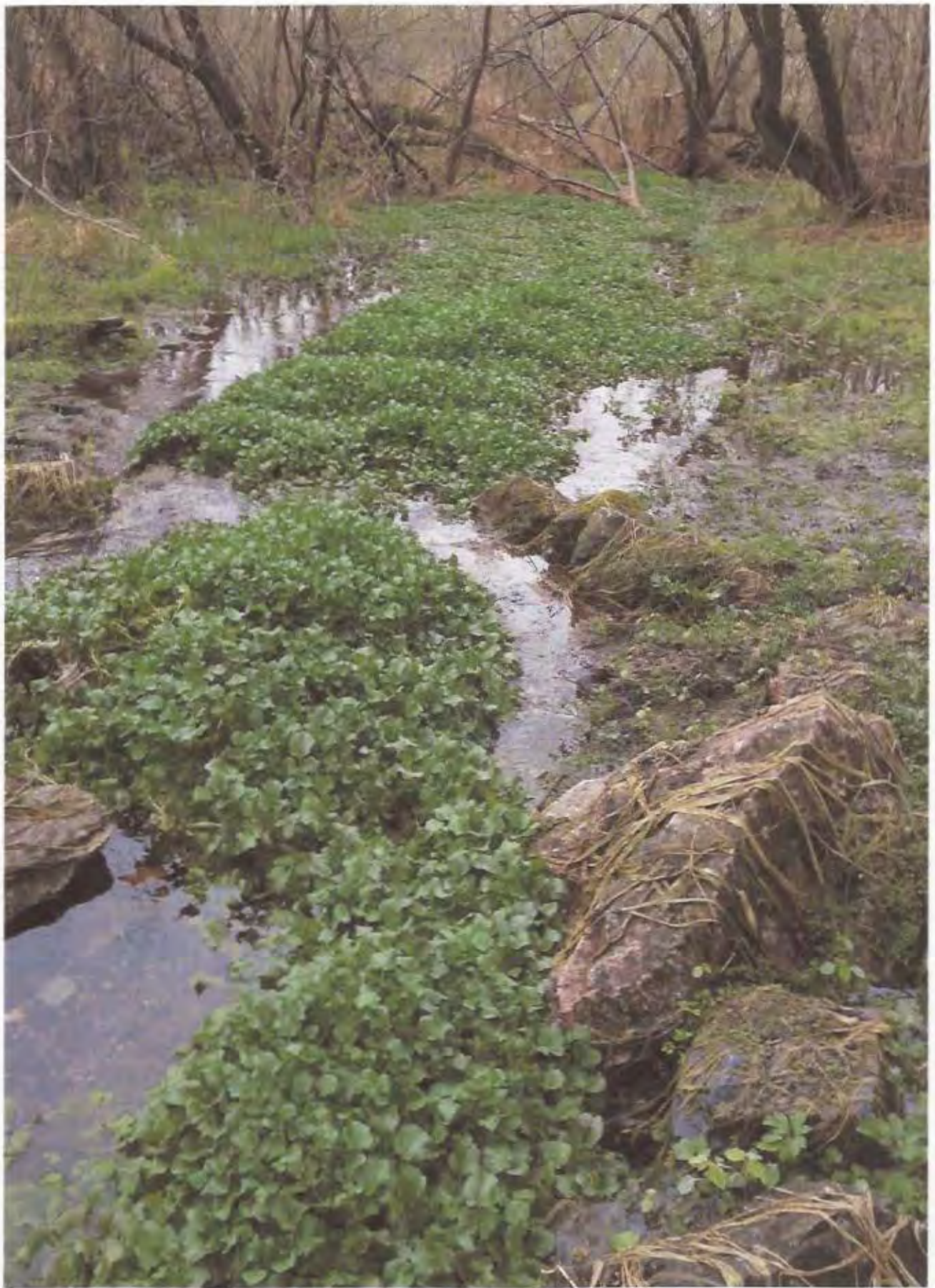
Dear Sir/Madam,

[REDACTED] This stream originates from Ashburn lake and it connects with Little Marsh creek. Our inquiry is simple, is there a planned accommodation for the springs flow which is very heavy at times, heavy enough to have been the water supply for four homes, one which is an apartment building.

Thank-You
[REDACTED]

Please find attached photos of said spring.





Sent from Yahoo Mail on Android





Response

1. What plans has the proponent made to conduct up-to-date studies that based on the present size proposed for the development?

Answer

Since the submission of the EIA Registration for The Crossing, the proponent has commissioned the following studies;

- Wetland deligniation and function
- Archaeological Assessment
- Traffic Impact Study
- Site Servicing Study
- Stormwater Management Study
- Floodplain Study

2. What plans has the proponent made to conduct Watercourse and Hydrology Studies based on a maximum that includes current rainfall intensities and frequencies?

Answer

See Answer #1

3. Please provide a list of documents proving that the other four conditions (Section 39) have been satisfied before construction begins, including the records and dates of Common Council's approval of each of the above conditions, and information for where the public can access these documents.

Answer

The Section 39 conditions requested by Saint John Common Council will be addressed following the EIA process and the proponent has contacted the City to initiate the Section 39 approval process. The Section 39 approval process will include presentations to both the PAC and Common Council and these presentations and associated reports will be part of the public record.

4. On what grounds can the proponent apply to begin construction in the Spring of 2017 without providing proof that all five conditions required by Common Council have been satisfied?

Answer

At the time of Registration, the Proponent is required to offer a time line for completion of the EIA. In November 2016, it has the hope of the Proponent to complete the required studies by Spring of 2017. The Proponent expanded the scope of the studies such that the Spring 2017 was no longer achievable.

5. Given that projection, what plans has the proponent made to restore or create wetland of two to four times the 10.6 hectares potentially impacted by the development as required by EIA Regulations?

Answer

After the technical studies have been completed, mitigative compensation values will be calculated and the options for meeting this compensation will be discussed with NBDELG.

6. Has a WWAP application package been submitted? When is it dated? Where and how can it be accessed?

Answer

WWAP applications will be made after the Proponent receives a Determination from NBDELG with possible conditions.

7. What plans does the proponent have to submit a WWAP with a current study that takes the increasing frequency and intensity of severe weather events into account rather than relying on data generated by parameters relevant 8 to 12 years ago?

Answer

These issues are covered in the technical studies being completed and will be taken into consideration when, and if, a WWAP permit is necessary.

8. What plans has the proponent made for this area to be delineated by a certified wetland technician before the above construction begins?

Answer

The wetland delineation and functionality study was conducted by a certified wetland technician.

9. What plans has the proponent made to restore or create wetland of two to four times the capacity provided by the total 26 hectares with wetland characteristics?

Answer

See Answer #5

10. What plans has the proponent made to prevent flooding of the immediate neighbours of The Crossing, among them the Rothesay Road exit, the Rothesay Avenue businesses parallel to the Crossing, Glen falls and the intersection of McAllister Drive and Rothesay Avenue?

Answer

These issues are covered in the Floodplain Study being completed

11. What plans has the proponent made to prevent flooding of the railway tracks and the rail yard?

Answer

These issues are covered in the Floodplain Study being completed

12. How many hectares are these green spaces?

Answer

The green space paralleling Rothesay Avenue is approximately 17.3 ha. Green spaces shown on the Conceptual Drawings in the EIA Registration were just that, conceptual, and will be finalized after the EIA Determination is received.

13. What are the characteristics, wetland or otherwise, of these green spaces? Will they compensate for the lost wetlands?

Answer

This will be determined during discussion with NBDELG after all studies are received and forwarded to NBDELG.

14. What plans does the proponent have to leave or restore the natural wetland environment and vegetation in these green spaces instead of planting with shade trees and vegetation not found in wetlands?

Answer

This will be determined during discussion with NBDELG after all studies are received and forwarded to NBDELG.

15. Has the proponent considered redesigning the development to respect the natural characteristics of the area by situating the buildings and streets around the existing creek channel instead of straightening it and reducing its water absorbing and particulate-filtering capacity?

Answer

Yes, this has been part of the ongoing EIA process.

16. What plans does the proponent have to surface the streets and parking lots with water-permeable materials instead of impermeable asphalt to reduce and filter out much of the particulate matter and petroleum products polluting runoff water which is otherwise going to flow into and pollute Little Marsh Creek and the restored Mash Creek watershed?

Answer

This will be determined during discussion with NBDELG after all studies are received and forwarded to NBDELG.

17. Where will the additional compensatory wetlands be located that are required to fulfill the EIA requirement for two to four times the wetland lost?

Answer

There are a number of options to be considered once the final compensation number are determined. These could be onsite or offsite.

18. If compensatory wetlands are not located near or in the development, then how will they replace the water absorption previously provided by the lost wetland in The Crossing?

Answer

This will be determined during discussion with NBDELG after all studies are received

and forwarded to NBDELG.

19. How many hectares will these compensatory wetlands comprise?

Answer

This will be determined during discussion with NBDELG after all studies are received and forwarded to NBDELG.

20. What plans does the proponent have to conduct a current study that includes data from severe events up to and including the present?

Answer

These studies are being completed as part of the EIA and Section 39 conditions.

21. What measures has the proponent put in place within The Crossing itself to store floodwaters that will compensate for the loss of water absorption and filtration capacity of the two to four times the 10.6-hectare Regulated Wetland?

Answer

These studies are being completed as part of the Section 39 conditions.

22. What measures has the proponent put in place within The crossing itself to store floodwaters that will compensate for the loss of water absorption and filtration capacity of the 15.4 hectares of land with wetland characteristics slated for immediate development?

Answer

These studies are being completed as part of the EIA and Section 39 conditions.

23. If the Lower marsh Creek Parcel and the Marsh Creek City Lands and refurbished to provide storm water storage, who will pay for this work, the taxpayers of Saint John or the proponent?

Answer

The Proponent will carry out the work required to provide storm water storage and has not approached any governments to assist with this work.

24. On what grounds can the proponent begin construction in the Spring of 2017 before satisfying this EIA requirement?

Answer

See answer #4

25. Rather than basing the EIA Registration on 12-year-old data, what plans does the proponent have to conduct a study at the present time to determine current species and their numbers in Little marsh Creek following the watershed restoration?

Answer

See answer #1

26. On what grounds can this EIA application be accepted when this requirement wasn't satisfied?

Answer

The referenced discussions with NBDELG are part of the EIA process and will take place before final Determination is made.

27. What evidence can the proponent provide that The Crossing will not just be another centre that motivates visitors to drive past Saint John rather than visit it?

Answer

The development is located to encourage traffic to visit the center. The market study submitted to the City as part of the rezoning process addresses this issue.

28. What evidence of economic spinoffs for the City additional to more property tax for Saint John will result from this development?

Answer

The Proponent addressed this issue in its rezoning application and will work with the City to further identify economic benefits of the development.

29. What evidence can the proponent provide that property taxes from the enterprises and residences in the Crossing will cover and even exceed increased infrastructure expenses?

Answer

The proponent has not yet requested infrastructure assistance from the City. If and when this happens a full review of expected costs and revenues will be included in that discussion.

Response

1. Forwarded link to article in May 10, 2017 MacLean's Magazine, "*It's time we stopped paying for your river view*".
2. I'm wondering if you could tell me why you are soliciting responses regarding the environmental assessment of the Crossings development rather than informing interested parties that they should direct their concerns to the Department of the Environment and Local Government.

Answer

The process for the completion of an Environmental Impact Assessment is laid out in "A Guideline the Environmental Impact Assessment in New Brunswick" as published by the New Brunswick Department of Environment and Local Government in April 2012. With respect to Public Involvement, the guideline states;

Open and transparent public involvement is required for all registered projects. In order to fulfill the requirements of Section 6(1) of the EIA Regulation, the proponent must demonstrate that the affected public and other stakeholders have been given the opportunity to become involved in reviewing the project, and must indicate how the proponent has considered or addressed any resultant questions and concerns. The opportunity for public involvement benefits citizens most when they take an active role at an early stage in the process, and clearly articulate their specific questions or concerns. Additional information about public involvement during the Determination Review is included in Section 6.0 and Appendix C of the Registration Guide at the end of this booklet.

As stated, the onus is on the **proponent** to inform the affected public, solicit comment and to report back to the Department.

Response

1. Puzzled “that such a notification would not have come from the City of Saint John. It should not be coming from the promoter of this particular development.”
2. “I believe that a comprehensive environmental assessment carried out by professional retained and supervised by the province should be conducting these studies and not developers who stand to benefit from the project being promoted.”
3. Referred to a letter of April 1, 2016 sent to Mayor Norton and the members of Council, stating, “all of the objections that I raised last year still remain.”
 - The letter referred to observations which were presented orally to the PAC.
 - No new observations or questions were asked.

Answer

The proponent has followed the EIA process as outlined by the province and has retained the services of local and national professional firms to carry out all required technical studies.

Gordon Dalzell response

- Page 3-4. Will recommend a Comprehensive Review.

Answer

Noted

- Page 5. The EIA Registration Document is dated Nov 16, 2016. There is an update letter April 21, 2017.
 - Please explain why the delay in terms of this process.
 - What created this delay?
 - What changes if any was made?
 - Did the TRC have changes or recommendations identified that you have to make? If so what were they?

Answer

At the time of Registration, the Proponent is required to offer a time line for completion of the EIA. In November 2016, it has the hope of the Proponent to complete the required studies by Spring of 2017. The Proponent expanded the scope of the studies such that the Spring 2017 was no longer achievable.

- Page 8. Objection to proposed started date of “ Construction season 2017”
 - Please clarify.
 - How can the proponent justify a Spring 2017 commencement of activities? Please provide an explanation and justification.

Answer

At the time of Registration, the Proponent is required to offer a time line for completion of the EIA. In November 2016, it has the hope of the Proponent to complete the required studies by Spring of 2017. The Proponent expanded the scope of the studies such that the Spring 2017 was no longer achievable.

- Page 9. Property Ownership??
 - Please list affiliated companies
 - Are these US, foreign investment partners?
 - Are they solely New Brunswick companies?
 - Are there other proposals involved in the development?
 - Is Couche Tard Company (Circle K) or Irving Oil involved with this development?
 - Big Stop
 - Walmart Superstore

Answer

- The affiliated companies are all within the Northrup group of companies
- No
- Yes
- Not at this time
- No, these companies have not been approached

- Page 12. Define what you mean by “mixed use commercial and residential development”.
 - Single dwelling homes
 - Apartment building
 - Garden homes
 - Senior Housing
 - Social housing

Answer

At this time all options are on the table

- Page 12. Will social housing funds be used if such residential housing will be built?

Answer

This will be determined at a later date if and when a social housing component is to be included in the development.

- Page 12. Are there any Federal Government Departments involved in the residential development aspect of this Project?

Answer

The Federal Government has not been approached regarding any residential component.

- Page 13. Section 39 requirements – 3 reports
 - Please provide digital links in your Summary

Answer

These reports will be placed on the NBDELG EIA web site when completed

- Page 15. Highway services??
 - Needs specific examples
 - Truck stop / truck repairs (Midland Transport)

Answer

Highway services could include any of the services found at similar developments including gas, service, fast food, family food, hospitality, convenience retail, etc.

- Page 15. Impact on McAllister Place and small strip malls
 - Walmart Superstore?

Answer

The proponent conducted a market study as part of the rezoning process that clearly differentiated this proposed development from other retail locations.

- Page 17. Provide a list of permitted types of businesses permitted with your rezoning approval.

Answer

City of Saint John Planning Department, as laid out in the zoning by-laws, will establish permitted uses.

- Page 17. What does “but not limited to” mean?
 - What other kinds of development facilities, options could go on this site apart from what your registration document states.

Answer

At the time of registration the full list of potential options had not been determined. Limitations to this list will be determined by Saint John Planning Department and as stipulated in the zoning by-laws.

- Page 18. “A street scape single building design”
 - Could a strip mall design be included?

Answer

Possibly.

- Page 19. Explain what you mean by “recreational”
 - Could this include an indoor recreational centre multi purpose use?
 - Saint John Exhibition grounds?

Answer

Some type of recreational center could be included.

- Page 20. “the purpose is to meet the financial needs of the development to profit,,,”

Answer

Noted

- Page 22. Objects to “drive by area not a drive in area”
 - Reference studies

Answer

The proponent would like to encourage more people to stop, stay and shop within the City by offering a wider range of services with convenient access.

- Page 25. The proposed project is not well suited to lower economic levels or senior or people without cars.

Answer

Noted

- Page 28. Since the land will be worth more after development, it is concluded that “this site development is about the Proponent’s plan to make considerable profit by improving otherwise swamp land”
 - ??? value of land before and after development.??

Answer

Noted

- Page 32. ??Will the proponent cover the cost of financial damages after the flooding of these surrounding areas?
 - Have you consulted with the Insurance Bureau of Canada??

Answer

The proponent has and will be conducting extensive storm water and flood plain studies in order to meet all regulatory requirements.

- Page 35. “generate both direct and indirect employment positions”
 - How many? Have you completed market studies to validate your conclusions?

Answer

The proponent included information on economic benefits in the re-zoning application.

- Page 36. “similar types of development seen in other municipal centers and that does not currently exist here in Saint John?”
 - Provide names of other municipalities in Canada or US that have similar developments?
 - Provide web links
 - Are any built of similar types of wetland, flood prone areas like this one proposed? Provide EIA Studies.

Answer

There are highway-centered developments as close as Moncton or Halifax and across North America that are built on a variety of terrain types.

- Page 37. Wants more detail, specific on;
 - Negative impact on McAllister Place and East Point
 - “significant new property tax revenue
 - Increased visitor traffic

Answer

Addressed in previous questions including # 35

- Page 40. Will all of the 17.3 hectares of green space be covered with aggregate?

Answer

No

- Page 43. General feeling that many of the reports are outdated.

Answer

Noted. More current studies have been completed

- Page 50. Has the proponent consulted ACAP Saint John?

Answer

Yes

- Page 54. How many piles will have to be driven into this proposed site?

Answer

Buildings will likely be constructed on piles, this will be determined during the construction phase of the project.

- Page 55. How do you plan to carry out Duty to Consult? Have you been in contact with Aboriginal leaders?

Answer

This has been completed as part of the EIA requirement.

- Page 58. Can you, as the Proponent, absolutely guarantee there won't be flooding in the Marsh Creek Watershed as a result of your development even with mitigation steps set out? Financial compensation.

Answer

The proponent has and will be conducting extensive storm water and flood plain studies in order to meet all regulatory requirements

- Page 60. Mitigative compensation – details.

Answer

This will be determined during discussion with NBDELG after all studies are received and forwarded to NBDELG.

- Page 61. Wants detailed information on geotextile.

Answer

The specific brand of geo-textile to be used has not yet been determined.

- Page 61. Will aggregate come from East Point? Debly?

Answer

At this point, that has not been determined

- Page 63. Provide summary of Open House.

Answer

Summary of the Open House is attached

██████████ Response

1. "I was just looking at the updated version on the project. It looks amazing!!"
2. ██████████ is a very close neighbour to the property and questioned the mobile home park being proposed.
3. ██████████ accepted the invitation to a face-to-face meeting on the proposed site on June 15, 2017 and was shown 3-dimensional, conceptual drawings of the residential area proposed. In 2- dimension, this area could have looked like a mobile home park.
4. ██████████ was very pleased with the response and wondered whether she could move in. She was also very pleased that the area was being developed and still felt, "It looks amazing!!"

██████████ Response

1. ██████████ main concern was that the proposal as presented and approved by the PAC did not necessarily comply with “Plan SJ”, a City of Saint John Planning and Zoning document.

Answer

The City has amended the City Plan and re-zoned the property

2. ██████████ asked if the studies required under Section 39 of the PAC approval would be made available to the public.

Answer

Yes

3. ██████████ accepted the invitation to a face-to-face meeting, which took place at his house on June 20, 2017. His concerns remained around the PAC / Plan SJ issue and as a close neighbour to the site expressed concerns about local flooding. He was pleased that technical studies were being prepared in that regard and was assured that these studies would be made public when completed.
4. ██████████ was contacted again on July 16, 2017, informing him that the subject studies had not yet been completed and would be delivered to him when they were ready.

Response

1. Concerned about flooding impacts; wants an holistic approach taken; suggests a comprehensive study.
2. Is looking for a study of the potential impacts on the entire area.
3. The studies presented are out dated, “it is imperative that a current study using current data and current long term projections be employed”.
4. “mitigative activities proposed by the applicant are significantly underwhelming in the lack of plans, detail and timing.”
5. Mitigation - Many questions relating to the storm water ponds that were not adequately addressed in the registration.
6. Public Involvement – Feels that the development of the “eco-park” was is necessary to ensure that the flooding issue will be adequately addressed.

Answer

In response to comments received from the Technical Review Committee assigned to this registration, the Proponent is completing the following studies to ensure that current information is being utilized. These reports will become part of the formal response to the TRC and will become public at the same time.

- Traffic Study
- Site Servicing Study
- Stormwater Management Study
- Preliminary Archaeological Impact Assessment
- Wetland Delineation and Functional Assessment
- Stormwater and Floodplain Study
- Environmental Management Plan

Response

1. [REDACTED] concern was with respect to a spring that on and adjacent to their property on Foster Thurston Drive.
2. "Our inquiry is simple, is there a planned accommodation for the springs flow which is very heavy at times, heavy enough to have been the water supply for four homes, one which is an apartment building."
3. [REDACTED] accepted the invitation to a face-to-face meeting at their home on June 27, 2017. After looking at the spring and [REDACTED] recollection of the history of the spring and it's historical uses, it was felt that the proposed development would have no direct or indirect impact on the spring. However, [REDACTED] [REDACTED] was assured that the presence of the spring would be kept in mind as development proceeded in the area of the spring and that he would be kept informed of such progress.

Horizon Management organizing public sessions on retail development

SARAH PETZ
TELEGRAPH-JOURNAL

SAINT JOHN • To give residents a chance to see their plans and speak their minds, Horizon Management is hosting a pair of public information sessions this week on their proposed multi-million dollar retail development, The Crossing.

Horizon Management is the new company East Point developer Troy Northrup has formed to oversee the project. The company has applied for a municipal plan amendment and rezoning for two areas of land, one located along Ashburn Road and a second located north east of the One Mile Interchange.

Two sessions are scheduled for this week, one for Tuesday and Wednesday, both running from 4 to 7 p.m. in Suite H4B off Retail Drive, between The Gap Factory Store and Ana Banana.

Joel Levesque, a spokesperson for Horizon Management, said the sessions will give people a chance to see more detailed, enlarged renderings of the development, as well as ask staff members any burning questions.

"We made some efforts to get some large-scale drawings put on easels so people can see what the buildings will look like, what kind of architecture that's going to be used, the kinds of buildings that will be on the site," he said.



Vacant land between Ashburn Road and Highway One is being proposed for a multi-million dollar development named The Crossing by East Point developer Troy Northrup. PHOTO: BRUCE BARTLETT/TELEGRAPH-JOURNAL

"People will walk in and when they leave, they will have a much stronger impression of what this development is all about."

These are voluntary sessions that Horizon Management decided to organize on its own, and are not part of any regulatory process related to their

rezoning application, Levesque said.

The sessions are open to anyone who is interested in the project or possibly has some concerns, Levesque said. The company has already had some meetings with residents who live in the area of the development, he said.

"It's very important to Horizon to

listen to what people have to say. We just want to make sure that people are well informed about it," he said.

The application is now before the planning advisory committee for review. It also needs undergo a full public hearing before it can be approved by common council.

Telegraph Journal Article
8 March 2016



New Brunswick

The Crossing project gets tentative approval from Saint John



Proposal involves 500,000 sq. ft. of mixed retail, office and residential construction near throughway

[Connell Smith](#) · CBC News · Posted: Apr 05, 2016 6:47 AM AT | Last Updated: April 5, 2016



Much of the project is to be building between the Throughway and Ashburn Road in east Saint John. (City of Saint John)

[comments](#)



Saint John city council has given approval-in-principle to a huge retail project next to the throughway on the city's east side.

The Crossing could see as much as 500,000 square feet of mixed retail, office and residential space constructed over the next 15 years along a 72-hectare plot between Highway 1 and Ashburn Road.

It would include walking and biking trails along what is referred to as an "Eco Park."

- [Major retail, commercial complex proposed for Ashburn Road and Highway 1](#)
- [Proposed Saint John mall, commercial centre draws criticism](#)
- [Saint John developer downplays retail aspect of commercial proposal](#)

Council's approval amends Saint John's municipal plan and redesignates several parcels of land to create the potential new commercial corridor.

Several conditions were attached, including requirements for a storm water management study, a traffic study and a provincial environmental impact assessment before work can begin.

The proposal was earlier approved by the city's planning advisory committee, although the committee objected to inclusion of a 288-unit residential component.

Council's redesignation approves the entire project, including the residential section.

Opposition to project continues

Opponents of the project, including the owners of McAllister Place shopping mall, argue the location is flood prone and should not be redesignated for development until a storm water management study is completed.





Neighbour Elizabeth McGahan says the land proposed for the development is often covered in water.

"Why are you approving it prior to the studies?" asked David Greene, the general manager of McAllister Place.

"Any other developer would be required to do this."

Elizabeth McGahan, a Rothesay Road resident, presented city council with photos that showed the area covered in water following a storm.

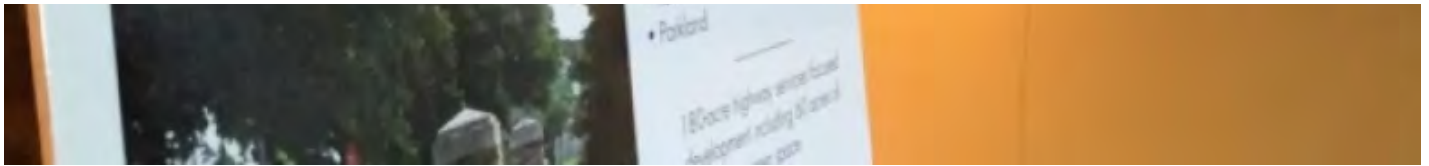
"It's always flooded," said McGahan.

"It always creates the look of marshy, flooded land. Always."

Storm water issue

A report prepared for developer Horizon Management Ltd. by consultant WSP showed there was more land than needed to create space for water to be held during storm events, Horizon representative John Wheatley told council.





The Crossing project by developers of East Point shopping area gets tentative approval from Saint John Council (CBC)

"They came to the conclusion that developing this piece of land would not have a negative impact on the flooding in east Saint John," said Wheatley.

"You could excavate or provide up to 400,000 cubic metres of storage."

Wheatley said the project would only create the need for 17,000 cubic metres of water storage.

Horizon Management Ltd is owned by the same company that is behind the nearby East Point shopping district.

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News

Saint John Development Won't Impact Water Storage

Jan 11, 2016 • by Huddle Staff



SAINT JOHN- The real estate

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Saint John's east side says the project won't impact water storage.

The development, known as “The Crossing”, will be built on the 180-acre site between the Saint John Throughway and Ashburn Road, pending approval of a rezoning application and a municipal plan amendment filed with the City of Saint John.

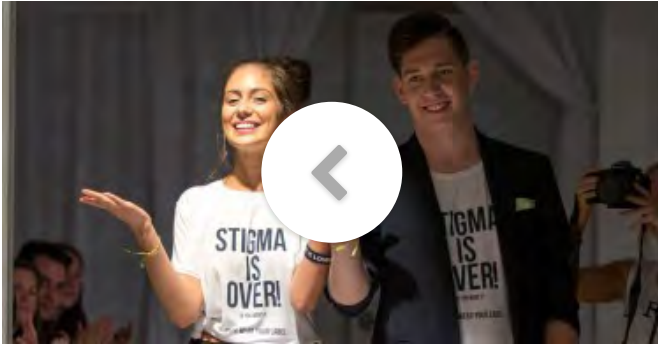
The project's developer, Horizon Management Ltd., hired WSP Canada Inc. (formerly known as Terrain Group) to complete a hydrology and hydraulic report for the proposed site. That report estimates that when fully developed, the project would use 17,000 cubic metres of flood storage but identified 400,000 cubic metres of compensatory storage on the property and another 125,000 cubic metres of potential flood-plain storage on nearby city-owned lands.

“This development has great potential to help deal with storm-water issues in the area significantly beyond the development’s needs,” noted Troy Northrup, of Horizon Management.

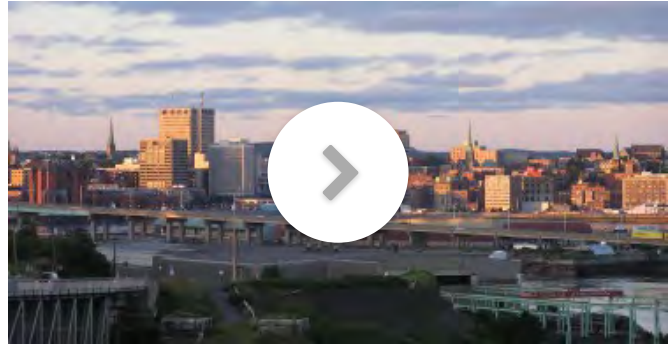


“We look forward to working with the City of Saint John and other authorities to develop ways to improve and manage the local watershed, not only for our project, but also to help improve the current local problems in the flood plain areas.”

WSP engineers have already reported that The Crossing development will have no negative impact on flooding in the Marsh Creek watershed whether additional storage is constructed or not.



Fredericton's Wear Your Label Goes International



Company Proposes Major Development on Saint John's East Side

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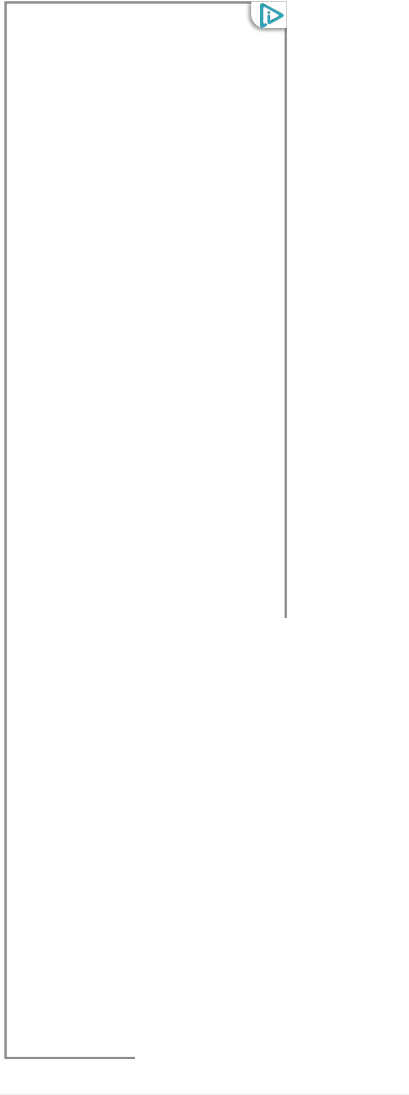
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Multimillion-dollar Crossing development proposal makes way through impact studies

SARAH PETZ
TELEGRAPH-JOURNAL

SAINT JOHN • The company behind a proposed multimillion-dollar commercial and residential development on Ashburn Road is making its way through various impact studies while courting potential tenants.

Joel Levesque, a spokesman for Horizon Management, the company overseeing The Crossing development, said it will be a “long, complicated process” before the company can begin construction on the development.

Common Council approved an application to amend the municipal plan and zoning bylaw to make way for The Crossing, a proposed development by East Point developer Troy Northrup, in April.

Horizon Management is the company Northrup formed to oversee it.

However, in their recommendation city staff also outlined a laundry list of conditions that the company would

have to meet before it could break ground.

These included conducting impact studies on areas such as transportation, water supply, sanitary sewers, storm water management as well as a provincial environmental impact study.

Levesque said the company is in the process of completing these studies while developing architectural concepts for what The Crossing could look like.

The company has also had a variety of potential tenants, in the form of local, regional and national companies, express interest in setting up shop at the development, he said.

“Those kinds of discussions are taking place. That’s very preliminary but it is encouraging to the developer to hear those kinds of things,” he said.

“We know that based on those discussions, we’ve made a very good decision on site location.”

The proposed development was met with opposition from residents and the

business community during the re-zoning process.

The primary concerns revolved around potential flood issues, traffic congestion, and threats to existing retail.

Levesque said those concerns would be addressed by the various studies the company is undertaking.

“It’s the same for any development that takes place today in a high traffic area or in an area that’s a green field site like this property is,” he said.

“You have to ensure that all rules and regulations are being met. You have to satisfy any concerns that have been expressed by residents, by civic officials, by elected officials at all levels of government, and that’s exactly what we’re doing.”

Levesque said Horizon Management doesn’t have a clear time line for when it will be able to break ground on The Crossing, as that is dependent on whether any issues are raised by the various impact studies.

Telegraph Journal Article
4 August 2016

New Brunswick

Construction on 'The Crossing' project could start this spring



Company wants to begin work on access road onto the property

[Connell Smith](#) · CBC News · Posted: May 11, 2017 7:30 PM AT | Last Updated: May 11, 2017



The Northrup Group proposes to start construction this spring on an access road into the planned Crossing development. (Horizon Management Ltd.)

The Northrup Group would like to start work this spring on the proposed commercial residential project alongside the Saint John throughway.

Dubbed "The Crossing", the project, if developed as proposed, would include stores, restaurants, warehouses, office space and gas stations.

Access would be via a new road opposite the intersection at the end of Rothesay Avenue or via Ashburn Road.

"It is proposed the construction would commence during the Spring of 2017 with the construction of the main access road," states the Environmental Impact Assessment document the company has filed with the New Brunswick Department of Environment and Local Government.

"The initial construction process, site preparation, will involve tree removal, limited [clearing], laydown of geotextile material."

The project proposal shows 60,000 square metres of new building construction spread across 120 acres (49 hectares) on the north side of the throughway.

A stream, Little Marsh Creek, meanders through the property and part of the development area is wetland.

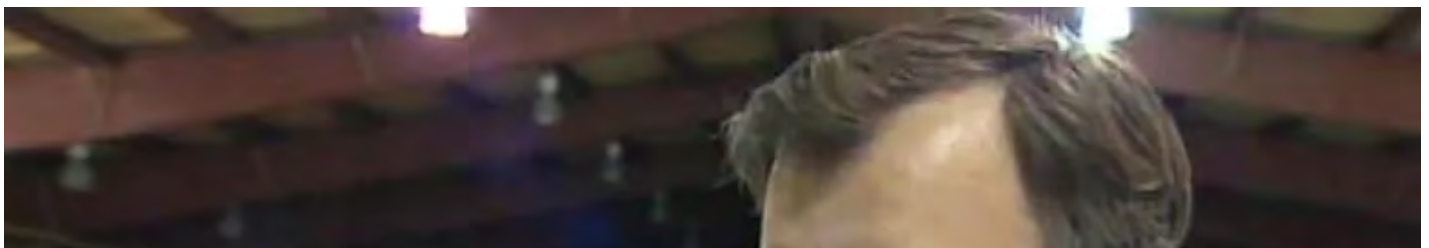
"The banks of Little Marsh Creek will be expanded to create an Urban Wetland through the commercial site," said the document. "The added material will be made up of soils from the site to allow for revegetation with appropriate and available plants consistent with the existing wetland."

It goes on to say stormwater models show there will be no negative effect on flooding in the Marsh Creek Watershed.

Full assessment needed

East Saint John environmental activist, Gordon Dalzell is skeptical about that claim.

Flooding is already a frequent occurrence along the banks of the Marsh Creek in nearby areas like the Glen Falls subdivision and on McAllister Drive.





East Saint John environmental activist Gordon Dalzell is calling for a full environmental impact assessment of the development proposal. (CBC)

He says a full environmental assessment of the project's impact is required.

"The idea that the proponent is suggesting a spring startup is just totally unacceptable, when you look at this report there's so many different impacts."

Dalzell also doubts retail, office and residential elements of the project are viable.

He said it's possible the development could end up being limited to a large gas station convenience store type project aimed at traffic on the four-lane throughway.

"You may just get certain elements, the big commercial highway services they call it," said Dalzell. "You may get that type of development, some truck stop, another big stop like Salisbury has. There may be that type of development, but I'm not sure the conditions are going to warrant, [that] we'll ever see any further development."

Flood regularly

Elizabeth McGahan has lived on Rothesay Road near the proposed development for the past 30 years.

She watches every year as lower level properties in the area flood, including the Rothesay Avenue underpass next to the planned intersection to the development.

"They flood with regularity every spring," said McGahan. "It is every year, it's just a matter of how bad it is."

A spokesperson for the Department of Environment and Local Government said following the EIA process the minister has the option to allow the project to proceed subject to conditions, can "deny the project with the assent of the Lieutenant-Governor-in-Council, or; require a comprehensive review to assess the nature and significance of the potential impacts."

A spokesperson for the city said the project will not proceed until the developers satisfy a number of conditions including a traffic impact study, servicing study, and a stormwater management study.

A certificate of determination will also have to be obtained from the New Brunswick Department of Environment and Local Government.

A spokesperson for the Northrup Group was not available for comment Thursday.

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Major commercial development announced in Saint John



By Graeme Benjamin

Online Producer/Reporter Global News

WATCH: There was a major announcement for a large and much anticipated commercial development in east Saint John on Friday. Todd Veinotte reports.

There was a major announcement for a large and much anticipated commercial development in east Saint John.

Located near Ashburn Lake Road just off the thru-way, it's been dubbed "the crossing project." Long-time Saint John developer Troy Northrup, who also constructed East Point Shopping, is pushing ahead with his vision.

"This project is going to be made up of highway services such as gas, convenience, fast-food, family food, there's a residential component and business-park component," Northrup says.

READ MORE: World Cannabis Congress in Saint John discussing branding issues ahead of legalization

He was tight-lipped concerning details because of confidentiality agreements with future tenants. The multi-year, multi-phase development could eventually see 500,000-square feet of new buildings constructed.

The province is building a \$31-million highway interchange will allow traffic to flow into the development, which Northrup says is essential.

"This project enables us to have that incremental traffic to create more spontaneous traffic rather than just predetermined and destination traffic."

Premier Brian Gallant applauds Northrup's vision.

"What's really great about this story today is the fact we've been working with the private sector, we've been working with common council in Saint John and the provincial government has been working with various departments to make sure we can make the investments needed for this development to happen," Gallant stated.

Preconstruction work on the interchange between Foster Thurston Drive and Ashburn Lake Road will take two-and-a-half years with full construction set to begin in the spring of 2021.

Meanwhile, Northrup didn't release details concerning the total investment or jobs, but says the focus will be to utilize local trades and contractors when possible.

An environmental impact assessment and other regulatory approvals are still needed before shovels are in the ground.

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PLANS FOR NEW DEVELOPMENT 'THE CROSSING' TAKE SHAPE

ALISON JENKINS
TELEGRAPH-JOURNAL

SAINT JOHN • Developers unveiled a new view Friday of a major project in Port City known as The Crossing.

The massive mixed-use development in east Saint John includes

a \$31.2-million interchange to allow easier access for shoppers and those who will live and work there.

In February, the province kicked in \$1.2 million to begin planning for a new Route 1 interchange in Saint John for a north-south connection between Foster-Thurston Drive and Ashburn

Lake Road.

This will include the installation of four-way traffic signals at the intersection of Rothesay Avenue and Rothesay Road, as well as the westbound off-ramp of Route 1 at Rothesay Avenue.

The province's work is expected to take about two and a half years, with

construction set to begin on the Horizon project in the spring of 2021.

When completed, The Crossing will be a 72-hectare (180-acre) development that will include a mix of retail, commercial, residential and hospitality

PLEASE SEE → **CROSSING, B2**



New Brunswick Premier Brian Gallant, left, and developer Troy Northrup discuss Northrup's new development, The Crossing, in Saint John Friday. PHOTO: SUBMITTED

Plans for 'The Crossing' taking shape

CROSSING → B1

amenities between Highway 1 and Ashburn Road.

The project must first pass an environmental impact assessment and get other regulatory approvals.

Premier Brian Gallant recognized the contribution Horizon Management Ltd. is making to the local economy.

Horizon is the same developer behind the East Point Shopping Centre, where Friday's update on the project was made.

Gallant, Mayor Don Darling and others were on hand to hear the update

and see the project model, which developer Troy Northrup says "gives you a small glimpse of the significant planning in a project of this magnitude."

Northrup called this a great example of how government and business can work together to improve our region economically.

The development is designed to enhance the region's natural beauty with more than one-third of the property remaining undeveloped and set aside as green space and recreational land.

"This will be a one-of-a-kind, international-quality development that will encourage visitors and travellers to stop

in Greater Saint John," said Northrup. "I believe we have an impressive, grand vision of the property that will create a dramatic, inviting highway gateway for the community and will strengthen Saint John as a drive-in city and position it as a destination community."

The multi-year and multi-phase development could eventually see about 45,000 square metres (500,000 square feet) or more of new buildings constructed.

"This is a great example of how investing in infrastructure in the area has helped stimulate economic development in Saint John," Gallant said.