

## MINUTES

### REGULAR MEETING - CITY COUNCIL

February 12, 2018 – 4:30 p.m. - Council Chambers, 4<sup>th</sup> Floor, City Hall

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**Present** Mayor Danny Breen  
Deputy Mayor Sheilagh O’Leary  
Councillor Maggie Burton  
Councillor Dave Lane  
Councillor Sandy Hickman  
Councillor Ian Froude  
Councillor Debbie Hanlon  
Councillor Deanne Stapleton  
Councillor Hope Jamieson  
Councillor Jamie Korab  
Councillor Wally Collins

#### Regrets

**Others** Kevin Breen, City Manager  
Derek Coffey, Deputy City Manager of Finance and Administration  
Jason Sinyard, Deputy City Manager, Planning, Engineering and Regulatory Services  
Lynnann Winsor, Deputy City Manager of Public Works  
Tanya Haywood, Deputy City Manager of Community Services  
Andrew Woodland, Legal Counsel  
Ken O’Brien, Chief Municipal Planner  
Elaine Henley, City Clerk  
Maureen Harvey, Legislative Assistant

#### CALL TO ORDER/ADOPTION OF AGENDA

##### SJMC2018-02-12/70R

Moved – Councillor Hanlon; Seconded – Councillor Collins

That the agenda be adopted with the tabling of the Minutes of the Public Hearing – re: Synod West Wetland – January 11, 2018

CARRIED UNANIMOUSLY

#### ADOPTION OF MINUTES

##### SJMC2018-02-12/71R

Moved – Councillor Jamieson; Seconded – Councillor Hickman

That the minutes of February 5, 2018 be adopted.

CARRIED UNANIMOUSLY

**PUBLIC HEARINGS**

- A. St. John's Municipal Plan Amendment Number 143, 2018 and  
St. John's Development Regulations Amendment Number 673, 2018  
Proposal to redesignate and rezone land from the Open Space (O) Zone to  
Residential Quidi Vidi (RQ) Zone  
File No. MPA1700007  
30 & 36 Barrows Road
- 

**SJMC2018-02-12/72R**

**Moved – Councillor Burton; Seconded – Deputy Mayor O’Leary**

**That Council request for the Minister of Municipal Affairs and Environment to consider an amendment to the St. John’s Urban Region Regional Plan, to redesignate land at 30 and 36 Barrows Road from Public Open Space to Urban Development, in order to support the City’s proposed amendments as adopted-in- principle.**

**If the regional plan amendment is considered by the Minister, public consultation with all municipalities that are subject to the St. John’s Urban Region Regional Plan would be required. Subject to adoption of the Regional amendment by the Minister and Provincial release of the city’s amendments, a Public Hearing chaired by an independent commissioner would be required at a later date.**

**CARRIED UNANIMOUSLY**

- B. **St. John’s Municipal Plan Amendment Number 144, 2018 and  
St. John’s Development Regulations Amendment Number 674, 2018  
Text Amendment to allow Personal Care Home and Complementary Uses in the  
Apartment Medium Density (A2) Zone and Rezoning of Land to the  
Apartment Medium  
Density (A2) Zone for a Personal Care Home  
File No. MPA1700011  
100 Churchill Avenue  
Applicant: 79963 NL & Labrador Inc./Kirby Group of Companies**

**SJMC2018-02-12/73R**

**Moved – Councillor Burton; Seconded – Councillor Lane**

**That Council adopt the St. John’s Municipal Plan Amendment Number 144, 2018 and St. John’s Development Regulations Amendment Number 674,**

2018. And further that Council appoint Mr. Cliff Johnston, MCIP, a member of the City's commissioner list, to conduct a public hearing on the proposed amendments. The proposed date for the public hearing is Thursday, March 8, 2018, at 7pm at St. John's City Hall.

**CARRIED UNANIMOUSLY**

## COMMITTEE REPORTS

### Development Committee Report – February 6, 2018

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[Link to Report](#)

Council considered the above noted report and the recommendations therein.

- **Crown Land Grant for Future Wharf  
CRW1700030  
15 Barrow's Road  
Long Harbour Holdings Limited**

#### **SJMC2018-02-12/74R**

**Moved – Councillor Burton; Seconded – Councillor Jamieson**

**That the Crown Land Grant Referral be approved, subject to adequate assurance that the width of the slipway in Quidi Vidi not be obstructed by the construction of any wharf.**

**CARRIED UNANIMOUSLY**

Councillor Burton indicated her intent to have further discussion on this matter in Committee of the Whole on February 14, 2018.

## DEVELOPMENT PERMITS LIST

[Link to List](#)

Council considered as information, the above noted for the period of February 1, 2018 to February 7, 2018.

## BUILDING PERMITS LIST

[Link to List](#)

Council considered, for approval, the above noted for the period of February 1, 2018 to February 7, 2018.

#### **SJMC2018-02-12/75R**

**Moved – Councillor Hanlon; Seconded – Councillor Korab**

That the building permits list dated February 1, 2018 to February 7, 2018 be adopted as presented.

**CARRIED UNANIMOUSLY**

## REQUISITIONS, PAYROLLS AND ACCOUNTS

[Link to Memo](#)

Council considered the requisitions, payrolls and accounts for the week ending February 7, 2018.

### **SJMC2018-02-12/76R**

**Moved – Councillor Hanlon; Seconded – Councillor Korab**

That the requisitions, payrolls and accounts for the week ending February 1, 2018 in the amount of \$2,759,286.96 be approved as presented.

**CARRIED UNANIMOUSLY**

## TENDERS/RFPS

### **Council Approval for Tender 2018016 – Freightliner, Western Star, Sterling and Cummins Parts**

Council considered the above noted.

### **SJMC2018-02-12/77R**

**Moved – Councillor Froude; Seconded – Councillor Collins**

It is recommended to award this tender to the lowest bidders noted below, meeting the specifications as per the Public Tendering Act. Contract is for an eighteen month period with the option to extend for two additional one year periods. (HST extra)

Royal Freightliner	\$ 28,470.74
Traction 506	\$ 22,291.08
Parts for Trucks	\$ 16,910.90
Harvey & Company Ltd	\$ 9,294.42
Reefer Repair Services	\$ 7,496.35
Colonial Garage & Distributors Limited	\$ 3,453.70
Pennecon Energy Hydraulics	\$ 279.49
Hiscock's Spring Service	\$ 10.88

**CARRIED UNANIMOUSLY**

**Council Approval for Tender 2018019 - Supply, Assembly and Delivery of 240-L Roll-out Waste Carts for the Automated Garbage Collection Program**

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Council considered the above noted.

**SJMC2018-02-12/78R**

**Moved – Councillor Froude; Seconded – Deputy Mayor O’Leary**

**That Council award tender 2018019 to the lowest bidder meeting specifications, Rehrig Pacific Company in the amount of \$3,048,650.00 HST included.**

**CARRIED UNANIMOUSLY**

**OTHER BUSINESS**

**Economic Review 2017**

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Deputy O’Leary tabled the Economic Review for 2017 which highlighted the following:

- Economic performance in the St. John’s metro area was subdued in 2017.
- The St. John’s economy, as identified by GDP, declined by 0.9%
- St. John’s households saw modest income growth of 1.2% last year.
- Retail sales increased as well by 0.5% to \$4 billion.
- The unemployment rate increased slightly in 2017 to 8.4%.
- Population in the St. John’s metro area increased by almost 1% to 219,500.
- Housing starts declined by 8.4% due to lower single detached starts; lack of economic growth has impacted housing demand negatively and resulted in ample inventory throughout St. John’s.
- The outlook for 2018 continues to be challenging as there is expected to be a decline in capital investment.
- The start of construction on Husky’s well head platform should offset this somewhat.

**Minutes of Public Hearing – January 11, 2018 re: Synod Wetlands**

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The above noted minutes were tabled and the public was informed they are now available online at [stjohns.ca](http://stjohns.ca).

**Council Referrals and Staff Requests**

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**Deputy Mayor O’Leary**

- Questioned the Legal Department on the status of the proposed Tree Development Regulations. Legal Counsel advised the regulations will be brought forward for Council’s approval in the next few weeks.

**Councillor Burton**

- Tabled the minutes of the Public Meeting held on January 11, 2018 regarding the Synod West Wetlands and advised they are now available on the City’s website for public viewing.

**Councillor Korab**

- Referenced the speeding that is taking place in the area of Canada Drive and Frecker Drive. He requested additional signage and contact with the RNC.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:15 p.m.

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**MAYOR**

\_\_\_\_\_  
**CITY CLERK**

## **REPORTS/RECOMMENDATION**

**Development Committee**

**February 6, 2018 – 10:00 a.m. – Conference Room A, 4<sup>th</sup> Floor, City Hall**

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- 1. Crown Land Grant for Future Wharf  
CRW1700030  
15 Barrow's Road  
Long Harbour Holdings Limited**

It is recommended that the Crown Land Grant referral be approved, with the condition that no development approval will be granted without the submission and review of a Development Application and detailed plans of the site.

**Jason Sinyard**

**Deputy City Manager – Planning, Engineering & Regulatory Services  
Chairperson**

# DECISION/DIRECTION NOTE

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**Title:** Crown Land Grant for Future Wharf  
CRW1700030  
15 Barrow's Road  
Long Harbour Holdings Limited

**Date Prepared:** February 7, 2018 (Date of next meeting: February 12, 2018)

**Report To:** His Worship the Mayor and Members of Council

**Councillor & Role:** Maggie Burton, Planning and Development Lead

**Ward:** 2

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**Decision/Direction Required:**

To seek approval for a Crown Land Grant for 0.06 hectares of land for future wharf.

**Discussion – Background and Current Status:**

The Provincial Department of Municipal Affairs and Environment has referred an application requesting a grant for a parcel of land comprising of an area of 0.06 hectares which is located in the Industrial Quidi Vidi (IQ) Zone, and in the Quidi Vidi Harbour (QVH) Zone within the Quidi Vidi Overlay Zone and Design Guidelines. The proposed use of the land is to construct a future wharf, which is in alignment with the Quidi Vidi Village Design Guidelines.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Alignment with Strategic Directions/Adopted Plans:  
Quidi Vidi Village Overlay Zone and Design Guidelines
4. Legal or Policy Implications: Not applicable.
5. Engagement and Communications Considerations: Not applicable.
6. Human Resource Implications: Not applicable.
7. Procurement Implications: Not applicable.
8. Information Technology Implications: Not applicable.
9. Other Implications: Not applicable.

**ST. JOHN'S**



**Recommendation:**

It is recommended that the Crown Land Grant referral be approved, with the condition that no development approval will be granted without the submission and review of a Development Application and detailed plans of the site.

**Prepared by - Date/Signature:**

Andrea Roberts - Development Officer

Signature: \_\_\_\_\_



**Approved by - Date/Signature:**

Jason Sinyard, Deputy City Manager, Planning, Engineering & Regulatory Services

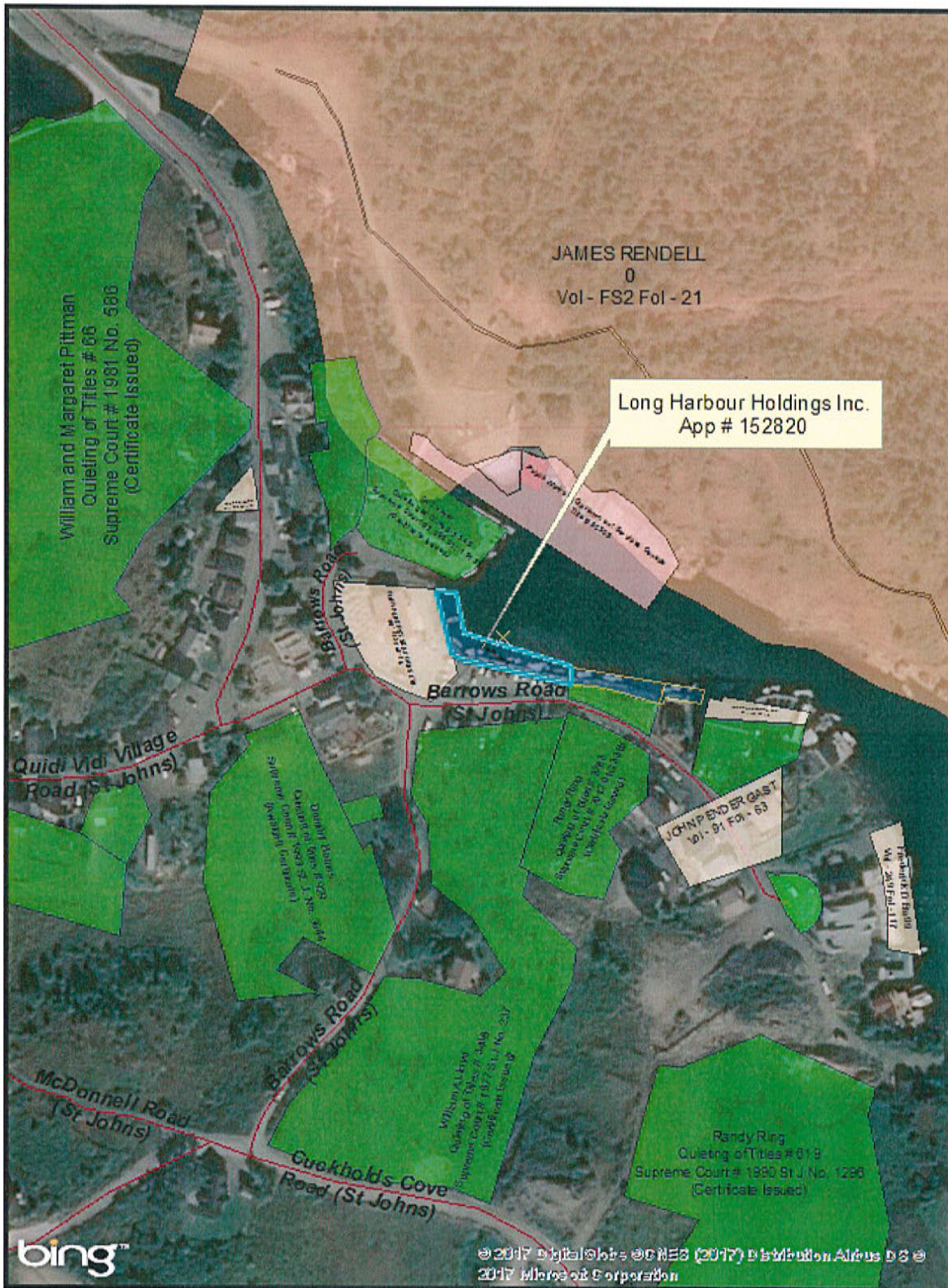
Signature: \_\_\_\_\_



AAR/dlm

Attachments: Map

# Government of Newfoundland & Labrador Department of Fisheries & Land Resources



## NOTE TO USERS

The information on this map was compiled from land surveys registered in the Crown Lands Registry.

Since the Registry does not contain information on all land ownership within the Province, the information depicted cannot be considered complete.

The boundary lines shown are intended to be used as an index to and titles issued by the Crown. The accuracy of the plot is not sufficient for measurement purposes and does not guarantee title.

Users finding any errors or omissions on this map sheet are asked to contact the Crown Titles Mapping Section, Howley Building Higgins Line, St. John's Newfoundland.

Users finding error or omissions can contact the Crown Titles Mapping Section by telephone at 729-0061. Some titles may not be plotted due to Crown Lands volumes missing from the Crown Lands registry or not plotted due to insufficient survey information.

The User hereby indemnifies and saves harmless the Minister, his officers, employees and agents from and against all claims, demands, liabilities, actions or cause of actions alleging any loss, injury, damages and matter (including claims or demands for any violation of copyright or intellectual property) arising out of any missing or incomplete Crown Land titles, and the Minister, his or her officers, employees and agents shall not be liable for any loss of profits or contracts or any other loss of any kind as a result.

For inquiries please contact a Regional Lands Office.

- Corner Brook - 637-2390
- Gander - 256-1400
- Clarenville - 466-4074
- St. John's - 729-2654
- Goose Bay - 896-2488



## Crown Lands Administration Division

Scale 1:2,500

Compiled on November 17, 2017



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**DEVELOPMENT PERMITS LIST**  
**DEPARTMENT OF PLANNING, ENGINEERING AND REGULATORY SERVICES**  
**FOR THE PERIOD OF Feb 1, 2018 TO Feb 7, 2018**

Code	Applicant	Application	Location	Ward	Development Officer's Decision	Date
RES		Crown Land Grant for Residential Building Lot	1030 Main Road	5	Rejected-contrary to Interim Development Control Guidelines for Goulds Urban Infill	18-02-01
COM		Family Home Child Care (Less than 6 Children)	46 Cherrington Street	3	Approved	18-02-05
RES		Home Office for Electrical Contractor	230 Back Line	5	Approved	18-02-07

\* Code Classification:  
RES - Residential      INST - Institutional  
COM - Commercial      IND - Industrial  
AG - Agriculture  
OT - Other

\*\* This list is issued for information purposes only. Applicants have been advised in writing of the Development Officer's decision and of their right to appeal any decision to the St. John's Local Board of Appeal.

**Gerard Doran**  
**Development Supervisor**  
**Planning, Engineering and**  
**Regulatory Services**

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# Building Permits List

## Council's February 12, 2018 Regular Meeting

Permits Issued: 2018/02/01 to 2018/02/07

**CLASS: COMMERCIAL**

3-7 CASHIN AVE	CO	OFFICE
29 HOWLEY AVE EXTEN	CO	CLUB
40 O'LEARY AVE	CO	WAREHOUSE
15-27 STAVANGER DR, EBIKE	SN	RETAIL STORE
134 AIRPORT HEIGHTS DR	NC	ACCESSORY BUILDING
615 EMPIRE AVE	NC	ACCESSORY BUILDING
100 ELIZABETH AVE,SUITE 114	RN	DAY CARE CENTRE
AVALON MALL, UNITS 135 & 140	RN	RETAIL STORE
38 ROPEWALK LANE, UNIT 1113A	CR	EATING ESTABLISHMENT
1-47 CHURCHILL SQUARE UNIT #16	RN	TAKE-OUT FOOD SERVICE
65 WHITE ROSE DR	CR	OFFICE
89 O'LEARY AVE	RN	WAREHOUSE

THIS WEEK \$ 250,000.00

**CLASS: INDUSTRIAL**

THIS WEEK \$ .00

**CLASS: GOVERNMENT/INSTITUTIONAL**

THIS WEEK \$ .00

**CLASS: RESIDENTIAL**

66 BENNETT AVE, LOT 1	NC	TOWNHOUSING
68 BENNETT AVE, LOT 2	NC	TOWNHOUSING
70 BENNETT AVE, LOT 3	NC	TOWNHOUSING
72 BENNETT AVE, LOT 4	NC	TOWNHOUSING
74 BENNETT AVE, LOT 5	NC	TOWNHOUSING
10 COWAN AVE	NC	ACCESSORY BUILDING
21 HILLVIEW DR E	NC	PATIO DECK
43 HORLICK AVE	NC	FENCE
27 BELFAST ST	RN	SINGLE DETACHED & SUB.APT
12 GOODVIEW ST	RN	TOWNHOUSING
14 GOODVIEW ST	RN	TOWNHOUSING
16 GOODVIEW ST	RN	TOWNHOUSING
18 GOODVIEW ST	RN	TOWNHOUSING
17 LARCH PL	RN	SINGLE DETACHED DWELLING
58 QUIDI VIDI VILLAGE RD	RN	SINGLE DETACHED DWELLING
17 SPRUCEDALE DR	RN	SINGLE DETACHED DWELLING
9 TUNIS CRT	RN	SINGLE DETACHED DWELLING
8 WICKHAM PL	RN	SINGLE DETACHED DWELLING
60 WISHINGWELL RD	RN	SUBSIDIARY APARTMENT

THIS WEEK \$ 1,624,250.00

**CLASS: DEMOLITION**

THIS WEEK \$ .00

THIS WEEK'S TOTAL: \$ 1,874,250.00

REPAIR PERMITS ISSUED: 2018/02/01 TO 2018/02/07 \$ 53,000.00

LEGEND

CO CHANGE OF OCCUPANCY SW SITE WORK  
CR CHNG OF OCC/RENOVTNS MS MOBILE SIGN  
EX EXTENSION SN SIGN  
NC NEW CONSTRUCTION CC CHIMNEY CONSTRUCTION  
OC OCCUPANT CHANGE DM DEMOLITION  
RN RENOVATIONS

<b>YEAR TO DATE COMPARISONS</b>			
<b>February 12, 2018</b>			
<b>TYPE</b>	<b>2017</b>	<b>2018</b>	<b>% VARIANCE (+/-)</b>
Commercial	\$5,994,447.00	\$17,611,803.00	194
Industrial	\$0.00	\$0.00	0
Government/Institutional	\$0.00	\$2,000,000.00	n/a
Residential	\$2,827,685.00	\$10,067,841.00	256
Repairs	\$135,900.00	\$113,500.00	-16
Housing Units(1 & 2 Family Dwelling	5	12	
<b>TOTAL</b>	<b>\$8,958,032.00</b>	<b>\$29,793,144.00</b>	<b>233</b>

Respectfully Submitted,

Jason Sinyard, P. Eng., MBA  
Deputy City Manager  
Planning, Engineering & Regulatory Services

# MEMORANDUM

## **Weekly Payment Vouchers For The Week Ending February 7, 2018**

### **Payroll**

<b>Public Works</b>	<b>\$ 681,862.66</b>
<b>Bi-Weekly Administration</b>	<b>\$ 1,108,829.33</b>
<b>Bi-Weekly Management</b>	<b>\$ 1,140,365.42</b>
<b>Bi-Weekly Fire Department</b>	<b>\$ 797,409.13</b>
<b>Accounts Payable</b>	<b>\$ 5,147,587.98</b>

**Total: \$ 8,876,054.52**

# **ST. JOHN'S**

DEPARTMENT OF FINANCE

CITY OF ST. JOHN'S PO BOX 908 ST. JOHN'S NL CANADA A1C 5M2 WWW.STJOHNS.CA

**Public Meeting**  
**Thursday, January 11, 2018, 7:00 p.m.**  
**Foran/Greene Room, 4<sup>th</sup> Floor, City Hall**

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**Present:**      City of St. John's

Councillor Maggie Burton, Chairperson  
Ken O'Brien, Chief Municipal Planner  
Dave Wadden, Manager of Development  
Kenessa Cutler, Legislative Assistant

**Proponents**

Mr. Bill Clarke, Powderhouse Hill Investments Ltd.  
Mr. Ryan Clarke, Powderhouse Hill Investments Ltd.  
Mr. Robin King, Harbourside Engineering Consultants  
Mr. Danny Madden, Dynamic Engineering Ltd.  
Mr. Greg Sheppard, CBCL Limited  
Mr. Sean Bennett, Stantec

There were approximately 100 citizens in attendance. Mayor Danny Breen, Deputy Mayor Sheilagh O'Leary and Councillors Deanne Stapleton, Debbie Hanlon, Ian Froude and Jamie Korab also attended the meeting. Nick Whelan, MP and Cathy Bennett, MHA were also in attendance.

**PURPOSE OF MEETING**

The purpose of the meeting was to discuss the following application:

*The City of St. John's has scheduled a Public Meeting (deferred from August) to discuss an application from Powderhouse Hill Investments Ltd. to rezone 7.1 hectares (17.5 acres) of land between 97 & 99 Penney Crescent (Synod West Wetlands) from the Open Space Reserve (OR) Zone to the Residential Low Density (R1) Zone. The purpose is to develop a residential neighbourhood of approximately 95 single houses. This portion of the wetland is owned by the Anglican Church.*

One petition with 890 signatures and 44 written submissions were received (attached).

**CALL TO ORDER AND BACKGROUND PRESENTATIONS**

Chair Burton introduced the head table, gave an overview of the proceedings, and invited Chief Municipal Planner, Ken O'Brien to speak about the proposed development.

Mr. O'Brien advised that the City received an application regarding the above noted. Ken provided an overview of the area in question and explained the land is owned by the Anglican Synod. The entire wetland also includes another property owner, but this application pertains only to that piece owned by the Anglican Synod. Currently the area is zoned Open Space Reserve (OR); the application is to rezone it to Residential Low Density Zone (R1). The Synod West Wetland along with most other wetlands in the City was examined in the early 1990s and the report produced recognized it as a significant wetland that should be protected.

Mr. O'Brien explained that Council voted in September 2016 to hold a public hearing regarding the application which was scheduled for August 2017. That meeting was then deferred until now. The proposed development would consist of 95 lots with the main access off Penney Crescent. A walking trail and pond are also included in the plan. Ken stated that the City's engineering staff have reviewed the plan and the applicants would be required to address any of their concerns (water runoff, etc.). He also noted there is an underground system connecting the two wetlands that would remain so the two wetlands would have a hydrological connection. Mr. O'Brien also noted that rezoning requires an amendment to the Municipal Plan.

Mr. Bill Clarke then spoke on behalf of the proponents. He introduced consultants Robin King, Danny Madden, Greg Sheppard and Sean Bennett. He explained that he submitted an application for rezoning and the City's Planning, Engineering, and Regulatory Services Department provided him with a terms of reference which detailed the criteria to be met for the rezoning approval.

Mr. Clarke stated that he commissioned a preliminary report of the wetland by ADI, ADI then referred the report to the Department of Environment who approved the application for a subdivision. The City then requested a functional assessment which Stantec provided. This report concluded the wetland is not significant. The City then commissioned their own report from CBCL which also confirmed the findings in the Stantec report. Mr. Clarke noted this is the most vigorous application he has ever been involved in.

Danny Madden of Dynamic Engineering Ltd. then spoke to the land use assessment report (LUAR) and the comprehensive subdivision design. He explained that the LUAR was written in response to the terms of reference and included subdivision design, parking, traffic, landscaping, and storm water detention.

Robin King of Harbourside Engineering Consultants spoke to the transportation impact memo which is included in the LUAR. Mr. King stated that the 95 lot subdivision is expected to add



about 75 two-way trips in the morning peak hours and about 99 two-way trips in the evening peak hours. He stated that those numbers are low and he doesn't anticipate an impact on the surrounding road network as a result of the development.

Sean Bennett of Stantec spoke to the functional assessment report. Mr. Bennett stated that he is an environmental scientist specializing in vegetation, soils, and wetlands. He explained the province is outdated in terms of wetland policies and there is no set of guidelines for wetlands. Mr. Bennett stated many factors have changed since the first report which designated the Synod Wetland as significant. He explained that this particular wetland has no inputs or outputs, no drainage, no fish, and no hydrological value. Based on the variables from the wetland evaluation guide point system, the Synod West Wetland is of low value and as a result was not deemed significant.

Greg Sheppard of CBCL then spoke to the newest functional assessment report which was commissioned by the City. Mr. Sheppard stated that CBCL used the most up-to-date assessment methods to evaluate the wetland and also concluded that the wetland is not of significant value and that it could be developed without adversely affecting the downstream Virginia River system.

Mr. Clarke then provided his closing remarks highlighting the economic value of the proposed development and reiterated the steps which he has taken to comply with the terms of reference.

#### **DISCUSSION FROM THE FLOOR**

The Chair then invited the attendees to come forward with any questions or comments.

#### **Jan Woodford – 4 Jackson Place**

Ms. Woodford stated that while she has no negative comments on the two environmental assessment reports, she finds deficiencies in the terms of reference. She cited the following concerns:

- The area surveyed: Just one area of the wetland was assess in an area that contains three wetlands. She wondered why the system as a whole was not evaluated.
- Uncertain language: The CBCL report uses language like “plausible” and “possible” indicating doubt in their findings.
- Climate change: Ms. Woodford asked whether climate change and current science of climate change was considered. She said this could alter flood predictions.

- Storm water runoff: Taking into account climate change, she asked what that could mean for the people living downstream.
- Cost: She cited the potential cost of flood mitigation and the cost of loss of habitat.
- Displacement of wildlife: She indicated that moose, rabbits, and birds, etc. would be displaced as a result of the loss of habitat.
- Loss of vegetation: One of the reports stated that teaberry was present, a species meriting conservation.
- Pest Control: Ms. Woodford asked about pest control with the loss of habitat for rodents.
- Significant wetland designation: She asserted that the Municipal Plan still identifies the Synod West Wetland as a significant wetland.
- The current housing market: Ms. Woodford stated the housing market has declined and the demand is expected to decline further.
- Property values: She noted the risk to surrounding property values, with higher density, loss of greenspace and potential for flooding.

**Response from the proponent:** Mr. Sean Bennett spoke regarding teaberry. He stated that the area when first surveyed showed that teaberry was present. However, when he reevaluated the area he could not locate it. He stated there are no species in the wetland in need of conservation.

**Gertie Ryan-Kavanagh - 102 Halley Drive**

Ms. Ryan-Kavanagh asked whether the entire area was surveyed. She indicated that if it was, the report would state there is a stream feeding into it. She questioned what will happen to this flowing water if the development proceeds.

**Robert Leeman – 20 Mercer’s Drive**

Mr. Leeman stated that Council is governed by democracy and should consider the overall disapproval expressed by the residents. He asked the attendees to raise their hands if they are opposed to the application. Nearly all those in attendance raised their hands.

**Trent Barrett – 9 Jackson Place**

Mr. Barrett spoke to the Envision Municipal Plan draft document. He indicated that the document speaks to climate change, wetlands, environment, and preservation and this application would be in violation of the plan and should be rejected.

### **Doreen Stone - 10 Jackson Place**

Ms. Stone expressed concern regarding flooding. She stated that she had been under similar circumstances in the 1980s while living near Carrick Drive. Flooding of neighboring properties occurred as a result of development. She stated she does not want this to happen again.

### **Fraser Davidson – 3 Rusted Place**

Mr. Davidson lives next to the Virginia River and he expressed concern regarding traffic and safety for children especially during the winter with snow covered sidewalks. He doubts the traffic memo's findings and estimates that traffic on Penney Crescent will be increased by 50%. He also expressed that this wetland may be a "low value wetland" but it is a wetland in within our city and as such should be protected.

### **Jeff Whiteway & Sandra Whiteway – 82 Penney Crescent**

Mr. & Mrs. Whiteway spoke to the following:

- Traffic report: They question whether the traffic was assessed during the weekends and during what times of day. Citing that the area is extremely busy during the weekend.
- Drainage concerns: Mr. Whiteway said that during his presentation Ken O'Brien stated the drainage system connecting the two wetlands will remain intact, but the report says that it will be capped. He wondered where the water will go.

**Proponent response:** Danny Madden stated that modelling was done such that the plan meets the City's zero net run off policy.

- Noise pollution: Ms. Whiteway stated the wetland is near the airport and the Outer Ring Road. The development would increase noise pollution and decrease noise abatement.
- Climate change: She also noted flooding, drainage and the impact on the water table.

### **Dr. Jack Lawson - 110 Penney Crescent**

Field zoologist and ecologist Dr. Lawson expressed concern for the surrounding wildlife. He reported he has seen lynx, foxes, coyotes, rabbits, birds, and moose in the area. He also worries about the loss of the wetland for drainage, sound abatement, and the negative impact on property values.

### **Rick Comerford – Ducks Unlimited Canada**

Mr. Comerford, speaking on behalf of Ducks Unlimited, stated that a City wetland policy would eliminate the need for meetings such as this. He said the wetland itself is already damaged and developed and this should be a reason to preserve it, not develop it further.

He also expressed concern about flooding as Ducks Unlimited sees the most important function of this wetland is flood mitigation.

**Wayne Hebb – 141 Penney Crescent**

Mr. Hebb questioned asked where water runoff will go and how that will affect the Virginia River area. He also expressed concerns regarding increased traffic in the area.

**Shannie Duff – Quidi Vidi / Rennies River Development Foundation**

Ms. Duff, speaking on behalf of the Quidi Vidi / Rennies River Development Foundation, stated that the foundation concurs with Rick Comerford's comments and the rezoning should be rejected.

**Hubert Alacoque– 34 Gower Street**

Mr. Alocoque expressed that the problem lies with the City; the developers were tasked with complying with a flawed terms of reference, the City has outdated policies, and the City does not treat developers fairly.

**Brad Priddle – 127 Penney Crescent**

Mr. Priddle expressed concerns regarding traffic. He cited that Penney Lane has no curbs, street lights, and is narrow. He worries it will be increasingly dangerous with the extra traffic. He also stated that he lives on the edge of a flood zone, he asked if the development were to go ahead would that impact the zone boundary.

**Perry Downey - 2 Slade Place**

Mr. Downey stated that he moved to this area because the developer promised the area owned by the Anglican Church was held under a freeze for 99 years, and yet now it can be developed. Mr. Downey also acknowledged the moose, ducks, and other animals that live in the area.

**Nick White – NAACAP (Northeast Avalon Atlantic Coastal Action Plan)**

Mr. White, speaking on behalf of NAACAP, stated that he found some deficiencies in the reports: there is no clear definition of what a significant wetland is; and downstream effects and groundwater connections are not really understood. He asserted that the Environmental Advisory Committee has rejected it and City staff have as well. He stated that NAACAP recommends the City create a wetlands policy as it is far behind other cities and it would be a shame to go in the opposite direction.

**Kim Barrett – 9 Jackson Place**

Ms. Barrett stated that she agrees with everything said so far and is worried about the safety of the children in the neighborhood as the tot lot will be bordered three ways with traffic as opposed to mostly wooded. She also stated that with an extra 95 houses, she cannot see how it will not produce a noticeable impact on traffic.

**Norma Summers – 31 Woodland Street**

Ms. Summers noted the time of year the studies were conducted. She questioned what the result would be if the studies were conducted in the late spring with the melting snow. She stated she has had flooding in April and anticipates that this will be exacerbated if the wetland is developed.

**Proponent's closing remarks:** Mr. Clarke reiterated he has been compliant with the terms of reference. He also stated that many other similar areas in St. John's have been developed.

#### **CONCLUDING REMARKS**

Chair Burton thanked everyone for coming and advised that the matter will be referred to Council for their decision in the coming weeks.

#### **ADJOURNMENT**

The meeting adjourned at 9:13 pm.

Councillor Maggie Burton  
Chairperson



>

*(See attached file: CBCL Anglican Synod Wetland Assessment Report.pdf)*



**Re: Support for Anglican Synod Wetlands Development** 

**City Clerk and Council** to: Richard Cook

2017/07/26 10:29 AM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

1 attachment



City Letter.jpg

Good Morning Mr. Cook:

We acknowledge receipt of your email and advise that your letter of support has been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Richard Cook ---2017/07/26 07:52:18 AM---Attention: City Clerk I hereby submit my letter of support for development of the Anglican Synod

From: Richard Cook [REDACTED]  
To: cityclerk@stjohns.ca  
Date: 2017/07/26 07:52 AM  
Subject: Support for Anglican Synod Wetlands Development

---

Attention: City Clerk

I hereby submit my letter of support for development of the Anglican Synod Wetlands.

Regards,  
Dick Cook  
[REDACTED]

*(See attached file: City Letter.jpg)*





**Re: Synod West Wetland Application** 

**City Clerk and Council** to: [REDACTED]

2017/08/01 12:22 PM

Sent by: **Elaine Henley**

Cc: cityclerk, dbreen, soleary, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

1 attachment



Owens\_Against Proposal Synod West wetland.pdf

Good Afternoon:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ [REDACTED] 2017/08/01 10:12:30 AM---Hello I want to ensure the City rejects the proposal to develop this wetland and I've attached lett

From: [REDACTED]  
To: cityclerk@stjohns.ca  
Cc: dbreen@stjohns.ca, soleary@stjohns.ca  
Date: 2017/08/01 10:12 AM  
Subject: Synod West Wetland Application

Hello

I want to ensure the City rejects the proposal to develop this wetland and I've attached letter indicating that.

Thanks  
Marina Owens  
[REDACTED] Cheyne Drive  
St. John's  
[REDACTED]

*(See attached file: Owens\_Against Proposal Synod West wetland.pdf)*



Synod West Wetland Development

Patrick Snow

to:

planning

2017/07/17 09:01 AM

Hide Details

From: Patrick Snow [REDACTED]

To: [planning@stjohns.ca](mailto:planning@stjohns.ca)

History: This message has been forwarded.

I have questions regarding the Synod West Wetland Development.

I am a frequent user of the Virginia River Trail System that is adjacent to the proposed development.

1. Will the trail remain in the same position or are changes being made to the trail?
2. Will the trail be open or closed during the construction period?
3. If closed, how long will it be closed for?

Thanks,

Patrick Snow

July 26, 2017

█ Slade Place  
St. John's, NL  
█

**RE: Application to Re-zone Synod West Wetland Region**

Dear City Councillors;

In October 1997, I accepted a new position in St. John's. Because our children had already started school in Labrador City that September, my wife and I decided that I would move to St. John's to work and begin looking for a home and they would stay in Labrador City to finish the 1997-98 school year before moving in June 1998.

After settling into my position, I contacted a real estate agent to assist me in searching for a home in the East End region of the city. We had decided that we wanted to move my family to the East End because our children were enrolled in a French Immersion program in Labrador City and we had determined that Vanier Elementary had a comparable French Immersion program that would be a good transition for them. I searched the East End region throughout the fall season, visiting several open houses every weekend, but did not find an already constructed home that met our needs.

When my family visited St. John's for Christmas of 1997, we continued to look at open houses, but again, we did not find a suitable home and thus we eventually decided to build. Fairview Investments had just begun constructing homes in Phase 2 of the Eastwood Estates development (now Penney Crescent) and we were drawn to the lot that we chose on Slade Place for two reasons; i) it was on a cul de sac that had southern exposure, and, ii) officials working with the developer and the real estate agent selling the homes for Fairview told us that Slade Place was backing onto a green belt since the land directly behind the cul de sac was owned by the Anglican Church and designated as "significant wetland", with a "freeze on its development for 99 years". Given these reasons and the assurance that there would be no further construction of homes directly behind us, we purchased the land that is now █ and built our home.

During this past spring, there were a couple of occasions when surveyors were seen entering and leaving the wooded area directly behind our home and the perimeter of the wetland region. When approached, and questioned on their activity, they indicated that they were surveying the land for a future residential development. As soon as I became aware of this, I contacted several of my neighbours to see if they were aware of this activity and they were as shocked and as upset as I was. I contacted a City Councillor to question the activity and was informed that a developer had expressed interest in having the area rezoned for residential construction, but before the rezoning could occur, a public meeting would be held.

When we recently received notification from the City regarding the Public Meeting scheduled for August 8, 2017, my wife and I, and our neighbours were taken by surprise and very upset to learn that the City had been entertaining such an application from a developer to re-zone the wetland region from "Open Space Reserve (OR) to Residential Low Density (R1) Zone" for some time. From my perspective, it is totally unacceptable to now be informed that several studies have already been completed, some paid for by the developer, that have suggested that the wetland region be rezoned for residential development. It is inconceivable for the current City Council to think that the citizens living in the immediate area who purchased properties adjacent to the wetland region in question are now willing to accept the City's "flip-flopping" on a past decision. For many of the current residents living in the Penney Crescent and Halley Drive area, when they built their homes or purchased their properties, it was because of the wetland designation and assurance that this area would not be further developed. No homeowner in the area is willing to permit a new developer to continue to further destroy a protected wetland region; a region that a previous City Council in 1993 classified as "significant wetlands", and a previous developer deemed to be a green belt. Given that the current City Councillors are reconsidering the designation decision of a previous Council, one can only conclude that the adage that "money speaks louder than the citizens" is alive and well at City Hall.

Please remember that as City Councillors, the citizens of the affected area elected you and now expect you to continue to protect their best interests and to continue to honour the conditions under which they built their homes and settled in the area. It is totally unacceptable and appalling to now learn just how far the City has already gone in its consideration and deliberations with this current developer in the rezoning process of this wetland region and to already be on the cusp of deciding whether or not to allow the developer to destroy approximately 65% of the current wetland region known as Synod West Wetland. It should never have gotten to this stage and should have been rejected long before the proposed rezoning ever saw the light of day. Once again, as tax payers to the City, we have to question the trust and integrity of those elected and charged with ensuring that the best interests of the citizens of the City are front and foremost in the decision-making process. The land was initially deemed by the City as a "significant wetland region", so why even entertain the concept of rezoning? The only thing that has changed in the 24-year history is that sections of the wetland have previously been destroyed for residential development, so further destruction is now appropriate and acceptable to justify the reason for the rezoning recommendations? Not so!!

Our home on Slade Place is immediately adjacent to the area in question and for the past 19 years that we have lived there, we have seen many ducks, moose, rabbits, and other wildlife inhabiting the area and using it as their natural habitat. Every year since moving into our home, we have seen ducks flying into and out of the wetland region during certain times of the year. Some have even flown into our backyard or walked from the wetland region through the woods and onto our back lawn and have eaten bird seeds from our patio. Many moose and rabbits have lived and are living in this wooded area and have often been seen in the backyards of the houses and on the perimeter of the wetland region eating the trees and shrubs.

In a recent article published in the Tuesday, July 18, 2017 edition of the Telegram, entitled "Residents eager for public meeting", Mr. Bill Clarke of Powderhouse Hill stated:

*"The fact is, 15 years ago, in anticipation that this property may be developed in the future, three access points were designed and maintained over the years in order to provide entrance and exists into the site to permit a development design."*

When our home was being built during the period from April to July 1998 (19 years ago), there was never any discussion, nor indication provided to us, that there would be future access points constructed, giving access to the wetland region. The access points that Mr. Clarke is referring to were not constructed until Phase 3 of the development. As a matter of fact, when we became aware of these access points later in 1999-2000, we questioned the developer and were assured once again that the remaining wetland region remained protected from future development and that City Hall would have to re-zone the area before any future development could occur. We were repeatedly told that since the Anglican Church continued to own the property and the City continued to recognize and identify the remaining region as a "significant wetland region", the likelihood was very bleak that this area would ever be considered for rezoning or for future development. Given that we all had had our homes built by Fairview Investments, and the company and its officials were very reputable and trusting, we did not feel the need to make any further inquiries to the City.

Further to the article which appeared in the Telegram, it was also very disturbing and disappointing to read that "the review of the subdivision project was at the expense of the developer." **Did anyone anticipate that the recommendation would have been anything but to recommend a rezoning of the region, given that the developer had paid for the study to be completed and it is in the developer's best interest to have the region rezoned?**

The Telegram also stated that:

*"A 2012 report from Stantec found the area to not be valuable, ecologically speaking, as a wetland. The area is not protecting species at risk, it noted; it was found to be too small to be hydrologically significant; and it's mainly fed by direct precipitation, versus surface runoff."*

The question regarding what is a "significant wetland" is not simply a matter of size (acreage) of the area. Most definitions of "significant" adopted by regulatory authorities are measured in acres with 50-100 acres usually being considered significant. However, there are several other factors that need to be considered when determining whether or not a parcel of wetland is "significant". They include, but are not limited to: (1) the function of the wetland; (2) its position within the watershed area; (3) the current health of the watershed (or damage that has already occurred to the wetland region); and (4) the development pressures and downstream impact, that must be factored into the equation of what is significant.

The initial residential development of Eastwood Estates has already had a significant impact on the "original" Anglican Synod Wetland. This damage and construction of residential homes in the area have already resulted in the remaining portion of the Anglican Synod Wetland (ASW) likely falling below the threshold of what is significant if we simply apply the footprint definition of acreage. However, the significance and importance of protecting the remaining portion of the original Anglican Synod Wetland footprint is reinforced when we consider the additional factors referenced above.

Perhaps the most substantial function of the remaining wetland region is the role it plays, not only as a habitat for wildlife, but also as a moderation for flood waters and runoff. The wetland region in question is very high (near the headwaters) of the Virginia River watershed. Anything that further impacts this region will have a significant effect throughout the watershed. As indicated earlier, there has already been substantial damage to the original Anglican Synod Wetland and any further destruction of the region will exacerbate the damage already done.

This wetland region is one of the very few remaining areas in the higher elevations around St. John's and residential and commercial developers will continue to pressure City Hall to rezone and destroy these areas. We have been informed that the City of St. John's Development Regulations (Section 11.2.3) have identified 15 wetland regions which are considered "Overlay Districts" for purposes of development and require minimum buffers. The Anglican Synod Wetland is one of the 15 identified. Will all these regions also be subject to rezoning for destruction and residential and/or commercial development as on a piece-by-piece basis, they're destroyed?

So, while by some standards or definitions, or in the opinions of certain developers or consulting firms who have been contracted to study and provide recommendations, the remaining unaffected wetland region may not be worthy of protection because of its size or acreage, for all the other factors outlined above, it is very important that this region remain classified as a "significant wetland" region, as it was designated by the City in 1993. On many occasions, "small" and purposeful regions of land, like the region in question, are often determined and deemed to be "significant" because they are all that remains from a much larger region from the past, and thus becomes even more "significant" and thus requires the added protection from future destruction.

We are aware that some organizations, such as Ducks Unlimited Canada, have been working with the City of St. John's toward the development of a Comprehensive Wetland Policy. Such a policy would define the principles, regulations, protocols and mitigation requirements necessary to consistently guide the development of areas impacting wetlands. However, it is our understanding that the City has not advanced this approach to its completion.

It was only when we contacted Ducks Unlimited during this past spring when surveyors were observed working in the area that we were informed that the City had ordered a Land Use Assessment Report (LUAR) for a project in the Anglican Synod Wetland Area.

We were informed that the following is a quote from the minutes of the City's Development Committee meeting of October 18, 2016.

*“Synod Wetland Study (located off Ledingham Place, near Penney Crescent in Ward 1) – Report from CBCL Ltd. – Bill Clarke, developer, Ryan Clarke, Developer and Danny Madden, consultant – (12:00 pm) Bill Clarke spoke to the above noted. Moved – Councillor Hann; Seconded – Councillor Tilley The Committee recommends acceptance of the CBCL report which states that the Synod Wetland could be developed without adversely affecting the downstream environment of Virginia River in light of this development. Further to have staff review the file and notify the developer if a formal application is required (if there is not one already). Once the application can be reviewed by staff, a report will be prepared for the next meeting of the Committee. Furthermore, that the report be brought forward for information purposes to the next Environmental Advisory Committee. CARRIED UNANIMOUSLY”*

It is very upsetting to learn now that the City was not proactive in keeping the residents of the area informed of this motion of intention that was “CARRIED UNANIMOUSLY” by the City’s Development Committee. When you are informed by surveyors working in the area that work is happening behind the scenes to destroy and develop an already protected significant wetland region, one certainly must question, in whose best interest your elected officials are working?

Given the above-mentioned information, we are totally opposed to any rezoning of the area known as the Synod West Wetland Region or any remaining portion of the Anglican Synod Wetland region and are demanding that ALL City Councillors vote to reject the application received from Powderhouse Hill Investments. We would also request that any future applications received by the City to re-zone already designated and protected regions around the City be rejected immediately upon application and not even entertained. Your immediate attention and rejection of this application is very important to us and to the residents living in the surrounding area.

Please listen to the residents living in the area and to those who elected you to adhere to their best interests.

Regards,  
Perry & Donna Downey  
█ Slade Place

█

cc.: “savepenneycrescentwetland” group



**Cbcl synod wetland assessment report**

[Redacted]

2017/08/09 02:14 PM

To: cityclerk

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History: This message has been replied to.

City St. John's.

the CBCL Report clearly states the property is not a wetland and is suitable for Development, and i support the Project  
Thanks

Blair king  
Newfoundland Canada





**Re: Synod West Wetland ? Penney Crescent Development** 

**City Clerk and Council** to: Keith Dunne

2017/07/31 10:27 AM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Dunne:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Keith Dunne ---2017/07/30 08:51:24 PM---Office of the City Clerk P.O. Box 908,

From: Keith Dunne [redacted] <[redacted]@stjohns.ca>

Date: 2017/07/30 08:51 PM

Subject: Synod West Wetland - Penney Crescent Development

---

Office of the City Clerk

P.O. Box 908,

St. John's, NL,

A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor O'Keefe,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL(2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John’s may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennie’s River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John’s City Council on World Environment day in 2015 that noted “people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community.”

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,

Keith



**Re: Synod West Wetland ? Penney Crescent Development** 

**City Clerk and Council** to: Kirk Hart

2017/07/31 10:24 AM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ [Kirk Hart ---2017/07/30 03:02:08 PM---Office of the City Clerk P.O. Box 908,](#)

From: Kirk Hart   
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2017/07/30 03:02 PM  
Subject: Re: Synod West Wetland - Penney Crescent Development

---

Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor O'Keefe,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that "maintenance of water quality was a notable function of the wetland" as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennie's River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted "people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community."

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,  
Kirk Hart



## **Submission with Respect to the Synod West Wetland - Penney Crescent Development**

Sandra and Geoffrey Whiteway

■ Penney Crescent

St. John's, NL

## Introduction

Thank you for the opportunity to provide input into the proposed rezoning of the property at Penney Crescent and Jackson Place (Anglican Synod West Wetland), from the current Open Space Reserve (OR) Zone to the Residential Low Density (R1) Zone to allow the development of a residential subdivision. As noted in the Background Information provided on the City of St. John's Website, this undertaking requires "an amendment to the St. John's Municipal Plan as well as the removal of the designation of the Synod Wetland as a protected wetland". Furthermore, "the subject property was reserved from development when the Penney Crescent neighbourhood was developed. Three (3) wetlands in the general area were reserved: Synod Lands West Wetland (the present application), Synod Lands East Wetland, and Synod Lands North Wetland. Two of them have a standard development buffer of 15 metres from the 1:100-year high water mark, while the Synod Lands West Wetland has a larger buffer of 50 metres"<sup>1</sup>.

This submission will focus on two areas; Wetland Function Assessment Reports and Land Use Assessment Report/Traffic Impact Memo. In addition potential deficiencies and concerns not addressed or discussed in associated reports will be highlighted.

## Wetland Function Assessment Reports

Two wetland function assessment reports have been provided on the City of St. John's Website in support of the Public Meeting: Synod West Wetland - Penney Crescent. The first study was undertaken in July 16-29, 2012 by Stantec<sup>2</sup> (Draft Report). This report included a detailed Wetland Description and Ecological Characterization of the wetland including a description of Soils, Vegetation, Wildlife and Wildlife Habitat, Aquatic Resources, Species at Risk and Conservation Concern. Included were Sections Outline the Regulatory Context of Wetlands as well as Proposed Alteration and Mitigation Measures. The second study was undertaken on June 28, 2016 by CBCL Limited<sup>3</sup>. This report included a Wetland Assessment and a Stormwater Detention Pond Assessment. Both reports included Methodology Sections or Subsections as well as a description of the Local Environment.

The conclusion of both of these reports was that the wetland is not considered Significant. While the consultants' conclusion are based on a scientific set of criteria, these reports are limited in scope (spatial and temporal) and do not taken into account the social and recreational importance of this wetland to the Penney Crescent and nearby neighbourhood areas. This wetland borders the walking trail that is part of the Grand Concourse used year round by various residents for walking, running and general nature enjoyment; in fact the Grand Concourse indentifies this as part of their nature walk. The proposed development would substantial alter

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<sup>1</sup> Background Information. 2016 City of St. John's Website Decision/Direction Note

<sup>2</sup> Stantec Consultants Ltd. 2012. Wetland Value and Function Assessment, Anglican Synod Wetland. Draft Report.

<sup>3</sup> CBCL Limited. 2016. Anglican Synod Wetland , Wetland Functional Assessment.

the feel of the Penney Crescent Neighbourhood, essentially turning it into a city center neighbourhood. Many who bought homes in this neighbourhood did so in part because it bordered an Open Space Reserve Zone, thereby providing the best of city living. The addition of 95 new dwellings will substantively change the feel of the neighbourhood.

There is no discussion in these reports or other reports provided on the St. John's city website on how this development may affect the level and diversity of wildlife currently observed in this neighbourhood. In fact, the CBCL report does not address wildlife except in a basic generalized manner. The Penney Crescent Neighbourhood (and by extension nearby neighbourhoods) benefit from this wetland with the presence of a variety of birds, rabbits, squirrels and moose. The list of bird species in the Stantec report is incomplete and was so noted by the authors as their wildlife assessments were performed outside of the breeding season for most birds. Based on personal observation several species are indeed absent from this list.

Habitat fragmentation is the process by which habitat loss results in the division of large, continuous habitats into smaller, more isolated habitat fragments. Habitat fragmentation is one of the most important processes contributing to population decline, biodiversity loss, and alteration of community structure and ecosystem functioning in anthropogenically-modified landscapes. The Synod West Wetland occurs within an area of significant habitat fragmentation but that wetland *may* facilitate wildlife movement to other nature areas within the east end of the city (Figure 1). One of the deficiencies of all the studies presented for review is there is no discussion on how this development may impact the currently observed wildlife populations and diversity within Penney Crescent and adjacent neighbourhoods.

## The Land Use Assessment Report

The Land Use Assessment Report <sup>4</sup> addresses the Terms of Reference (TOR) approved by Council and Issues by St. John's.

One of the items in the Under Open Space was *"Identify the displacement of wildlife (as described in the wetland report prepared by Stantec Inc.) and any methods to mitigate the displacement. This will include following the requirements of the Migratory Bird Act for nesting birds."* The Response provided by the LUAR Report was *"The subject wetland appears to be providing a modest function for provision of habitat, with elevated values due to the surrounding urban and suburban context. While it does potentially provide habitat in the general sense for a variety of species, it is not considered to be a 'significant' wetland in terms of providing habitat for species at risk.* ((from: Section 3.4, Page 13, of 163044.00 CSJ Synod Wetland Assessment – FINAL REPORT by Stantec Inc.)).

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<sup>4</sup> Dynamic Engineering Limited. 2017. Land Use Assessment Report (LUAR) Penney Crescent and Jackson Place (Synod West Wetland).

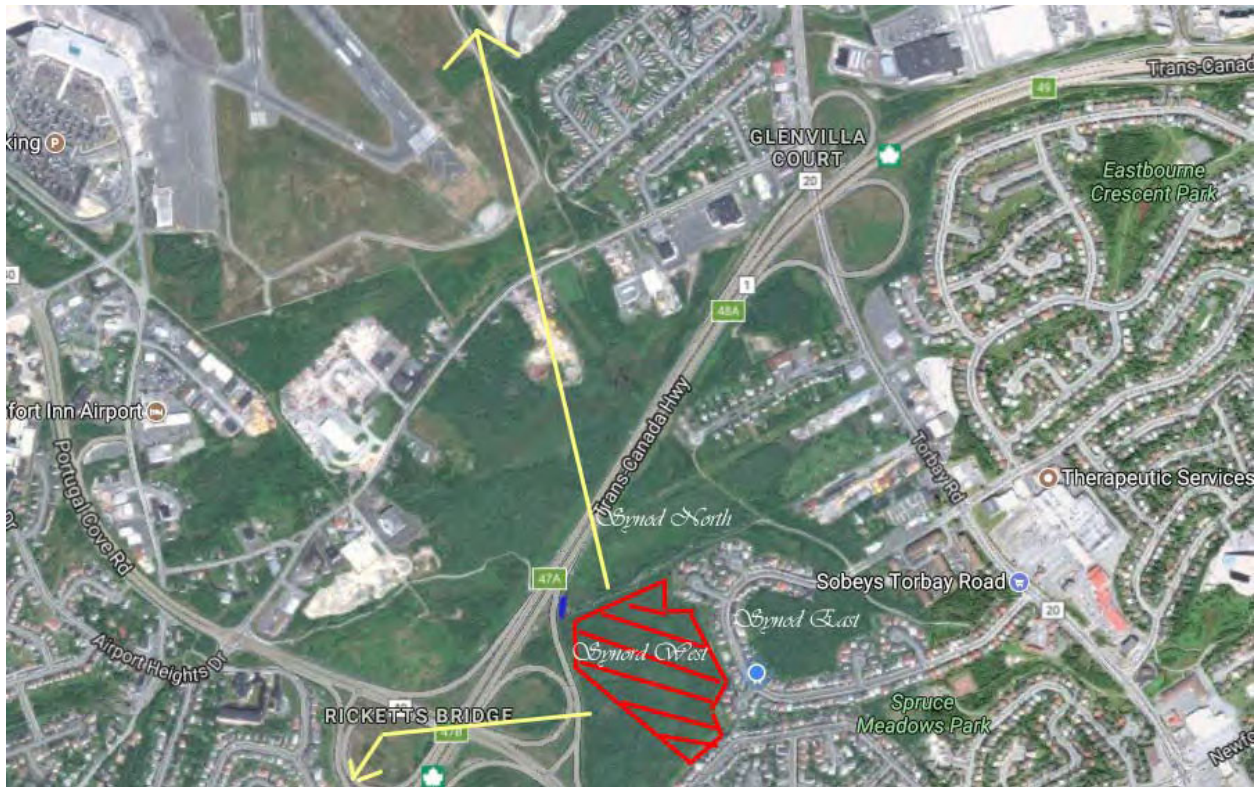


Figure 1: Synod West Wetland and relation to other nature areas in Penney Crescent Area.

- A. Area could facilitate wildlife movement to areas North of Trans Canada and east of airport
- B. Area could facilitate wildlife movement to Pippy Park and areas east of Highway 40

The response in the LUAR is *insufficient*. This report referenced a final report from Stantec and the documents provided by the city are a draft with different section numbering) making it hard to determine the full context of the FINAL information provided by Stantec and used by Dynamic Engineering. Nevertheless, the TOR asked about displacement of wildlife and methods to mitigate that displacement. The response in the LUAR *does not address the TOR*. Species at risk are not the only wildlife that may be displaced and as such the response provided in the LUAR is a deficient response. An adequate response to this TOR question may have addressed comments provided earlier on Page 2, Paragraph 1 in this submission.

### Appendix C LUAR: Transportation Impact Memo.

This section of the submission deals with the Traffic Impact Memo (Appendix C of the LUAR) developed by Harbourside Transportation Consultants. Harbourside Transportation Consultants undertook 4 tasks in their study. We would like to bring your attention to tasks 1, 2 and 3. Tasks 1 and 2 dealt with data collection and trip generation rates, and distribution while task 3 evaluated traffic calming.



## Tasks 1 and 2 - Data collection and trip generation rates and distribution

We would like to thank the authors for including the raw data collected in this part of the report. The concern we have with task 1 and 2 is that data was only collected on one weekday. At the Penney Lane / Torbay Road intersection the Hindu Temple's activities impact traffic volume. Most of the activities associated with the Hindu Temple occur on Saturday and Sunday. In reality a traffic study based on *one day of data excluding the weekend does not truly reflect traffic activities and patterns in this neighbourhood*. There is insufficient data sampling to adequately determine neighbourhood traffic impacts.

It should also be noted that Penney Lane is a narrower street than Penney Crescent and lacks sidewalks. During activities at the Hindu Temple cars park on the right and left sides of the street reducing the street to one lane and forcing pedestrians to walk on the road.

## Task 3 - Traffic Calming

Pages 6 and 7 of the Transportation Impact Memo discusses the issue of shortcutting and traffic calming. Shortcutting or rat running is defined by the Collins dictionary as "a minor (often residential) road or route used by drivers hoping to avoid congestion on major nearby roads". Opening up the Musgrave Street / Halley Drive area to Penney Crescent would create a potential shortcut (rat run) with motorists avoiding part of Newfoundland Drive and Torbay Road.

On page 7 of the Transportation Impact Memo it states that "HTC conducted a number of travel time measurements along both Newfoundland Drive and Torbay Road and along the route from Newfoundland Drive to Ledingham Place and from Torbay Road to the proposed subdivision access on Penney Crescent". Unfortunately the raw collected data is missing from the report and only 4 empirical values are given. As a minimum the city and its residents should be provided with:

- Number of travel time measurements conducted
- Times of day when the travel time measurements were conducted
- The travel data logs including: speed, time and distance (DMI or GPS collected data)

The Travel Time Data Collection Handbook (Report No. FHWA-PL-98-035) recommends a test sample size (repeating the travel measurement) of 8-25 when 3-6 traffic lights are on the travel time route (Portugal Cove Road/Newfoundland Drive to Torbay Road/Penney Lane). The travel time measurement should be conducted over a 5 day period. If the travel time measurements cannot be carried out over a 5 day period they should be conducted between Tuesday and

Thursday. In this Transportation Impact Memo all the travel time measurements were carried out on one day, a Friday (Dec 16, 2016).

*Without the collected raw data it is impossible to test the validity of the conclusions reached by HTC.*

It is agreed with HTC that it is a perception of time savings that motivate people to shortcut (rat run). The perception of time saving is influenced by many factors including; distance, number of traffic lights, and time delays in making left or right turns. Shortcutting through the new development is not only a shorter distance, it also reduces the number of traffic lights and there would be no left or right turns at traffic lights.

It should be noted that motorist may view shortcutting through the new development as offering another benefit by connecting to Highland Drive at Penney Lane. This would allow motorist to connect to the Stavanger Drive business district without traveling Torbay Road. This avoids 6 traffic lights and the traffic congestion between The Outer Ring Road and Stavanger Drive.

In the Transportation Impact Memo HTC states " If the City of St. John's and/or residents of the area remain concerned about the potential for shorting, traffic calming could be introduced...". The extent of the traffic calming proposed is to place staggered chicanes from Ledingham Street to the new subdivision. Is this adequate? Connecting Musgrave Street / Halley Drive to Penney Crescent may require area wide traffic calming. Area wide traffic calming is the coordinated use of traffic control measures in a large, defined area in order to improve traffic safety and environmental conditions. (Rune Elvik, Truls Vaa, Alena Høy, Michael Sørensen. 2009. The Handbook of Road Safety Measures: Second Edition. Emerald Group Publishing Limited. p. 404). The extent of traffic calming required will not be known until after the development is completed. It is our view that the lack of data provided by HTC with respect to traffic calming is *problematic*.

## Other Comments/Concerns

1. There is a discrepancy between the LUAR report<sup>5</sup> and the Background Information provided by the city<sup>6</sup> with respect to how the Stormwater runoff will be handled. The reports note it as a Dry Detention Pond and the associated figure has it as a Naturalized Wetland Stormwater Pond. These are two very different types of stormwater handling techniques and should be discussed and addressed. A naturalized wetland should be the preferred option and actively advocated. Figure 2 is an example of a Dry Detention Pond and Figure 3 is an example of a Naturalised Stormwater Pond.

---

<sup>5</sup> Dynamic Engineering Limited. 2017. Land Use Assessment Report (LUAR) Penney Crescent and Jackson Place (Synod West Wetland).

<sup>6</sup> Background Information 2016. City of St. John's Website Decision/Direction Note



Figure 2: Example of Dry Detention Pond



Figure 3: Naturalized Stormwater Pond

2. The Backgrounder information notes “An underground infiltration system carries water from the Synod West Wetland (the subject property) across Penney Crescent, discharging into the Synod East Wetland”. The LUAR report states “The existing inlet pipe for the underground infiltration system will be capped and abandoned in place”. What would the impact of capping and abandoning in place the underground infiltration system be on the Synod East Wetland? Would this result in the loss of the Synod East Wetland? I do not believe this has adequately been addressed in any of the reports in part due to the limited scope of those studies.
3. There has been no discussion or studies on the anticipated change in noise pollution for the Penney Crescent Neighbourhood. The Synod North Wetland and related vegetation currently offer a buffer (albeit not a perfect one) to the noise pollution associated with the Outer Ring Road and the airport. Add in the additional traffic and activities associated with a potential 95 home (plus unknown number of apartments) and this is a deficiency when examining the environmental impacts of this development. When considering any development, all impacts must be considered, including those on the human inhabitants. Houses with open spaces and roads will not buffer noise as well as the wetland and associated vegetation.

4. The proposed stormwater runoff system ultimately would discharge into the Virginia River System. There is no mitigation techniques identified to prevent nitrate and phosphate inputs (fertilizers) as well road salt runoff entering the Virginia River. This raises the possibility of eutrophication within the Virginia River Watershed.
5. There is no discussion of consideration on how this proposed development will impact current house values. The presence of this wetland is viewed as a positive for living in this neighbourhood. Its loss will have a negative impact on the current house values.
6. In the TOR, the proponent was asked to “*identify and confirm St. John’s Regional Fire Department Access in relation to the proposed density of the development on a single access road (normally limited to 50 lots)*”. Please provide written confirmation that the development as proposed has no identified issues by the St. John’s Regional Fire Department.

## Conclusion

In conclusion, we do not support the proposed development. After review the all related documents, there are numerous deficiencies and outstanding issues.

If you would like to discuss this submission further, we can be contacted at [REDACTED] Penney Crescent.

Sandra and Geoffrey Whiteway

[REDACTED]

[REDACTED]

Telephone number: [REDACTED]



**Re: Anglican Synod Westland Report** 

**City Clerk and Council** to: Joan Gallivan

2017/07/24 10:27 AM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Ms. Gallivan:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Joan Gallivan ---2017/07/21 01:43:03 PM---Offering support of land development, Penney Cres. Area  
Sent from my iPad

From: Joan Gallivan [REDACTED]  
To: Cityclerk@stjohns.ca  
Date: 2017/07/21 01:43 PM  
Subject: Anglican Synod Westland Report

---

Offering support of land development, Penney Cres. Area  
Sent from my iPad



**Re: Anglican Synod Wetland**   
**City Clerk and Council** to: Norman Tobin  
Sent by: **Elaine Henley**

2017/07/24 10:20 AM

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Tobin:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Norman Tobin ---2017/07/20 08:17:10 AM---Dear City Clerk, after reading the engineering facts contained in the CBCL report I am supporting th

From: Norman Tobin [REDACTED]  
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2017/07/20 08:17 AM  
Subject: Anglican Synod Wetland

---

Dear City Clerk, after reading the engineering facts contained in the CBCL report I am supporting the approval of this development. I cannot find an environmental risk in the development of this property.

Thank you,

Norm Tobin CET



**Re: Anglican Synod**   
**City Clerk and Council** to: Carl Sheppard  
Sent by: **Elaine Henley**

2017/07/24 10:30 AM

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Carl Sheppard ---2017/07/21 04:49:32 PM---To Whom it May Concern: It was with interest that I recently reviewed the September 2016 Anglican Sy

From: Carl Sheppard [REDACTED]  
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2017/07/21 04:49 PM  
Subject: Anglican Synod

To Whom it May Concern:

It was with interest that I recently reviewed the September 2016 Anglican Synod Wetland Report. I have known about the land and its potential for development for a number of years. I would certainly support the development of the land.

Best regards

Carl Sheppard



Regards,

**Carl Sheppard**, President  
**Strategic Concepts, Inc. | SCI Resource Software, Inc.**  
PO Box 566, Station C | St. John's, NL Canada | A1C 1K4







**Re: CBCL Anglican Synod Wetland** 📎

**City Clerk and Council** to: marla Soto

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

2017/07/31 10:28 AM

Good Morning Ms. Soto:

We acknowledge receipt of your email and thank you for your feedback.

Your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

Elaine Henley  
City Clerk

▼ marla Soto ---2017/07/31 09:42:24 AM---Please accept this email as my support of the Penny Lane development. Marla Soto

From: marla Soto [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2017/07/31 09:42 AM  
Subject: CBCL Anglican Synod Wetland

---

Please accept this email as my support of the Penny Lane development.

Marla Soto

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**Re: City Lane Subdivision**   
**City Clerk and Council** to: Steve Brown  
Sent by: **Elaine Henley**

2017/07/25 12:40 PM

Cc: CityClerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning Mr. Brown:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Steve Brown ---2017/07/25 08:00:59 AM---Good morning, I'm writing this morning to give my support to the Penny Lane Subdivision Development.

From: Steve Brown   
To: CityClerk@stjohns.ca  
Date: 2017/07/25 08:00 AM  
Subject: City Lane Subdivision

---

Good morning,  
I'm writing this morning to give my support to the Penny Lane Subdivision Development. I feel this is a worthwhile project and I would like to see it move forward.



**Re: Fwd: Anglican Synod Wetland Report** 

**City Clerk and Council** to: liamhalley01

2017/07/26 09:52 AM

Sent by: **Elaine Henley**

Cc: Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning Mr. Halley:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ liamhalley01---2017/07/25 12:33:29 PM---> Subject: Re: Anglican Synod Wetland Report > To whom it may concern.

From:   
To: cityclerk@stjohns.ca  
Date: 2017/07/25 12:33 PM  
Subject: Fwd: Anglican Synod Wetland Report

---

**Subject: Re: Anglican Synod Wetland Report**

To whom it may concern.

Please accept this email as my support for the Penny Lane Development. If you have any question's please feel free to contact me by return e-mail . Kind regards.Liam Halley.



**Re: opposition to Synod West Wetland - Penney Crescent proposed development**

**City Clerk and Council** to: Emily Wolf

2017/07/18 03:50 PM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Afternoon Ms. Wolf:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ [Emily Wolf ---2017/07/17 05:31:21 PM---](#) I am writing to oppose the proposed rezoning and development of a portion of the Synod West Wetland

From: Emily Wolf [REDACTED]  
To: cityclerk@stjohns.ca  
Date: 2017/07/17 05:31 PM  
Subject: opposition to Synod West Wetland - Penney Crescent proposed development

---

I am writing to oppose the proposed rezoning and development of a portion of the Synod West Wetland as part of the Penney Crescent project.

This area is a significant wetland, as City Council determined in 1993, and must be treated as such.

Land protections that benefit all citizens should remain in place. Private development is not an excuse to further erode our City's rapidly disappearing natural and historic resources.

Sincerely,  
Emily Wolf

[REDACTED] Churchill Avenue  
St. John's, NL [REDACTED]



**Re: Penney Crescent Land Development** 

**City Clerk and Council** to: Janet Kelly

2017/07/21 11:20 AM

Sent by: **Elaine Henley**

Cc: cityclerk, powderhousehill3, Jason Sinyard, Ken O'Brien,  
Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran,  
Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley

Good Morning Ms. Kelly:

We acknowledge your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Janet Kelly ---2017/07/19 04:18:36 PM---I support the above subject development proposal. Janet Kelly

From: Janet Kelly [REDACTED]  
To: cityclerk@stjohns.ca  
Cc: powderhousehill3@gmail.com  
Date: 2017/07/19 04:18 PM  
Subject: Penney Crescent Land Development

---

I support the above subject development proposal.  
Janet Kelly



**Re: Penny Lane Development**   
**City Clerk and Council** to: Terry Reardon  
Sent by: **Elaine Henley**

2017/07/24 02:50 PM

Cc: "CityClerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Afternoon Mr. Reardon:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Terry Reardon ---2017/07/24 01:15:33 PM---After reading the CBCL report I would like to submit my support for this project. Regards

From: Terry Reardon [REDACTED]  
To: "CityClerk@stjohns.ca" <CityClerk@stjohns.ca>  
Date: 2017/07/24 01:15 PM  
Subject: Penny Lane Development

---

After reading the CBCL report I would like to submit my support for this project.

Regards

Terry Reardon

Sent from my T-Mobile 4G LTE Device



**Re: Penny Lane Subdivision Development** 

**City Clerk and Council** to: Wes Whalen

2017/07/24 10:17 AM

Sent by: **Elaine Henley**

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Whalen:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Wes Whalen ---2017/07/19 06:08:50 PM---Hello, Please take this e-mail as my full support for the proposed Penny Lane development. Please co

From: Wes Whalen [REDACTED]  
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2017/07/19 06:08 PM  
Subject: Penny Lane Subdivision Development

---

Hello,

Please take this e-mail as my full support for the proposed Penny Lane development. Please contact me should you require.

Wes Whalen

Sent from my iPhone



**Re: Penny Lane Subdivision**   
**City Clerk and Council** to: Regina Clarke  
Sent by: **Elaine Henley**

2017/07/24 10:19 AM

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Regina Clarke ---2017/07/19 07:03:29 PM---I am emailing to indicate my support for this development.

From: Regina Clarke   
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2017/07/19 07:03 PM  
Subject: Penny Lane Subdivision

---

I am emailing to indicate my support for this development.





**Re: Penny Lane** 

**City Clerk and Council** to: Edwina Baldwin

2017/07/24 10:52 AM

Sent by: **Elaine Henley**

Cc: CityClerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning Ms. Baldwin:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ "Edwina Baldwin" ---2017/07/24 10:50:54 AM---I have reviewed Penny Lane proposal and I am in favour of this project

From: "Edwina Baldwin"   
To: <CityClerk@stjohns.ca>  
Date: 2017/07/24 10:50 AM  
Subject: Penny Lane

---

I have reviewed Penny Lane proposal and I am in favour of this project

Edwina Baldwin  
Past President of NLAR  
Realtor ReMax Specialist  
St. John's Citizen





**Re: Synod West Wetland - Penney Crescent** 

**City Clerk and Council** to: Alison Cass

Sent by: **Elaine Henley**

2017/07/31 10:26 AM

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Ms. Cass:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ [Alison Cass](#) ---2017/07/30 08:34:16 PM---Office of the City Clerk P.O. Box 908,

From: Alison Cass [REDACTED]  
To: cityclerk@stjohns.ca  
Date: 2017/07/30 08:34 PM  
Subject: Synod West Wetland - Penney Crescent

---

Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor O'Keefe,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the

neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennie's River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted "people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community."

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,  
Alison Cass  
■ Barnes Place  
St. John's, ■  
■



**Re: Synod West Wetland - Penney Crescent** 

**City Clerk and Council** to: Bill

2017/07/24 10:16 AM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray


Good Morning Mr. Halley:

We acknowledge your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ "Bill" ---2017/07/19 05:41:26 PM---Dear Sir.

From: "Bill"   
To: <cityclerk@stjohns.ca>  
Date: 2017/07/19 05:41 PM  
Subject: Synod West Wetland - Penney Crescent

---

Dear Sir.

I have taken the time to review the information provided on the website. In my 35 years as a realtor, it is by far the most comprehensive and well analyzed proposal I have seen. The 2 studies and the proponent's information leave no doubt that this is a project that should have the full support of council.

I now live on Wedgeport Road (10 yrs) and prior to that I lived on Stirling Cres for 10 yrs. I have spent a lot of time on all these streets and have walked all this land and the trails in the area.

I am in full support of this proposal as it has been presented. It will only enhance my neighborhood.

Sincerely  
Bill Halley  
 Wedgeport Road




St. John's, Newfoundland, Canada

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**Re: Synod West Wetland**   
**City Clerk and Council** to: Christopher Parsons  
Sent by: **Maureen Harvey**  
Cc: Planning Group List for Submission from General Public,  
Stacey M Corbett

2017/08/07 11:59 AM

Good morning Mr. Parsons.


Thank you for your submission.

By way of this email, your comments have been forwarded to the Department of Planning, Engineering and Regulatory Services for consideration.

Regards

Maureen Harvey  
Acting City Clerk

Christopher Parsons August 3rd, 2017 To the City Clerk and the el... 2017/08/04 02:38:18 PM

From: Christopher Parsons   
To: cityclerk@stjohns.ca  
Date: 2017/08/04 02:38 PM  
Subject: Synod West Wetland

August 3rd, 2017

To the City Clerk and the elected officials of St. John's.

I am writing in opposition to the proposed development adjacent to Penney Crescent in the area known as the Synod West Wetland. I am a property owner living directly adjacent to the proposed development. I could have chosen other areas to build my home, but picked Penney Crescent because of its unique surroundings, especially the protected wetlands that surround much of it. However, I have many concerns about this development that go far beyond the “not in my backyard” mentality.

#### Wildlife Issues

The CBCL report regarding the Synod West Wetland, provided to the City in October 2016, in my opinion reaches some questionable conclusions; some of which even contradict previous studies on the wetland. CBCL concludes many aspects of wildlife in the wetland “[...]exhibited the maximum possible value scores (10). This is likely due to the wetland being a refuge for these taxa” (section 3.4). Thus CBCL recognizes Synod West Wetland provides a refuge to many wildlife in an urban environment, but concludes Synod West is “not significant” simply because it does not provide a habitat to any endangered species. This to me is a subjective and short-sighted conclusion considering the facts their own survey provided. To overlook the large amount of wildlife simply because CBCL believes there is nothing *currently* endangered on the site would be irresponsible.

In reality, simply stating the wetland is not a habitat to any endangered species is a dangerous simplification. The CBCL report mentions the presence of Teaberry in a summary of species. Teaberry was also mentioned in a Stantec report on the Synod Wetland presented to the City of St. John's in 2012. Stantec listed the Teaberry as a species "at risk", close to being endangered, in decline, present in less than five sites within the province. The CBCL report fails to take this into account, even the removal of one of very few habitats for a specie at risk could reasonably be expected to push that specie closer to or into the endangered category. This significant omission leads me to have very strong reservations about CBCL's conclusions on the significance of wildlife in the wetland.

### Water Concerns

Naturally, I have concerns regarding possible flooding if the development is allowed to proceed. Many recent studies show natural wetlands are very important in preventing or reducing potential flood conditions to nearby urban areas. I feel secure knowing both the wetland and a drainage system installed by the original developer at Penney Crescent are adjacent to my property. It worries me how Powerhousehill plans to not only remove the wetland, but to fill, cap and abandon the current drainage system.

I am also worried about what effect the possible removal of Synod West will have on the adjacent Synod North and Synod East wetlands, and on downstream areas of Virginia River, Virginia Lake and Quidi Vidi Lake. CBCL admits it is unsure what effect developing Synod West may have on the other Synod wetlands.

The CBCL report states that "the wetland adjacent to Virginia River is considered out-of-scope for this project, and was not delineated or otherwise investigated" (section 3.1). Later, the study says "Bogs may often serve as groundwater recharge sites, and it seems likely that WL1 and WL-2 [sections of Synod West] may collectively be functioning in this capacity" (section 3.2) "it seems possible that sub-surface groundwater connections may exist between these features, given their proximity to one another" (section 3.2). CBCL, in conclusion, then states: "Any potential groundwater influence of the subject wetland on downstream systems is unsubstantiated through any known study to date. It should be noted that the present study does not address potential contributions of groundwater by the subject wetland to the Virginia River and its associated wetland." To me, CBCL appears to acknowledge that they don't know what effect the removal of Synod West will have on the rest of the Synod wetland or even the Virginia River system. The entire Synod wetland area cannot be properly protected without the continued protection of Synod West.

### Traffic and Safety Concerns

The developer has provided a traffic report with the LUAR. This study appears incomplete to me and therefore does not ease my concerns on possible increased traffic in the area.

The first aspect I feel is missing from the report is any information regarding pedestrians. To me, Penney Crescent and Penney Lane appear to have a large amount of pedestrian traffic

compared to other neighborhoods in the area. I think this is largely because of many unique characteristics, including proximity to nearby shopping on Torbay Road and to the Virginia River Trail.

In addition to a general concern for pedestrians facing nearly double the traffic they are now, as a parent of young children, I worry about the possibility of having the “Tot Park” located on a potentially busy corner which would be the only access point to the proposed development. Will action be taken to provide proper crossing conditions there? My children have been able to walk to the Tot Park on their own with little concern, as have several other children in the area. I don’t know if that could still be considered safe if the development was to proceed.

The second aspect that the report fails to address is the traffic conditions on the Penney Lane section of the roadway. Neither the developer nor the traffic study mentions the fact Penney Lane is a crumbling, narrow laneway with no sidewalks and no street lighting provided directly on the street. The current condition of Penney Lane often put pedestrians and traffic in unsafe situations even now, and that would be made far worse by a near doubling of traffic in the area. There are also frequent accidents and near-misses at the intersection of Highland Drive/Penney Lane and Torbay Road due to the unsafe practices of drivers often ignoring traffic and pedestrians originating from Penney Lane. These conditions need to be considered but are not addressed at all in the LUAR or traffic study.

I am also concerned about Fire protection. City Staff and the LUAR mentioned in regards to the development that the City of St. John’s fire department usually requires no more than 50 homes per single road access. This development is for 45 homes over this limit. The developer states they met with the fire department, but this seems to be an unjustified breach of the City’s own safety standards. Potentially compounding the issue is the effect the new development would have on the water pressure in the area.

I ask the City of St. John’s Council not to approve this project in consideration of the many adverse effects it could have on not only the neighborhood of Penney Crescent but the entire Virginia River corridor.

Thank you for your time

Chris Parsons





**Re: Synod West Wetland-Penney Crescent** 

**City Clerk and Council** to: Elizabeth Winter

2017/07/24 10:35 AM

Sent by: **Elaine Henley**

Cc: cityclerk, "Frampton, Pam", soleary, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll,

Good Morning Ms. Winter:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Elizabeth Winter ---2017/07/23 02:10:51 PM---Re-Synod West Wetland-Penney Crescent:  
Having

From: Elizabeth Winter [REDACTED]  
To: cityclerk@stjohns.ca, "Frampton, Pam" [REDACTED], soleary@stjohns.ca  
Date: 2017/07/23 02:10 PM  
Subject: Synod West Wetland-Penney Crescent

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Re-Synod West Wetland-Penney Crescent:

Having read the whole report I believe this proposal is the thin edge of the wedge. The plan indicates "reserve access points for potential future development" Do not leave yourself open to that possibility

They quote "it is not considered to be a significant wetland in terms of providing habitat for species at risk". This is a very limited view as all species are in danger if their habitat is removed no matter how small the area

The proponents recognize the probably of flooding since they have suggested that some houses could be built on slabs without basements. They have also designed a holding pond for excess water. The flow from that pond will be North to dump into the existing brook which leads to Virginia River. This, in itself, is inadvisable for the adjoining walking trail and on down river.

This area, off the main road, had been relatively safe for the many young families who live there. The excess traffic from all of the new houses will be a nightmare. All egress from Penney is unto Torbay Road. Exiting right is difficult now and exiting left is impossible since this area is directly opposite Fall River and Torbay Plaza. If you have ever shopped at Holland Nurseries on a busy Spring day you know about traffic jams. Extrapolate this to every day on Penney if this

development go through.

Has the City not learned from past mistakes? If You Build it, it Will Flood. The Avalon Mall and downstream comes to mind.

Please please do not compound problems by approving this proposal.

Elizabeth Winter

■ Tiffany Lane

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This email has been checked for viruses by AVG.

<http://www.avg.com>



**Re: Synod Wetland Proposed Development** 

**City Clerk and Council** to: Samuel McGrath

2017/07/31 10:23 AM

Sent by: **Elaine Henley**

Cc: Kim Barrett, "cityclerk@stjohns.ca", Doreen Stone, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy

Good Morning Mr. McGrath:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services for consideration.

We thank you for your feedback.

Elaine Henley  
City Clerk

▼ Samuel McGrath ---2017/07/30 01:18:40 AM---Mr. City Clerk, For transmittal to the elected officials of St. John's.

From: Samuel McGrath [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Cc: Kim Barrett [REDACTED], Doreen Stone [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] Clerk,

For transmittal to the elected officials of St. John's.

Initially I made a brief comment as to why I was objecting to this proposed development in the Penny Crescent neighborhood. I now want to expand my reasons for doing so.

I came to live in St. John's in 1960 as a student. In 1969 I became a residential taxpayer and have been such for the past 48 years. In 1981 we moved to the Carrick Drive area where we've lived and raised our family ever since.

Our house is on the corner of Carrick Drive and Kilkenny St. When we moved here, Kilkenny St. was a dead-end street at the end of which a cul de sac was constructed some years afterward, probably in 1985-1987. A river borders the rear of the houses on the right hand side of Kilkenny St. draining into the outflow of Virginia Waters. Also at the head of Kilkenny St. at the time, 1981, was a small partially wetland area that comprised part of the Wedgewood Park larger wetland area where the river expanded into several small tributaries.

The above geographical description is important because it hinges on the flood conditions

that occurred in 1985 while the partial wetland at the head of Kilkenny St. was being cleared for a commercial development.

Once the land clearing began, it became evident that the normal drainage patterns were severely disturbed. During a particularly heavy rain a dam was formed that clearly signaled it would overflow its banks in a short time threatening the houses along Kilkenny St. with flooding. The developer was notified by some of the residents in the area of the danger. I'm not certain whether the city works dept. was notified or not. However, no cautionary measures were taken by the developer.

Within a few hours, the dam did burst its banks around midday sending a river of water straight down Kilkenny St. as the rain continued to fall. The flow of water was so strong and deep that the storm sewers soon filled up sending the deluge along the lower levels of Carrick Drive and Newfoundland Drive. Stairwells and basements quickly flooded in the whole area.

Our house received just over two feet of muddy water in the fully developed basement. Fully developed in this case was a recreation room, laundry/full bathroom/boiler room, and workshop. Studding and foam covered the entire concrete floor. Over that was a 5/8 plywood sub-floor, and over that was mid-priced carpet in the recreation room, vinyl in the laundry, etc. room, and several coats of paint over the plywood sub-floor in the workshop. All flooring was destroyed during the three days it took to get the water out, the mud cleaned up, and the contents thrown out.

The contents of the basement included a fully furnished recreation room with sofas and armchairs, children's toys, clothing, and playthings. The water boiler needed replacing in the laundry room, and numerous tools and equipment in the workshop were rendered useless by the water and mud. A filing cabinet had to be thrown out several months later when the lower drawers rusted beyond repair. Personal papers, legal documents, and books were lost through water damage inside and outside the filing cabinet. Other furniture and household items in the basement that I can no longer bring to mind were also destroyed. The clean-up costs, and all replacement costs, including labor costs, were entirely mine to bear.

Every house along Kilkenny St., Coaker Place, and the lower portion of Carrick Drive, and perhaps part of Newfoundland Drive, can give witness to similar damage and replacement costs. None of the houses that I know of escaped flooding.

More than a dozen neighbors convened following the cleanup to analyze our losses and compare the damage to our houses. We succeeded in having a meeting with city officials at a room in city hall where the developer was also present. Nothing was resolved as to accepting responsibility for the flooding or gaining compensation. Both the developer and city officials disclaimed any responsibility of any kind to the homeowners, citing the flooding as an act of God or nature. It was brusquely stated that unless individuals had insurance coverage to help with the flood damage, they had no other option than to bear the recovery/replacement costs themselves. None of the dozen-plus neighbors who were present had any flood coverage on their household policies. Most likely virtually no household in the city had such coverage at that time. Needless to say we left the meeting angry and disappointed at the heartlessness of city officialdom and the developer.

However, we didn't stop there. Those of us who could afford to, agreed to contribute to a

pool of money to hire legal counsel to advise us on our options. The legal firm we hired did explore several avenues with both the developer and city hall. However, to consider a lawsuit would entail a considerable outlay of contributions on our part for legal costs were we to go with that option. The collective decision was that none of us could afford to do that. Bear in mind that all the families who were effected by the flooding were young householders with young children and who generally were surviving from payday to payday. Those days were not the days of huge salaries for employees. And nearly all those affected were employees of one kind or another.

The final result was that each householder bore the entire costs of the flood damage and no further action was taken as to compensation from the city or the developer. Within several months most everyone was as much back to normal as they could be. There was no further flooding but a lot of work was engaged in over the ensuing months by someone in officialdom to improve the drainage of the surrounding neighborhood.

Now the significance of our experience for the householders in the Penny Crescent area, and city hall elected officials, should be obvious. A much larger wetlands area with a much more complicated drainage environment is being considered for development. Aside from the unconscionable foray by city officials and developer(s) into destroying a wildlife habitat, at a time when environmental protection is a social virtue in most Western countries, there's the fact of destroying a quality of life asset that gives hundreds of St. John's citizens the joy of experiencing nature from their backyards. Then there's the risk of serious unforeseen consequences that could result from damage to a historic natural drainage system. Such consequences would ultimately have to be paid for by the very taxpayers who would have their neighborhood destroyed should this development be given approval.

Of course city hall would look upon such a development as a new tax source for the city. From my perspective, the city already has enough tax money--more than enough--to run the city effectively. The bloated bureaucracy that exists in St. John's is nowhere else to be found in any other city of its size in Canada. When is enough for city politicians, and for what purposes? The citizens elect you to promote their quality of life in the city, not to diminish or destroy it. If you vote to approve the rezoning required for this proposed development to go ahead, you collectively should be ashamed of yourselves for following a course of action that is vigorously opposed by the very people who elect you. Remember that you are ultimately public servants. Your role is to serve the public when you vote on issues that effect that public not your own interests or the interests of special groups that see land development as the raison d'etre of city life.

I make no apologies for being riled up over this proposal that would destroy a part of the natural environment of St. John's. Do the right thing; vote down this proposal!

Sincerely from a citizen who considers St. John's home.

Samuel McGrath  
█ Carrick Drive  
St. John's, NL

█

█



# **PUBLIC MEETING**

**Tuesday, August 8, 2017  
7:00 p.m.  
Foran/Greene Room  
St. John's City Hall**

**ST. JOHN'S**

# MEMORANDUM

Date: August 8, 2017

To: Mayor and Members of Council

Re: **Public Meeting**  
**Tuesday, August 8, 2017**  
**Synod West Wetland – between 97 & 99 Penney Crescent**

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The City of St. John's has received an application from Powderhouse Hill Investments Ltd. to rezone 7.1 hectares (17.5 acres) of land between 97 & 99 Penney Crescent from the Open Space Reserve (OR) Zone to the Residential Low Density (R1) Zone. This portion of the Synod West Wetland is owned by the Anglican Church - Diocesan Synod of Eastern Newfoundland and Labrador. Only this portion of the wetland will be developed; the remainder, owned by another party, is not part of this application. A Municipal Plan amendment will be required.

The purpose of the rezoning is to develop a residential neighbourhood of approximately 95 Single Detached Dwellings. The main access would be through the current tot lot at 97 and 99 Penney Crescent; the tot lot would be relocated to 101 Penney Crescent and adjoining land. A new road through the property would enclose a small park with a walking trail which will connect to the nearby Virginia River Trail. A Land-Use Assessment Report (LUAR) is available for review.

In 1993, the City designated this area as a significant wetland. However, based on a recent wetland report conducted by the City of St. John's and CBCL Ltd., Council has agreed to consider removing the wetland protection from this land.

The Public Meeting will be held on **Tuesday, August 8, 2017, 7 p.m., Foran/Greene Room, fourth floor, City Hall**. The public meeting will be chaired by a member of Council. Councillor Breen is scheduled to chair this meeting.



---

Elaine Henley  
City Clerk

## ST. JOHN'S



Attach:

c.c. City Manager  
Deputy City Managers  
Chief Municipal Planner

July 26, 2017

█ Slade Place  
St. John's, NL  
█

**RE: Application to Re-zone Synod West Wetland Region**

Dear City Councillors;

In October 1997, I accepted a new position in St. John's. Because our children had already started school in Labrador City that September, my wife and I decided that I would move to St. John's to work and begin looking for a home and they would stay in Labrador City to finish the 1997-98 school year before moving in June 1998.

After settling into my position, I contacted a real estate agent to assist me in searching for a home in the East End region of the city. We had decided that we wanted to move my family to the East End because our children were enrolled in a French Immersion program in Labrador City and we had determined that Vanier Elementary had a comparable French Immersion program that would be a good transition for them. I searched the East End region throughout the fall season, visiting several open houses every weekend, but did not find an already constructed home that met our needs.

When my family visited St. John's for Christmas of 1997, we continued to look at open houses, but again, we did not find a suitable home and thus we eventually decided to build. Fairview Investments had just begun constructing homes in Phase 2 of the Eastwood Estates development (now Penney Crescent) and we were drawn to the lot that we chose on Slade Place for two reasons; i) it was on a cul de sac that had southern exposure, and, ii) officials working with the developer and the real estate agent selling the homes for Fairview told us that Slade Place was backing onto a green belt since the land directly behind the cul de sac was owned by the Anglican Church and designated as "significant wetland", with a "freeze on its development for 99 years". Given these reasons and the assurance that there would be no further construction of homes directly behind us, we purchased the land that is now 2 Slade Place and built our home.

During this past spring, there were a couple of occasions when surveyors were seen entering and leaving the wooded area directly behind our home and the perimeter of the wetland region. When approached, and questioned on their activity, they indicated that they were surveying the land for a future residential development. As soon as I became aware of this, I contacted several of my neighbours to see if they were aware of this activity and they were as shocked and as upset as I was. I contacted a City Councillor to question the activity and was informed that a developer had expressed interest in having the area rezoned for residential construction, but before the rezoning could occur, a public meeting would be held.

When we recently received notification from the City regarding the Public Meeting scheduled for August 8, 2017, my wife and I, and our neighbours were taken by surprise and very upset to learn that the City had been entertaining such an application from a developer to re-zone the wetland region from "Open Space Reserve (OR) to Residential Low Density (R1) Zone" for some time. From my perspective, it is totally unacceptable to now be informed that several studies have already been completed, some paid for by the developer, that have suggested that the wetland region be rezoned for residential development. It is inconceivable for the current City Council to think that the citizens living in the immediate area who purchased properties adjacent to the wetland region in question are now willing to accept the City's "flip-flopping" on a past decision. For many of the current residents living in the Penney Crescent and Halley Drive area, when they built their homes or purchased their properties, it was because of the wetland designation and assurance that this area would not be further developed. No homeowner in the area is willing to permit a new developer to continue to further destroy a protected wetland region; a region that a previous City Council in 1993 classified as "significant wetlands", and a previous developer deemed to be a green belt. Given that the current City Councillors are reconsidering the designation decision of a previous Council, one can only conclude that the adage that "money speaks louder than the citizens" is alive and well at City Hall.

Please remember that as City Councillors, the citizens of the affected area elected you and now expect you to continue to protect their best interests and to continue to honour the conditions under which they built their homes and settled in the area. It is totally unacceptable and appalling to now learn just how far the City has already gone in its consideration and deliberations with this current developer in the rezoning process of this wetland region and to already be on the cusp of deciding whether or not to allow the developer to destroy approximately 65% of the current wetland region known as Synod West Wetland. It should never have gotten to this stage and should have been rejected long before the proposed rezoning ever saw the light of day. Once again, as tax payers to the City, we have to question the trust and integrity of those elected and charged with ensuring that the best interests of the citizens of the City are front and foremost in the decision-making process. The land was initially deemed by the City as a "significant wetland region", so why even entertain the concept of rezoning? The only thing that has changed in the 24-year history is that sections of the wetland have previously been destroyed for residential development, so further destruction is now appropriate and acceptable to justify the reason for the rezoning recommendations? Not so!!

Our home on Slade Place is immediately adjacent to the area in question and for the past 19 years that we have lived there, we have seen many ducks, moose, rabbits, and other wildlife inhabiting the area and using it as their natural habitat. Every year since moving into our home, we have seen ducks flying into and out of the wetland region during certain times of the year. Some have even flown into our backyard or walked from the wetland region through the woods and onto our back lawn and have eaten bird seeds from our patio. Many moose and rabbits have lived and are living in this wooded area and have often been seen in the backyards of the houses and on the perimeter of the wetland region eating the trees and shrubs.

In a recent article published in the Tuesday, July 18, 2017 edition of the Telegram, entitled "Residents eager for public meeting", Mr. Bill Clarke of Powderhouse Hill stated:

*"The fact is, 15 years ago, in anticipation that this property may be developed in the future, three access points were designed and maintained over the years in order to provide entrance and exists into the site to permit a development design."*

When our home was being built during the period from April to July 1998 (19 years ago), there was never any discussion, nor indication provided to us, that there would be future access points constructed, giving access to the wetland region. The access points that Mr. Clarke is referring to were not constructed until Phase 3 of the development. As a matter of fact, when we became aware of these access points later in 1999-2000, we questioned the developer and were assured once again that the remaining wetland region remained protected from future development and that City Hall would have to re-zone the area before any future development could occur. We were repeatedly told that since the Anglican Church continued to own the property and the City continued to recognize and identify the remaining region as a "significant wetland region", the likelihood was very bleak that this area would ever be considered for rezoning or for future development. Given that we all had had our homes built by Fairview Investments, and the company and its officials were very reputable and trusting, we did not feel the need to make any further inquiries to the City.

Further to the article which appeared in the Telegram, it was also very disturbing and disappointing to read that "the review of the subdivision project was at the expense of the developer." **Did anyone anticipate that the recommendation would have been anything but to recommend a rezoning of the region, given that the developer had paid for the study to be completed and it is in the developer's best interest to have the region rezoned?**

The Telegram also stated that:

*"A 2012 report from Stantec found the area to not be valuable, ecologically speaking, as a wetland. The area is not protecting species at risk, it noted; it was found to be too small to be hydrologically significant; and it's mainly fed by direct precipitation, versus surface runoff."*

The question regarding what is a "significant wetland" is not simply a matter of size (acreage) of the area. Most definitions of "significant" adopted by regulatory authorities are measured in acres with 50-100 acres usually being considered significant. However, there are several other factors that need to be considered when determining whether or not a parcel of wetland is "significant". They include, but are not limited to: (1) the function of the wetland; (2) its position within the watershed area; (3) the current health of the watershed (or damage that has already occurred to the wetland region); and (4) the development pressures and downstream impact, that must be factored into the equation of what is significant.

The initial residential development of Eastwood Estates has already had a significant impact on the "original" Anglican Synod Wetland. This damage and construction of residential homes in the area have already resulted in the remaining portion of the Anglican Synod Wetland (ASW) likely falling below the threshold of what is significant if we simply apply the footprint definition of acreage. However, the significance and importance of protecting the remaining portion of the original Anglican Synod Wetland footprint is reinforced when we consider the additional factors referenced above.

Perhaps the most substantial function of the remaining wetland region is the role it plays, not only as a habitat for wildlife, but also as a moderation for flood waters and runoff. The wetland region in question is very high (near the headwaters) of the Virginia River watershed. Anything that further impacts this region will have a significant effect throughout the watershed. As indicated earlier, there has already been substantial damage to the original Anglican Synod Wetland and any further destruction of the region will exacerbate the damage already done.

This wetland region is one of the very few remaining areas in the higher elevations around St. John's and residential and commercial developers will continue to pressure City Hall to rezone and destroy these areas. We have been informed that the City of St. John's Development Regulations (Section 11.2.3) have identified 15 wetland regions which are considered "Overlay Districts" for purposes of development and require minimum buffers. The Anglican Synod Wetland is one of the 15 identified. Will all these regions also be subject to rezoning for destruction and residential and/or commercial development as on a piece-by-piece basis, they're destroyed?

So, while by some standards or definitions, or in the opinions of certain developers or consulting firms who have been contracted to study and provide recommendations, the remaining unaffected wetland region may not be worthy of protection because of its size or acreage, for all the other factors outlined above, it is very important that this region remain classified as a "significant wetland" region, as it was designated by the City in 1993. On many occasions, "small" and purposeful regions of land, like the region in question, are often determined and deemed to be "significant" because they are all that remains from a much larger region from the past, and thus becomes even more "significant" and thus requires the added protection from future destruction.

We are aware that some organizations, such as Ducks Unlimited Canada, have been working with the City of St. John's toward the development of a Comprehensive Wetland Policy. Such a policy would define the principles, regulations, protocols and mitigation requirements necessary to consistently guide the development of areas impacting wetlands. However, it is our understanding that the City has not advanced this approach to its completion.

It was only when we contacted Ducks Unlimited during this past spring when surveyors were observed working in the area that we were informed that the City had ordered a Land Use Assessment Report (LUAR) for a project in the Anglican Synod Wetland Area.

We were informed that the following is a quote from the minutes of the City's Development Committee meeting of October 18, 2016.

*“Synod Wetland Study (located off Ledingham Place, near Penney Crescent in Ward 1) – Report from CBCL Ltd. – Bill Clarke, developer, Ryan Clarke, Developer and Danny Madden, consultant – (12:00 pm) Bill Clarke spoke to the above noted. Moved – Councillor Hann; Seconded – Councillor Tilley The Committee recommends acceptance of the CBCL report which states that the Synod Wetland could be developed without adversely affecting the downstream environment of Virginia River in light of this development. Further to have staff review the file and notify the developer if a formal application is required (if there is not one already). Once the application can be reviewed by staff, a report will be prepared for the next meeting of the Committee. Furthermore, that the report be brought forward for information purposes to the next Environmental Advisory Committee. CARRIED UNANIMOUSLY”*

It is very upsetting to learn now that the City was not proactive in keeping the residents of the area informed of this motion of intention that was “CARRIED UNANIMOUSLY” by the City’s Development Committee. When you are informed by surveyors working in the area that work is happening behind the scenes to destroy and develop an already protected significant wetland region, one certainly must question, in whose best interest your elected officials are working?

Given the above-mentioned information, we are totally opposed to any rezoning of the area known as the Synod West Wetland Region or any remaining portion of the Anglican Synod Wetland region and are demanding that ALL City Councillors vote to reject the application received from Powderhouse Hill Investments. We would also request that any future applications received by the City to re-zone already designated and protected regions around the City be rejected immediately upon application and not even entertained. Your immediate attention and rejection of this application is very important to us and to the residents living in the surrounding area.

Please listen to the residents living in the area and to those who elected you to adhere to their best interests.

Regards,  
Perry & Donna Downey  
█ Slade Place

Telephone: █  
Cell: █

cc.: “savepenneycrescentwetland” group



**Synod West wetland development - Trails - MPA1700006** 

**Ken O'Brien** to: Patrick Snow

2017/07/18 02:51 PM

Cc: Planning, Brian Head, Govern PDE Multi Media Mail

Mr. Snow, thanks for your questions. At this point, we are dealing with the proposed rezoning of land for this development. If it is ultimately rezoned, then the developer will seek development approval. At that time, City staff would review the plans for connecting to the Virginia River trail.

I am copying our Manager of Parks and Open Space, Brian Head, for his information.

Regards,

Ken O'Brien

.....  
**Ken O'Brien, MCIP** | *Chief Municipal Planner*

*City of St. John's - Planning, Engineering and Regulatory Services*

*Phone 709-576-6121 Fax 709-576-2340 Email kobrien@stjohns.ca*

*John J. Murphy Building (City Hall Annex), 4th floor - Mail: PO Box 908, St. John's, NL, Canada A1C 5M2*

*\* MCIP - Member of the Canadian Institute of Planners*

**ST. JOHN'S**

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▼ Planning---2017/07/17 12:43:32 PM----- Forwarded by Donna L Mullett/CSJ on 2017/07/17 12:43 PM

----- From: Patrick Snow <[REDACTED]>

----- Forwarded by Donna L Mullett/CSJ on [REDACTED]

To: planning@stjohns.ca

Date: 2017/07/17 09:01 AM

Subject: Synod West Wetland Development

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I have questions regarding the Synod West Wetland Development.

I am a frequent user of the Virginia River Trail System that is adjacent to the proposed development.

1. Will the trail remain in the same position or are changes being made to the trail?
2. Will the trail be open or closed during the construction period?
3. If closed, how long will it be closed for?

Thanks,

Patrick Snow



Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor O'Keefe,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that "maintenance of water quality was a notable function of the wetland" as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennies River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted "people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community."

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,

Yvonne Dawe, B.Sc. M.Sc. B.Ed.

██████████ Hamilton Ave  
St. John's, NL



**Re: Penny Lane Subdivision Application ,** 

**City Clerk and Council** to: Jerry Joy

2018/01/09 03:48 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler


Good Afternoon Mr. Joy:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council prior to a final decision being reached.

Elaine Henley  
City Clerk

Jerry Joy	<a href="#">Hello, I support the Penny Lane Subdivision App...</a>	2018/01/09 11:48:54 AM
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From: Jerry Joy   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 11:48 AM  
Subject: Penny Lane Subdivision Application,

---

Hello,

I support the Penny Lane Subdivision Application, good project for taxes for City

Jerry Joy



**Re: Anglican Penny Cres wetland** 

**City Clerk and Council** to: John Allan

2018/01/09 03:52 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Allan:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

John Allan

To whom it may concern Please consider this e...

2018/01/09 12:26:15 PM

From: John Allan   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 12:26 PM  
Subject: Anglican Penny Cres wetland

---

To whom it may concern

Please consider this email as support of developing this area.

John Allan

Sent from my BlackBerry - the most secure mobile device - via the Bell Network



**Re: Anglican Synod Property Penney Crescent Area** 

**City Clerk and Council** to: Howard Young

2018/01/09 03:53 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Young:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Howard Young

To Whom it May Concern: I am writing this in su...


2018/01/09 12:44:05 PM

From: Howard Young   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 12:44 PM  
Subject: Anglican Synod Property Penney Crescent Area

---

To Whom it May Concern:

I am writing this in support of the developers application for the proposed development. I have almost 40 years in the local engineering field and after reading the reports I feel that this development would not significantly impact the area and least of that the neighbours of the development. This area has been studied extensively and should proceed. Reputable engineers don't sign off on reports with out all due diligence being done.

Howard Young  
 British Square  
St. John's NL



**Re: Penney Crescent**   
**City Clerk and Council** to: ROGER GRIMES  
Sent by: **Elaine Henley**

2018/01/09 03:55 PM

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Mr. Grimes:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

ROGER GRIMES


I would like to indicate my support for the develo...

2018/01/09 12:44:04 PM

From: ROGER GRIMES   
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2018/01/09 12:44 PM  
Subject:

---

I would like to indicate my support for the development proposal put forward for the old wetland behind penny crescent. I live on wedgeport road and have regularly used the trail system in the area and can see no reason why the development should not proceed since the environmental assessments have cleared the way for the rezoning and resulting development.

roger grimes  
 wedgeport rd.



**Re: Anglican Synod Property/Powder House Hill/Penny Lane Development** 

**City Clerk and Council** to: Dan Crummell

2018/01/09 03:57 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Crummell:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

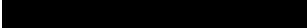
All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Dan Crummell

Dear sir/madam, I am sending this email in supp...

2018/01/09 03:46:04 PM

From: Dan Crummell   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 03:46 PM  
Subject: Anglican Synod Property/Powder House Hill/Penny Lane Development

---

Dear sir/madam,

I am sending this email in support of the proposed development off Penny Lane.

As a former Minister of Environment and a taxpayer in the City of St John's I am concerned about the possibility of this development being turned down based on politics vs science, economics or what is in the best interest of the taxpayers of the City.

It is my understanding that there has been a number of comprehensive studies, based on rigorous science, that have shown that this property does not meet the criteria of being a significant wetland and has been deemed suitable for the development of a residential subdivision.

And yet there is apparently opposition to this project by a number of City Councillors who are disregarding these studies and the facts.

One thing I can tell you is that when officials in my former Department of Environment and Conservation, who's life's work is the protection of the environment, sign off on a Rezoning Application, there is no higher approval in the province. These are dedicated scientists who are experts in their field and if they concluded in anyway that this was a significant wetland, the recommendation to the Minister would be a clear no and the Minister would be required to reject the application.

It is understandable that residents in the area would want to keep the green space as is and avoid the disruption to their lives that comes during construction but that is not a reason to turn down this application.

If this is not considered a significant wetland, council should approve. The tax base from this development is considerable, well into the millions of dollars into the future. The economic spinoff for a \$40 million dollar plus development is important to the city and the province.

It would be a shame to see this development not go ahead because Councillors felt compelled into taking a position, with out all the facts, during an emotional and heated campaign and are now handcuffed to make an informed decision. Or that some Councillors, based on their personal values, decide to disregard science and facts.

In closing I cannot find a good reason why this Rezoning Application should be turned down. Council needs to consider what is in the best interests of the people of St John's. This is a good development that should be approved.

Regards,

Dan Crummell



St John's, NL



**Re: Anglican Synod**   
**City Clerk and Council** to: Bonnie Rooney  
Sent by: **Elaine Henley**

2018/01/09 03:57 PM

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa

Good Afternoon Ms. Rooney:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Bonnie Rooney

To whom this may concern, As a local business...

2018/01/09 12:55:05 PM

From: Bonnie Rooney   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 12:55 PM  
Subject: Anglican Synod

---

To whom this may concern,

As a local business owner in the city of St. John's I strongly support this development. Not only is it beneficial to the city's financials but it will bring jobs which in turn brings more disposable income to the city. It's a win win project. I also lived in the Waterford Bridge Rd area for many years and my kids went to school there and the project at 220 Waterford Bridge Rd. did not affect anything in the area. I highly support this project.

Bonnie Rooney

Sent from my iPhone





**Penney Crescent - Support** 

**City Clerk and Council** to: Erica Clarke

2018/01/09 04:40 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Ms. Clarke:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Erica Clarke

Dear Sir/Madem, I support the Penny project pro...

2018/01/09 04:10:58 PM

From: Erica Clarke   
To: Cityclerk@stjohns.ca  
Date: 2018/01/09 04:10 PM  
Subject: Support

---

Dear Sir/Madem,

I support the Penny project proposed for the Anglican Synod Wetlands.

Kind Regards,

Erica Clarke Whalen  
Sent from my iPhone

NOV 10 2017

COR/2017/04605

Hon. Cathy Bennett, MHA  
District of Windsor Lake  
P.O. Box 8700  
St. John's, NL A1B 4J6

Dear Hon. Bennett:

**Re: Proposal for Development off Penney Crescent**

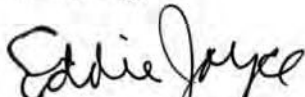
I write in response to your e-mail of August 10, 2017 concerning the proposed development off Penney Crescent which involves the infilling of a large wetland area.

A permit was issued for this project in August 2013, but that permit expired in August, 2015. Should the proponent wish to proceed with the project, a new permit application will be required. The Department of Municipal Affairs and Environment has not received any new permit application for this project. As this area is within a municipal boundary and development within it is regulated by the municipality, the Department will not consider any regulatory permit application until the City of St. John's has made its position clear regarding the development of this property.

If a new permit application is submitted, a new review process will need to occur. Based on our current understanding of the project and considering the sensitive nature of the area, my Department will not be inclined to support this development unless new information indicates the area is not a wetland.

In case you need any further clarification on this, please feel free to contact me.

Sincerely,



**EDDIE JOYCE, MHA**  
District of Humber-Bay of Islands  
Minister of Municipal Affairs and Environment



**Re: Proposed Housing development** 

**City Clerk and Council** to: Anthony Barclay

2018/01/09 10:23 AM

Sent by: **Elaine Henley**

Cc: Kim Barrett, cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Morning Mr. Barclay;

We acknowledge receipt of your email and advise that your concerns has been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Anthony Barclay 8 January, 2018 20 Carrick Drive,

2018/01/08 03:00:43 PM

From: Anthony Barclay [REDACTED]  
To: cityclerk@stjohns.ca, [REDACTED]  
Date: 2018/01/08 03:00 PM  
Subject: Proposed Housing development

8 January, 2018

[REDACTED] Carrick Drive,  
St. John's  
A1A 4A8

Dear Sir,

I am writing to express my concern and opposition to the proposal to develop a 95 lot housing development behind the Tot Lot on Penny Crescent.

I have lived at [REDACTED], adjacent to the Virginia River, since 1998 and over this time have experienced flooding of my basement on many occasions, starting in the fall of 2001.

To this day, although the upstream section of the river has been cleaned and the banks lined, there has been no effort to complete this work on the downstream side, and flooding continues to occur during heavy rainfall events.

I expressed my concerns to the City and after some correspondence the engineering department replied that it would be best for me to build a false floor in the basement. Any further increase in run-off caused by this proposed development and the elimination of the existing wetlands will result in a greater flow of water downstream and so I must object most strongly to the application.

Yours truly,  
A. Barclay, P. Eng.



**Re: Proposed Wetland Rezoning Application in St . John's - Public Meeting, January 11, 2018** 📎

**City Clerk and Council** to: Perry Downey

2018/01/09 10:27 AM

Sent by: **Elaine Henley**

Cc: Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Maureen Harvey

Good Morning Mr. Downey:

We acknowledge your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be forwarded to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Perry Downey	To All Provincial MHAs; In recent weeks, you ma...	2018/01/08 05:06:30 PM
From:	Perry Downey [REDACTED]	
To:	"Bennett, Cathy (MHA)" <cbennett@gov.nl.ca>, tosbome@gov.nl.ca, bernarddavis@gov.nl.ca, siobhancoady@gov.nl.ca, lorrainemichael@gov.nl.ca, gerryrogers@gov.nl.ca, dalekirby@gov.nl.ca	
Cc:	kevinparsons@gov.nl.ca, davidbrazil@gov.nl.ca, barrypetten@gov.nl.ca, stevekent@gov.nl.ca, paullane@gov.nl.ca, padavis@gov.nl.ca, brianwarr@gov.nl.ca, neilking@gov.nl.ca, andrewparsons@gov.nl.ca, carolannehaley@gov.nl.ca, stevecrocker@gov.nl.ca, lisadempster@gov.nl.ca, gerrybyrne@gov.nl.ca, jerrydean@gov.nl.ca, keithhutchings@gov.nl.ca, derrickbragg@gov.nl.ca, traceyperry@gov.nl.ca, johnhaggie@gov.nl.ca, allanhawkins@gov.nl.ca, pamparsons@gov.nl.ca, bettyparsley@gov.nl.ca, ejoyce@gov.nl.ca, dwightball@gov.nl.ca, grahamletto@gov.nl.ca, perrytrimper@gov.nl.ca, derekbennett@gov.nl.ca, sherrygambinwalsh@gov.nl.ca, markbrowne@gov.nl.ca, cmitchelmore@gov.nl.ca, scottreid@gov.nl.ca, johnfinn@gov.nl.ca, colinholloway@gov.nl.ca, randyedmunds@gov.nl.ca, Wetland <savepenneycrescentwetland@gmail.com>, Kim Barrett [REDACTED], Danny Breen <DBreen@stjohns.ca>, cityclerk@stjohns.ca	
Date:	2018/01/08 05:06 PM	
Subject:	Proposed Wetland Rezoning Application in St. John's - Public Meeting, January 11, 2018	

To All Provincial MHAs;

In recent weeks, you may have heard in the media and reports coming from the City of St. John's Council Meeting of a controversial application for a wetland rezoning application that has been received by the City of St. John's from a residential contracting company called Powderhouse Hill Investments Inc. and owner Mr. Bill Clarke. Powderhouse Hill has made application to the City requesting a rezoning of approximately 65% of a wetland region know as Synod West Westland; a wetland region that borders Penney Crescent, Halley Drive, Slade Place, Jackson Place and portions of the Outer Ring Road in the East End region of St. John's. The residential contractor has made application once again to the City and if approved, plans to construct 94 single dwelling homes in the area. Many of the residents living in the area and many who had their homes built in the late 1990's were shocked when an earlier application came to light in July 2017. Many residents, like myself, built their homes there based on the fact that

this was a designated wetland region and many of us were assured by representatives from the original developer that there was a 99-year freeze placed on the remaining wetland region for any future development.

When learning of the July 2017 application, residents organized themselves and started a petition. When the petition was presented to Council at its meeting on Monday, August 7th, there were 890 signatures attached; the largest petition ever presented in the Chambers of the City. After some discussion, the City Council voted unanimously to maintain the area as previously designated wetland. We, the residents, felt victorious until it was stated during the discussion that the decision of the Council was only effective as long as that Council remained in power, and that future applications for rezoning could be submitted to a future City Council and approved because the Province had not designated the region in question as a "significant" wetland region. It is my understanding that if the Province designates the region as a significant wetland region, then the present and any future rezoning applications could be and would be rejected immediately by Council.

On Thursday, January 11th, 2018, the recently elected City Council have notified the area residents of another Public Meeting that is scheduled to discuss yet another application from Powerhouse Hill Investment Inc. to rezone the same wetland region. The residents of the area would like to end this fiasco once and for all and ask the City to reject this proposed development. We would also like to see you, Ms. Bennett, as the regions MHA, attend and support the residents who elected you.

As a means of resolving this and any future application for rezoning this region, I am also requesting that if this issue is presented to you at the Government level in days, weeks, months, or years to come, that you vote as the City of St. John's Councillors voted in August, and unanimously reject any further destruction of this wetland region, and other wetland regions throughout the Province. Wetlands are still wetlands, regardless of whether they are deemed significant or not, and thus must be protected from the destructive nature that residential and commercial development tends to inflict.

I have attached, for your reading pleasure, my written submission to the Councillors of the City. I look forward to your support regarding this matter.

Please feel free to contact me at your convenience if you wish to further discuss.

Kindest regards,  
Perry Downey

█ Slade Place  
St. John's, NL

█



July 26, 2017

█ Slade Place  
St. John's, NL  
A1A 5J4

**RE: Application to Re-zone Synod West Wetland Region**

Dear City Councillors;

In October 1997, I accepted a new position in St. John's. Because our children had already started school in Labrador City that September, my wife and I decided that I would move to St. John's to work and begin looking for a home and they would stay in Labrador City to finish the 1997-98 school year before moving in June 1998.

After settling into my position, I contacted a real estate agent to assist me in searching for a home in the East End region of the city. We had decided that we wanted to move my family to the East End because our children were enrolled in a French Immersion program in Labrador City and we had determined that Vanier Elementary had a comparable French Immersion program that would be a good transition for them. I searched the East End region throughout the fall season, visiting several open houses every weekend, but did not find an already constructed home that met our needs.

When my family visited St. John's for Christmas of 1997, we continued to look at open houses, but again, we did not find a suitable home and thus we eventually decided to build. Fairview Investments had just begun constructing homes in Phase 2 of the Eastwood Estates development (now Penney Crescent) and we were drawn to the lot that we chose on Slade Place for two reasons; i) it was on a cul de sac that had southern exposure, and, ii) officials working with the developer and the real estate agent selling the homes for Fairview told us that Slade Place was backing onto a green belt since the land directly behind the cul de sac was owned by the Anglican Church and designated as "significant wetland", with a "freeze on its development for 99 years". Given these reasons and the assurance that there would be no further construction of homes directly behind us, we purchased the land that is now █ and built our home.

During this past spring, there were a couple of occasions when surveyors were seen entering and leaving the wooded area directly behind our home and the perimeter of the wetland region. When approached, and questioned on their activity, they indicated that they were surveying the land for a future residential development. As soon as I became aware of this, I contacted several of my neighbours to see if they were aware of this activity and they were as shocked and as upset as I was. I contacted a City Councillor to question the activity and was informed that a developer had expressed interest in having the area rezoned for residential construction, but before the rezoning could occur, a public meeting would be held.

When we recently received notification from the City regarding the Public Meeting scheduled for August 8, 2017, my wife and I, and our neighbours were taken by surprise and very upset to learn that the City had been entertaining such an application from a developer to re-zone the wetland region from "Open Space Reserve (OR) to Residential Low Density (R1) Zone" for some time. From my perspective, it is totally unacceptable to now be informed that several studies have already been completed, some paid for by the developer, that have suggested that the wetland region be rezoned for residential development. It is inconceivable for the current City Council to think that the citizens living in the immediate area who purchased properties adjacent to the wetland region in question are now willing to accept the City's "flip-flopping" on a past decision. For many of the current residents living in the Penney Crescent and Halley Drive area, when they built their homes or purchased their properties, it was because of the wetland designation and assurance that this area would not be further developed. No homeowner in the area is willing to permit a new developer to continue to further destroy a protected wetland region; a region that a previous City Council in 1993 classified as "significant wetlands", and a previous developer deemed to be a green belt. Given that the current City Councillors are reconsidering the designation decision of a previous Council, one can only conclude that the adage that "money speaks louder than the citizens" is alive and well at City Hall.

Please remember that as City Councillors, the citizens of the affected area elected you and now expect you to continue to protect their best interests and to continue to honour the conditions under which they built their homes and settled in the area. It is totally unacceptable and appalling to now learn just how far the City has already gone in its consideration and deliberations with this current developer in the rezoning process of this wetland region and to already be on the cusp of deciding whether or not to allow the developer to destroy approximately 65% of the current wetland region known as Synod West Wetland. It should never have gotten to this stage and should have been rejected long before the proposed rezoning ever saw the light of day. Once again, as tax payers to the City, we have to question the trust and integrity of those elected and charged with ensuring that the best interests of the citizens of the City are front and foremost in the decision-making process. The land was initially deemed by the City as a "significant wetland region", so why even entertain the concept of rezoning? The only thing that has changed in the 24-year history is that sections of the wetland have previously been destroyed for residential development, so further destruction is now appropriate and acceptable to justify the reason for the rezoning recommendations? Not so!!

Our home on Slade Place is immediately adjacent to the area in question and for the past 19 years that we have lived there, we have seen many ducks, moose, rabbits, and other wildlife inhabiting the area and using it as their natural habitat. Every year since moving into our home, we have seen ducks flying into and out of the wetland region during certain times of the year. Some have even flown into our backyard or walked from the wetland region through the woods and onto our back lawn and have eaten bird seeds from our patio. Many moose and rabbits have lived and are living in this wooded area and have often been seen in the backyards of the houses and on the perimeter of the wetland region eating the trees and shrubs.

In a recent article published in the Tuesday, July 18, 2017 edition of the Telegram, entitled "Residents eager for public meeting", Mr. Bill Clarke of Powderhouse Hill stated:

*"The fact is, 15 years ago, in anticipation that this property may be developed in the future, three access points were designed and maintained over the years in order to provide entrance and exists into the site to permit a development design."*

When our home was being built during the period from April to July 1998 (19 years ago), there was never any discussion, nor indication provided to us, that there would be future access points constructed, giving access to the wetland region. The access points that Mr. Clarke is referring to were not constructed until Phase 3 of the development. As a matter of fact, when we became aware of these access points later in 1999-2000, we questioned the developer and were assured once again that the remaining wetland region remained protected from future development and that City Hall would have to re-zone the area before any future development could occur. We were repeatedly told that since the Anglican Church continued to own the property and the City continued to recognize and identify the remaining region as a "significant wetland region", the likelihood was very bleak that this area would ever be considered for rezoning or for future development. Given that we all had had our homes built by Fairview Investments, and the company and its officials were very reputable and trusting, we did not feel the need to make any further inquiries to the City.

Further to the article which appeared in the Telegram, it was also very disturbing and disappointing to read that "the review of the subdivision project was at the expense of the developer." **Did anyone anticipate that the recommendation would have been anything but to recommend a rezoning of the region, given that the developer had paid for the study to be completed and it is in the developer's best interest to have the region rezoned?**

The Telegram also stated that:

*"A 2012 report from Stantec found the area to not be valuable, ecologically speaking, as a wetland. The area is not protecting species at risk, it noted; it was found to be too small to be hydrologically significant; and it's mainly fed by direct precipitation, versus surface runoff."*

The question regarding what is a "significant wetland" is not simply a matter of size (acreage) of the area. Most definitions of "significant" adopted by regulatory authorities are measured in acres with 50-100 acres usually being considered significant. However, there are several other factors that need to be considered when determining whether or not a parcel of wetland is "significant". They include, but are not limited to: (1) the function of the wetland; (2) its position within the watershed area; (3) the current health of the watershed (or damage that has already occurred to the wetland region); and (4) the development pressures and downstream impact, that must be factored into the equation of what is significant.



The initial residential development of Eastwood Estates has already had a significant impact on the "original" Anglican Synod Wetland. This damage and construction of residential homes in the area have already resulted in the remaining portion of the Anglican Synod Wetland (ASW) likely falling below the threshold of what is significant if we simply apply the footprint definition of acreage. However, the significance and importance of protecting the remaining portion of the original Anglican Synod Wetland footprint is reinforced when we consider the additional factors referenced above.

Perhaps the most substantial function of the remaining wetland region is the role it plays, not only as a habitat for wildlife, but also as a moderation for flood waters and runoff. The wetland region in question is very high (near the headwaters) of the Virginia River watershed. Anything that further impacts this region will have a significant effect throughout the watershed. As indicated earlier, there has already been substantial damage to the original Anglican Synod Wetland and any further destruction of the region will exacerbate the damage already done.

This wetland region is one of the very few remaining areas in the higher elevations around St. John's and residential and commercial developers will continue to pressure City Hall to rezone and destroy these areas. We have been informed that the City of St. John's Development Regulations (Section 11.2.3) have identified 15 wetland regions which are considered "Overlay Districts" for purposes of development and require minimum buffers. The Anglican Synod Wetland is one of the 15 identified. Will all these regions also be subject to rezoning for destruction and residential and/or commercial development as on a piece-by-piece basis, they're destroyed?

So, while by some standards or definitions, or in the opinions of certain developers or consulting firms who have been contracted to study and provide recommendations, the remaining unaffected wetland region may not be worthy of protection because of its size or acreage, for all the other factors outlined above, it is very important that this region remain classified as a "significant wetland" region, as it was designated by the City in 1993. On many occasions, "small" and purposeful regions of land, like the region in question, are often determined and deemed to be "significant" because they are all that remains from a much larger region from the past, and thus becomes even more "significant" and thus requires the added protection from future destruction.

We are aware that some organizations, such as Ducks Unlimited Canada, have been working with the City of St. John's toward the development of a Comprehensive Wetland Policy. Such a policy would define the principles, regulations, protocols and mitigation requirements necessary to consistently guide the development of areas impacting wetlands. However, it is our understanding that the City has not advanced this approach to its completion.

It was only when we contacted Ducks Unlimited during this past spring when surveyors were observed working in the area that we were informed that the City had ordered a Land Use Assessment Report (LUAR) for a project in the Anglican Synod Wetland Area.

We were informed that the following is a quote from the minutes of the City's Development Committee meeting of October 18, 2016.

*“Synod Wetland Study (located off Ledingham Place, near Penney Crescent in Ward 1) – Report from CBCL Ltd. – Bill Clarke, developer, Ryan Clarke, Developer and Danny Madden, consultant – (12:00 pm) Bill Clarke spoke to the above noted. Moved – Councillor Hann; Seconded – Councillor Tilley The Committee recommends acceptance of the CBCL report which states that the Synod Wetland could be developed without adversely affecting the downstream environment of Virginia River in light of this development. Further to have staff review the file and notify the developer if a formal application is required (if there is not one already). Once the application can be reviewed by staff, a report will be prepared for the next meeting of the Committee. Furthermore, that the report be brought forward for information purposes to the next Environmental Advisory Committee. CARRIED UNANIMOUSLY”*

It is very upsetting to learn now that the City was not proactive in keeping the residents of the area informed of this motion of intention that was “CARRIED UNANIMOUSLY” by the City’s Development Committee. When you are informed by surveyors working in the area that work is happening behind the scenes to destroy and develop an already protected significant wetland region, one certainly must question, in whose best interest your elected officials are working?

Given the above-mentioned information, we are totally opposed to any rezoning of the area known as the Synod West Wetland Region or any remaining portion of the Anglican Synod Wetland region and are demanding that ALL City Councillors vote to reject the application received from Powderhouse Hill Investments. We would also request that any future applications received by the City to re-zone already designated and protected regions around the City be rejected immediately upon application and not even entertained. Your immediate attention and rejection of this application is very important to us and to the residents living in the surrounding area.

Please listen to the residents living in the area and to those who elected you to adhere to their best interests.

Regards,  
Perry & Donna Downey  
■ Slade Place



cc.: “savepenneycrescentwetland” group



**Re: Fw: Residential property development ,off Penney Crescent , St. John's**   
**City Clerk and Council** to: GERALD BISHOP

2018/01/09 10:37 AM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Morning Mr. Bishop:

We acknowledge your email and advise that your comments have been referred to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be forwarded to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

GERALD BISHOP

2018/01/09 09:48:17 AM

From: GERALD BISHOP [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/09 09:48 AM  
Subject: Fw: Residential property development ,off Penney Crescent, St. John's

I should like to offer my support for the proposed residential property development off Penney Crescent in the East End of our city, known as the "Anglican Synod Wetland Development"

This is certainly not a significant wetland ,as such, as confirmed by very extensive engineering studies.I have lived in this area for many years and have often wondered why this land was not already developed since it is so adjacent to major access roads, previous residential developments ,shopping areas etc. Since ,I understand, the planned development is for a typical residential sub-division similar to adjacent developments, there should be no objections to its approval by the city. Furthermore, there are already 3 potential access road entrances left off the existing roads ,so this development must have been long expected and planned for.

There are already significant open park areas and walking trails in the area--e.g.--Kenny's Pond, Kent's pond, Pippy Park, Virginia River Trail, Quida Vida Lake etc.. So residents, both existing and new, should be very pleased with the area.

But the most important aspect of this proposed development is the tax revenues that will be forthcoming to our city. We must never forget that we live in the oldest city in North America, and so a lot of our roads and infrastructure have been in place for many years, so are in constant need of expensive repairs. This development will provide significant Development fees, building permit fees, tax revenues, wages to builders and other workers and continuing tax revenues from new home owners for countless years to come. As citizens, we must always be aware of the continuous and always increasing costs associated with running a city of our age and size. Therefore, we must always be aware of the need for tax revenues from new development and construction.

Therefore, it is important for all of us citizens to support new growth and developments. so that we may have continued new revenues to support the existing operations of our city and the planning for new growth.

So I therefore look forward to our city council's prompt approval of this new residential lot development which will provide significant revenues to our city from existing vacant land.

Gerald Bishop-- P.Eng.  
St, John's, NL



**Re: Synod West Wetland**   
**City Clerk and Council** to: Emily Wolf  
Sent by: **Elaine Henley**

2018/01/03 03:19 PM

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Afternoon Ms. Wolf:

We acknowledge receipt of your email and advise that your concerns have been referred the to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be provided to Council for consideration prior to reaching a final decision on this application.

Elaine Henley  
City Clerk

Emily Wolf

I am writing to oppose the proposed rezoning an...

2018/01/03 08:19:19 AM


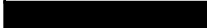
From: Emily Wolf   
To: cityclerk@stjohns.ca  
Date: 2018/01/03 08:19 AM  
Subject: Synod West Wetland

I am writing to oppose the proposed rezoning and development of a portion of the Synod West Wetland as part of the Penney Crescent project. I previously submitted these comments in July 2017.

This area is a significant wetland, as City Council determined in 1993, and must be treated as such.

Land protections benefit all citizens and should remain in place. Private development is not an excuse to further erode our City's rapidly disappearing natural and historic resources.

Sincerely,  
Emily Wolf

 Churchill Avenue  




**Re: rezoning application powderhill investments penny lane** 

**City Clerk and Council** to: John Williams

2018/01/08 10:08 AM

Sent by: **Elaine Henley**

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Williams:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

John Williams

As a builder developer for the past 31 years in th...

2018/01/07 07:25:05 PM

From: John Williams [REDACTED]  
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2018/01/07 07:25 PM  
Subject: rezoning application powderhill investments penny lane

---

As a builder developer for the past 31 years in the City of St Johns I wish to put my support behind this application. The developer has addressed every concern put forward by anyone apposing this rezoning and alleviated any environmental concerns associated with the development . There is a great need for mid priced housing in the east end of the city at this time and the current availability is not addressing this demand .

Sincerely John Williams  
[REDACTED]



**Re: Penny Lane Subdivision** 

**City Clerk and Council** to: Lewis

2018/01/04 12:52 PM

Sent by: **Elaine Henley**

Cc: CityClerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Stoyles:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions are presented to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

"Lewis"

After reviewing the history of the various approv...

2018/01/04 06:54:19 AM

From: "Lewis"   
To: <CityClerk@stjohns.ca>  
Date: 2018/01/04 06:54 AM  
Subject: Penny Lane Subdivision

---

After reviewing the history of the various approvals in the past which were the result of detailed reports by independent experts , I would like to lend my support to getting this project approved.

Regards

Lewis Stoyles  




**Re: Penny Lane Subdivision Development** 

**City Clerk and Council** to: wayne searle

2018/01/04 02:43 PM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Afternoon Mr. Searle:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

"wayne searle"

This email is to support the development of Pen...

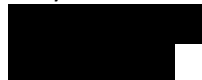
2018/01/04 09:41:46 AM

From: "wayne searle"   
To: <cityclerk@stjohns.ca>  
Date: 2018/01/04 09:41 AM  
Subject: Penny Lane Subdivision Development

---

This email is to support the development of Penny Lane Development. As I am a developer myself, this type of project would help boost our poor economy and help support many people in search of work.

Wayne Searle





**Re: Penny Development Application** 

**City Clerk and Council** to: Russell Clarke

2018/01/08 10:06 AM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Clarke:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council prior to a final decision being reached.

Elaine Henley  
City Clerk

Russell Clarke

To Whom It May Concern, I am emailing in supp...

2018/01/06 10:55:35 AM

From: Russell Clarke   
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/06 10:55 AM  
Subject: Penny Development Application

---

To Whom It May Concern,

I am emailing in support of the Penny Application you are considering. This development will be great for the city of St.John's and the neighborhood.

Sincerely,  
Russell Clarke





**Re: Penny Application**   
**City Clerk and Council** to: Derrick Gill  
Sent by: **Elaine Henley**

2018/01/08 10:03 AM

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Gill:

We acknowledge receipt of your email and advise that your comments have been referred to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received are forwarded to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Derrick Gill

Dear Sir I would like to lend my support in favour...

2018/01/05 12:36:11 PM


From: Derrick Gill   
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2018/01/05 12:36 PM  
Subject: Penny Application

Dear Sir

I would like to lend my support in favour of the proposed Anglican Synod Wetland Development in the east end of St. John's.

Sincerely

Rick Gill

 Waterford Bridge Rd

Sent from my iPhone



**Re: FW: Penney Lane Subdivision** 

**City Clerk and Council** to: Tina Clarke

2018/01/08 12:29 PM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Ms. Clarke:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Tina Clarke

Please accept this email in support of the applic...

2018/01/08 11:29:20 AM

From: Tina Clarke   
To: cityclerk@stjohns.ca  
Date: 2018/01/08 11:29 AM  
Subject: FW: Penney Lane Subdivision

---

Please accept this email in support of the application for the above noted Development

Tina Clarke



**Re: Penney Cres Wetland Application** 

**City Clerk and Council** to: Susan Martin

2018/01/09 10:35 AM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Morning Ms. Martin:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

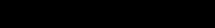
All submissions received are referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Susan Martin

[Eplease see attached](#)

2018/01/08 09:20:20 PM

From: Susan Martin   
To: cityclerk@stjohns.ca  
Date: 2018/01/08 09:20 PM  
Subject: Penney Cres Wetland Application

---



Eplease see attached

Synod-West-Wetland-Letter-1.docx

Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor Breen and councillors

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

In the latest draft city plan called Envision dated July 17 I draw reference to the following section 2.7 “Valuing Environmental Systems

The City of St. John's identified environmentally valuable waterways and wetlands in the Reports in 1998 and 1993. Over the following decades, these areas have been maintained as an important component of the city's open space system. This Plan continues to protect the city's river and wetland systems and recognizes their important ecological functions.

The City's Open Space Master Plan (2014) identifies and defines an integrated system of linked natural corridors, which encompasses a network of parks, trails, greenspace, waterways, wetlands and woodlands that will be incorporated and expanded through future developments throughout the city.

Again to use points from Envisions;  
Environmentally Valuable Areas

The policies from the current municipal plan are retained.

We will identify, protect, maintain, and enhance important elements or features of the natural environment including lands and waters to support natural resources; ecologically vulnerable lands and waters; physically unstable lands; valuable landscape features; environmentally valuable areas; lands required for storm water management; and other lands or waters considered environmentally significant by Council.

Significant Waterways and Wetlands Study.  
Open Space Master Plan

This plan will identify important ecological and natural areas with the intention that new development be made to fit around and link to these areas. It will also ensure that recreation usage within the open space system is managed to minimize environmental impacts and preserve ecological integrity.

-

The plan encourages the retention of natural features, including hilltops that are not included in environmentally valuable areas or in the Open Space System Plan.

#### Urban Forest

Envision will protect and expand the urban forest in existing City neighbourhoods and integrate it in to new neighbourhoods as they are planned and developed, consistent with the City's Urban Forest Plan.

- 

We will enhance the urban forest through tree planting and landscaping on public lands and ensure a healthy forest cover within protected water supply areas

.

The impacts of global climate change are being felt locally. More intense and more frequent storms are leading to expanding flood zones along our rivers and streams. The Plan recognizes the need to anticipate and adapt to climate change impacts.”

If that is indeed what you plan to do , then do it and not allow this proposed development

As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennie's River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted “people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community.”

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,

Susan Martin

■ Penney Crescent

January 8 2018

To Whom it may concern;

My name is Larry Bone and I am voicing my concerns on the application for the development between 97 + 99 Penney Crescent.

- ① Wetlands are part of St Johns eco system where by they control flooding in rain storms.
- ② There is to much destruction of natural habitat in the city
- ③ At the public meeting for councilors running in the September Election the main question that was asked How is St. Johns going to be made into a unique city of the world where else can people from other places of the world enjoy nature and city life combined.
- ④ How much more housing does the city really need. There are houses sitting idle for months and years with nobody living in them.

Therefore I think the answer to this application should be a

NO VOTE.

Thank You  
Larry Bone



**Re: Save Penney Crescent Wetland - recent development - PUBLIC MEETING  
JAN 11TH**

**City Clerk and Council** to: Downey, Justin  
Sent by: **Elaine Henley**

2018/01/09 10:32 AM

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay  
Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea  
Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Morning Mr. Downey:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

---

"Downey, Justin"

Hi there, Please see attached a signed letter urgi...

2018/01/08 05:49:04 PM

---

From: "Downey, Justin" [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/08 05:49 PM  
Subject: Save Penney Crescent Wetland - recent development - PUBLIC MEETING JAN 11TH

---

Hi there,

Please see attached a signed letter urging to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

Please feel free to contact me if you have any questions or concerns.

Cheers,

**Justin Downey, P.Eng.**



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**Save Penney Crescent Wetland - Justin Downey.pdf**



Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor Breen,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennies River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted “people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community.”

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,

A handwritten signature in black ink that reads "Justin Downey". The signature is written in a cursive, flowing style.

Justin Downey



**Re: FW: Anglican Synod Wetland Report** 

**City Clerk and Council** to: Byrne, Tommy

2018/01/05 11:30 AM

Sent by: **Elaine Henley**

Cc: "Cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray

Good Morning Mr. Byrne:

We acknowledge receipt of your email and advise that your comments have been referred to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be forwarded to Council for consideration prior to reaching a final decision.

Elaine Henley  
City Clerk

"Byrne, Tommy"

Good morning, I am sending this email to show...

2018/01/05 09:51:10 AM

From: "Byrne, Tommy" [REDACTED]  
To: "Cityclerk@stjohns.ca" <Cityclerk@stjohns.ca>  
Date: 2018/01/05 09:51 AM  
Subject: FW: Anglican Synod Wetland Report

---

Good morning,

I am sending this email to show my support of the Penny Application below.

Regards,

Tom Byrne  
[REDACTED]

The Cal LeGrow Foundation Grant Funding helps remove barriers that prevent youth from reaching their full potential. Maybe there's someone in your world that needs a hand up. Click [here](#) to learn more.

1. This application has been processed over the past 5 years under a vigorous process with

four Environmental Reports that clearly shows the area in question is no longer a significant wetland, and has been approved by Department of Environment for this Rezoning Application and the approval of the development of the residential subdivision on this property. Council overwhelmingly approved moving this Application forward after careful review of the Environmental Reports and the recommendation from the Planning and Development Committee to proceed to a Public Meeting for Rezoning. The CBCL Report conducted in 2016 was ordered by Council and the Report clearly agrees with previous Reports that this property is available for development.

2. The City's Environmental Advisory Committee did review this Application a number of times over the past 2 years. The recommendation in all instances was to not approve the rezoning application or remove the property from the wetlands designation, the problem with this process by this Advisory Committee is simple, even with this Committee having experts on it's panel, they could not produce any information to back up their recommendation not to permit development or dilute the three independent Environmental Reports from national certified engineering firms such as Stantec, CBCL, and ADI. The recommendation from this Advisory Committee was considered by both Council and the Planning and Development Committee but in the end of the review, Council voted overwhelmingly to move forward with the Application and Rezoning.

3. The application and design of the subdivision has been extensively reviewed by the City of St. John's Engineering Department in co-operation from the Applicant's Engineering design Firm in order to make sure there will be no flooding or storm water issues once subdivision is constructed. In the approved engineering design a storm detention pond and house elevations for particular lots are the norm in any development to insure no storm water issues. The engineering design has insured zero net run off from this site once constructed.

4. Residents in the area may very well prefer to have this land kept undeveloped, that is a natural reaction, the not in my back yard attitude is what most Developments face in every application process. The fact is, 15 years ago in anticipation that this property may be developed in the future, three access points were designed, maintained and approved by the City's staff over the years in order to provide entrances and exits into this site to permit a development design. Leadingham Place, Jackson Place and Penny Lane all have access points in place to enter the site for development. Anyone purchasing a home in this area would have seen these access points and anticipate there might be some development in the future. Saving this property for Open Space use for area residents is not a justifiable reason to stop development of this land. Within a five minute walk is the largest public park in the City so having this property retained for public use is not reasonable vs the benefits for the City. The property in question has no walking trails, or any developed open areas for public use but has been used over the years as a dumping site which is very unattractive for the area.

5. This Project will not cost taxpayers one cent as some people are claiming, in fact the numbers below are estimates of the fees and taxes to be generated by this Project;

- over **\$250,000.00** in a one time development fee

- 95 homes that will bring in **\$350,000.00** in building permit fees

- approx. **\$500,000.00 - \$700,000.00 (current tax dollars)** a year forever in tax revenue, over the years this Development will bring in approx. **\$26,000,000.00** to the city coffers. Not to mention good paying jobs for 100's of workers in building this modern new Subdivision.

6. The design of the Subdivision incorporates a wet pond designed to Ducks Unlimited Standards which replaces the wet area as shown in the Report. This addition of the Duck Pond is no different then the approved application at 220 Waterford Bridge Road which permitted the relocation of the existing Blue River Pone for the construction of a Private Personal Care Home.

7. The Reports clearly state the property has no value in the detention of the storm run-off of the area and the designed detention pond will have zero net run-off into the existing storm system.

8. This application was well on it's way to approval until effected by the Municipal Election and hijacked by the media as a main election issue for many candidates looking for pubic support, as way of fairness, how can another application 220 Waterford Bridge Road be permitted in September, 2017, to proceed with filling in an existing wetland, Blue River Pond without any consultation or review, the recommendation by the Environmental Advisory Committee even states approved "given the Province has no objection and the location is not listed under significant wetlands". The same rules should apply for our Application.

9. As a Developer, we were given Terms of Reference to follow in order to move this Application forward to Rezoning, at a cost of over \$150,000.00, and untold hours we followed these guidelines set for us by the Planning Department, now that we are in the final stages of the Application, we are expected to accept the rules can be changed and the wetland designation should be maintained when 4 Reports state the property is available for Development?

10. How the Application for 220 Waterford Bridge Road was processed as compared to ours is very, very disturbing, we feel we have not been given the same treatment and the due process was not even comparable to our Application with no Engineering Environmental Report or Public Hearing required before approval was granted for filling in of an established duck pond. This approval process for 220 Waterford Bridge Road should be examined in detail and assurances given staff reviewed that application with the same vigorous process as we experienced.



CBCL Anglican Synod Wetland Assessment Report.pdf

Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor Breen,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

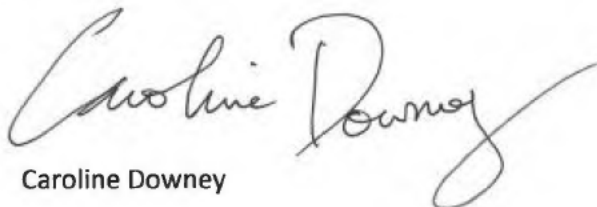
As noted by recent assessments by CBCL (2016, page 9), the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennies River area. Urban wetlands, even relatively small ones, also contribute to the microclimate regulation of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas is part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted “people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community.”

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely,



Caroline Downey



**Re: Fwd: Proposal for Development off Penney Crescent** 

**City Clerk and Council** to: Jeff Barnes

2018/01/10 01:02 PM

Sent by: **Elaine Henley**

Cc: Ardella Pike, Kim Barrett, cityclerk, Jason Sinyard, Ken O'Brien,  
Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran,  
Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley

Good Afternoon Mr. Barnes:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Jeff Barnes

We will be out of town on Jan 11, but I would like...

2018/01/10 12:27:22 PM

From: Jeff Barnes [REDACTED]  
To: cityclerk@stjohns.ca  
Cc: Kim Barrett [REDACTED] Ardella Pike [REDACTED]  
Date: 2018/01/10 12:27 PM  
Subject: Fwd: Proposal for Development off Penney Crescent

We will be out of town on Jan 11, but I would like to express my concern (and disappointment) that the city is once again considering to re-designate the Wetland around Penney Crescent. The wetland is a significant addition to the neighbourhood and we walk the trails there nearly everyday. With the recent increase in intensity of storms, including rain and wind, and the lack of detail concerning runoff, destroying this wetland seems almost a guarantee of flooding in the area.


Just as important, progressive cities and towns across Canada and internationally are now protecting their natural environments, including reforestation. We are fortunate to have Wetland within the city limits, and should be doing all we can to protect it.

Thanks

Jeff Barnes  
[REDACTED] Penney Crescent  
St. John's, NL  
[REDACTED]

----- Forwarded message -----

From: **Jeff Barnes** [REDACTED]  
Date: Sun, Jul 23, 2017 at 11:03 AM  
Subject: Re: Proposal for Development off Penney Crescent  
To: Kim Barrett [REDACTED]  
Cc: Danny Breen <[DBreen@stjohns.ca](mailto:DBreen@stjohns.ca)> [REDACTED]



Thanks Kim and Trent for your effort and Mr. Breen for your support in retaining the wetland designation. For me personally, the natural wood and wetlands surrounding Penney is one of the reasons I choose to stay and live in St. John's. Given what seems like increasingly extreme weather conditions and an overall (international) effort to protect natural areas, destroying wetland and removing the walking trails seem like an ecological step backward.

As well, I am not a civic engineer, but I have concerns the proposed development will cause flooding in the area. Simple internet tools concerning runoff coefficient show developing 17.5 acres requires the accommodation of nearly 60 million liters of rainwater/year. While some of the extra run-off is expected to be handled by the proposed storm-water detention pond and new sewer mains, pg. 13 (of 56) of the LUAR only speaks of 'the intent to install...' and 'further details of this will be investigated...' concerning the accommodation of post development runoff. It does say the current inlet pipe, which we assume is behind the park on Penney, be capped and abandoned and that excess water will be directed onto the street in case of emergency overflow.

We understand pre and post development run-off is supposed to be the same, but the LUAR on pg. 14 indicates marginally less runoff post development (again, a non-engineering estimate). Page 18 the CBCL report recommends discharging the detention pond to some point '... which has the capacity to handle the post-development flows' but does not indicate any details.

Given the increasing intensity of storms, an increased runoff coefficient with the removal of the natural spaces (i.e, from 0.05 to .75), the removal of the current inlet system but lack of detail concerning its replacement and any other runoff mechanisms, the likelihood this development will cause flooding and damage on Penney and further 'downstream' seems very high.

Thank you again Mr. Breen for not supporting this development and retaining the wetland designation, which is critical in progressive cities. The impact of development on flooding in other areas of the city over the past couple of years, and the lack of detail and risks concerning runoff and flooding on Penney, should be sufficient to persuade city council not to allow this project.

Thanks

Jeff Barnes

On Mon, Jul 17, 2017 at 5:23 PM, Kim Barrett < > wrote:

Thank you so much for your prompt reply and obviously for your support. We look forward to the support of the rest of council as well.



Regards;

Trent & Kim Barrett

■ Jackson Place

St. John's

■

**From:** Danny Breen [mailto:[DBreen@stjohns.ca](mailto:DBreen@stjohns.ca)]

**Sent:** Monday, July 17, 2017 5:06 PM

**To:** Kim Barrett

**Cc:** ■

■

**Subject:** Re: Proposal for Development off Penney Crescent

You have my support in retaining the wetland designation. The province does not consider it a significant wetland and if they did the process would have stopped. Council now has to determine if it will remove the wetland designation. The public hearing is part of that process.

Although it may not be technically a significant wetland, it is clearly a wetland and wetlands are vital to our environment.

Thanks for your email and if you wish to discuss further please do not hesitate to contact me.

Danny Breen

Councillor, Ward 1

City of St. John's, NL

Office [\(709\) 576-2332](tel:(709)576-2332)

Mobile [\(709\) 725-9259](tel:(709)725-9259)

On Jul 17, 2017, at 4:51 PM, Kim Barrett [REDACTED] wrote:  
Mayor, Deputy Mayor & Councilors;

We are resending the email below to reinforce our opposition to this development and ask your opinion on the application to re-zone the property.

In addition to the reports listed in yellow in the email below, the LUAR has also now been paid for by the developer ( [http://www.stjohns.ca/sites/default/files/CSJ\\_FileUpload/Planning/synod%20West%20Wetland%20LUAR.pdf](http://www.stjohns.ca/sites/default/files/CSJ_FileUpload/Planning/synod%20West%20Wetland%20LUAR.pdf) ). How can all of these reports paid for by the developer be more important or relevant than the previous reports done by the city, your own professionals, and the recommendations of your own Environmental Advisory Committee?

As a community, we are organizing to oppose this development and we hope for your support to preserve this wetland and our neighborhood in its current state.

We look forward to hearing from you.

Regards;

Trent & Kim Barrett

[REDACTED] Jackson Place

St. John's

[REDACTED]

On May 6, 2017, at 13:55, Kim Barrett [REDACTED] wrote:  
Mayor, Deputy Mayor & Councilors;

We live on Jackson Place and are very concerned about the current proposal for development of the Synod Wetland behind our home discussed at a meeting of the City's Planning & Development Standing Committee in October (link below).

<http://www.stjohns.ca/council-agenda/planning-development-standing-committee-agenda-28>

We are very much opposed to this development for many reasons and would like the opportunity to discuss it with you and hope for your support against the development. We have already been in contact with our ward councilor Danny Breen as well as Sheilagh O'Leary as she is on the Environmental Advisory Committee. We are now reaching out to the remainder of council in the hope of creating awareness of this development and the negative affects it will have on our neighborhood and the environment.

Our concerns include:

- 99 home development off Penney Cres will increase traffic
- 150 extra cars on Penney Crescent EVERY day (average 1.5 per household in the development)
- Re-zoning of "wet land" to "residential" may affect water in the Virginia River
- 99 more homes may affect already low water pressure in the area

- The City's own Environmental Advisory Committee has had concerns in the past about development of the wetland area
- Development could negatively affect water drainage in the area and on our properties
- Local wildlife may be displaced (rabbits, ducks, even moose)

We also have *concerns about the "independence"* of the Stantec Inc. and CBCL Ltd. reports on the significance of the wetland as *both were paid for by the developer* (referenced in the minutes). The Stantec Inc. report was not supported by the City's own Environmental Advisory Committee and both reports contradict the 1987 and 1993 Significant Waterways and Wetlands Studies prepared for the City by LGL Ltd.. We feel there has been no change in the area that would impact the significance of the wetland since the earlier studies.

We have been in contact with neighbors (some copied on this email) in the area who are also concerned and I am sure would like to participate in our correspondence and any meetings we may have.

We are not aware of any notice or communication to area residents up to this point but we are certainly spreading the word so others are aware.

We look forward to hearing from you.

Regards;

Trent & Kim Barrett

■ Jackson Place

St. John's



**Re: Concerns about Penney Crescent wetland development** 

**City Clerk and Council** to: Melissa Bourgeois

2018/01/10 04:21 PM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Ms. Bourgeois:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Melissa Bourgeois

[I am a resident of this neighbourhood and have...](#)

2018/01/10 02:19:48 PM

From: Melissa Bourgeois [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/10 02:19 PM  
Subject: Concerns about Penney Crescent wetland development

I am a resident of this neighbourhood and have a number of concerns about the proposed development of this area. First and foremost are my concerns about losing a designated wetland area. With climate change, St. John's has been impacted by more severe weather over the last few years. This trend will continue, and probably worsen. Climate change, combined with new city developments, has resulted in an increase in flooding in the metro region. Currently, after a rainstorm, huge amounts of water accumulate in the area of Penney Crescent, especially Jackson Place and Newfoundland Drive. Part of the purpose of a wetland is to assist in containing rain water. There is no doubt in my mind that flooding problems will increase if we lose this wetland. After all, the water has to go somewhere.

Secondly, there are a number of animals who will be directly impacted by the loss of the wetland. I am concerned in particular about the displacement of the rats in this area. We already have an issue with rats on Musgrave Street, Ledingham Street and Halley drive. Clearing out this area for development will drive huge numbers of rats directly into our neighbourhood.

Thirdly, low water pressure is a common problem where I live on the top of Halley Drive. In fact, it was the only significant issue to arise from our home inspection when we purchased our house. Speaking to other residents, we are not the only ones with this issue. A new housing development will only add extra strain onto the water system.

Fourthly, I have concerns about traffic in our neighbourhood. Torbay Road is extremely busy already especially during rush hour. Residents attempting to exit Penney Crescent experience huge difficulties and frustrations. Adding such a high number of extra cars to this situation will only worsen problems. Also, although it has been explicitly stated, I am assuming that the second entrance/exit to this new development will be at the top of Ledingham Street. I expect due to its proximity to Outer Ring Road and Confederation Building, that this would quickly

become the more popular traffic route for the residents of this new subdivision. Kershaw, Halley Drive, and Musgrave Street cannot and should not have to accommodate the extra traffic.

Lastly, St. John's does NOT need a new subdivision of this size at present time. There is already an over abundance of properties for sale and lease. And soon the city will start to see the baby boomers downsizing to condos and assisted living which will only further the glut of houses on the market. There are houses on Musgrave Street and Halley Drive that have been on the market for 2+ years. And a quick search on the internet shows the huge numbers of properties for sale throughout the city, especially in neighbourhoods like Clovelly. Demand is a bit higher outside the city but certainly not within the city. Compounded with this are new mortgage rules that will further slow real estate. The city should be cautious about over developing the city under current circumstances.

I plead with you to seriously consider my points, and the points of the hundreds of other concerned citizens, and deny the request to develop the wetlands. Many of you, the elected council of this city, ran on the platform to protect the wetlands. Please keep your promises to the citizens of this city.

Sincerely, Melissa Bourgeois (resident of Halley Drive)



**Re: Rezoning of proposed wetland on Penney Lane /Crescent** 

**City Clerk and Council** to: Michael Coady

2018/01/10 04:20 PM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Mr. Coady:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Michael Coady

To St John's City Councillors, Mayor, Deputy Ma...

2018/01/10 01:57:20 PM

From: Michael Coady   
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/10 01:57 PM  
Subject: Rezoning of proposed wetland on Penney Lane/Crescent

---

To St John's City Councillors, Mayor, Deputy Mayor, City Clerk,

As the property owner of 135 Penney Crescent it has come to my attention that there is a call for public input into the development proposal for the Anglican Synod Property, located in the near vicinity to my Penney Crescent property.

With this in mind I would like to communicate that I have no problem with the development and will be supporting it.

I lived at Penney Crescent for over 10 years with my house backing to the proposed development. My experiences was and still is that while having an undeveloped area in my backyard had it's benefits in terms of privacy it also had it's problems. Easy access to my property lead to a number of thefts over the years. Parties and noise from young people drinking was an issue several months of the year, in the past.

It is my understanding that this area may or may not be designated a wetland. I honestly have not observed many of the normal attributes I associate with a wetland besides a scattered moose wandering into my garden , to feed on the Holly trees in the front of my property.

I believe a development will have a positive impact on my property value that is now an investment property. This will only add to the East end of the city.

I also firmly believe that as a taxpayer that owns several properties in St John's that we cannot ignore the tax base from this development. As my taxes continue to rise developments such as this will help alleviate the collective cost burden, that is getting out of hand in recent years.

For these reasons I want it on record that I am in full support of this development as long as the proper mitigations are in place for storm sewers and holding ponds.

Thank you for your time.

Michael Coady



**Re: Re application to rezone wetland to residential subdivision** 

**City Clerk and Council** to: Nancy Chen

2018/01/10 12:59 PM

Sent by: **Elaine Henley**

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Ms. Chen:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions received will be referred to Council for consideration prior to a final decision being reached.

Elaine Henley  
City Clerk

Nancy Chen

Dear Sir or Madam: I am a resident of Penney C...

2018/01/09 04:58:32 PM

From: Nancy Chen [REDACTED]  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/09 04:58 PM  
Subject: Re application to rezone wetland to residential subdivision

Dear Sir or Madam:

I am a resident of Penney Crescent. I strongly oppose to the application to rezone part of the Synod Lands West Wetland to the Residential Low Density (R1) for a proposed 99-lot residential subdivision.

Removing the wetland protection will damage to the watery resources as a result it will cause floods because wetlands soak up water.

Removing the wetland protection will destroy wildlife habitat. Many birds utilize wetlands as sources of food, water, nesting material or shelter. Hence, wetlands are important because they protect and improve water quality, provide fish and wildlife habitats, store floodwaters and maintain surface water flow during dry periods.

Thank you for your consideration.

Nancy





**Re: support of the Penny Application** 

**City Clerk and Council** to: Paul Hedges

2018/01/10 04:20 PM

Sent by: **Elaine Henley**

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Hedges:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

"Paul Hedges "

support of the Penny Application

2018/01/10 01:03:47 PM

From: "Paul Hedges "   
To: <Cityclerk@stjohns.ca>  
Date: 2018/01/10 01:03 PM  
Subject: support of the Penny Application

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support of the Penny Application

Thanks



**Re: Penney Cres development**   
**City Clerk and Council** to: Steve Saunders  
Sent by: **Elaine Henley**

2018/01/10 04:53 PM

Cc: Cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Saunders:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Steve Saunders

[Please accept this email in support of the Penny...](#)

2018/01/10 04:34:06 PM

From: Steve Saunders   
To: Cityclerk@stjohns.ca  
Date: 2018/01/10 04:34 PM  
Subject: Penney Cres development

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Please accept this email in support of the Penny Lane Development, the Engineering Reports certainly appears to support this Subdivision.

Thanks

Steve Saunders  




**Re: Synod West Wetland**   
**City Clerk and Council** to: Corinna Favaro  
Sent by: **Elaine Henley**

2018/01/11 01:17 PM

Cc: cityclerk, Phoebe Metcalfe, Nick White, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll,

Good Afternoon Ms. Favaro:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Corinna Favaro

Good evening, Please see attached a letter from...

2018/01/10 08:53:03 PM

From: Corinna Favaro [REDACTED]  
To: cityclerk@stjohns.ca  
Cc: [REDACTED]  
Date: 2018/01/10 08:53 PM  
Subject: Synod West Wetland

Good evening,

Please see attached a letter from Northeast Avalon ACAP, a local non-profit organization, regarding the proposed Synod West Wetland development. This letter is being submitted due to tomorrow's public meeting on the wetland proposal (January 11).

Sincerely,  
Corinna Favaro

on behalf of NAACAP



Anglican Synod letter NAACAP January 2018.pdf



January 10, 2018

City Clerk, City of St. John's

Re: Synod West Wetlands

Dear City of St. John's Staff,

In May of 2017 I wrote to you on behalf of the Northeast Avalon ACAP to express concerns with the re-zoning application for the Synod West Wetlands. The public hearing for the application was postponed in August 2017, and it was my understanding that the project was subsequently rejected. However, as submissions have currently re-opened, I am writing again to encourage you to not approve the project, as there is currently no consistent framework for wetland development in St. John's.

I have attached my previous letter as the concerns are still valid. In summary, I have two recommendations for going forward:

1. Update the inventory of significant wetlands in the City of St. John's (last completed in 1993). This will allow the City of St. John's to consider wetlands and their watersheds holistically, rather than on an individual basis.
2. Develop a policy for management and development in and around wetlands in the City of St. John's.

It is our opinion that similar future projects cannot be properly evaluated without achieving these two recommendations. These two documents would better equip the City of St. John's with a framework to make efficient, consistent and informed decisions on applications such as the Synod West Wetland proposal.

Sincerely,

Corinna Favaro

Secretary,  
Northeast Avalon ACAP

Nick White

Chair,  
Northeast Avalon ACAP

Northeast Avalon ACAP Inc.

172 Military Road Road ♦ P.O. Box 8732 ♦ St. John's, NL ♦ A1B 3T1  
Telephone: (709) 726-9673 ♦ Email: [info@naacap.ca](mailto:info@naacap.ca) ♦ Web: <http://www.naacap.ca>



Attachment: May 2017 letter

May 16, 2017

Art Puddister, Planning and Development Committee;  
Brian Head, Parks and Open Spaces Division;  
Dave Wadden, Department of Planning, Engineering & Regulatory Services

Re: Anglican Synod wetland

Dear City of St. John's Staff,

This letter expresses the concerns of NAACAP (Northeast Avalon ACAP) with the proposed rezoning of the Synod Wetlands (located off Ledingham Place, near Penney Crescent in Ward 1).

NAACAP is concerned about the rezoning of the wetland to Residential Low Density (R1) for two reasons: The rezoning ignores evidence that these are functional wetlands (Concern #1), and Development may have significant adverse impacts to the downstream waters of Virginia River under stormflow conditions (Concern #2).

With regards to concern #1: There are two relevant studies about the function of this wetland (LGL 1993 and CBCL 2016). In the 1993 study by LGL, the Synod Wetlands were determined to have moderate function in water retention and concluded that due to the high degree of urbanization in the Virginia River watershed (which is higher today), these wetlands should remain as greenspace to preserve integrity of the adjacent ecosystems.

The recent 2016 report on the Synod Wetlands by CBCL similarly found that the wetland provides hydrological function, at a level typical for the geographic area. However, widespread interpretation of this report is that the Synod Wetland is "not significant". For example, see the City of St. John's *Decision/Direction Note "Application to rezone part of the Synod Lands West Wetland to the Residential Low Density (R1) for a proposed 99-lot residential subdivision PDE# 09-00158"*. The CBCL report does not state the wetlands are "not significant", nor does it define significance. This is a major shortcoming of the report that requires further clarification from the report authors.



Attachment: May 2017 letter

With regards to concern #2: The CBCL report shows that while the detention pond should hold projected volumes, there is little buffer in some conditions (Table 4.3). Also, the CBCL report recommends that the detention pond not drain into the existing storm water pipe that crosses Penny Crescent, as it likely will not be able to handle the extra water. The report suggests perhaps connecting the detention pond outflow to the storm sewer, so that it would then enter the Virginia River further downstream. The details of this are not given and therefore requires more information before development is approved. Where will the detention pond drain? If to the existing storm sewer, a determination must be made that existing infrastructure accommodate the increase.

Additionally, in the City's Planning and Development Standing Committee minutes from 17 November 2015 reference Synod wetland development, but storm water detention was the main reason for recommending against development in the area. Specifically, the concerns were that the proposed lot layout (1) removes wetland area and cuts off flow, (2) uses an undersized detention pond, (3) has flat topography that necessitates construction of homes without basements due to flood risk to basement, (4) provides no overland flow path should the detention pond malfunction, and (5) unacceptable access through the existing tot lot. The lot plan in the CBCL report is dated 2014, likely the same one as the original 2014 proposal. Therefore, issues with the detention pond, access to the area through the existing tot lot, have not fully been addressed.

Protecting natural lands is a priority for the City of St. John's under the draft Municipal Plan "Envision St. John's". The Synod wetlands are an easy parcel of land to protect to meet commitments to the Municipal Plan, because these particular wetlands are already Open Space Reserve. NAACAP urges you to reconsider the proposal for rezoning to residential.

In addition, to provide clarity and guidance in similar future situations we urge you to adopt the following recommendations of the Environmental Advisory Committee:

1. Update the Significant Waterways and Wetlands study (last published in 1993)
2. Implement a policy for procedures for works in and around wetlands and waterways



Attachment: May 2017 letter

Adopting the above recommendations will help the city ensure a holistic view of development in and around wetlands.

Sincerely,

Corinna Favaro  
NAACAP Secretary



**Re: Synod West letter**   
**City Clerk and Council** to: Douglas Ballam  
Sent by: **Elaine Henley**

2018/01/11 01:18 PM

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Ballam:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

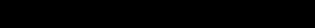
All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Douglas Ballam

[Please find attached a letter from Nature Newfou...](#)

2018/01/11 11:16:56 AM

From: Douglas Ballam   
To: cityclerk@stjohns.ca  
Date: 2018/01/11 11:16 AM  
Subject: Synod West letter

---

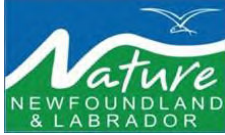
Please find attached a letter from Nature Newfoundland and Labrador regarding the Synod West development.

Regards,  
Douglas Ballam  
President, Nature NL



 Synod West Wetland Letter\_Nature NL\_signed.pdf





Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

11 January 2018

Re: Synod West Wetland – Penney Crescent Development

Dear Mayor Danny Breen,

I am writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

As noted by recent assessments by CBCL the wetland within the proposed Project Area is an important refuge habitat for a variety of local plants and animals. The distribution of native plants in the area also supports local pollinators that are critical to the functioning of ecosystems. The assessment also indicated that “maintenance of water quality was a notable function of the wetland” as it had good qualities for sediment and toxicant retention and stabilization. Furthermore, the wetland supports the very rare plant, *Gaultheria procumbens*. This species is an “S1” rare plant, which means it has only been found less than five times in the province.

From an urban planning viewpoint, the wetland provides a natural aesthetic to the neighbourhood and mitigates flooding. Preservation of wetlands in St. John's may also reduce installation of costly engineered flood mitigation measures that have historically been applied to many areas of the city, as demonstrated by the Rennie's River area. Urban wetlands, even relatively small ones, also contribute to the regulation of the microclimate of the neighbourhood.

I encourage the government to support green urban development approaches and practices that strive to minimize negative impacts or ideally have a positive impact on the environment and nearby ecosystems. Supporting urban natural areas are part of our right to a healthy environment as was proclaimed by the St. John's City Council on World Environment day in 2015 that noted “people are part of the environment and ... a healthy environment is inextricably linked to the well-being of our community.”

Again, I urge you to support our communities and natural areas by rejecting the rezoning of the Synod West Wetland area.

Sincerely

---

Douglas Ballam  
President, Nature Newfoundland and Labrador



**Re: Regarding the Proposed Housing Development of the Anglican Synod West Woodland** 📎

**City Clerk and Council** to: Haakon Webber-Winsor

2018/01/11 01:14 PM

Sent by: **Elaine Henley**

Cc: "cityclerk@st.johns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Morning:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.

All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Haakon Webber-Winsor

I, as a resident of the city of St. John's, str...

2018/01/10 05:54:11 PM

From: Haakon Webber-Winsor [REDACTED]  
To: "cityclerk@st.johns.ca" <cityclerk@st.johns.ca>  
Date: 2018/01/10 05:54 PM  
Subject: Regarding the Proposed Housing Development of the Anglican Synod West Woodland

I, as a resident of the city of St. John's, strongly oppose the proposition of building a housing development in the area of the Anglican Synod West Woodland/Wetland, as it is currently one of the few remaining natural wetlands in the area. Building over this area would not only be disastrous for the local environment, the disruption of the local water table would likely cause increased flooding in the area, especially in the basement areas of the proposed housing development.

As a municipality that both deals with significant amounts of precipitation, and market's itself as close to scenic nature, the city of St. John's cannot afford to disassemble it's natural green spaces for such high-cost, low-density housing as proposed.

Thank you,

Sincerely,

Haakon Webber-Winsor.



**Re: Fw: Anglican Synod Wetland** 

**Elaine Henley** to: Ken Hannaford

2018/01/11 01:10 PM

Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave  
Cc: Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning,  
Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Mr. Hannaford:

We acknowledge of your email and advise that your concerns have been forwarded to Planning, Engineering and Regulatory Services.

All submissions received are referred to Council for consideration prior to a final decision being reached.


Elaine Henley  
City Clerk

ELAINE A. HENLEY  
City Clerk  
Office of the City Clerk  
10 New Gower Street  
P.O. Box 908  
St. John's NL A1C 5M2  
Telephone - (709) 576-8202  
Cell - (709) 691-0451

Ken Hannaford

Hi, Can you please send this to all members of...

2018/01/11 12:41:36 PM

From: Ken Hannaford   
To: "ehenley@stjohns.ca" <ehenley@stjohns.ca>  
Date: 2018/01/11 12:41 PM  
Subject: Fw: Anglican Synod Wetland

Hi,

Can you please send this to all members of Council?

Thanking you in advance,  
Ken Hannaford

---

**From:** Ken Hannaford  
**Sent:** January 11, 2018 10:46 AM  
**To:** cityclerk@stjohns.ca  
**Subject:** Anglican Synod Wetland

A letter regarding the development of the Anglican Synod wetland is attached for the public meeting tonight (January 11, 2018).

Thank you,  
Ken Hannaford  
Co-chair  
Science Committee

Quidi Vidi/Rennies River Development Foundation



Synod-West-Wetland-Letter.docx

Office of the City Clerk  
P.O. Box 908,  
St. John's, NL,  
A1C 5M2

January 11, 2018

**Re: Synod West Wetland – Penney Crescent Development**

Dear Mr. Breen,

The Science Committee of the Quidi Vidi/Rennies River Development Foundation is writing to urge you to reject the rezoning of Synod West Wetland area between 97 and 99 Penney Crescent from Open Space Reserve Zone to the Residential Low Density Zone.

This wetland is part of the watershed control for the Virginia River where ~80% of the system has already been urbanized. Flooding risks have become high in this watershed, particularly within Pleasantville, and the remaining watersheds have been included in the Significant Wetlands and Waterways Study undertaken by LGL in 1983. Water quality within the Virginia River, and accompanying Virginia Lake and Quidi Vidi Lake, can be negatively affected from loss of wetland buffering. The Lundrigan's Marsh, another important wetland to the Virginia River watershed, was protected from the Outer Ring Road and other developments also because of its importance in regulating flow regimes in Virginia River as well as preserve the unique habitats it offers. In fact, some of the landowners around Lundrigan's Marsh turned over portions of their property to protection which had considerable potential development value. In the early 90's the Department of Transportation and Works (Department of Works, Services, and Transportation at the time) also redesigned the Outer Ring Road to circumvent the perimeter of the wetland as opposed to bisecting it. This was also at considerable expense with highway design and land acquisition. This kind of environmental stewardship should be afforded to all remaining wetlands within the City of St. John's, including the Anglican Synod wetland.

With my decades of experience with the Virginia River watershed system, including many years as President of the Virginia River Conservation Society in the 90's, I was requested by Council and a developer to re-assess the Anglican Synod wetland approximately 10 years ago as there were questions regarding as to whether it still remained a wetland due to the developments surrounding it and the possibility drainage patterns may have changed resulting in any potential dewatering effects. A thorough assessment showed it was still a healthy wetland providing water storage capability. There were no other developments around the wetland since then so the wetland should not have changed since that time.

The Water Resources Act 2002 cW-4.01 s30 is in place to protect the valuable resource of wetlands which provide mitigation to flooding and preserve high water quality. The loss of wetlands has increased the need for installation of costly engineered flood mitigation measures that have been applied to many

areas of the city which only serves to push the problem further downstream and negatively impact aquatic environments. High incidents of flooding and erosion, as well as valuable habitat loss, are becoming a regular issue during heavy rain spates and removing any of the few remaining wetlands will only exasperate the situation.

Loss of any more wetland habitats in St. John's will undoubtedly also remove some of the natural character from an urban planning viewpoint as they are areas where rare bird sightings are common due to the proximity of St. John's to the paths of migratory birds in the North Atlantic Ocean.


The Science Committee encourages the government to protect the limited number of vital wetlands that remain to minimize negative impacts on downstream properties, the environment, and effected ecosystems.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Hannaford', with a long horizontal stroke extending to the right.

Ken Hannaford  
Co-chair  
Science Committee  
Quidi Vidi/Rennies River Development Foundation



**Re: Submission re: Synod Wetlands**   
**City Clerk and Council** to: Janice Woodford  
Sent by: **Elaine Henley**

2018/01/11 04:58 PM

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Ms. Woodford:


Given the lateness of this submission, it will not be placed on tonight's agenda. It will, however, be referred to Council for consideration prior to it reaching a final decision on the application.

Elaine Henley  
City Clerk

Janice Woodford

[Hi -- late getting this in but sending it along for re...](#)

2018/01/11 04:26:53 PM


From: Janice Woodford   
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/11 04:26 PM  
Subject: Submission re: Synod Wetlands

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Hi -- late getting this in but sending it along for records purposes.

I will be attending the Public Meeting tonight and will bring along a couple copies.

Thanks

Jan Woodford  
 Jackson Place



 Wetlands 2.pdf




# Why we should say no to development proposal



Synod West Wetland


City of St. John's Public Meeting - Thu, 2018/01/11 - 7:00pm





# Key Issues


- Development is contrary to existing municipal and future plan
- Flooding: reports don't consider latest science: are the mitigations adequate?
- Flooding: Reports don't provide meaningful economic analysis of the 'real cost' of wetland destruction - costs to municipality and home-owners if mitigations fail.
- Pest control: LUAR doesn't address known significant rodent and vermin issues.
- Development will negative impact sensitive habitat, flora and fauna
- Development will negative impact housing values



## Key Issue: rationale for changing wetland status not adequately explained

- Identified wetland as significant in 1993
- Confirmed as an 'environmentally valuable area' in 2003 Municipal Plan
- Maintained status in 2016 revision of 2003 Municipal Plan
- 2017 Draft Municipal Plan (Envision): "these areas <identified in the 2003 plan> have been maintained as an important component of the city's open space system. This Plan continues to protect the city's river and wetland systems and recognizes their important ecological functions."
- CBCL scope of work was to assess only one of three wetlands in the area, and found that discrete area to be not significant. What if all three wetlands were treated as a singular wetland – would it still be 'not significant'?

A singular wetland cannot be assessed in isolation of other wetlands in the area.



## Key Issue - Flooding

CBCCL Scope of Work Deficiencies resulted in too many uncertainties

Assessing only one of three wetlands in the area resulted in many uncertainties about the relationships between the wetlands, and what would be the impacts on the other areas if development proceeds

le: it's "plausible that a groundwater connection may exist"; it's "possible that during extreme precipitation events, there may be overland flow of water <between areas>" ; "apparent lack of outlet <for waters>; its function is "presumably through its contribution to the local groundwater aquifers; these contributions may have some influence on stream flows off-site."




# Key Issue – LUAR + CBCCL Deficiencies

## Flooding & Climate Change

- ▶ 2013 climate projections and 2015 provincial Intensity-Duration-Frequency Curve predictions were not taken into account in discussing flood and storm mitigations
- ▶ Standards used to assess the development (CBCCL report) were inadequate given climate change predictions, increase (already) of extreme weather events, and new IDF information

Reports used older standards which do not take into account new information on climate change



# Key Issue – LUAR Deficiencies

## Impact downstream on Virginia River

- ▶ Storm water runoff .... The intent is to install a new separate sewer main ... which will ultimately discharge the collected storm water from the affected areas into the Virginia River.
- ▶ Given existing science on the impacts on rivers when supporting wetlands are removed, the downstream impacts on Virginia River were not adequately examined or addressed.

What are real costs of downstream flooding?  
Let's learn from past mistakes (Leary's Brook?)  
and look harder at potential impacts of  
development



# Key Issue: Economic Analysis Deficiency

## Real Economic Costs

To capture the real cost of wetland destruction, the World Bank recommends that any consideration of development include an economic analysis when:

- an assumed detrimental environmental impact, even when scientific evidence cannot yet prove that the impact will occur.
- detrimental impacts are to be expected from project activities, even if they are not certain.

**Has City considered the real economic costs of assumed or potential environmental impacts OR possible failure of identified mitigations?**



# Key Issue - Flooding

## Who is going to pay?

- ▶ If development is approved despite report deficiencies and poor climate change adaptation, there will be negative impacts
- ▶ Who will bear cost of flood mitigation to city if (when) developer mitigations fail?
- ▶ Who will bear cost of flood damage to property owners if (when) developer mitigations fail

The secretariat for the international Convention on Wetlands (Canada is a signatory) advises that the best adaptation practise (to manage climate change) is preserving natural infrastructure (wetlands)

# Key Issue: CBCL Report Deficiency

## Species at Risk: Red Crossbill

- ▶ Red Crossbill, COSEWIC status: endangered
  - ▶ small, six-inch long finch with a unique crossed bill adapted for eating seeds
- ▶ Reported sightings in east end of St. John's including Virginia Lake (<http://ebird.org/ebird/hotspot/L633509?m=&yr=last10&changeDate=Set>)

Deficiency: a thorough research study has not been conducted to confirm that the Red Crossbill is not breeding or nesting in this area





# Key Issue: CBCL Report Deficiency

## Conservation of Eastern Teaberry

- ▶ also called the eastern teaberry, checkerberry, boxberry, American wintergreen, creeping wintergreen
- ▶ Previously designated as 'may be at risk' by the Province
- ▶ designated by Atlantic Canada Conservation Data Centre as critically imperiled in NL because of extreme rarity or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the province.

The teaberry was not addressed in the CBCL report



# Key Issue: CBCL Report Deficiency

## Bats

- Nearly 40% of North American bat species are threatened or endangered.
- Disturbance of habitat is greatest threat.

Deficiency: a thorough research study has not been conducted to confirm whether bats breed or nest in this area



# Key Issue – LUAR Deficiencies

## Displacement of Wildlife

CBCCL identifies provision of habitat for animals as a 'notable' function of the wetland.

LUAR does not adequately address displacement Issue.



# Key Issue – LUAR Deficiencies

## Displacement of Vermin Not Adequately Addressed

- ▶ Rat population density in the wetlands were not measured; displacement measures were not identified or addressed by any of the reports.
- ▶ High density rat population is generally recognized to be 1 rat per 5 square meters, or 2000 rats per hectare; 7.1 hectare development means displacement of up to 14,000 rats

Are current requirements for developer pest control program sufficient?

If not, what will be the cost to the city of a vermin control program?

What will be the cost to local home owners?

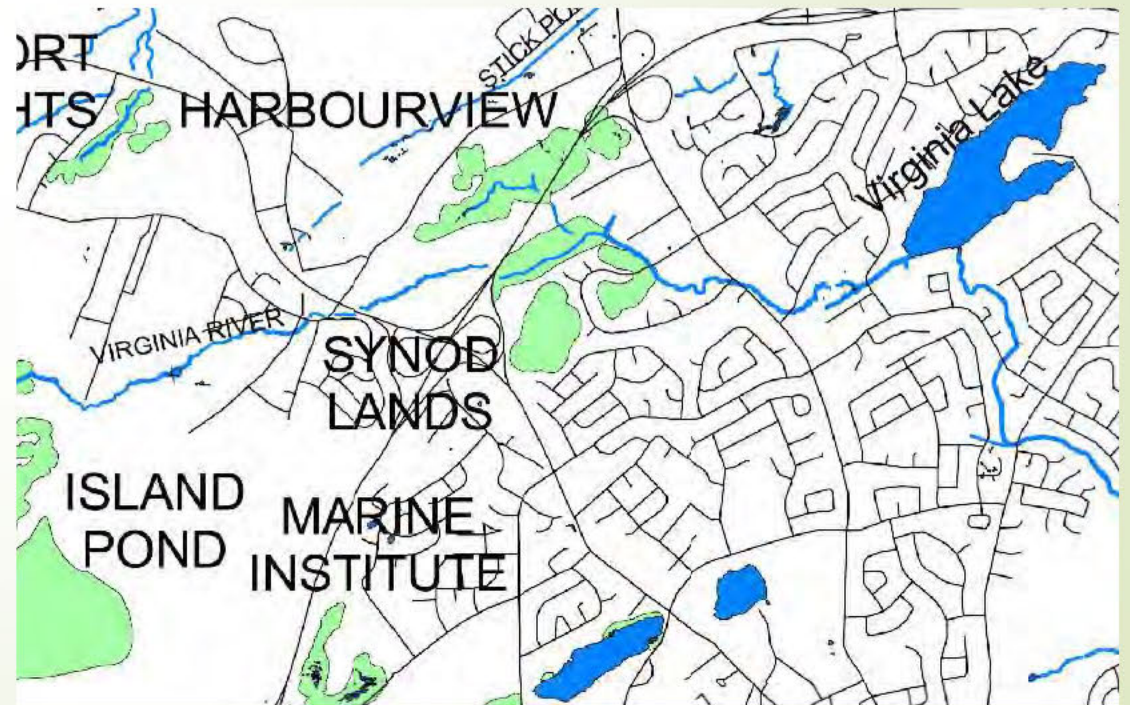


# Key Issue

development is contrary to existing municipal plan

*Current plan approved in 2003, revised in 2016; Synod lands identified in 2003 municipal plan as an 'environmentally valuable area'*

Municipal plan states "In Environmentally Valuable Areas the City shall only permit the preservation and conservation of the natural environment...No buildings or structures are to be permitted ..."





# Key Issue

development is contrary to new (draft) municipal plan

## **Envision St. John's Draft Development Regulations, June 2017 Environmental Systems, Section 3**

- ▶ GOAL: To conserve, protect and enhance the City's natural environment – its waterways, wetlands, coastline and forested areas - for their ecological, aesthetic and economic value.
- ▶ OBJECTIVE: Protect the hydrologic functions of waterways and wetlands as a critical component of the city's storm water management system.
- ▶ Identify, protect, maintain, and enhance important elements or features of the natural environment including.... Ecologically vulnerable lands and waters (coastal areas, riparian lands, lakes, and wetlands); Lands required for storm water management



# Key Issue: Child Safety

## Increased Vehicular Traffic

- ▶ Currently 177 houses in area; an increase of 99 house @ 1.5 vehicles per household = potential 56% in traffic
- ▶ Proposed development: study says 943 trips per day
- ▶ School bus stops on Penney Crescent between 8:15 and 8:30
  - ▶ Sidewalks not plowed
- ▶ Current Tot lot is bound on three sides (houses and trees) with a significant barrier to street; proposed tot lot is bound three sides by roads.

Study does not adequately address child safety issues. Traffic impact study was a one day snapshot. Is this adequate?



# Key Issue

## Current Housing Market

- CMHC Housing Market Outlook 2018 -19 Forecast
  - Single-detached housing demand will remain flat-to-declining over the forecast period.
- CMHC Housing Market Assessment, Fall 2017
  - An absence of economic growth, downsizing households and low levels of custom built homes have resulted in excess inventory.
  - There is moderate evidence of overbuilding in the St. John's CMA housing market.
- Newfoundland and Labrador Association of REALTORS
  - The overall supply of homes on the market remains historically elevated.
  - Single detached home sales in St. John's were down 11.1% from levels recorded in November 2016

All indicators suggest the housing market is poor and is likely to remain poor; who is going to buy these houses? What impact will poor sales have on the development?





# Key Issue

## Risk to Property Values

Local home-owners risk a devaluation of their homes:

- Houses on or near a green space have a higher market value
- Homes in lower density neighborhoods have a higher market value
- Potential for flooding will lower property values
- Potential for development Issue (ie stalled or semi-completed development)



## Key Issue

development is contrary to public interest

A petition with 890 signatures opposed to the development was presented to council in 2017.

Most were from the neighborhood or downstream areas of Virginia; some were from concerned citizens who understand the importance of wetlands.



## Key Issue – changing the rules Rezoning

Many people in the neighborhood have stated clearly that the green space, and its designation of 'significant wetlands' are among the reasons they purchased in this area...





# Conclusion

Maybe it's just another piece of swampy ground. But it's also part of the natural system that contains and controls groundwater, limits flooding in heavy rain, and protects those downstream.

In St. John's, the city is already facing the need for millions of dollars of work to prevent drainage-related flooding along just one urban river, Leary's Brook.

And it raises the question: how many times do we have to listen to the same tune?

*Wetland? What odds*  
St. John's Telegram  
Sep 30, 2017

The words make it sounds like the wetland is past saving, that it's nothing special, that there's no reason to bother with it. That yet another subdivision is a better choice, ironically because of all the construction there's been already. Soaked to your knees in water, the traffic noise muffled by the trees, it doesn't feel like that at all.

*Signs of a Wetland*  
Russell Wangersky  
The Telegram  
7 August 2017



**Re: Public Meeting - Synod West Wetland** 

**City Clerk and Council** to: Marvin Barnes

2018/01/11 04:57 PM

Sent by: **Elaine Henley**

Cc: cityclerk, planning, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Kathy Driscoll, Ashley Murray, Kenessa

Good Afternoon Mr. Barnes:


Given the lateness of this submission, it will not be placed on tonight's agenda. It will, however, be referred to Council for consideration prior to it reaching a final decision on the application.

Elaine Henley  
City Clerk

Marvin Barnes

[Attached for your consideration please find a lett...](#)


2018/01/11 03:25:32 PM

From: Marvin Barnes   
To: cityclerk@stjohns.ca  
Cc: planning@stjohns.ca  
Date: 2018/01/11 03:25 PM  
Subject: Public Meeting - Synod West Wetland

Attached for your consideration please find a letter, signed by myself, recommending the City completely reject the Synod West Wetland proposal.

Regards,  
Marvin Barnes



 Synod 11-01-18 Scan.jpeg

MARVIN A. BARNES



January 11, 2018

City Clerk  
City of St. John's

**Subject: Public Meeting - Synod West Wetland**

To whom it may concern:

I would like to make a brief but I feel relevant point as this proposed development comes up yet again for discussion.

I was a member of the Environmental Advisory Committee that recommended Council reject this proposed development several years ago.

One of the stand out points for me in the documentation provided in support of the development was a hydrological study that purported to show no accumulated water in the wetland area. The field data for this study was conveniently collected in the driest period of an already exceptionally dry year as far as rainfall goes. The benefit of wetlands of course is most strongly felt during and after rainfall events and the seasons in which they most often occur.

In a city such as St. John's where so much impact had been brought to bear on natural wetland area by development it must be understood that every available square inch of remaining wetland needs to be afforded maximum protection. Wetlands play a major role in helping to regulate flow and supply of water and runoff that enhances aquatic life in our city's waterways.

I strongly recommend that this development application be turned down completely and theta the proponent(s) be strongly discouraged from submitting it in the future

Sincerely,

A handwritten signature in cursive script that reads "Marvin Barnes".

Marvin Barnes, B.Sc., M.Sc.



**Re: Regarding Synod West Wetland Development** 

**City Clerk and Council** to: Nigel Wells

2018/01/11 05:01 PM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa

Good Afternoon Mr. Wells:


Given the lateness of this submission, it will not be placed on tonight's agenda. It will, however, be referred to Council for consideration prior to it reaching a final decision on the application.

Elaine Henley  
City Clerk

Nigel Wells

Mayor and Councillors, I must protest the contin...

2018/01/11 04:28:38 PM

From: Nigel Wells   
To: cityclerk@stjohns.ca  
Date: 2018/01/11 04:28 PM  
Subject: Regarding Synod West Wetland Development

Mayor and Councillors,

I must protest the continued attempts to re-zone the Synod West Wetland from an open space reserve to low density residential. I can do no better than to recommend a review of the points cogently made by Susan Martin of 94 Penney Crescent in her letter on the 9th of January.

From my experience in the area, having lived in St John's for fifteen years and always in an area centred on the Synod West Wetlands where I prefer to walk or snowshoe year-round, it is a ridiculous notion that the area is suitable for further development.

Already, it serves as a drainage for existing subdivisions. The Virginia River commonly overflows particularly in spring and combined with high rainfall inundates the area completely. The little wetland not included in the proposed rezoning, assuming it is preserved and not destroyed for the installation of road access, may well lack the capacity to satisfactorily drain the proposed area of development.

Opening that land for development will disadvantage the Grand Concourse which bounds the proposal on one side, increasing noise pollution of an already loud area subjected to aircraft noise and the noise of the highway that limits development in the other direction not already bordered by existing subdivisions. Given my experiences on both Halley Drive and Penney Crescent this noise pollution will also affect the proposed development.

The land is used for recreation, especially over the winter, by the local community. Even a brisk walk down only the most obvious trails shows where neighbourhood kids have put together hang-outs and over the course of the winter the sign of dogs, snowshoes, and skis cannot be missed, when the freeze makes more of the wetland accessible for exercise. I've met a lot of individuals and small groups in there and really good to see was how many of the younger set make use of the woods still.

Regards,  
Nigel Wells

Re: Wetlands Development

Elaine Henley

to:

Deanne Stapleton

2018/01/13 05:09 PM

Cc:

"Marian Fushell", Sheilagh O'Leary, Karen Chafe, Kenessa Cutler

Hide Details

From: Elaine Henley/CSJ

To: Deanne Stapleton/CSJ@CSJ

Cc: "Marian Fushell" [REDACTED], Sheilagh O'Leary/CSJ@CSJ, Karen

Chafe/CSJ@CSJ, Kenessa Cutler/CSJ@CSJ

Good Afternoon Councillor Stapleton.

I'll ensure this submission is presented to Council for consideration prior to a final decision being reached.

Elaine Henley

Sent from my iPhone

On Jan 12, 2018, at 5:11 PM, Deanne Stapleton <[dstapleton@stjohns.ca](mailto:dstapleton@stjohns.ca)> wrote:

Hi Marian

Thank you for your email.

I have cc'd our City Clerk to add your email to our submission documents for this development.

Deanne Stapleton  
Councillor Ward 1

Sent from my iPhone

On Jan 12, 2018, at 8:43 AM, Marian Fushell [REDACTED] > wrote:

Good morning,

I would like to add my voice to the opposition of changes to the zoning requirements that would permit developing the wetlands in the Penney Crescent area.

Thank you.  
Marian Fushell  
Ward 1 Resident





**Re: Synod West Wetland - Penney Crescent** 

**City Clerk and Council** to: Emma Lilian Sarah Ford

2018/01/16 12:15 PM

Sent by: **Elaine Henley**

Cc: Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Afternoon Ms. Ford:

We acknowledge receipt of your email and advise that your concerns have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

Emma Lilian Sarah Ford

To whom it may concern, All I have to say...

2018/01/12 01:32:52 AM

From: Emma Lilian Sarah Ford   
To: cityclerk@stjohns.ca  
Date: 2018/01/12 01:32 AM  
Subject: Synod West Wetland - Penney Crescent

To whom it may concern,

All I have to say about the wetlands, it's 2018, we need to protect things like this. Do you really need more development taking place of wetlands of all things? You have Galway, and fairly newer subdivisions in a lot of places I'm pretty sure. I'm not sure how old kenmount terrace is, but I mean it can't be older than 15 years! I was in my teens when my uncle moved in there and I'm 20 now. I mean, regardless, like this is a serious thing that is holding a lot of things together. Wetlands in general are vital. Green space is very important, and we should hold on to as much as we can considering how climate change is increasingly happening. The last thing we need now is a flood or some sort, the less green space, the less homes for moose, etc. This could throw a whole ecosystem out of whack , potentially in a bigger area then anybody thinks. Everything is connected . I strongly strongly strongly disagree with the reasoning of these wetlands. We need to preserve what little nature we have left.

Thank you for your time to read this,  
Emma Ford

Sent from my iPhone



**Fw: Final Thoughts re Proposed Synod Wetland Development Application**

**City Clerk and Council** to: Karen Chafe, Kenessa Cutler

2018/01/16 12:16 PM

Sent by: **Elaine Henley**

----- Forwarded by Elaine Henley/CSJ on 2018/01/16 12:16 PM -----

From: Perry Downey [REDACTED]  
To: Danny Breen <DBreen@stjohns.ca>, Deanne Stapleton <dstapleton@stjohns.ca>, Maggie Burton <mburton@stjohns.ca>, "sheilagh o'leary" <soleary@stjohns.ca>, Dave Lane <dlane@stjohns.ca>, Debbie Hanlon <dhanlon@stjohns.ca>, Jamie Korab <jkorab@stjohns.ca>, Sandy Hickman <shickman@stjohns.ca>, Wally Collins <wcollins@stjohns.ca>, Hope Jamieson <hjamieson@stjohns.ca>, Ian Froude <ifroude@stjohns.ca>, Wetland <savepenneycrescentwetland@gmail.com>, cityclerk@stjohns.ca  
Cc: "Bennett, Cathy (MHA)" <CBennett@gov.nl.ca>, NICK.WHALEN@parl.gc.ca  
Date: 2018/01/12 12:34 PM  
Subject: Final Thoughts re Proposed Synod Wetland Development Application

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Good afternoon City Councillors,

First of all, I want to congratulate Ms. Burton for chairing her first and very successful Public Meeting last night at City Hall. I also want to thank the city councillors and other public representatives who attended for supporting the residents of the area and of the city during this controversial proposed development application process. Your presence was noted and appreciated.

However, now that we have heard the viewpoints and received the submissions and petitions representing both sides of this dispute, we have arrived at the most critical stage or juncture of the process; the "decision"; a decision that every city councillor has to consider: should this proposed development application get a "red" or "green" light? There is no "amber" light to chose here.

After reflecting on what the developer and representatives from the various organizations presented last night had to offer, I was left with one daunting question: regardless of all the studies, regardless of all the pros and cons of the application, does, giving the "green" light to this project, make it the right thing to do for the residents living in the immediate area and those who potentially would be affected? If you simply consider the reasoning that the developer put forward during the meeting to support the project, then there is no undeveloped region in the City that is potentially protected from development.

Some of the reasons that I recall Mr. Clarke putting forth during the meeting to support the project were:

1. Revenue to the city: i) Economic Value: \$200,000; ii) Building Permits: \$400,000; Annual Taxes: \$500,000
2. All the studies conducted were in compliance with the Terms of Reference provided to his company and the other consultants by the City
3. The City has already approved the filling in of a duck pond to allow a development to proceed in another region of the city
4. His company has already spent \$140,000 in studies and planning
5. If it was determined by the studies that were commissioned that this area was not a "significant wetland", then the application should be approved.

6. The City must decide whether or not the application is approved based on "facts" and not "emotions"

7. Etc. (Others in attendance may be able to expand on this list.)

My simple question to all the councillors who are about to consider the above reasons, as well as the reasons that were put forth by the residents and other people who objected to the development moving forward is: at the end of the day, does it make it right to develop one of the very few remaining wetland, green space regions that exists in the City? If, because the city has already approved the filling in of a duck pond elsewhere in the city to allow a development to proceed, becomes the "test" or "criteria" on which all similar decisions are going to be made regarding the development of wetland areas, then I guess that there will be a lot of ducks and other water fowl in and around the city looking for somewhere to land over the next number of years.

If a developer can follow a Terms of Reference provided by the City and conduct a study or series of studies on a parcel of land during times of the year when the results of the studies can be considerably scud in comparison to conducting the same studies at other times, and can make a recommendation that the land "can" be developed without any "possible major adverse affects on the residents or the environment", does it still make it right to develop it? Even if the City conducted its own series of studies, does it still make it right, at the end of the day, for the City to decide to allow its development? If that were the case, I believe that there is no region around our City that will be protected from development because any decision can be, in the minds of those making the decision, justifiable.

It was my understanding from the Environmental Scientist who presented his report last night during the meeting that when the Environmental Study was conducted on the **entire** Synod Wetland region in 1993, the rating was a "2 out of 5" (his words were "low value wetland"), but yet the City deemed the **entire** region as "significant wetland" and no further development was to be permitted. It was also my understanding from this same individual that the most recent environmental study that he completed on "**only** the proposed development region", and not on the entire Synod Wetland region, using the most current criteria and accepted rating scale used when conducting environmental studies, indicated that the proposed development region was also "low value wetland". Given that both studies have indeed revealed similar results, i.e., low value wetland, using old, as well as more modern criteria, why are we having this debate? It is clear that the status of this entire region has not changed, even though the latter study was only completed on a portion of the original study.

**Here's a firsthand account of what the area looked like during the residential development of the Penney Crescent area. Please consider this during your deliberations.**

When Penney Crescent, and the various cul de sac off Penney Crescent were initially developed, none of the construction that occurred entered or destroyed the actual wetland, basin bog, region. As a matter of fact, I moved into the area, then known as Eastwood Estates, and my home at 2 Slade Place on July 10, 1998 during Phase 2 construction and watched the remainder of the region, i.e., Phases 3, 4 and 5, be developed. Many times I walked through the heavily wooded area, along the route which is now Penney Crescent, joining into Penney Lane, down to Torbay Road. Fairview Investment, the developer of the subdivision, did not construct any homes, nor destroy any "basin bog" wetland areas during the construct of Penney Crescent, like the proposed development is seeking to do when they actually enter the remaining region known as West Synod Wetland; confirmed by the Environmental Scientist last night as a basin bog

wetland region. The entire region on which Penney Crescent was built was done so after many dump truck loads of heavy woods were cut and removed from the area. Penney Crescent actually was a wooded border or corridor between the West Synod Wetland and East Synod Wetland regions; it was not the basin bog wetland. The residential construction was built in a wooded area between and that bordered the two wetland regions. The current development proposed by Mr. Clarke is to move in and destroy approximately 70% or more of the actual wetland region; the actual basin bog that remains in the area. The Fairview Investments construction and the proposed construction proposal are two, very different proposal relative to the kind of land it will destroy. It was very obvious at the meeting last night that no one can predict, with any certainty, the impact that the proposed development will have on the actual basin bog area and the Virginia River waterway system downstream if this application is approved.

Therefore, I respectfully ask that you you give the the above final thoughts due consideration, and and unanimously agree to deny this proposed development application. I would also ask that you make a firm and final decision as a Council that this area, and other similar regions around this city are valued and are worth protecting from any form of development now and in the future. Residents of this area, and other areas around the city, do not want to have to revisit this issue this in years to come if this proposal is rejected and another one is brought forward. You, as our municipal representatives, must specify and state publicly that regions like the Synod Wetland Region are to be preserved and are thus "off limits" to any form of development.

Thank you again for your attention to this matter.

Respectfully yours,

Perry Downey



**[Released from Quarantine] Re: Final Thoughts re Proposed Synod Wetland Development Application**

Danny Breen, Deanne Stapleton, Maggie  
**Perry Downey** to: Burton, sheilagh o'leary, Dave Lane, Debbie  
Hanlon, Jamie Korab, Sandy Hickman, Wally  
Cc: "Bennett, Cathy (MHA)", NICK.WHALEN

2018/01/15 09:41 AM

9 attachments



Video.MOV



Video\_1.MOV



Video\_2.MOV



image3.JPG

image1.JPG

image4.JPG



image5.JPG



image6.JPG



image7.JPG

Good afternoon City Councillors and local residents of Penney Crescent. I thought that you may be interested in an update regarding what the situation is like today near the controversial wetland area that Mr. Clarke and his Powderhill Investments company have proposed to develop as we experience this unexpected January thaw.

During the Public Meeting on Thursday night past, we were inundated with various studies and reports that both Mr. Clarke and the City had commissioned on the proposed West Synod Wetland region. I remember hearing comments from the "expert scientists and engineers" who reported their findings that their results show that: "this area does not have an input or output source of water", "there is no running water in the area because the wetland area that is proposed for development is simply a basin bog", "this region is not a significant wetland area", "the drainage between West Synod Wetland region and the East Synod Wetland region would be capped if this proposed development was to be approved for development", "there would be no impact on the Virginia River waterway downstream if this wetland was developed", etc.. Well, today, after our first unexpected winter thaw, I decided to walk out behind my property at 2 Slade Place and take the following pictures and videos to show you, firsthand, what is actually occurring today.

In the videos, you will see the drainage system and burm that is constructed directly behind my property and several of the homes on Penney Crescent, as well as the Tot Lot that Mr. Clarke proposes to destroy. You will also see and hear the flow of water coming directly from the West Synod Wetland region and flowing through the current drainage system that is proposed to be capped if the proposed development is approved. As you review these pictures and videos, please keep in mind, some of the comments that the "expert scientists and engineers" made

during the meeting on Thursday night. If you do, I believe that you might want to question many of their reported findings.

Contrary to what the "expert scientists and engineers" reported they found when they conducted their studies, as well as what they predicted should not occur if this proposed area is developed, here is the proof that clearly demonstrates what is actually happening, and has happened every year for at least the past 19 years since I moved into my home, when we get run-off. I believe that these pictures and videos clearly contradict what the so-called "experts" reported, ie., "this area does not have an input or output source of water", "there is no running water in the area because the wetland area that is proposed for development is simply a basin bog", "this region is not a significant wetland area", "the drainage between West Synod Wetland region and the East Synod Wetland region would be capped if this proposed development was approved for development", "there would be no impact on the Virginia River waterway if this wetland is developed".

Below are some additional pictures and a video of my neighbour's backyard at 97 Penney Crescent this afternoon. The tree line directly behind his property is a very narrow wooded corridor between the properties on Penney Crescent and the West Synod Wetland region. The water accumulation and run-off that you see in the pictures and video are very common occurrences on his property both summer and winter. But, again, according to the "expert scientists and engineers" that studied the area, "this area does not have an input or output source of water", "there is no running water in the area because the wetland area that is proposed for development is simply a basin bog", "this region is not a significant wetland area", "the drainage between West Synod Wetland region and the East Synod Wetland region would be capped if this proposed development was approved for development", "there would be no impact on the Virginia River waterway if this wetland is developed".

I did not walk into the West Synod Wetland area this afternoon, but I can only imagine the level of water accumulation that has occurred in the "basin bog" today; the same area that Mr. Clarke is proposing to destroy. Changing environmental conditions, the unexpected changing weather patterns and the global warming phenomenon that we are experiencing today are becoming more common than they once were. So you can only imagine what will happen to the residents of Penney Crescent and surrounding area if this "significant wetland" is destroyed. As our municipal representatives, are you prepared to take responsibility for and guarantee payment of damages that the residents of the area will certainly experience if you are to approve this proposed development application?

Mr. Clarke stated during his concluding remarks that he has already invested approximately \$140,000 of his own money into the preliminary preparations of this proposed development application thus far. Well, I would like to remind Mr. Clarke and especially, you, our City Councillors who will ultimately be responsible for making the final decision on this proposed development application, that every homeowner in the Halley Drive, Slade Place, Penney Crescent, Jackson Place, Honeygold Place, and the entire area, as well as the downstream, Virginia River Watershed area have invested far more than \$140,000 into the building of their homes, the annual maintenance of their properties, the annual taxes that they pay to the City, and the annual home insurances that they pay. Mr. Clarke also suggested that the decision must be based on "facts", and not "emotions". Well, I would like to remind you, as our municipal representatives, that the pictures and videos that I have provided to you today, and the

investments and annual maintenance costs that I have outlined above that every homeowner in the area pay, are all facts.

Please feel free to drop by my property and see for yourself, firsthand, what is "really" occurring in the West Synod Wetland area and the significance and importance that this wetland region has on the hydrological structure and conditions in the area. Don't simply rely on the "experts scientists and engineers" to provide you with the findings from their studies. Put more reliance on the information provided to you by those living in the area 24/7/365.

Thank you again, for your attention. As you have heard many times over from the residents in the area, do the right thing and reject this proposed development application.

Kindest regards,

Perry Downey

■ Slade Place

On Jan 12, 2018, at 12:34 PM, Perry Downey [REDACTED] > wrote:

Good afternoon City Councillors,

First of all, I want to congratulate Ms. Burton for chairing her first and very successful Public Meeting last night at City Hall. I also want to thank the city councillors and other public representatives who attended for supporting the residents of the area and of the city during this controversial proposed development application process. Your presence was noted and appreciated.

However, now that we have heard the viewpoints and received the submissions and petitions representing both sides of this dispute, we have arrived at the most critical stage or juncture of the process; the "decision"; a decision that every city councillor has to consider: should this proposed development application get a "red" or "green" light? There is no "amber" light to chose here.

After reflecting on what the developer and representatives from the various organizations presented last night had to offer, I was left with one daunting question: regardless of all the studies, regardless of all the pros and cons of the application, does, giving the "green" light to this project, make it the right thing to do for the residents living in the immediate area and those who potentially would be affected? If you simply consider the reasoning that the developer put forward during the meeting to support the project, then there is no undeveloped region in the City that is potentially protected from development.

Some of the reasons that I recall Mr. Clarke putting forth during the meeting to support the project were:

1. Revenue to the city: i) Economic Value: \$200,000; ii) Building Permits: \$400,000; Annual Taxes: \$500,000
2. All the studies conducted were in compliance with the Terms of Reference provided to his company and the other consultants by the City
3. The City has already approved the filling in of a duck pond to allow a development to proceed in another region of the city
4. His company has already spent \$140,000 in studies and planning
5. If it was determined by the studies that were commissioned that this area was not a "significant wetland", then the application should be approved.

6. The City must decide whether or not the application is approved based on "facts" and not "emotions"

7. Etc. (Others in attendance may be able to expand on this list.)

My simple question to all the councillors who are about to consider the above reasons, as well as the reasons that were put forth by the residents and other people who objected to the development moving forward is: at the end of the day, does it make it right to develop one of the very few remaining wetland, green space regions that exists in the City? If, because the city has already approved the filling in of a duck pond elsewhere in the city to allow a development to proceed, becomes the "test" or "criteria" on which all similar decisions are going to be made regarding the development of wetland areas, then I guess that there will be a lot of ducks and other water fowl in and around the city looking for somewhere to land over the next number of years.

If a developer can follow a Terms of Reference provided by the City and conduct a study or series of studies on a parcel of land during times of the year when the results of the studies can be considerably scud in comparison to conducting the same studies at other times, and can make a recommendation that the land "can" be developed without any "possible major adverse affects on the residents or the environment", does it still make it right to develop it? Even if the City conducted its own series of studies, does it still make it right, at the end of the day, for the City to decide to allow its development? If that were the case, I believe that there is no region around our City that will be protected from development because any decision can be, in the minds of those making the decision, justifiable.

It was my understanding from the Environmental Scientist who presented his report last night during the meeting that when the Environmental Study was conducted on the **entire** Synod Wetland region in 1993, the rating was a "2 out of 5" (his words were "low value wetland"), but yet the City deemed the **entire** region as "significant wetland" and no further development was to be permitted. It was also my understanding from this same individual that the most recent environmental study that he completed on "**only** the proposed development region", and not on the entire Synod Wetland region, using the most current criteria and accepted rating scale used when conducting environmental studies, indicated that the proposed development region was also "low value wetland". Given that both studies have indeed revealed similar results, i.e., low value wetland, using old, as well as more modern criteria, why are we having this debate? It is clear that the status of this entire region has not changed, even though the latter study was only completed on a portion of the original study.

**Here's a firsthand account of what the area looked like during the residential development of the Penney Crescent area. Please consider this during your deliberations.**

When Penney Crescent, and the various cul de sac off Penney Crescent were initially developed, none of the construction that occurred entered or destroyed the actual wetland, basin bog, region. As a matter of fact, I moved into the area, then known as Eastwood Estates, and my home [REDACTED] on July 10, 1998 during Phase 2 construction and watched the remainder of the region, i.e., Phases 3, 4 and 5, be developed. Many times I walked through the heavily wooded area, along the route which is now Penney Crescent, joining into Penney Lane, down to Torbay Road. Fairview



Investment, the developer of the subdivision, did not construct any homes, nor destroy any "basin bog" wetland areas during the construct of Penney Crescent, like the proposed development is seeking to do when they actually enter the remaining region known as West Synod Wetland; confirmed by the Environmental Scientist last night as a basin bog wetland region. The entire region on which Penney Crescent was built was done so after many dump truck loads of heavy woods were cut and removed from the area. Penney Crescent actually was a wooded border or corridor between the West Synod Wetland and East Synod Wetland regions; it was not the basin bog wetland. The residential construction was built in a wooded area between and that bordered the two wetland regions. The current development proposed by Mr. Clarke is to move in and destroy approximately 70% or more of the actual wetland region; the actual basin bog that remains in the area. The Fairview Investments construction and the proposed construction proposal are two, very different proposal relative to the kind of land it will destroy. It was very obvious at the meeting last night that no one can predict, with any certainty, the impact that the proposed development will have on the actual basin bog area and the Virginia River waterway system downstream if this application is approved. Therefore, I respectfully ask that you you give the the above final thoughts due consideration, and and unanimously agree to deny this proposed development application. I would also ask that you make a firm and final decision as a Council that this area, and other similar regions around this city are valued and are worth protecting from any form of development now and in the future. Residents of this area, and other areas around the city, do not want to have to revisit this issue this in years to come if this proposal is rejected and another one is brought forward. You, as our municipal representatives, must specify and state publicly that regions like the Synod Wetland Region are to be preserved and are thus "off limits" to any form of development.

Thank you again for your attention to this matter.

Respectfully yours,

Perry Downey
















**Re: Wetlands**   
**Elaine Henley** to: Deanne Stapleton  
"Frank Carroll", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Cc: Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

2018/01/16 01:33 PM

Good Morning:

We will ensure that Mr. Carroll's concerns are referred to Council for consideration prior to reaching a final decision on this application.

ELAINE A. HENLEY  
City Clerk  
Office of the City Clerk  
10 New Gower Street  
P.O. Box 908  
St. John's NL A1C 5M2  
Telephone - (709) 576-8202  
Cell - (709) 691-0451

Deanne Stapleton

From: Deanne Stapleton/CSJ To: "Frank Carroll"...

2018/01/16 01:22:28 PM

From: Deanne Stapleton/CSJ  
To: "Frank Carroll" [REDACTED] >  
Cc: Elaine Henley/CSJ@CSJ  
Date: 2018/01/16 01:22 PM  
Subject: Re: Wetlands

Hi Frank

Thank you for your email.

I have cc'd our City Clerk to add your email to our submission documents for this development.

Deanne Stapleton  
Councillor Ward 1

Sent from my iPhone

On Jan 14, 2018, at 12:31 PM, Frank Carroll [REDACTED] wrote:

Dear Ms. Stapleton,

I wish to voice my strong opposition to the proposed housing development at the Synod West Wetlands. I fear such a development could harm wildlife and also remove natural flood protection from the area. As things stand, the housing market in St. John's is already over-supplied. The potential harm of this proposal outweighs any benefit.

Regards,  
Frank Carroll



■ Newfoundland Drive  
Ward 1

Sent from my iPhone



**Re: Penny Lane Subdivision Development** 

**City Clerk and Council** to: John King

2018/01/16 02:22 PM

Sent by: **Elaine Henley**

Cc: CityClerk, bill clarke, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon Mr. King:

We acknowledge receipt of your email and advise that your comments have been forwarded to the City's Department of Planning, Engineering and Regulatory Services.


All submissions will be referred to Council for consideration prior to a final decision being reached by Council.

Elaine Henley  
City Clerk

John King

We are sending this email in support of the appli...

2018/01/14 08:18:21 PM

From: John King   
To: CityClerk@stjohns.ca  
Cc: bill clarke <powderhousehill3@gmail.com>  
Date: 2018/01/14 08:18 PM  
Subject: Penny Lane Subdivision Development

We are sending this email in support of the application in favour of the Penny Lane Subdivision Development.

According to all the independent Environmental Reports, that have been completed by national certified engineering firms, this property is no longer a significant "wetland". The Department of Environment has approved the Rezoning Application and the development of the residential subdivision on this property. We have to question why this isn't moving forward. With the influx of monies to the city for fees and permits, not to mention tax revenues in years to come, it can only benefit the city and its residents. It would also create much needed employment during the current economic downturn in our province.

John and Bev King



**Re: Penny Lane Project**   
**City Clerk and Council** to: Laurissa  
Sent by: **Elaine Henley**

2018/01/24 01:19 PM

Cc: "cityclerk@stjohns.ca", Jason Sinyard, Ken O'Brien, Lindsay Lyghtle Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen Chafe, Planning, Kathy Driscoll, Ashley Murray,

Good Afternoon:


We acknowledge receipt of your email and advise that all submissions will be referred to Council for consideration prior to a final decision being reached on this application.

Elaine Henley  
City Clerk

Laurissa

[To Whom it May Concern: I support the Penny L...](#)

2018/01/24 10:40:45 AM

From: Laurissa < >  
To: "cityclerk@stjohns.ca" <cityclerk@stjohns.ca>  
Date: 2018/01/24 10:40 AM  
Subject: Penny Lane Project

---

To Whom it May Concern:

I support the Penny Lane Project.

Thanks,

Laurissa Clarke  
Sent from my iPhone



**Re: Synod West Wetland - Penney Crescent** 

**City Clerk and Council** to: Todd Groves

2018/02/05 10:08 AM

Sent by: **Elaine Henley**

Cc: cityclerk, Jason Sinyard, Ken O'Brien, Lindsay Lyghtle  
Brushett, Dave Wadden, Gerard Doran, Andrea Roberts, Karen  
Chafe, Planning, Kathy Driscoll, Ashley Murray, Kenessa Cutler

Good Morning Mr. Groves:


We thank you for your feedback and advise that all submissions received will be referred to Council for consideration

Elaine Henley  
City Clerk

Todd Groves

Please reject rezoning of wetland behind 97 pen...

2018/02/04 01:59:30 PM

From: Todd Groves   
To: <cityclerk@stjohns.ca>  
Date: 2018/02/04 01:59 PM  
Subject: Synod West Wetland - Penney Crescent

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Please reject rezoning of wetland behind 97 penney crescent.

Todd Groves  Kershaw Place



**Fw: Letter to Anglican Diocese of Eastern Newfoundland and Labrador**

**Karen Chafe** to: Kenessa Cutler

2018/02/06 10:42 AM

To add to your Synod stuff

Karen Chafe  
Supervisor - Office of the City Clerk  
City of St. John's  
PO Box 908  
St. John's, NL A1C 5M2  
work: (709) 576-8619  
fax: (709) 576-8474  
www.stjohns.ca

----- Forwarded by Karen Chafe/CSJ on 2018/02/06 10:42 AM -----

From: City Clerk and Council/CSJ  
To: Perry Downey [REDACTED]  
Cc: Jason Sinyard/CSJ@CSJ, Ken O'Brien/CSJ@CSJ, Lindsay Lyghtle Brushett/CSJ@CSJ, Dave Wadden/CSJ@CSJ, Gerard Doran/CSJ@CSJ, Andrea Roberts/CSJ@CSJ, Karen Chafe/CSJ@CSJ, Planning/CSJ@CSJ, Kathy Driscoll/CSJ@CSJ, Ashley Murray/CSJ@CSJ  
Date: 2018/02/06 10:13 AM  
Subject: Re: Letter to Anglican Diocese of Eastern Newfoundland and Labrador  
Sent by: Elaine Henley

Good Morning Mr. Downey:

We acknowledge receipt of your correspondence and advise that all submissions received will be referred to Council for consideration prior to a final decision being reached on this application.

Elaine Henley  
City Clerk

Perry Downey

Good evening Mr. Wicks, Please find attached, a...

2018/02/05 09:38:28 PM

From: Perry Downey [REDACTED]  
To: Bradford Wicks <bwicks@wrmlaw.com>  
Cc: Ardella Pike <ardellapike@gmail.com>, "ben. whelan" <benedict.whelan@dfo-mpo.gc.ca>, Beulah

[REDACTED]

[REDACTED]

Date: 2018/02/05 09:38 PM  
Subject: Re: Letter to Anglican Diocese of Eastern Newfoundland and Labrador

---

Good evening Mr. Wicks,

Please find attached, a copy of a letter that we are requesting that you provide to members of the Anglican Church Diocesan Synod for Eastern NL for discussion, as soon as possible. We look forward to a prompt response from your organization.

For additional reference to the dispute referenced in this letter, please refer to the following link:  
[http://www.stjohns.ca/sites/default/files/CSJ\\_FileUpload/Planning/Synod%20Lands%20West%20Wetlands%20Oct%2012%202016%28kob%29.pdf](http://www.stjohns.ca/sites/default/files/CSJ_FileUpload/Planning/Synod%20Lands%20West%20Wetlands%20Oct%2012%202016%28kob%29.pdf)

If you and/or your committee wish to meet with us or if you/they required any additional information, please do not hesitate to contact me.

Kindest regards,  
Perry Downey

On Tue, Jan 30, 2018 at 10:24 AM, Bradford Wicks <[bwicks@wrmmlaw.com](mailto:bwicks@wrmmlaw.com)> wrote:  
Mr. Downey ,

I am the Chancellor of the Anglican Diocese of Eastern Newfoundland and Labrador. Bishop Peddle has asked to advise you that the letter which you wish to deliver to the Diocese can be addressed to my attention at the address below.

Regards,

Brad Wicks

D. Bradford L. Wicks, Q.C.

**Managing Partner**

Roebathan McKay Marshall

P.O. Box 5236

Paramount Building, 5th Floor

[34 Harvey Road](#)

[St. John's, NL A1C 5W1](#)

Telephone: [\(709\) 753-5805](#) Toll Free: [1 \(800\) 563-5563](#) Fax: [\(709\) 753-9063](#)

Email: [bwicks@wrmlaw.com](mailto:bwicks@wrmlaw.com) Website: [www.makethecall.ca](http://www.makethecall.ca)



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Synod Wetland Proposed Development Letter of Request to Anglican Church of Canada. Feb. 5 2018.pdf

February 5, 2018

Mr. Bradford Wicks, Chancellor  
Anglican Church Diocese of Eastern NL  
Roebothan McKay Marshall  
P.O. Box 5236  
Paramount Building, 5<sup>th</sup> Floor  
34 Harvey Road  
St. John's, NL A1C 5W1

Dear Mr. Wicks;

During the past 12 months, you and members of your Anglican Church family may have heard in the media or read in the newspaper about a dispute regarding a proposed development application by Powder House Hill Investment Ltd., involving a parcel of land that is located in the East End of the City known as the Synod West Wetland. The Synod West Wetland borders a portion of Penney Crescent to the East, a portion of Slade Place and Halley Drive to the South, a ramp connecting Portugal Cove Road to the Outer Ring Road to the West and a portion of the Outer Ring Road to the North. The region in question is part of the much larger region known as the Synod Wetland which is subdivided into three distinguishable sections: Synod North Wetland, Synod West Wetland and Synod East Wetland. The Synod West and Synod East wetlands are physically separate as a result of the construction of Eastwood Estates (now Penney Crescent) in the mid-to-late 1990s to early-2000s. The Penney Crescent area, when developed, was constructed through a dense wooded corridor, but the construction did not destroy any portion of the natural wetland like the proposed development application has outlined and the developer has clearly indicated he is planning to do.

If you are not familiar with the region in dispute, please refer to the map on the proceeding page and the outline of the proposed development area in red. As you can see, the proposed development application, if approved, will destroy approximately 70% of the current Synod West Wetland area. The remaining adjoining property to the southwest is not part of the current proposed development application, however, if the current proposed development application is approved, it is anticipated that a second proposed development application will be forthcoming and if approved, the remaining portion of the Synod West Wetland will also be destroyed by future development, thus destroying the entire region. If this were to happen, it will be very devastating to the local residents, the City, the environment, the ecological surroundings, and the habitat that currently within the area.





The proposed development application that is now before the City and the parcel of land identified in the map above have recently come under extensive negative public scrutiny and has received political attention from all levels of governance. In addition, references to the Anglican Church Diocese Synod and their role and decision to release or sell this property are being discussed and questioned by many individuals, groups, organizations and politicians. Many people are asking what the position of the Church is on the destruction of such properties, especially in light of the fact that the Anglican Church, like many other religious orders, have been very proactive in developing and promoting public awareness within its church community and within society in general on issues such as climate change, environmental concerns, social and ecological justice. As a matter of fact, one of the stated areas of theological studies of the Anglican Church is “environmental ethics” and according to your website, the Church has stated that: *“As Christians explore the relationship between themselves and our environment, we must face our responsibility for its care and protection.”*

During phases 3, 4 and 5 of construction of Penney Crescent by Fairview Investments in the late 1990’s-early 2000’s, many residents who had homes built adjacent to the Synod West Wetland or those who purchased homes in the Penney Crescent, Halley Drive, Slade Place, Jackson Place, and Honeygold Place were informed that this property was owned by the Anglican Church Diocesan Synod and many were told that the wetland region, because of its designation as a “significant wetland” region, was protected from any future development for 99 years. However, recently this area has garnered much political attention and public opposition as a result of a proposed housing development application that has recently surfaced with the City and initiated by Powder House Hill Investment Ltd. and company owner Mr. Bill Clarke. Mr. Clarke has indicated that if his application is approved, his company will be destroying the outlined Synod West Wetland area. However, before the application can be approved,

the St. John's Municipal Plan must be amended and the current designation of the Synod West Wetland, as a "protected wetland", must be removed. This region is one of the very few remaining natural environmental, ecological habitats and open spaces existing within the East End and one of the very few recognized and classified "significant wetland regions" remaining within the boundaries of the City.

According to the ***DECISION/DIRECTIONS NOTE***, dated October 12, 2016, that was prepared and available at the City:

"The subject property is undeveloped land that was protected as a wetland as part of the 1987 and 1993 Significant Waterways and Wetlands Studies prepared for the City by LGL Ltd. The portion of the wetland under consideration is owned by the Anglican Church of Canada - Diocesan Synod of Eastern Newfoundland and Labrador." (Please see complete Decision/Directive Note and other documentation provided by the City in the link referenced in the email).

The proposed development application submitted by Mr. Clarke contains a request to rezone the area from the current "Open Space Reserve (OR)" zone to a 'Residential Low Density (RI)" zone. If rezoned, the wetland will be destroyed and a proposed 99-lot residential subdivision with access onto Penney Crescent would be constructed. Apparently, the said application was first submitted to the City in May 2009, but attention and public objection recently ignited when the developer initiated action to have the application considered by City Council in March 2017.

During the summer of 2017, residents were notified that a Public Meeting would be held to discuss the proposed development application. The initial Public Meeting was scheduled for August 2017, but was postponed just days before the meeting at the request of the developer. However, during a regular scheduled City Council Meeting in August, a public petition was presented in the Chambers of City Hall containing over 900 signatures of residents and other concerned citizens within the city, the province and throughout the country opposed to this project. It was reported that this was the largest petition ever presented in the Chambers of the City opposing a proposed development.

During late fall of 2017, many area residents, concerned citizens, provincial politicians and local, provincial and national organizations forwarded written submissions to the City outlining their objections to this proposed development and concerns for the flooding that would occur to the properties in the area and to those within the Virginia River Watershed area downstream if this wetland and "basin bog" were destroyed. Many residents and organizations voiced their objections to the destruction of this environmental, ecological and natural habitat that is known to inhabit ducks, a wide variety of bird species, rabbits, squirrels, rodents and even a family of moose. Conservation groups, environmental scientists and biologists expressed concerns regarding the destruction of natural flora and fauna, some of which are very rare in Newfoundland.

In December 2017, residents were informed by the City that the Public Meeting was rescheduled for January 11<sup>th</sup>, 2018. This meeting did go ahead, with many local residents, concerned citizens, environmental scientists, engineers, special interest and conservation groups, and other professionals showing up to express their concerns and opposition to the proposed development. However, since the January Public Meeting occurred, residents have been informed that Mr. Clarke has once again requested yet another 90-day deferral of the Council's decision to allow him to respond to comments and issues raised during the Public Meeting. Records indicate that this is at least the fourth deferral that Mr. Clarke has requested since March 2013 and each time his deferral has been granted by the City. However, City officials have indicated that Council will be discussing the proposed application at a regular City Council Meeting in April 2018. Hopefully, they will finally end the fiasco of receiving requests and granting deferrals once and for all and will agree with the citizens of the city who elected them and reject this proposed development application. From all indications and the ongoing discussions that are occurring, the majority of Councilors, the local MHA and other Provincial MHAs living within the City, local residents and other concerned citizens in the City, environmental scientists, research scientists, conservation, river and wetland protection groups, such as the Quidi Vidi-Rennies River Development Foundation, and national waterfowl and wildlife organizations, such as Ducks Unlimited, have all forcefully voiced their total opposition to this proposed development and the destruction of this wetland and natural habitat region. The only person who has expressed support for this development is the developer himself.

The negative attention and public and political interest that this application has created and continues to create today has many area residents and citizens questioning the involvement in and the position of the Anglican Church of Canada - Diocesan Synod of Eastern Newfoundland and Labrador on this issue. The questions stated below have been discussed by many people since this application was first submitted to Council in 2009 and we felt that it was necessary and important to give the Anglican Church Diocesan Synod of Eastern NL the opportunity to address these concerns and issues and to clearly outline their position on this development, since they are currently named as owners of the property. We felt that it was important to do this before the City Council meets in April to discuss the application. Therefore, on behalf of the residents of the area who will be most negatively impacted by this development, and citizens of the City, we would like to know the Anglican Church Diocesan Synod of Eastern NL position regarding this development. We are thus requesting that you present this letter to all members of the Diocesan Synod Committee and to ask them to provide us with a written response outlining the Church's position regarding concerns and issues raised in the following questions. Given that the discussion by Council is in April, your immediate attention to this matter would be most appreciated.

1. Is the Anglican Church Diocesan Synod of Eastern NL aware of all the negative attention; public protest; the public petition; the number of individual, groups and organizations who have provided written submissions; and the political objections that this proposed development application has created in our community?

2. Has the Anglican Church Diocesan Synod of Eastern NL finalized the sale of the Synod West Wetland property to Powder House Hill Investment Inc.? If not, are there any discussions underway to complete the sale?
3. If the Anglican Church Diocesan Synod of Eastern NL are the current owners of the property, do they support an application by Powder House Hill Investment Inc., or any developer, to rezone the Synod West Wetland area in order to destroy the protected wetland and natural habitat region?
4. Is the Anglican Church Diocesan Synod of Eastern NL committed to selling this property to Powder House Hill Investment Inc., knowing that this developer intends to destroy one of the very few remaining “significant wetland” and natural environmental habitats that exist within the City, and the East End, in particular?
5. Is the Anglican Church Diocesan Synod of Eastern NL willing to sell this property to Powder House Hill Investment Inc., or any other developer, knowing that: 1) there are over 900 citizens who have signed and presented a petition to City Council; 2) there are hundreds of individual written submissions already presented to City Council by residents and citizens of the City and province; 3) there are several municipal, provincial and national conservation, environmental, ecological, and wetland groups who have publicly, and in writing, expressed their objection to this development; and 4) municipal, provincial and federal politicians who have indicated that are totally opposed to this proposed development?
6. Is the Anglican Church Diocesan Synod of Eastern NL willing to be publicly recognized as the owners of the property and as selling property to or being associated with Powder House Hill Investment Inc., or any other developer, that is proposing to destroy this protected wetland and important natural habitat region for personal and business gain?
7. Is the Anglican Church Diocesan Synod of Eastern NL willing to sell this parcel of land to Powder House Hill Investment Inc. or any other developer, knowing that if this wetland is destroyed that the residential and personal properties of those living adjacent to the land, as well as the residential and personal properties of those living within the Virginia Lake Watershed area are at significant risk of enduring unimaginable damages as a result of flooding?
8. Is the Anglican Church Diocesan Synod of Eastern NL willing to conditionally donate the Synod Wetland (the West, East and North regions) to the City as a gift or as an in-kind contribution, provided that the City is willing to designate and classify the area as a protected wetland and a natural habitat region and remove it from any future proposed development application?

Given the polarized positions that this application has created, the residents would like to know if the Anglican Church Diocesan Synod of Eastern NL supports this application and the destruction of this protected wetland and extremely important habitat area.

It is very ironic, but troubling, that we are writing the Anglican Church Diocesan Synod of Eastern NL asking them to clarify their position on this issue when, just three days ago, February 2, 2018 was recognized as *World Wetlands Day*. In helping educate the general public, a Canadian organization known as the Nature Conservancy of Canada (NCC) has been drawing greater and significant attention to the importance of wetlands and the necessity to preserve and protect them. The NCC has indicated that Canada has one-quarter of all wetlands in the world, however, they have reported that our wetlands are disappearing at an alarming and accelerating rate due to urban development, pollution, and agriculture. Unfortunately, the Synod West Wetland is yet another example of a “protected” and “significant” wetland and natural habitat region within our City and in our backyard, that is now under extreme pressure and if the proposed application is approved, will be totally destroyed by urban development.

As you consider the important significance of this area and the questions asked above, we again remind you of one of the stated areas of theological studies of the Anglican Church; “environmental ethics”. As stated earlier, according to your website, the Church has stated that: “*As Christians explore the relationship between themselves and our environment, we must face our responsibility for its care and protection.*” We ask that you extend that “*care and protection*” to this significant wetland and habitat area of our City and thus we anticipate receiving your support in helping us protect this area. We would also appreciate knowing that the official position of the Anglican Church Diocesan Synod of Eastern NL is to oppose this and any future proposed development application that would destroy this very vital and sensitive area.

If you or representatives of the Diocesan Synod would like to meet and discuss, representatives from our area residents group would be most welcoming.

Regards,

Perry & Donna Downey  
■ Slade Place

Trent & Kim Barrett  
■ Jackson Place

Tony & Bernie Doody  
■ Jackson Place

Jeff Barnes & Ardella Pike  
■ Penney Crescent

Janet & Mario Fitzpatrick  
■ Penney Crescent

Ken & Carla Pinsent  
■ Slade Place

Christopher & Brigitte Parsons  
■ Penney Crescent

Bradley Priddle  
■ Penney Crescent

Sue Martin  
■ Penney Crescent

Harold & Doreen Stone  
■ Jackson Place

Bill & Valerie Best  
■ Halley Drive

Deon Perry  
■ Penney Crescent

Robert and Rebecca Kavanagh  
■ Halley Drive

Bob & Gertie Ryan-Kavanagh  
■ Halley Drive

Jack & Kim Lawson  
■ Penney Crescent

Judy Anthony  
■ Jackson Place

Neil Walsh  
■ Jackson Place

Frank & Beverly Lee  
■ Halley Drive

cc. St. John's City Council Members  
City Clerk, St. John's City Council  
Ms. Cathy Bennett, MHA  
Mr. Nick Whalen, MP  
The Right Reverend Dr. Geoffrey Peddle  
Bishop of the Diocese Eastern NL