

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

November 23, 2016

Mr. Shawn Hamilton  
Project Manager, Environmental Assessment  
NB Department of Environment and Local Government  
Marysville Place  
P.O. Box 6000  
Fredericton, New Brunswick  
E3B 5H1

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

Mr. Hamilton;

Pursuant to Section 5(2) of the Environmental Impact Assessment Regulation 87-83, Clean Environment Act and in accordance with Schedule A (v), Horizon Management Ltd. is seeking Environmental Approval to initiate a mixed-use commercial and residential development, The Crossing, within the City of Saint John, New Brunswick, a portion of which will affect two or more hectares of Regulated Wetland.

Please find attached the original signed registration; four hard, bound copies of the registration; an electronic copy of the registration and a cheque for \$1100.

We look forward to a successful and timely review of this application. Should you have any questions during the review, please contact Bill Borland at 506-650-5557.

Yours very truly,

Horizon Management Ltd.

**EIA REGISTRATION**

for the

**“THE CROSSING”  
ASHBURN ROAD DEVELOPMENT  
SAINT JOHN, NEW BRUNSWICK**

Submitted to the

**ENVIRONMENTAL ASSESSMENT SECTION  
N.B. DEPARTMENT OF ENVIRONMENT AND LOCAL GOVERNMENT**

Pursuant to Section 5 (2) of  
The Environmental Impact Assessment Regulation 87-83  
Clean Environment Act

By

Horizon Management Ltd.,  
479 Rothesay Avenue,  
Saint John, NB  
E2L 4G7

November 23, 2016

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## **1.0 THE PROPONENT**

### **i. Name of Proponent:**

Horizon Management Ltd.

### **ii. Address of Proponent:**

479 Rothesay Avenue,  
Saint John, New Brunswick  
E2L 4G7

### **iii. Chief Executive Officer:**

Troy Northrup  
President / CEO  
Horizon Management Ltd.  
506 634-3401

### **iv. Principal Contact Person for purposes of Environmental Impact Assessment:**

Bill Borland  
506 650-5557

### **v. Property Ownership:**

All property in question is owned by the Proponent or affiliated companies. A Right of Way Agreement exists with NB Power for a twin 69 kv transmission line which transects the property.

## **2.0 THE UNDERTAKING**

### **i. Name of the Undertaking:**

Ashburn Road Development – “The Crossing”

### **ii. Project Overview:**

Pursuant to Section 5(2) of the Environmental Impact Assessment Regulation 87-83, Clean Environment Act and in accordance with Schedule A (v), the Proponent is seeking Environmental Approval to initiate a mixed-use commercial and residential development, The Crossing, a portion of which will affect two or more hectares of Regulated Wetland. This proposed development will potentially include, but not limited to: highway services; food and hospitality; business and

commercial; retail; residential and recreation and green space. The intent is to enhance the remaining wetland features of the existing site by creating an Urban Wetland setting within the commercial development. Little Marsh Creek will be transformed into a meandering Urban Wetland by expanding the banks of the existing stream to create a habitat similar to a Ducks Unlimited Naturalized Storm Water Pond. Figure 1 shows a conceptual rendering of the developed site plan.

### **iii. Purpose / Rationale / Need for the Undertaking:**

The primary functions for The Crossing development are predicated on its central, visible and accessible location to service Greater Saint John and the entire region. The Crossing is ideally situated to be used by traffic accessing and exiting Saint John. Equally as important is the ability to easily direct traffic to any destination in the Greater Saint John area from this site.

Development of this highway centric site within the city will provide the opportunity to capitalize on the similar types of development seen in other municipal centers and that does not currently exist here in Saint John. The Crossing development will create a destination unrivaled in size and visibility in Atlantic Canada.

The establishment of a host of new businesses and services to the community would generate both direct and indirect employment positions. Considerable jobs would be created at stores and services established at the site and there would be considerable spinoff benefits to other businesses in the city benefitting from increased visitor traffic to the area.

Significant new property tax revenue will be generated from the proposed 49 ha. development. The proposed construction of some 60,000 square metres of new mixed use buildings would result in millions of dollars being added to the City's property tax base resulting in very significant new revenue stream for the city. The location of the site, proximity of existing city services and the concentrated nature of the project will result in low incremental capital and operational costs to service this development while producing significantly new revenue for the City.

### **iv. Project Location:**

The proposed project is located on a green field site on the east side of Saint John, New Brunswick. The property is bound on the east side by Highway 1; the Ashburn Road would intersect the developed site on the west side. The proposed development of the 49 hectare parcel of land adjacent to Ashburn Road would be integrated with another 17.3 hectare parcel of land running along Marsh Creek that would be available to create an eco-park environment and/or compensatory mitigation. See Figures 2 and 3.

## Figure 1

Conceptual Rendering of the Developed Site Plan

## Figure 2

Aerial Photo of Proposed Development Site



Figure 3

Aerial Photo of Green Space Site

The assembled parcel of land is made up of the following PID's; 00432203, 55100325, 55003222, 55029074, 00296673, 00053025, 00052985, 00053017, 55155378, 00357327, 00297143, 00297895, 00418160, 55189385.

**v. Siting Considerations:**

The Crossing development will be positioned to capture tourist and commuter traffic before they reach other service centers like those located in the Kennebecasis Valley, Salisbury and Moncton. This site has the ability to create a very attractive visual environment to enhance Saint John's image and to encourage people to discover and explore all that our city has to offer.

The concept of The Crossing could not be executed in any other site available within the city limits. This development offers the unique opportunity to create an important density of infrastructure that does not exist in Greater Saint John and which is required to sustain the range of services to be offered at the site. The location of The Crossing will also serve to secure Saint John as the gateway entry point for visitors travelling into Atlantic Canada from the northeastern United States. Currently Saint John is too often seen as a "drive by, not a drive in" location. The Crossing would help to change this perception by providing a visible and convenient exit point from the highway to attract travelers to stop, learn about and visit our city.

This project has received rezoning approval from Common Council of the City of Saint John pending environmental approval from the Province of New Brunswick.

**vi. Physical Components and Dimensions of the Project:**

The 49 hectare site proposed for development is approximately 1.35 kms long and 0.5 kms at its widest point. All of the land proposed for this development is privately owned by the proponent or affiliated companies. See aerial photo, Figure 2.

This is a green field site with no previous development except for a drainage ditch from the Highway 1 interchange to the main channel of Little Marsh Creek and a constructed disturbance, anecdotally referred to as "compensatory ponds", halfway through the site across from Jones Road, as can be seen on the aerial photo, Figure 2. The site has a twin 69 kv power corridor along a portion of the west side of the site. There are presently no roads or road access to the site except for one small track off of the Ashburn Road that leads to the constructed disturbance.

The site is located within the Little Marsh Creek Sub-Watershed with Little Marsh Creek (aka West Branch Marsh Creek) flowing through the site. The Little Marsh Creek is fed by a main stream from Lawlor Lake to the north; two small

tributaries that cross Ashburn Road to the west and the above mentioned drainage ditch from the Highway 1 interchange to the east. The Little Marsh Creek discharges the site at the southern end of the site, eventually connecting to Ashburn Creek and flowing under Highway 1 into Marsh Creek.

Over the proposed site, the width of Little Marsh Creek ranges from 2-3m (ACAP) to 4-5m (TAP). The site is very flat resulting in low stream velocities. The habitat exhibits a combination of immature hardwood stands, mature mixed woods, coniferous dominated treed swamps, pasture-like areas and disturbed areas. There is evidence of past beaver activity, a beaver lodge, however, today there is no evidence of any fresh cuttings. Electrofishing was carried out on the site by TAP (Appendix 1) and found only white sucker (*Catostomus commersoni*), Sea Lamprey (*Petromyzon marinus*) and Threespine stickleback (*Gasterosteus aculeatus*).

A 10.6 hectare Regulated Wetland occupies a portion of the southern part of the site. See Figure 4. The existence of this wetland is the trigger for the EIA registration under Schedule A (v), affecting two hectares or more of a wetland. Portions of this wetland will be affected as part of the final development.

The 17.3 hectare green space parcel of land is likewise a green field site located parallel to Highway 1 and the CN Rail yard / Rothesay Avenue. This site is isolated with very limited access due to its position between the highway and the rail yard. This parcel of land is located within the Marsh Creek Watershed with Marsh Creek flowing through the middle of the site.

#### **vii. Construction Details (if applicable):**

It is proposed that construction would commence during the Spring of 2017 with the construction of the main access road; an extension of the connector from Rothesay Avenue to Rothesay Road. It is also intended to move the previously mentioned drainage ditch to parallel this access road. Some realigning of the existing stream is proposed, i.e. straightening the loop in the middle of the site, as shown in Figure 5.

Initial development will take place from a hub in the middle of the property PID 00432203, and generally spread outward. The full development as depicted in Figure 1 will be carried out over a period of several years as dictated by ongoing market conditions and demands.

The initial construction process, site preparation, will involve tree removal, limited grubbing, laydown of a geotextile material, overlaid with local aggregate

Figure 4

Regulated Wetland (GeoNB)

## Figure 5

Realignment of Drainage Ditch and Creek

to form an aggregate mattress. Thicknesses and composition of the aggregate mattress will be based on the composition of the underlying substrate as described in Section 3.1, and the intended use of the area, road, parking lot, green space.

All buildings will be built on pilings and conform to best engineering practices. Instream work, moving the drainage ditch and re-alignment of the existing stream, will be completed in consultation with appropriate experts using best practices.

For much of the length of the site, the banks of Little Marsh Creek will be expanded to create an Urban Wetland through the commercial site. The added material will be made up of soils from the site to allow for revegetation with appropriate and available plants consistent with the existing wetland. This approach would be consistent with the Ducks Unlimited development of a Naturalized Storm Water Pond and serve many of the same purposes.

**viii. Operation and Maintenance Details:**

The site will operate and be maintained consistent with the normal operation of a mixed-use commercial development, potentially including, but not limited to, highway services; food and hospitality; business and commercial; convenience retail; residential and recreation and green space.

**ix. Future Modifications, Extensions, or Abandonment:**

Any future modification, extension, abandonment, demolition or rehabilitation beyond to scope of this registration will be discussed with the Department.

**x. Project Related Documents:**

The following Project Related documents have been referenced in this registration and have been included in the Appendices;

- TAP Environmental Resources Group Inc. – Preliminary Watercourse and Wetland Assessment Report
- Fundy Engineering Limited – Geotechnical Investigation report
- WPS Canada Inc – Rare Plant Survey
- Terrain Group Inc. (now WSP Canada Inc) – Hydraulics and Hydrology Report

**3.0 DESCRIPTION OF THE EXISTING ENVIRONMENT**

**i. Physical and Natural Features:**

The site is located within the Little Marsh Creek Sub-Watershed with Little Marsh Creek flowing through the site. The Little Marsh Creek is fed by a main stream

from Lawlor Lake to the north; two small tributaries that cross Ashburn Road to the west and the above mentioned drainage ditch from the Highway 1 interchange to the east. The Little Marsh Creek discharges the site at the southern end of the site, eventually flowing under Highway 1 into Marsh Creek. The site is very flat resulting in low stream velocities and marsh like conditions.

A 10.6 hectare Regulated Wetland occupies a portion of the southern part of the site. See Figure 4. The existence of this wetland is the trigger for the EIA registration under Schedule A (v), affecting two hectares or more of a wetland. Portions of this wetland will be affected as part of the final development.

Based on borehole analysis by Fundy Engineering, Appendix 2, the soil underlying the site can be characterized as very soft clayey silt over organic black peat over bedrock. Depth to bedrock ranges from 3.3m. to 40m.

Over the proposed site the width of Little Marsh Creek ranges from 2-3m (ACAP) to 4-5m (TAP). The site is very flat resulting in low stream velocities. The habitat exhibits a combination of immature hardwood stands, mature mixed woods, coniferous dominated treed swamps, pasture-like areas and disturbed areas. There is evidence of past beaver activity, a beaver lodge, however, today there is no evidence of any fresh cuttings. Electrofishing was carried out on the site by TAP (Appendix 1) and found only white sucker (*Catostomus commersoni*), Sea Lamprey (*Petromyzon marinus*) and Threespine stickleback (*Gasterosteus aculeatus*).

There is no history of commercial or recreational fishing on this site.

A rare plant survey was conducted by WSP on both the proposed development site and the green space site, (Appendix 3). One (1) rare or uncommon vascular species was identified during botanical surveys. The boreal aster (*Symphotrichum boreal*) was observed at three locations. The plant grows at the base of cedar (*Thuja occidentalis*) slopes and were scattered frequently in clearings in the Cedar-dominated swamp with Larch (*Larix laricina*) and Spruce (*Picea spp*) with *Carex cryptolepis*, *Maianthemum trifolium* and *Rubus pubescens*. *C. cryptolepis* is listed as S4 (Secure) by the ACCDC. All remaining plants observed during the survey were S4 to S5 (Secure or Common).

## **ii. Cultural Features:**

The subject property or adjacent lands contains no known federally, provincially, or locally recognized recreational sites or features, tourism features or attractions, tourism operations, cultural activities, hunting, fishing, gathering, reserves, traditional uses by First Nations, etc.; or federally, provincially, or locally recognized heritage and/or built heritage resources/areas

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

### iii. Existing and Historical Land Uses:

The subject property is a green field site with no known previous uses. Adjacent properties are, for the most part, also green field forested properties, however, there are commercial operations; Seamasters Services, Labourers International Union of North America and Alpine Motors along Ashburn Road and, transportation corridors; Highway 1, Rothesay Road and Ashburn Road. An NB Power Right of Way for a twin 69 kv transmission line parallels Ashburn Road.

## 4.0 SUMMARY OF ENVIRONMENTAL IMPACTS

A Hydrotechnical Study was completed by Terrain Group Inc. (now WSP Canada Inc) (Appendix 4) to provide stormwater master planning for The Crossing. The hydraulic and hydrologic model created for the City of Saint John as part of the Marsh Creek Watershed Analysis project was used to determine anticipated flow rates, stormwater storage capacity and flood elevations anticipated on The Crossing site. The same model was then modified to create various scenarios needed to evaluate the effects of development on the rest of the Marsh Creek watershed with and without wetland storage compensation.

This study made the following conclusion:

*“The results obtained from the stormwater models indicate that development of The Crossing will not have a negative effect on flooding in the Marsh Creek watershed. The models predict that the water elevation experienced just upstream of Highway #1 culvert will be the same following development of The Crossing as compared to the existing condition. While development of the Crossing will result in a greater peak discharge from the site than is currently experienced, the peak water elevation is unaffected because this additional water will be discharged before the bulk of water from the Little Marsh Creek Sub-Watershed reaches the marsh.”*

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



## Figure 6

Conceptual Rendering with Regulated Wetland

## 5.0 SUMMARY OF PROPOSED MITIGATION

As discussed previously, the approach to creating a linear Naturalized Storm Water Pond will enhance the flood and storm surge capabilities of the site. Adding a variety of native plants to the enhance bank area will increase the biodiversity from the existing site. Efforts to enhance amphibian and reptile habitat in the Urban Wetland will also be explored.

Since the upper part of the site will be developed first, it will be some time before there is any activity in the Regulated Wetland. By that time, the project will have developed a bank of improved wetland in the upper area. When the development does approach the Regulated Wetland, much of that area will become the linear Urban Wetland and Naturalized Storm Water Pond, all of which will have minimal or positive impact to the exiting site. At that time, a calculation of the required Compensatory Mitigation based on agreed upon ratios can be made. The remaining mitigation could come from the 17.3 hectare parcel of land running along Marsh Creek previously mentioned as available to create an eco-park environment and/or compensatory mitigation. Or, Compensatory Mitigation could be contracted to an organization like Ducks Unlimited.

## 6.0 PUBLIC INVOLVEMENT

An Open House on The Crossing Project was held on March 7 & 8, 2016 at the Media Room at East Point as part of the rezoning application to Common Council of the City of Saint John. It was attended by more than 100 citizens over the two nights.

## 7.0 APPROVAL OF THE UNDERTAKING

This proposed project was submitted to Common Council of the City of Saint John for rezoning and received approval on April 18, 2016 with the following Section 39 conditions applied.

- **Traffic Impact Study** – No portion of the site shall be developed prior to the completion of a Traffic Impact Study prepared by the developer and subject to the approval of Common Council, as a statutory amendment to the Section 39 conditions.
- **Site Servicing Study** – No portion of the site shall be developed prior to the preparation of a servicing study reviewing the impacts on the City's water supply and sanitary sewer collection systems prepared by the developer and subject to the approval of Common Council, as a statutory amendment to the section 39 condition.
- **Stormwater Management Study** - No portion of the site shall be developed prior to the preparation of a stormwater management study that details the approach for stormwater management on the

development site and reviews the impacts of the development on upstream and downstream areas of the Marsh Creek watershed prepared by the developer and subject to the approval of Common Council, as a statutory amendment to the section 39 condition.

- **EIA Registration** - No portion of the site shall be developed prior to the proponent registering the project with the Provincial Environmental Impact Assessment Process and a Certificate of Determination issued by the Province.
- **Detailed Development Plans** - No portion of the site shall be developed except in accordance with detailed plans including, but not limited to, a context plan, a site plan, typical building floor plans, building elevations, and a landscape plan all of which are to be prepared by the proponent and subject to the approval of Common Council, as a statutory amendment to the Section 39 conditions.

The Traffic Impact Study, Site Servicing Study and the Stormwater Management Study had been contracted out. These studies will be completed this year and subsequently submitted to City of Saint John Common Council for approval.

## 8.0 FUNDING

At the present time, this project is anticipated to be self-funded. There has been no application for a grant or loan of capital funds from a government agency, federal, provincial, or otherwise.

## 9.0 SIGNATURE

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**Date**

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**Signature**

## **Appendix 1**

**TAP Environmental Resources Inc.**

### **Preliminary Watercourse and Wetland Assessment Report**

**Appendix 2**

**Fundy Engineering Limited**

**Geotechnical Investigation Report**

**Appendix 3**  
**WSP Canada Inc**  
**Rare Plant Survey**

**Appendix 4**  
**Terrain Group Inc. (now WSP Canada Inc.)**  
**Hydraulics and Hydrology Report**

Figure 1: Conceptual Rendering of the Developed Site Plan





Figure 2: Aerial Photo of Proposed Development Site



Figure 3: Aerial Photo of "Green Space" Site



Figure 4: Regulated Wetland (GeoNB)

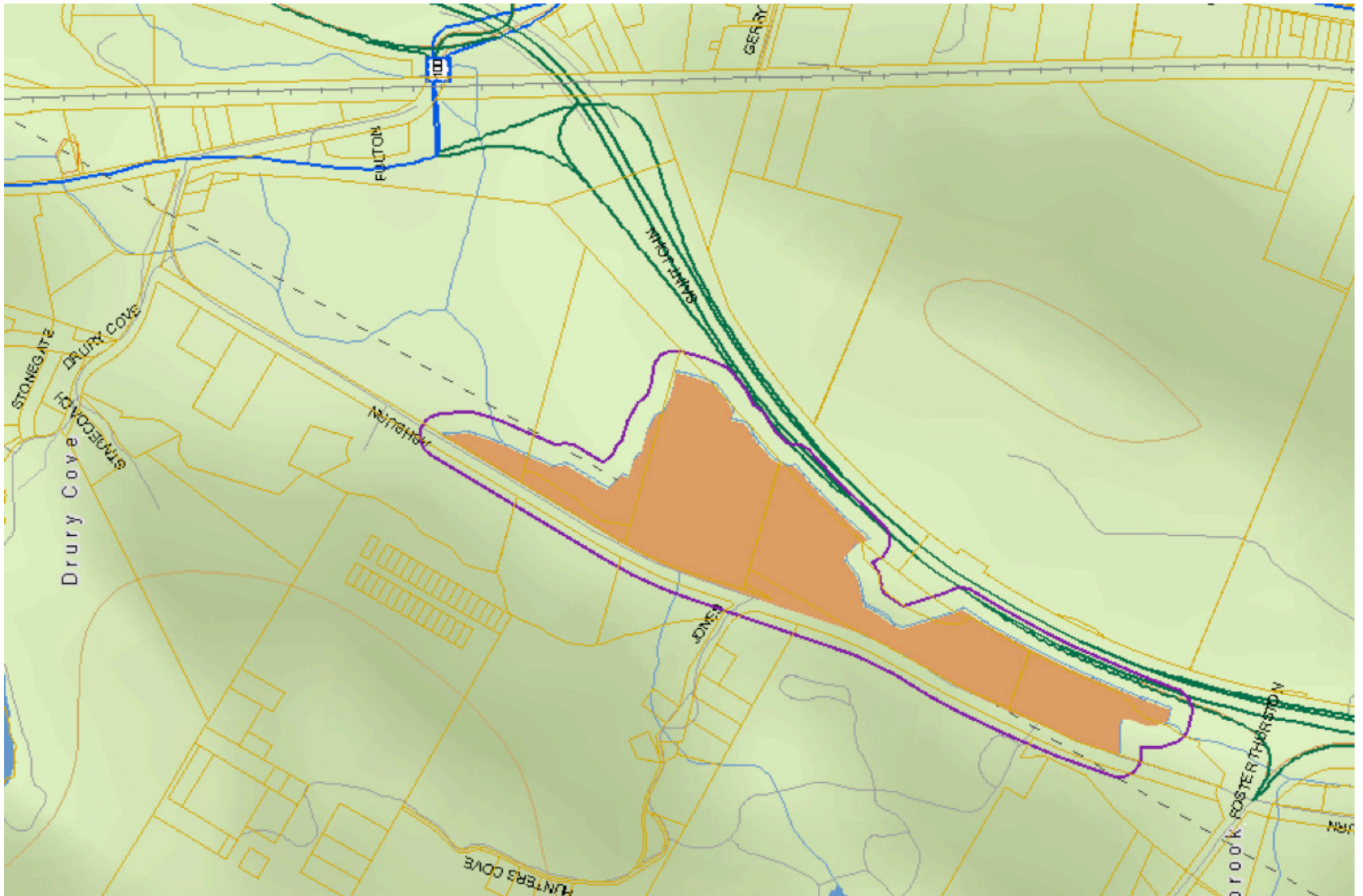


Figure 5: Realignment of Drainage Ditch and Creek

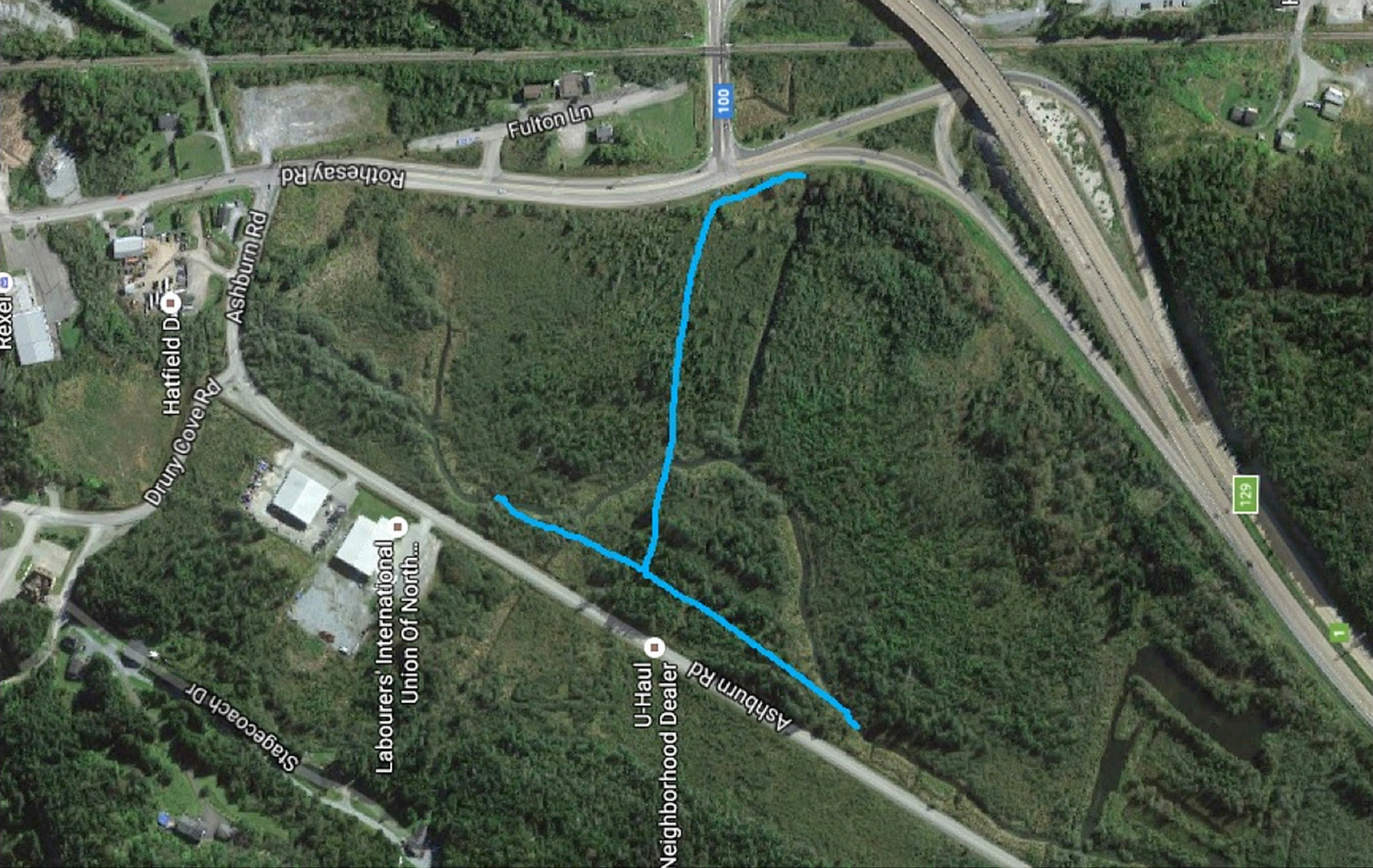


Figure 6: Conceptual Rendering with Regulated Wetland

