

## Karen Chafe

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**From:** CityClerk  
**Sent:** Monday, July 5, 2021 3:42 PM  
**To:** [REDACTED] CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: (EXT) Residential Development in a Floodplain Buffer (6 & 8 Winter Avenue)

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley  
City Clerk  
709-576-8202

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**From:** [REDACTED]  
**Sent:** Monday, July 5, 2021 2:50 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** (EXT) Residential Development in a Floodplain Buffer (6 & 8 Winter Avenue)

To:  
Office of the City Clerk:

I object to the proposed site-specific amendment to the St. John's Development Regulations Section 11.2.4(2.1). The sole stated purpose for that amendment is to allow development on private property at 6-8 Winter Avenue. My reasons for objecting are as follows:

- The two subject properties received development approval prior to being included in the so-called "floodplain buffer". The lots should therefore be grandfathered for development.
- the Decision/Direction Note dated May 12, 2021 states that the subject properties are no longer in a functional buffer anyway due to the surrounding housing developments. So the amendment should not be needed.
- The City states that this amendment is an interim measure and that the pending Rennie's River Berm will "remove this section of Winter Avenue from the floodplain and buffer". To my knowledge, the berm has neither been approved nor confirmed yet. It is still in the environmental review process and requires further public input. Isn't the city getting ahead of itself here?
- In any event, the whole premise of removing land or property from a floodplain is flawed. The floodplain is a natural part of the river which serves a useful purpose in mitigating flooding in itself. A berm merely interferes with that and causes damage to the river and a different type of damage to adjacent properties. Furthermore, any so-called removal of land surrounding Winter Avenue from the floodplain will merely create or exacerbate flooding issues downstream and across the river onto other properties.
- The floodplain buffer mapping around Rennie's River/Winter Avenue does not take land elevation above the river into account. The arbitrary 15m lateral buffer zone is not fit for purpose here. It runs through our Winter Avenue property at a height of approximately 5 to 6 metres above the trail and river, which is preposterous. It runs through neighbouring properties at a lower but still highly improbable elevation to ever flood. If we cannot trust the City's mapping in this area, how can we trust its decisions regarding the berm and any development approvals that depend on it? The berm is unnecessary, unwanted, and a continuing degradation of the valued natural environment in our city.

## Re Residential Development in a Floodplain Buffer (6 and 8 Winter Avenue)

### COMMENTS AND OPINION

Under the City of St John's recently approved Municipal Plan "*Envision St. John's Municipal Plan*", there is a chapter, and namely *Chapter 3 Environmental Systems*, containing the following passage

"Over the years, the City has worked to identify and protect important waterways, wetlands and natural areas, which support healthy populations of fish, birds and mammals. Since Hurricane Igor in 2010, considerable effort has been spent studying the hydrology of the city's watersheds and major river systems, and their capacity to safely accommodate stormwater runoff. As climate change may bring more intense storm systems, protecting the city's river systems for their hydrologic function becomes even more important." In my opinion, and loosely translated – this is the city's way of saying waterways as storm sewers are now seen to be more important than a naturalized and public outdoor urban living space.

Likewise, and in a January meeting of the Environment and Sustainability Experts Panel Committee (January 29, 2021), the minutes include a report by an invited guest Ken O'Brien, Chief Municipal Planner for the City. In those minutes some discussion apparently touched upon "protection of natural assets" In summary, the minutes indicate that, "In the past, wetlands were seen as wasteland instead of as an asset for wildlife habitat, storm water drainage, and flood protection. The City has done an update in the last couple of years of wetland mapping and is bringing in *new criteria* to better protect remaining wetlands". An appreciated but lofty and ill-defined goal but at least counter to aims outlined by the City and in my last paragraph.

One need only look at satellite images of St John's in 2000, 2010 and 2020 to see that the city has much catching up to do before it can ever hope to meet any of the significant challenges it has generated by allowing more and more marshy wetlands to be paved over with new housing developments. The city's task to protect citizens and properties from flooding appears more as a race to keep abreast of new developments that are changing rates and directions of flows coming from recently "paved" wetlands. This also includes new river channels cut from marshland and speculating upon outcomes from a variety of other human induced changes from hydrology (eg. Mannings *n*), up to and including climate change.

With post-Igor reporting by AMEC and CBCL, large parts of the river headwaters (as, say, Yellow Marsh Brook) have either been removed into separate storm sewer lines or otherwise re-engineered to therein change local hydrography. Inasmuch as I literally look out upon Rennie's River every day, upstream activities are increasing the frequency, if not also the intensity of storm induced flood events along the Rennie's River reach from Long Pond to Quidi Vidi. Without appropriate controls on water flow rates and volumes, biologic ecosystems on and about the river, and physical properties of the river and strata remain in a continued state of City induced flux and degradation. On other visual cues on river health, quite simply, I see fewer and fewer trout on these waters.

My objection to this amendment and subsequent building development is that the City is using this housing development as part of their justification for moving forward on an ineffective and environmentally destructive multi-million dollar berm.

Don't pretend to use this development as an excuse for berming to finally and completely destroy this historic and essentially unaltered river reach. This housing development is simply an anomaly left from the earlier Judge Place development.

Finally, and in my professional capacity (retired), river meanders are nearly always seen as transient features. The river reach between Kingsbridge and Portugal Cove Road is very special as a geomorphic feature that has remained trapped in its course for at least 270 years when the first half-decent surveys were completed (see Bramham and Hylton 1751). The oily, lead laced mud that was/is rapidly filling Quidi Vidi comes from farther upstream (see Christopher 1999). It is certainly not from whatever little erosion you may think you see happening today along this short reach of Rennie's River. Berming will simply amplify erosion here and focus more sediment transport into Quidi Vidi.

If any protective changes are to happen in this river reach today, they should all be directed towards slowing river flow and not speeding it up. Decades of upstream hydrographic meddling by the city and developers is collectively making this a "flashy" river. Flashy rivers may have their place adjacent to glaciers and mountain ranges, but these dusty, sandy, windblown settings are neither wanted nor expected to be a part of any mature urban environment.

I expect much, much more from a city that likes to talk about envisioning a better, greener future.

To be clear, and as the justification outlined on the city Decision/Direction Note (May 21, 2021) has been worded,

I AM OPPOSING THIS DEVELOPMENT.

Respectfully

[REDACTED]

[REDACTED]



City Clerk

City of St. John's

July 6, 2021

Dear Sirs

We are writing to strenuously object to the approval of a home construction on 6-8 Winter Avenue. As residents of [REDACTED], we already experience a significant accumulation of water around our property in rain conditions and winter. Further construction on these Winter Avenue lots will remove the buffer of protection that they currently provide. We have significant concern about this issue, and request that our concerns be fully resolved prior to city Council allowing construction to occur.

We are clearly experiencing more extreme weather conditions than the City is accustomed to. These events will continue to be exacerbated with climate change. The City should consider these events in the planning process. The removal of this buffer in the flood zone will definitely create problems for all the residents in the area.

Respectfully yours

[REDACTED]

St. John's

[REDACTED]



July 5, 2021

Office of the City Clerk  
Ms. Elaine Henley  
City of St. John's  
P.O. Box 908  
St. John's, NL A1C 5M2  
[cityclerk@stjohns.ca](mailto:cityclerk@stjohns.ca)

Dear Ms. Henley and members of City Council:

On behalf of the Quidi Vidi Rennie's River Development Foundation (QVRRDF), I write to express our opposition to the City's proposed text amendment to their Development Regulations with the intent to approve residential use in a floodplain and buffer at 6 and 8 Winter Avenue.

In the explanatory memo prepared by Councillor Maggie Burton, she indicates that the land in question had only been placed in the floodplain and buffer of the Rennie's River when the floodplain mapping was updated to factor in climate change impacts; that prior to the updated mapping the lot had been approved for a single unit dwelling; and that the City has applied for permission to construct two berms along the nearby banks of the Rennie's River and, if approved, the berms would remove the two lots from with the floodplain and buffer as the floodwaters would be contained.

In the view of the QVRRDF, these two berms should not be installed and a separate letter detailing our objections to the berming project is on the way. Suffice it to say that constructed berms that force the channelization of a stream and cause increased erosion, limit a stream's ability to support life. At the very least, we strongly feel no decision should be made on a text amendment to the City's Development Regulations PRIOR to a decision on the construction of berms being made by the provincial Minister of Environment and Climate Change on the City's forthcoming Environmental Preview Report. This would set a very bad precedent for watershed protection within the City.

Climate change is real and well-recognized. More severe weather events are guaranteed in the future. Numerous poor development decisions in the past have already had negative impacts on this river system, and we all must be more cognizant of the impacts any future decisions may have to preserve the biodiversity of this watershed. It cannot be taken for granted and continuing to support past approvals and methodology when we have an opportunity for better reflection is not acceptable.



Quidi Vidi/Rennie's River Development Foundation  
5 Nagle's Place, St. John's, NL. A1B 2Z2  
Ph: 754-3474 Fax: 754-5947  
[www.fluvarium.ca](http://www.fluvarium.ca)  
Charity Number: 126481530RR0001

Sincerely,

Stephanie Korab

Chair

Quidi Vidi/Rennie's River Development Foundation

## Karen Chafe

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**From:** CityClerk  
**Sent:** Monday, July 5, 2021 11:34 AM  
**To:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** FW: (EXT) Re: Residential Development in a Floodplain Buffer (6 & 8 Winter Avenue)

Elaine Henley  
City Clerk  
709-576-8202

-----Original Message-----

From: CityClerk <cityclerk@stjohns.ca>  
Sent: Monday, July 5, 2021 11:34 AM  
To: [REDACTED] CityClerk <cityclerk@stjohns.ca>  
Subject: RE: (EXT) Re: Residential Development in a Floodplain Buffer (6 & 8 Winter Avenue)

Good Afternoon:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley  
City Clerk  
709-576-8202

-----Original Message-----

[REDACTED]  
[REDACTED] July 3, 2021 2:33 PM  
To: CityClerk <cityclerk@stjohns.ca>  
Subject: (EXT) Re: Residential Development in a Floodplain Buffer (6 & 8 Winter Avenue)

On Jul 3, 2021, at 12:56 PM, [REDACTED] wrote:

> Dear City Clerk,

>

> I refer to your undated notices directed to me, my late parents [REDACTED] and [REDACTED] and my late mother's Estate of [REDACTED] at 9 [REDACTED]. I am my mother's Executor and her Estate owns the residence at [REDACTED] and the [REDACTED].

>

> I fully support the proposed amendment to Section 11.2.4(2.1) to allow residential development of 6 and 8 Winter Avenue. I believe both properties should be returned to their status as approved building lots.

>

> Yours Very Truly,

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## Karen Chafe

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**From:** CityClerk  
**Sent:** Wednesday, July 7, 2021 10:11 AM  
**To:** [REDACTED]; CityClerk  
**Cc:** Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: (EXT) flood plain winter ave

Good Morning:

We thank you for your feedback and advise that all submissions shall be presented to Council for consideration prior to a final decision being reached on this application.

Elaine Henley  
City Clerk  
709-576-8202

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**From:** [REDACTED]  
**Sent:** Tuesday, July 6, 2021 4:32 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** (EXT) flood plain winter ave

my name is [REDACTED] at [REDACTED]  
i hope this letter finds its way as i was dealing with covid testing and i am not well. i realize that i am a few hrs late.

I in no way support or condone the proposed amendments to the flood plain at 6 and 8 winter ave.

if the province has deemed this as part of the flood plain, i cant see how the city can make any changes to said site plan.

questions that arise include

Has there been an environmental assessment done with regards to this premature allowance to build in a provincial flood zone?

how will any insurance company allow a house to be built in a flood plain zone?

if the land is altered, built up or modified in any way, will it not surely affect the water table and flood safety buffer that is provided by the flood plain?

if my insurance company hears that the wishes of the province have been superseded by a municipality who have less authority on these decisions, will i be allowed to have my home insured in a compromised area?... will my already increased rates be raised again due to increased risk?

why are we even addressing this before the assessment of the current situation is sorted out?

what is the take of the rennies mill river association on this...(johnsons insurance?)



why does winter avenue seem to be able to get major changes to the direction and flow of traffic at the drop of a hat?... i know they pay more taxes, but that should not affect my rights as a local resident.

if my home becomes deemed part of the flood plain by decision of the province.. who will buy my house and land.. I do not have the money to sue the city as the owners of these lots are threatening to do...

has historical data of precipitation and flooding been analysed in this area with confidence that this experiment will be safe for residents?... all the manholes in my area spout water about 4-6 inches when we have a rise in the water table due to heavy rain and the spring melt... i am already having issues from a neighboring business that has refused to get their drains cleaned out since 2016.. these recommendations by the city are apparently a suggestion, and not mandatory.. yet my property floods from their lot every year, flooding my driveway with a week or two of run off and dangerous sidewalk travel in front of my house in which i have seen several seniors and young people slip and fall... i salt the area which is not my responsibility, but as a compassionate human i feel compelled to do... will this compound and get worse due to raised water table levels if these properties are developed?

will there be adequate on street parking on the already impassible winter avenue during snowy conditions or entertaining periods?

has the quidi vidi lake association agreed or been alerted to these changes? or do they fall out of the 150 meters that are privy to this premature tactic to save the city from lawsuits?

these and a mass of other major concerns raise major red flags to myself and locals who may or may not have had the time to explore the ins and outs of this proposition, to which i think is poorly thought out and ill timed... if these residents have the money to build a home with no mortgage, and the money/ barristers to fight something that they have sat on for too long\_ good for them. I however do not have those resources.

this will be brought to local media in the morning, weather my concerns are disregarded or not.

if paying out this land to the owners is what is needed, so be it. we can not go above the provinces rules and regulations because winter ave has the bank to hold up an entire street for ten years or so with various projects... I would like new cove rd to be one way, as it is a single side parking road that is treated as an un policed race track to cut from the lower side to PC rd all day long....I however would never be take seriously with these concerns, as i am just john Q tax payer. we all know this.

thankyou for your time and consideration.

sincerely and concerned

A black rectangular redaction box covering the signature of the sender.

**Disclaimer:** This email may contain confidential and/or privileged information intended only for the