COR/2018/02778

July 25, 2018

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: TW/047/2018]

On June 29, 2018, the Department of Transportation and Works received your request for access to the following records:

Any information regarding Oceanex Transportation and Logistics Park and or Armour Inc. development adjacent to Three Arm Pond and Conception Bay South Bypass Road, including traffic analysis. The approximate municipal address is 275 Conception Bay South Bypass Road.

I am pleased to inform you that a decision has been made by the Deputy Minister for Transportation and Works to provide access to some of the requested information.

Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Subsection 40(1) - The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.
The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner  
2 Canada Drive  
P. O. Box 13004, Stn. A  
St. John’s, NL. A1B 3V8  
Telephone: (709) 729-6309  
Toll-Free: 1-877-729-6309  
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-5351 or by email at ATTW@gov.nl.ca.

Sincerely,

[Signature]

Angela McIntyre  
ATIPP Coordinator
Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the *Financial Administration Act*;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including
(i) personal information that is supplied in support of the application for the benefit, or

(ii) personal information that relates to eligibility for income and employment support under the *Income and Employment Support Act* or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

   (i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

   (ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

   (a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

   (b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

   (c) the personal information relates to employment or educational history;

   (d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

   (e) the personal information consists of an individual's bank account information or credit card information;

   (f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

   (g) the personal information consists of the third party's name where

      (i) it appears with other personal information about the third party, or
(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.

(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person's personal privacy.
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant
August 27, 2014

File Number: MP-2014 105885 00

To: Gary Spencer

An application has been received from Oceanex Inc., of Suite 701, Baine Johnston Centre, 10 Fort William Place, St. John's, NL for permission to develop under:

Protected Road Zoning Regulations

Type of Development: Access Road
Location: CBS by Pass Road, St. John's
Near Three Arm Pond

Enclosures: Application Form and Location Plan

NOTE: IF NO REPLY IS RECEIVED WITHIN 30 DAYS OF THE DATE OF THIS REFERRAL, YOUR CONCURRENCE WILL BE ASSUMED.

Date: Oct 31 / 2014
To: Regional Support Supervisor

Recommendations:

Approved  Refused  Held for further investigation

- DEVELOPMENT CONSTRUCTION

- APPROVAL IS FOR RIGHT ON / RIGHT OUT ACCESS ONLY.

- NO DEVELOPMENT PERMITTED WITHIN 80M OF THE CENTERLINE OF THE CBS BYPASS.

- A 600mm 6 culvert shall be required across access for drainage.

- THE LENGTH OF THE CULVERT SHALL BE BASED ON A 10M ACCESS DRIVING SURFACE.

- ALL SIGNAGE AND FLAGPERSON SHALL BE IN PLACE ACCORDING TO DEPARTMENT'S TRAFFIC CONTROL MANUAL (2014 VERSION). APPLICANT MUST SUBMIT A TRAFFIC CONTROL PLAN TO THE DEPARTMENT FOR APPROVAL. ALL COSTS ASSOCIATED

Signature

WITH SIGNS AND FLAGPERSONS TO BE PROVIDED BY THE APPLICANT.
Preliminary Application to Develop Land

1. Please place a check in the box to indicate the area for which you are making application

   - Protected Road Zoning Regulations [X]
   - Gander River Protected Area Regulations
   - Butternut - Williams Bay Use Envisions Development Control Regulations
   - Meagle Mountain Protected Area Land Use Zoning Regulations

2. Location

   - CBS Highway

   - Site Ceden from property line to nearest point of structure
     Approx. 612.30 ft.

3. Applicant Information

   - OCEANEX INC.
   - ST. JOHN'S

   - Address: 1-6 BAY STREET, ST. JOHN'S, NL
   - Telephone: 709-759-3348

4. Type of Development

   - Commercial Development
     Access Only

5. Describe proposed development

   - Use of Proposed Building
     Set back from road center

6. Size of Land Development

   - Area: 0.34 Acres
   - Frontage: 60 ft.
   - Side: 20 ft.

7. Land Ownership

   - Owner's Interest in Land
   - Applicant's Interest in Land
   - Area of Adjacent Land in Same Ownership, Any

   - Continued on Reverse
FYI on the Route 2 Traffic Study currently ongoing.

Good Morning John;

The following is a brief status update for the Route 2 Traffic Study.

Completed to date:

Traffic Counts and Preparation:

- HTC completed a Hazard Assessment Form which complies to the Safe Work Practices supplied by NLDTW for traffic counting on Route 2.
- HTC provided count locations for approval and comment by the NLDTW.
- HTC provided planned signage setup (temporary TC) for counter deployment for review and comment NLDTW.
- HTC has collected 21 traffic counts to date and we anticipate being finished on September 9, 2015.

Stakeholder Interviews:

- HTC has completed stakeholder interviews with OCEANEX and with the Staff of the Town of CBS. Minutes of both meetings are attached for information purposes.
- HTC has contacted all remaining stakeholders on several occasions but has yet to establish firm dates for the interviews. We will continue pressing this matter with the respective stakeholders.

Modeling:

- HTC has constructed the Synchro model of the study area.
- HTC is in the process of completing the various VISUM models for the different network configurations. These will be required to distribute the growth projections for the years 2020 and 2030.

Tasks planned over next two weeks:

- Finish traffic counts on September 9th.
- Continuing to refine the base model in Synchro to reflect the existing conditions.
- Finish Stakeholder Meetings to establish growth projections for 2020 and 2030.
- Finish preparing the VISUM Model to reflect the different network scenarios for the Route 2 TS study area.
- Reviewing the traffic counts and balance the Synchro model network to represent the existing conditions.
- Calibrate Synchro model based on video observations.
- Provide 2020 an 2030 growth scenario's to NLDTW for comment.
Regards;

[Redacted]

Senior Transportation Engineer - Principal

Harbourside Transportation Consultants
Suite 306, Terrace on the Square
8 Rowan Street, P.O. Box 23169
St. John's, NL, A1B 4J9

W: www.harboursideengineering.ca
Route 2 – Traffic Study - NLDTW

DATE: September 31st, 2015 @ 2:00 P.M.
LOCATION: Oceanex Corporate Office – Baine Johnson Center
PURPOSE: Stakeholder Meeting - OCEANEX
ATTENDEES: - Harbourside Transportation Consultants
- OCEANEX - Vice President Corporate Development
- OCEANEX - Project Manager

Summary Notes:

1. HTC provided OCEANEX with a general overview on the Route 2 Traffic Study. This overview included the following points:
   a. HTC was retained by the Province Government NLDTW to conduct a traffic study on Route 2 in the area of the interchange that is being proposed on Route 2 to accommodate the proposed OCEANEX development.
   b. HTC advised that the study area for this project includes the segment of Route 2 extending from the Fowler’s Road Interchange with Route 2 in the north to the Ruth Avenue Interchange with Route 2 in the south and from the Paddy’s Pond Interchange with Route1 in the west to the Topsail Road Interchange with Route 1 in the north.
   c. HTC advised that they will be meeting with a total of 5 different stakeholders for this project including OCEANEX, the Town of CBS, the Town of Paradise, City of Mount Pearl and the City of St. John’s. All stakeholders will be advised of the proposed interchange that is being planned on Route 2 in between the Fowler’s Road Interchange with Route 2 and the main interchange of Route 1 with Route2 and all stakeholders with be asked to provide the growth scenario’s that they anticipate within their respective developments and or municipalities to the year 2020 and 2030 that have the potential to affect the operation capacity of the segments of Route 1 and Route 2 within the study area. HTC will quantify these growth scenarios with trip generations rates for the purposes of modelling the study area.

2. HTC asked OCEANEX for an update on their development plans for the property they own on Route2. OCEANEX gave HTC an overview of where they are in the development process. The property has just been rezoned by the City of St. John’s from the RURAL Zone to the Industrial Zone to facilitate OCEANEX’s plan to develop a Transportation and Logistics Park on this property. OCEANEX retained SNC Lavalin to redo the concept plan for the property; a copy of which was provided to HTC and is attached for information purposes. The OCEANEX operations will be confined to approximately 2/3rds of the property. AMOUR will occupy approximately 1/3 of the site with their planned operations. There are also plans for another 3 smaller sites (2-3 acres in size) that they expected will be occupied by support type businesses.

OCEANEX has just recently requested proposals from qualified consultants to develop a master schedule to develop and complete the various phases of the project. The consultant will also be expected to development the cost estimates for the same.
OCEANEX expects to have this site under construction in the spring of 2016. They are very concerned the timeframes of the development the new interchange and that they coincide with their development plans in 2016 and are ready for the commencement of their operations in 2017. OCEANEX also inquired about the possibility of temporary access onto Route 2 if the new interchange was not completed at that time they are ready to occupy and commence operations on their site.

3. HTC asked OCEANEX for the details on their operations, sizes and types of the buildings proposed for the site, areas for container and materials storage, numbers of employees, trips expected to be generated by both staff and the operations throughout a normal day. OCEANEX agreed to follow up with that information.

4. OCEANEX advised that they will be seeking to locate the interchange a little farther east on Route 2; approximately 100 meters. The purpose in seeking this shift is facilitate a better access onto their site and to reduce the amount of land that presently forms part of the site but that the footprint of the proposed Interchange consumes. OCEANEX is aware of the private land ownership and the implications to the right of way that has been reserved for the road right of way.

5. HTC also asked OCEANEX for any concerns they have or that they may see materializing on the study area road network over the study’s timeframes of 2020 and 2030. OCEANEX pointed out that there are weaving concerns now at the Route 1 Interchange with Route 2 between the west bound traffic on Route 1 exiting to proceed east on Route 2 weaving with traffic proceeding east on Route1 exiting to proceed north on Route 1. The weaving area is extremely short and causes problems their trucks on a regular basis. They wondered whether or not a reconfiguration of the ramp system may be required either now or under future scenarios.

6. OCEANEX asked and were advised by HTC of the study timeframe and schedule. OCEANEX also asked for a copy of the Study RFP. Once cleared by the NLDTW that documentation will be provided accordingly.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Route 2 – Traffic Study - NLDTW

DATE: September 1st, 2015 @10:00 A.M.
LOCATION: Town of Conception Bay South
PURPOSE: Stakeholder Meeting – Town of Conception Bay South (CBS)
ATTENDEES: Harbourside Transportation Consultants
Town of CBS - Director of Engineering and Public Works
Town of CBS - Director of Planning and Development

Summary Notes:

1. HTC provided the staff of the Town of CBS with a general overview on the Route 2 Traffic Study. This overview included the following points:
   a. HTC was retained by the Province Government NLDTW to conduct a traffic study on Route 2 in the area of the interchange that is being proposed on Route 2 to accommodate the proposed OCEANEX development.
   b. HTC advised that the study area for this project includes the segment of Route 2 extending from the Fowler’s Road Interchange with Route 2 in the north to the Ruth Avenue Interchange with Route 2 in the south and from the Paddy’s Pond Interchange with Route 1 in the west to the Topsail Road Interchange with Route 1 in the north.
   c. HTC advised that they will be meeting with a total of 5 different stakeholders for this project including OCEANEX, the Town of CBS, the Town of Paradise, City of Mount Pearl and the City of St. John’s. All stakeholders will be advised of the proposed interchange that is being planned on Route 2 in between the Fowler’s Road Interchange with Route 2 and the main Interchange of Route 1 with Route 2 and all stakeholders will be asked to provide the growth scenario’s that they anticipate within their respective developments and or municipalities to the year 2020 and 2030 that have the potential to affect the operation capacity of the segments of Route 1 and Route 2 within the study area. HTC will quantify these growth scenarios with trip generations rates for the purposes of modelling the study area.

2. Following this general overview staff from the Town of CBS provided information on housing start trends for the community. Detailed information was provided for active and proposed subdivisions for the years 2014 and 2015. Copies of the information provided are attached. The Town had 2295 housing starts in the period from 2001 to 2010. They feel that the same growth trends will continue in the foreseeable future with much of residential growth being in the Upper Gullies / Seal Cove areas where the Town has already reserved several large comprehensive development areas (CDA’s).

3. With respect to the commercial development and projections for the future, Town staff expect most of the Commercial development will occur in the gateway commercial area. And in the CBS Industrial Park the end of Fowler’s Road. Town staff will provide anticipated projections as a follow up to this meeting.

4. With respect to the Route 2 and the proposed interchange Town staff are concerned that the connection into the Town of Paradise will be well utilized thus reducing the available capacity on Route 2 for the Town of CBS. A single collision now on Route 2, west of the Fowler’s Road interchange can cause major traffic problems for the community during peak travel periods. The Town wants to ensure that this roadway has the capacity to accommodate the present and future needs of the community.
5. Town Staff also pointed out that there is some backtracking going on with traffic from the Town of Paradise using Fowler's Road and the Fowler's Road interchange with Route 2. This causes some congestion for this residential area during peak traffic periods.

6. Town staff also requested a copy of the traffic volume data being collected by HTC on Route 2. HTC advised that this will be up to the NLDTW to release.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
We have the attached Letter from Municipal Affairs Lands Branch for a Temporary Road Access dated Feb 26, 2015.

Gary

I checked with our guys and apparently Oceanex did not formally apply for the access. The Permit can be picked up at our Foxtrap Depot (n/c but suggest you call ahead). We will issue the temporary permit for construction purposes as we discussed.

Gary Gosse P.Eng.
Assistant Deputy Minister-Transportation

We are running into some issues with the City in regards to our clearing and grubbing plan. They are saying that before they will permit us to clear the trees off of this property, or be given a clearing and grubbing permit that we have a deceleration and acceleration lane of 50 m. While NewLab has informed them that there will very little vehicular activity entering and leaving this site except to drop off the equipment, that this should not be a concern but they are holding fast to the Department of Transportation must give it's okay prior to moving forward as in the statement below.

Is this 50 deceleration and acceleration lane a requirement at this stage of construction?

Regards
5. We previously indicated that we have concerns regarding the proposed temporary connection onto the Conception Bay South Bypass (Route 2). The drawings indicate a deceleration and acceleration lane of only 50 meters each. Given the type of vehicles that will be using the access and the posted roadway speed, the suggested access is inadequate to allow the site vehicles to slow down to enter the site, or accelerate to merge into existing traffic without creating a safety concern due to the differential in operating speeds of the Route traffic versus the site traffic. The connection onto Route 2 does fall under the Province and we suggest that they be contacted by the Applicant for approval of the proposed design. We cannot recommend approval of the proposed access based on the current design.

In an email from the consultant on August 13, 2015, the following response was provided.

"Appendix 'E' contains a temporary access approval from the Department of Municipal & Intergovernmental Affairs. Comments 14 thru 18 outline the requirements of the Department of Transportation and Works. All requirements will be met. A copy of the drawings will be submitted to the Department of Transportation & Works for their review. Once mobilized, it is anticipated that there will be very little traffic entering or leaving the site. All grubbed material will remain on site to be used in the construction of the berm."

The proposed design using 50m acceleration lanes must be reviewed by the Department of Transportation and Works. If the current design meets their approval, a copy of the approval must be provided to the City prior to any clearing and grading or harvesting of trees onsite.
From: Gosse, Gary R. [mailto:gosseg@gov.nl.ca]
Sent: Tuesday, July 21, 2015 2:35 PM
To:............rl s :
Subject: Re: CBS Bypass Road Land Development Project

Our RFOI closes next Wednesday. The terms of reference require the successful consultant to speak with Oceanex, CBS, Paradise, Mount Pearl and St John's.
Gary Gosse P.Eng.
Assistant Deputy Minister
Transportation
P.O.Box 8700
St.John's, NL
A1B 4J6

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From: s. 40(1)
Sent: Tuesday, July 21, 2015 01:54 PM
To: Gosse, Gary R.
Subject: RE: CBS Bypass Road Land Development Project

Gary,

Just to keep you in the loop on where we are with the project and check with you on the independent consultant.

We have been told by the City that our rezoning application has gone to the advertising stage and contingent on no major concerns will be delivered back to City Council on August 10 to be approved and then filed with Province to complete the rezoning process.

We have been allowed to submit our Clearing and Grubbing Application so preliminary work can be done to speed up the process in preparation for the rezoning approval. We are hoping to start clearing the property by early to late September.

Can you please provide an update on the independent consultant. Has one been appointed yet and if so do you know who it is?

s. 40(1)

Thanks

s. 40(1)
From: Gosse, Gary R. [mailto:gosseg@gov.nl.ca]
Sent: Wednesday, April 29, 2015 9:18 AM
To: [redacted]
Subject: RE: CBS Bypass Road Land Development Project

Thanks for the update. It seems you are on the right track to advance this project.

Gary Gosse P.Eng.
Assistant Deputy Minister-Transportation

From: [redacted]
Sent: Tuesday, April 28, 2015 10:46 AM
To: Gosse, Gary R.
Subject: CBS Bypass Road Land Development Project

Gary,

Just touching base to let you know where we are at with the Oceanex Land Development. I have a meeting set up with the Mayor of CBS for this Thursday so I can get a feel of their concerns. I also want to see if I can speed them up in providing the City with a response to our LUAR in order to have the land rezoned. From conversations with the City we should still be able to at least start Clearing and Grubbing the property this fall which would fall within the time lines we discussed at our meeting.

Is there anything else we can do from our perspective that could assist in moving this project forward in regards to the interchange?

Thanks

[redacted]
Dear Sir/Madam:

RE: APPLICATION No.: 146030  
TYPE: Letter of Permission  
PURPOSE: Temporary Road Access  
LOCATION: St. John's

Letter of Permission to construct a temporary road access on Crown Land as shown on Schedule A attached is hereby given subject always to the following conditions:

1. This Permission is for temporary access only and all other requirements for a permanent access to the site must be submitted and approved by the Department of Transportation and Works prior to construction.
2. This Permission does not permit you to enter upon private land, to dispute claims to land or to obstruct any public right-of-ways which may exist in the area concerned.
3. This Permission does not convey exclusive use and you are not to restrict or prevent public use to the area concerned.
4. This Permission does not guarantee that all lands identified are Crown lands. It is your responsibility to identify the Crown land and to obtain permission from any private land owners.
5. The area of Crown land to be occupied must not exceed 0.84 hectares with a frontage not to exceed 20 meters.
6. This Permission does not waive the required consent of or permission from any other Government Departments or Agencies.
7. All waste materials generated from the use of this site must be removed and disposed of in an environmentally friendly way.
8. Any construction located within the 15-meter reservation of any water body must have prior approval from Fisheries Oceans, Canada and the Water Resources Management Division of the Department of Environment and Conservation.
9. Any cost incurred must be provided at your own expense and Government will not be held responsible for construction, maintenance or repairs, now or in the future.
10. You hereby agree to undertake and comply with all relevant sections of the Lands Act and any other Act.
11. The Minister has the right to cancel this Permission for any reason by giving a sixty (60) day notice at which time the site must be vacated. The Crown will accept no liability for improvements carried out on the land if cancelled.
12. By you accepting this Letter of Permission you hereby agree to comply with all the terms and conditions set out in this letter.
13. You must contact the nearest Forestry Office concerning the cutting or clearing of any timber from the site. Department of Natural Resources permits are required prior to any land clearing. Permit holder is responsible for all timber royalties associated with the permit.
Department of Transportation and Works Conditions

14. Approval is for right on / right off development construction access only.

15. No development permitted within 60 metres of the centerline of the CBS Bypass Road.

16. A 600mm diameter culvert shall be required across access for drainage. The length of the culvert shall be based on a 10 metre wide access driving surface.

17. All signage and flag people shall be in place according the Department of Transportation and Works Traffic Control Manual (2014). Oceanex Inc. must submit a Traffic Control Plan to the Department of Transportation and Works for approval. All costs and associated with the plan, signs and flag persons are the responsibility of Oceanex Inc.

18. Contact the Department of Transportation and Works, Foxtrap Depot for permits and additional information.

Service NL Conditions

General

19. The extent of land clearing and grubbing should be restricted such that naturally vegetated buffers between the site and surrounding properties and thoroughfares are maintained.

20. Any existing tree screen concealing the operation from public view is to be maintained.

21. If at any time this operation is deemed to be creating environmental problems, corrective action will have to be taken by the owner/operator, as directed by Service NL and/or the Department of Environment and Conservation.

22. The applicant must obtain written approval from the City of St. John’s, prior to development.

23. All waste material shall be considered, prior to disposal, for reuse, resale or recycling.

24. All waste material generated during the construction and operation of the facility is to be placed in suitable refuse containers and removed to an approved waste disposal site on a weekly basis, with the approval of Service NL and site owner/operator.

25. Derelict vehicles, scrapped equipment and other debris are not to be stored on site. Such material is to be removed to an approved waste disposal site or scrapyard on a regular basis with the approval of the site owner/operator.

26. The site is to be kept neat and tidy at all times.

27. Any cut brush should be chopped/shredded, burnt on-site with the approval of the Department of Natural Resources and/or removed to an approved waste disposal site with the permission of the owner/operator of the waste disposal site.

28. Tires and used or waste oil is not to be used to aid in the burning of brush.

29. Measures shall be implemented to contain floating debris during any construction at the facility. All floating debris is to be collected on a daily basis and placed in secure storage for subsequent disposal.

30. Upon closure of the operation, the site must be rehabilitated to the satisfaction of the Department. All material, equipment, buildings and waste is to be removed from the site and disposed of in accordance with Part IV of the Environmental Protection Act.

31. The Licence shall not revert to the Crown until such time as the site is restored to a condition acceptable to the Minister of Service NL and/or the Minister of Environment and Conservation.

Tires

32. A tire storage area must not exceed 5 m² without prior approval under the Environmental Protection Act.

Gasoline and Associated Products

33. All fuel storage tank system installations other than those connected to a heating appliance of a capacity of 2,500 litres or less are subject to the Storage and Handling of Gasoline and Associated Products Regulations and will require approval by Service NL, prior to installation.

34. All fuel storage tank systems connected to a heating appliance of a capacity of 2,500 litres or less must comply with the Heating Oil Storage Tank System Regulations.

Howley Building, Higgins Line, Box 8700, St. John’s, NL, A1B 4J6, Phone (709) 729-2654, Facsimile (709) 729-0726
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Yes, you are to install those culverts yourself to the Department's standards. The X means the Department will not be installing them.

Thanks

Christian Morris
Superintendent of Operations
Department of Transportation and Works
Harding Road - White Hills
St. John's, NL A1B 4J6
P.O. Box 21301
t (709)-729-6264
e christianmorris@gov.nl.ca

Christian

On our Highway Access permit it says the Applicant is responsible for supply 2 culverts but underneath there is an X in box 4 where it says once we have delivered the culverts to the access we are to contact you to arrange installation. Where there is an X in that box, does it mean we can have those culverts installed ourselves?

Thanks
Mike is at the Depot now, you can touch base with him now. 834-3961 or 699-3175.

Thanks

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Garry

Is there another number I can call to make arrangements to pick up these permits. I called the number below and was referred to 834-3961 but there is no answer at that number.

Thanks

Garry

The depot is open until 4:30..call 834-2587 before you go out

Sent from my BlackBerry 10 smartphone on the Bell network.
Garry,

What time does the office close today?

Thanks

From: Spencer, Garry L. [mailto:spencerg@gov.nl.ca]
Sent: Thursday, September 24, 2015 1:52 PM
To: Gosse, Gary R.
Cc: Morris, Christian; Supervisor, Foxtrap
Subject: Re: CBS Bypass Road Land Development Project

Item 18 says to contact the Department Foxtrap depot for permit

Garry

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Herman Harris
Sent: Thursday, September 24, 2015 1:45 PM
To: Gosse, Gary R.
Cc: Spencer, Garry L.; Morris, Christian; Supervisor, Foxtrap
Subject: RE: CBS Bypass Road Land Development Project

Gary

We have the attached Letter from Municipal Affairs Lands Branch for a Temporary Road Access dated Feb 26, 2015.
From: Gosse, Gary R.  [mailto:gosseg@gov.nl.ca]
Sent: Thursday, September 24, 2015 1:38 PM
To: [name redacted]  
Cc: Spencer, Gary L.; Morris, Christian; Supervisor, Foxtrap
Subject: RE: CBS Bypass Road Land Development Project

I checked with our guys and apparently Oceanex did not formally apply for the access. The Permit can be picked up at our Foxtrap Depot (n/c but suggest you call ahead). We will issue the temporary permit for construction purposes as we discussed.

Gary Gosse P.Eng.
Assistant Deputy Minister-Transportation

From: [name redacted]
Sent: Thursday, September 24, 2015 11:06 AM
To: Gosse, Gary R.
Subject: RE: CBS Bypass Road Land Development Project

Gary,

We are running into some issues with the City in regards to our clearing and grubbing plan. They are saying that before they will permit us to clear the trees off of this property, or be given a clearing and grubbing permit that we have a deceleration and acceleration lane of 50 m. While NewLab has informed them that there will very little vehicular activity entering and leaving this site except to drop off the equipment, that this should not be a concern but they are holding fast to the Department of Transportation must give it's okay prior to moving forward as in the statement below.

Is this 50 deceleration and acceleration lane a requirement at this stage of construction?

Regards

5. We previously indicated that we have concerns regarding the proposed temporary connection onto the Conception Bay South Bypass (Route 2). The drawings indicate a deceleration and acceleration lane of only 50 meters each. Given the type of vehicles that will be using the access and the posted roadway speed, the suggested access is inadequate to allow the site vehicles to slow down to enter the site, or accelerate to merge into existing traffic without creating a safety concern due to the differential in operating speeds of the Route traffic versus the site traffic. The connection onto Route 2 does fall under the Province and we suggest that they be contacted by the Applicant for approval of the proposed design. We cannot recommend approval of the proposed access based on the current design.

In an email from the consultant on August 13, 2015, the following response was provided:

"Appendix 'E' contains a temporary access approval from the Department of Municipal & Intergovernmental Affairs. Comments 14 thru 18 outline the requirements of the Department of Transportation and Works. All requirements will be met. A copy of the drawings will be submitted to the Department of Transportation & Works for their review. Once mobilized, it is anticipated that there will be very little traffic entering or leaving the site. All grubbed material will remain on site to be used in the construction of the berm."

The proposed design using 50m acceleration lanes must be reviewed by the Department of Transportation and Works. If the current design meets their approval, a copy of the approval must be provided to the City prior to any clearing and grading or harvesting of trees onsite.

Oceanex

OCEANEX

Offshore Crewing Manager
Directeur, Equipages Offshore
Baine Johnston Centre
701-10 Fort William Place
St. John's NL A1C 1K4
From: Gosse, Gary R. [mailto:gosseg@gov.nl.ca]
Sent: Thursday, August 27, 2015 9:54 AM
To: [redacted]
Subject: RE: CBS Bypass Road Land Development Project

Morning [redacted]

A contract has been awarded to Harbourside Transportation Consultants to complete the review/study. The Terms of Reference require them to consult with Oceanex so you can expect to hear from them. It will likely be [redacted]

Gary Gosse P.Eng.
Assistant Deputy Minister - Transportation

From: [redacted]  
Sent: Thursday, August 27, 2015 9:38 AM
To: Gosse, Gary R.
Subject: RE: CBS Bypass Road Land Development Project

Good Morning Gary,

Hope you are enjoying our August summer.

Any updates on the consultant for the Interchange. We have had SNC-Lavalin developing a conceptual 3D animation video for us which shows what the Oceanex project will look like. They did up the initial video but it mainly dealt with the Oceanex site, but we wanted it expanded to give a more realistic preview of what the interchange may look like. Once we get this completed, it may be of interest to you.

From: [redacted]
Sent: Tuesday, July 21, 2015 2:35 PM
To: [redacted]
Subject: Re: CBS Bypass Road Land Development Project

Our REOI closes next Wednesday. The terms of reference require the successful consultant to speak with Oceanex, CBS, Paradise, Mount Pearl and St John’s.

Gary Gosse P.Eng.
Assistant Deputy Minister
Transportation
P.O.Box 8700
Gary,

Just to keep you in the loop on where we are with the project and check with you on the independent consultant.

We have been told by the City that our rezoning application has gone to the advertising stage and contingent on no major concerns will be delivered back to City Council on August 10 to be approved and then filed with Province to complete the rezoning process.

We have been allowed to submit our Clearing and Grubbing Application so preliminary work can be done to speed up the process in preparation for the rezoning approval. We are hoping to start clearing the property by early to late September.

Can you please provide an update on the independent consultant. Has one been appointed yet and if so do you know who it is?

--- was told that we would also be given an opportunity to speak with the independent consultant as well.

Thanks

---

From: Gosse, Gary R. [mailto:gosseg@gov.nl.ca]
Sent: Wednesday, April 29, 2015 9:18 AM
To: [mailto:gosseg@gov.nl.ca]
Subject: RE: CBS Bypass Road Land Development Project

Thanks for the update. It seems you are on the right track to advance this project.

Gary Gosse P.Eng.
Assistant Deputy Minister-Transportation

---

From: [mailto:gosseg@gov.nl.ca]
Sent: Tuesday, April 28, 2015 10:46 AM
To: Gosse, Gary R.
Subject: CBS Bypass Road Land Development Project

Gary,
Just touching base to let you know where we are at with the Oceanex Land Development. I have a meeting set up with the Mayor of CBS for this Thursday so I can get a feel of their concerns. I also want to see if I can speed them up in providing the City with a response to our LUAR in order to have the land rezoned. From conversations with the City we should still be able to at least start Clearing and Grubbing the property this fall which would fall within the time lines we discussed at our meeting.

Is there anything else we can do from our perspective that could assist in moving this project forward in regards to the interchange?

Thanks
On our Highway Access permit it says the Applicant is responsible for supply 2 culverts but underneath there is an X in box 4 where it says once we have delivered the culverts to the access we are to contact you to arrange installation. Where there is an X in that box, does it mean we can have those culverts installed ourselves?

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From: Christian Morris [mailto:ChristianMorris@gov.nl.ca]
Sent: Tuesday, September 29, 2015 9:52 AM
To: Garry L.; Gosse, Gary R.
Cc: Supervisor, Foxtrap
Subject: RE: CBS Bypass Road Land Development Project

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Thanks
All our services are subject to the latest edition of the terms and conditions of our Rate Quotation, Combined Transportation Way Bill ("Way Bill") and General Tariff. A copy of these terms and conditions is available upon request and may also be consulted on our website at www.oceanex.com. These terms and conditions include exonerations and limitations of liability as provided or permissible by law. The information in this email is confidential and may be privileged. It is intended solely for the addressee. If the reader of this message is not the intended recipient, any disclosure, copying, distribution or action taken or omitted to be taken in reliance on it is prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.

Tous nos services sont assujettis aux termes et conditions de l'édition la plus récente de la Cotation, de la Lettre de transport intermodal et du Tarif d'Oceanex. Une copie de ces termes et conditions est disponible sur demande et peut être consultée sur notre site web à l'adresse www.oceanex.com. Ces stipulations comprennent des clauses d'exonération et de limitation de responsabilité telles que la loi le stipule ou le permet. L'information contenue dans ce courriel est confidentielle et peut être privilégiée. Elle est réservée exclusivement au destinataire. Si le lecteur de ce message n'est pas le destinataire prévu, toute divulgation, copie, distribution ou action prise ou abandonnée sur la foi de celui-ci est interdite. Si vous avez reçu cette communication par erreur, veuillez nous en aviser immédiatement en répondant à l'expéditeur et effacer le message de votre ordinateur.

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This permit authorizes OCEANVIEW INC. (name and address of property owner/applicant) to TEMPORARY COMMERCIAL access to Route 7 in or between the community(ies) of MOUNT PEARL approximately 1.5 km EAST of TCH INTERCHANGE (cross ref leaf) at the following coordinates parking (reading) (description) (name of community) (newfoundland or other jurisdiction) for the purpose of TEMP CONSTRUCTION IN/OUT ACCESS. (please provide development, intended use or proposed improvement)

General conditions below are applicable to this permit.

1. This permit is void for the property owner and intended use referenced above. Any changes in ownership, intended use or dimensions requires a new permit.
2. The access shall be graded to prevent surface water from flowing directly onto the roadway from the access.
3. If the property owner decides to pave the access, any asphalt placed on the road shoulder must be a minimum of 50 mm thick and the top of the asphalt must be set at the same grade as the road shoulder on either side. The Department will not accept any liability for damages to the paved surface of the access caused by routine highway maintenance and upgradation.
4. The property owner may be permitted to improve the type of end treatments on access culverts. However, any such improvements requires the prior approval of the Department. The Department will not be responsible for reinstating such improvements during future maintenance or replacement of the culvert.
5. The Department reserves the right to change the alignment and grade of the roadway and adjust the access accordingly to tie into the new roadway alignment and gradeline.

Specific conditions checked (X) below are applicable to this permit.

1. [X] Number of accesses that will be constructed to the property under this permit: Rte 2 @ OCEANVIEW INC Prop.
2. [X] New access(es) will be located
3. [X] Applicant is responsible for supplying the following new culverts to accommodate drainage through the access:
   - Number of culverts: 2 Diameter: 600 mm Length: 6 m Type: STEEL
4. [X] Upon notification from the applicant that the culvert has been delivered to the access site, the Department of Transportation and Works will arrange for installation at the next available opportunity. Applicant will charge a flat rate of $____plus HST for each culvert installed by the Department.
5. [X] Applicant will arrange to have the culvert installed by: Winter Lewis (name of contractor)
6. [X] After installation of a culvert within the highway right-of-way, the culvert becomes the property of the Department of Transportation and Works and the department assumes all future responsibility for maintenance and/or replacement. Culverts installed outside the highway right-of-way remain the property and responsibility of the applicant.
7. [X] Level of road maintenance provided by the Department: (description at face of agreement and initial maintenance)
8. [X] Under the "Building Near Highways Regulations", a person shall not erect, repair, alter or structurally improve a fence, building or other structure, nor shall he or she plant trees, shrubs or hedges without the prior permission of the minister within 60 m of Route 2 Centre Line.
9. [X] Access shall conform to the following attached plan: (description of standard access drainage or developer's plan previously approved)
10. [X] This temporary access permit expires on
11. [X] Applicant shall remove vegetation fronting the property within the highway right-of-way.
12. [X] 
13. [X] 

This permit is issued on behalf of the Minister of the Department of Transportation and Works.

Issued by: R. Parker (signature)
Date: 25 Sep 15
Trip generation rates for applying to the model seem reasonable to proceed with the analysis. Though we both know the limitations on the water supply system may affect the projected 2030 growth the study should reflect this comment as a precaution that this trip generation may not be achieved if water supply issues cannot be resolved.

One point for clarification: The 2030 projected growth is total growth and not in addition to the 2020 Projected growth, correct?

This being the case please proceed with the modelling as per the project plan. At least we will have a worst case scenario for planning highway improvements!

Thanks and have a good thanksgiving!

John

Hey John;

Please see the attached trip generation rates that HTC has developed for the Route 2 analysis based on discussions that were held with the various municipalities and with representatives of OCEANEX. For your review and comments.

Regards;

P.Eng
Senior Transportation Engineer - Principal
Harbourside Transportation Consultants
Suite 306, Terrace on the Square
8 Rowan Street, P.O. Box 23169
St. John's, NL, A1B 4J9

W: www.harboursideengineering.ca
# Trip Generation Table for Route 2 Traffic Study

## Year 2020 Projected Growth

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Description of Anticipated Development to 2020</th>
<th>Project Zones</th>
<th>VISUM Model Zones</th>
<th>AM Peak Hour of Adjacent Street Traffic</th>
<th>PM Peak Hour of Adjacent Street Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Rate/eq</td>
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<tr>
<td>City of St. John's</td>
<td>1. Glencrest Phase 1 Commercial (full development)</td>
<td>1</td>
<td>701</td>
<td>700</td>
<td>540</td>
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<tr>
<td></td>
<td>2. Phase 1 Clayton Residential area (full development - 553 DU)</td>
<td>6</td>
<td>766</td>
<td>800</td>
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<td></td>
<td>3. Southlands - Phase 11 (full development - 403 DU)</td>
<td>13</td>
<td>713</td>
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<tr>
<td></td>
<td>4. Southlands - Phase 9 &amp; 10 (full development - 966 DU)</td>
<td>14</td>
<td>714</td>
<td>133</td>
<td>513</td>
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<tr>
<td></td>
<td>5. Glencrest Industrial (1/3 of zone development)</td>
<td>4</td>
<td>704</td>
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<td>50</td>
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<tr>
<td></td>
<td><strong>Total</strong></td>
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<td>1433</td>
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<tr>
<td>Town of CBS</td>
<td>1. Residential Development (230 housing starts per year for 5 years, 1,150 DU)</td>
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<td></td>
<td>0.75</td>
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<tr>
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<td>2. Commercial Development Gateway Development (50,000 ft2 per year for 5 years, 250,000 ft2)</td>
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<td></td>
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<td><strong>Total</strong></td>
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<tr>
<td>City of Mount Pearl</td>
<td>1. Residential Development - lands above 190m contour (800 DU)</td>
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<td></td>
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<td>2. Commercial Development - lands above 190m contour (375,000 ft2)</td>
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<td>3. Office Development - lands above 190m contour (375,000 ft2)</td>
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<td>Town of Paradise</td>
<td>1. Residential Development (300 housing starts per year for 5 years, 1,500 DU)</td>
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<td></td>
<td>0.75</td>
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<tr>
<td></td>
<td>2. Commercial Development (50,000 ft2 per year for 5 years 250,000 ft2)</td>
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<td>1.06</td>
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<td>3. Office Development (12,000 ft2 per year for 5 years, 60,000 ft2)</td>
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<td>4. Light Industrial Development (104,000 ft2 per year for 5 years, 520,000 ft2)</td>
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<td>0.92</td>
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<tr>
<td></td>
<td><strong>Total</strong></td>
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<td>997</td>
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<tr>
<td>Oceanex Inland Terminal</td>
<td>1. Commercial Development (Oceanex) (166 Employees)</td>
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<td>156</td>
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<td>2. Truck Traffic (125 Oceanex - 200 Armour)</td>
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<td></td>
<td></td>
<td>3901</td>
<td>4034</td>
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## Year 2030 Projected Growth

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   - Project Zones: 6
   - VISUM Model Zones: 706
3. **Southlands - Phase 11 (full development - 403 DU)**
   - Project Zones: 13
   - VISUM Model Zones: 713
4. **Southlands - Phase 9 & 10 (full development - 966 DU)**
   - Project Zones: 14
   - VISUM Model Zones: 714
5. **Glencrest Industrial (full zone development)**
   - Project Zones: 4
   - VISUM Model Zones: 704
6. **Southlands - Phase 11 (full development - 403 DU)**
   - Project Zones: 13
   - VISUM Model Zones: 713
### Town of CBS
1. **Residential Development (230 housing starts per year for 15 Years, 3,450 DU)**
2. **Commercial Development Gateway Development (50,000 ft² per year for 15 years, 750,000 ft²)**
### City of Mount Pearl
1. **Residential Development - Lands above 190m contour (800 DU)**
2. **Commercial Development - Lands above 190m contour (375,000 ft²)**
3. **Office Development - Lands above 190m contour (375,000 ft²)**
### Town of Paradise
1. **Residential Development (300 housing starts per year for 15 years, 4500 DU)**
2. **Commercial Development (50,000 ft² per year for 35 years, 750,000 ft²)**
3. **Office Development (12,000 ft² per year for 15 years, 180,000 ft²)**
4. **Light Industrial Development (104,000 ft² per year for 15 years, 1,560,000 ft²)**
### Oceanex Inland Terminal
1. **Commercial Development (Oceanex) (166 Employees)**
2. **Truck Traffic (125 Oceanex - 200 Armour)**

### AM Peak Hour of Adjacent Street Traffic
- **Rate/EQ:** 0.75, 1.00, 1.56
- **Enter:** 647, 541, 844
- **Exit:** 1941, 254, 2531
- **Total:** 2588, 795, 3375
- **Traffic:** 2793, 3227, 6020

### PM Peak Hour of Adjacent Street Traffic
- **Rate/EQ:** 0.97, 1.00, 1.06
- **Enter:** 156, 541, 247
- **Exit:** 10, 254, 34
- **Total:** 10, 7982
Hey John;

The 2030 projection includes a 15 year timeframe.

We will proceed with the modelling and analysis over the next couple of weeks.

I will keep you advised as we progress.

Sent from my iPhone

On Oct 9, 2015, at 5:12 PM, "Morrissey, John" <morrisseyj@gov.nl.ca> wrote:

Trip generation rates for applying to the model seem reasonable to proceed with the analysis. Though we both know the limitations on the water supply system may affect the projected 2030 growth the study should reflect this comment as a precaution that this trip generation may not be achieved if water supply issues cannot be resolved.

One point for clarification: The 2030 projected growth is total growth and not in addition to the 2020 Projected growth, correct?

This being the case please proceed with the modelling as per the project plan. At least we will have a worst case scenario for planning highway improvements!

Thanks and have a good thanksgiving!

John

Hey John;

Please see the attached trip generation rates that HTC has developed for the Route 2 analysis based on discussions that were held with the various municipalities and with representatives of OCEANEX. For your review and comments.

Regards;

P.Eng
Senior Transportation Engineer - Principal
<image001.png>
Harbourside Transportation Consultants
Suite 306, Terrace on the Square
8 Rowan Street, P.O. Box 23169
St. John’s, NL, A1B 4J9

W: www.harboursideengineering.ca

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<Route 2 Analysis Trip Generation Rates 09102015 RWK.PDF>
Good afternoon, who would be the best one to discuss this with. I had discussed this in our meeting with Gary back in October and he was going to email the City let them know that for clearing and grubbing our property there was no requirement for the deceleration and acceleration lanes. The City's Planning, Development and Engineering Department are still stating that:

"Permission to construct the temporary site access has been provided from the Department of Municipal Affairs however, it is unclear whether this permission indicates approval of the design of the access. As previously indicated we expressed concerns regarding the length of the deceleration and acceleration lane at 50 meters each. Approval must be provided from the Provincial Government for the proposed design of the temporary access."

I have attached our Temporary Road access Permit which Gary stated was all Oceanex needed for clearing and grubbing of the site, as all we would be doing is dropping equipment off that would remain onsite during the process, but that during those times flag persons would be required.

I do have to have the Temporary Road Access from Municipal Affairs renewed as it expires Feb 26 but will do that this week.

Regards

Oceanex Inc. Project Manager

All our services are subject to the latest edition of the terms and conditions of our Rate Quotation, Combined Transportation Way Bill ("Way Bill") and General Tariff. A copy of these terms and conditions is available upon request and may also be consulted on our website at www.oceanex.com. These terms and conditions include exonerations and limitations of liability as provided or permissible by law. The information in this email is confidential and may be privileged. It is intended solely for the addressee. If the reader of this message is not the intended recipient, any disclosure, copying, distribution or action taken or omitted to be taken in reliance on it is prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.
HIGHWAY ACCESS PERMIT

This permit authorizes OCEANEY INC. to access to Route 7 approximately 1.8 km in or between the community(ies) of Mount Pearl at the following coordinates for the purpose of temporary construction in/over access.

General conditions below are applicable to this permit.

1) This permit is valid for the property owner and intended use referenced above. Any changes in ownership, intended use or dimensions requires a new permit.

2) The access shall be graded to prevent surface water from flowing directly onto the roadway from the access.

3) If the property owner decides to pave the access, any asphalt placed on the road shoulder must be a minimum of 50 mm thick and the top of the asphalt must be set at the same grade as the road shoulder on either side. The Department will not accept any liability for damages to the paved surface of the access caused by routine highway maintenance and upgrading.

4) The property owner may be permitted to improve the type of end treatments on access culverts. However, any such improvements requires the prior approval of the Department. The Department will not be responsible for reinstating such improvements during future maintenance or replacement of the culvert.

5) The Department reserves the right to change the alignment and grade of the roadway and adjust the access accordingly to tie into the new roadway alignment and gradeline.

Specific conditions checked (✓) below are applicable to this permit.

1) ✓ Number of accesses that will be constructed to the property under this permit: 1

2) ✓ New access(es) will be located RTE 2 OCEANEY INC Prop.

3) ✓ Applicant is responsible for supplying the following new culverts to accommodate drainage through the access:

   - Diameter: 600 mm
   - Length: 6 m
   - Type: Steel

4) ✓ Upon notification from the applicant that the culvert has been delivered to the access site, the Department of Transportation and Works will arrange for installation at the next available opportunity. Applicant will charged a flat rate of $150 plus HST for each culvert installed by the Department.

5) ✓ Applicant will arrange to have the culvert installed by:

   - Supplier:

6) ✓ After installation of a culvert within the highway right-of-way, the culvert becomes the property of the Department and Transportation and Works and the department assumes all future responsibility for maintenance and/or replacement. Culverts installed outside the highway right-of-way remain the property and responsibility of the applicant.

7) ✓ Level of road maintenance provided by the Department:

   - Winter (Summer)

   - Land or water maintenance

8) ✓ Under the "Building Near Highways Regulations", a person shall not erect, repair, alter or structurally improve a fence, building or other structure, nor shall he or she plant trees, shrubs or hedges without the prior permission of the minister within 60 m of Route 2 Centre Line.

9) ✓ Access shall conform to the following attached plan:

   - Description of standard access dressing or developer's plan previously approved

10) ✓ This temporary access permit expires on

11) ✓ Applicant shall remove vegetation fronting the property within the highway right-of-way.

12) ✓

13) ✓

This permit is issued on behalf of the Minister of the Department of Transportation and Works.

Issued by: [Signature]

Date: 25 Sep 15