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/085/2018]

On November 13, 2018, the Department of Transportation and Works received your request for access to the following records:

Any and all communications or information concerning the land owned by the provincial government located at 34 Mews Pl, St. John's. This includes, but is not limited to, any meetings, emails, directions, meetings scheduled in calendars, etc. since September 2017. In addition, any and all communications or information concerning the numbered company 80521 NL Inc.

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,

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
November 14, 2017

Via Courier

Honourable Steve Crocker
Minister of Transportation and Works
Minister’s Office
Department of Transportation & Works
5th Floor, West Block, Confederation Building
PO Box 8700
St. John’s, NL A1B 4J4

Dear Minister:

We are the lawyers for 80521 Newfoundland and Labrador Limited. Our clients are interested in discussing the purchase from the Crown of the land described in the attached Schedule “A”.

We look forward to discussing this with you or someone from your Department.

Thank you.

GOODLAND BUCKINGHAM

Encl.
From: Granville, Andre G.
Sent: Tuesday, November 21, 2017 8:23 AM
To: Nolan, Mike; Morrisey, John
Subject: RE: Team Gushue Highway Vacant Property

Mike

Can you advise as to who is providing this direction so we can have a discussion with them.

A

From: Nolan, Mike
Sent: Tuesday, November 21, 2017 8:22 AM
To: Granville, Andre G. <granvillea@gov.nl.ca>; Morrisey, John <morriseyj@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property

I have been ordered to have it sold to 80521 NL Ltd by Wednesday, which is not possible as we need to get it surveyed...I have to have it substantially done by Wednesday.

From: Granville, Andre G.
Sent: Tuesday, November 21, 2017 8:12 AM
To: Morrisey, John; Nolan, Mike
Subject: RE: Team Gushue Highway Vacant Property

Gents

In my discussions with the City regarding the issues on Kenmount Road, the City seemed interested in that parcel of land. The City has plans over the next 5-7 years of upgrading the storm sewer/detention systems on a significant portion along Kenmount Road. As I understand it, a lot of the work is yet to be designed but there was some interest in knowing that land was still owned by the Department. I think it would be foolish to divest of this land until we have complete signoff from the City on all matters related to storm water detention.

Andre

From: Morrisey, John
Sent: Monday, November 20, 2017 4:05 PM
To: Nolan, Mike <MNolan@gov.nl.ca>
Cc: Granville, Andre G. <granvillea@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property

15 meters from Control Line is the standard but should also reserve an extra 6 meters for storm sewer easement. There is also an existing Sanitary Storm Sewer easement on the property as well.

From: Nolan, Mike
Sent: Monday, November 20, 2017 3:56 PM
To: Morrisey, John <morriseyj@gov.nl.ca>
Cc: Granville, Andre G. <granvillea@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property

I've been directed to get the survey commissioned of what land is remaining, will 15m on the control line be suitable?...It may be that we can keep 2-3 acres for the detention requirements...

From: Morrisey, John
Sent: Monday, November 20, 2017 12:25 PM
To: Nolan, Mike  
Cc: Granville, Andre G.  
Subject: RE: Team Gushue Highway Vacant Property

Mike:

The only thing that was designed was the storm sewer outfall (see attached) it was presumed the detention pond would be the same size as the conceptual design as completed by [redacted] in his storm Water Detention Requirements Report. (see attached). Based on other designs and examples attached probably looking at a requirement of 300 meters long by 100 meters wide.

There was a recent rain storm which the City of St. John’s has started investigating which caused damage to the Ramada Inn at the corner of Kenmount Road and Pippy Place. Evidently there is possibly of a legal civil action resulting from that storm event. Andre may have more details as he was dealing with the city on providing as-constructed information on storm sewer modifications the province made around the overpasses for Team Gushue Highway. It may not be wise to dispose of any property in this vicinity until the civil action is over and the City has determined the storm water detention requirements to mitigate future events.

John

From: Nolan, Mike  
Sent: Monday, November 20, 2017 9:42 AM  
To: Morrissey, John <morrisseyj@gov.nl.ca>  
Subject: RE: Team Gushue Highway Vacant Property

John, Realty has been directed to immediately sell the vacant acreage at Mews Place as per the attached. This land was being held for the 11,000 cu. m of storm drainage off TGH. Can you advise if you have a detention pond designed and if not how much of the land you would need for this system. Thanks

Mike

From: Morrissey, John  
Sent: Sunday, November 13, 2016 10:07 PM  
To: 'Chris Newman'; Nolan, Mike  
Subject: RE: Team Gushue Highway Vacant Property

Chris:

See attached report on storm water detention alternatives. Take note of Alternative # 3 identified on page 9 of the report and Map 4 but also note the routing of the proposed diversion of Kenmount storm sewer is not feasible. The feasible location and eventual possible detection facility at the storm sewer outfall is in the property location requested. (see attached image of the Department alternative Kenmount storm sewer rerouting.

When the City takes ownership of Team Gushue Highway property disposal process could probably proceed but it would have to be an open and transparent process.

John

From: [redacted]  
Sent: Friday, November 11, 2016 12:35 PM  
To: Nolan, Mike; Morrissey, John  
Subject: RE: Team Gushue Highway Vacant Property

Good Afternoon Mike and John,

Further to our emails below Mr. Dave Wadden of the City of St. John’s has advised that they do not have any information pertaining to a storm water management facility for the parcel of land in question.
Can you please advise of a timeframe for when this parcel of land would potentially become available for purchase as our client is interested in this area.

Regards,

Kavanagh Associates
a division of R.V. Anderson Associates Limited
engineering - environment - infrastructure

74 O’Leary Avenue PO Box 13039 STN A St. John’s NL A1B 3V8
Tel 709 722 0024 Fax 709 722 0345
www.rvanderson.com

Please consider the environment before printing this email.

From: [redacted]
Sent: Wednesday, November 2, 2016 2:13 AM
To: Nolan, Mike <MNolan@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property

Good Morning Mike,

Our client is interested in purchasing the parcel of land located off of Mews Place extension and backing onto the Team Gushue Highway.

Further to John’s email below can you please advise the approximate size of land that would be available for our client to purchase based on the size of the storm water management facility.

Regards,

Kavanagh Associates
a division of R.V. Anderson Associates Limited
engineering - environment - infrastructure

74 O’Leary Avenue PO Box 13039 STN A St. John’s NL A1B 3V8
Tel 709 722 0024 Fax 709 722 0345
www.rvanderson.com

Please consider the environment before printing this email.

From: Morrissey, John [mailto:morrisseyj@gov.nl.ca]
Sent: Friday, June 3, 2016 9:04 AM
To: [redacted]
Cc: Nolan, Mike <MNolan@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property
The contact for property issues with the Department is Mike Nolan. (copied here)

The property in question was being reserved for a possible option of a storm water detention facility to mitigate run-off increases from upstream development. While we are still working with the City of St. John's on those issues, the Department doesn't typically dispose of property until a project is finished. When the TGH is handed over to the City of St. John's it would be a good time to investigate if the property is an option for acquisition.

John

From: [Email Redacted]
Sent: Friday, June 03, 2016 8:34 AM
To: Morrisey, John
Subject: Team Gushue Highway Vacant Property

Good Morning John,

Please see attached PDF showing a vacant parcel of land between the commercial development fronting on Mews Place and the ramps for the Team Gushue Highway. The Parcel of land in question is noted to be owned by Her Majesty in Right of Newfoundland. We assume that the government purchased this property for the construction of the Team Gushue Highway. Can you please advise who we can speak to, to see if this parcel of land is for sale.

Regards,

Kavanagh Associates

74 O'Leary Avenue PO Box 13039 STN A St. John's NL A1B 3V8
Tel 709 722 0024 Fax 709 722 0345
www.rvanderson.com

Please consider the environment before printing this email.

“R.V. Anderson Associates Limited has been engaged in the provision of professional engineering, operations, and management services since 1948. This message is intended only for the use of the individual(s) to whom it is addressed. If you are not the intended recipient(s), disclosure, copying, distribution and use are prohibited; please notify us immediately and delete this email from your systems. Please see http://www.rvanderson.com for Copyright and Terms of Use.”
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
From: Nolan, Mike  
Sent: Tuesday, November 21, 2017 12:21 PM  
To: Granville, Andre G.  
Subject: RE: Land off Kenmount Road

I was supposed to have this sold by tomorrow..

---

From: Granville, Andre G.  
Sent: Tuesday, November 21, 2017 12:21 PM  
To: Grandy, Cory  
Cc: Morissette, John; English, Tracy; Nolan, Mike  
Subject: RE: Land off Kenmount Road

Cory

No panic on my part, just that I thought there was some urgency in relation to this file.

Andre

---

From: Grandy, Cory  
Sent: Tuesday, November 21, 2017 12:19 PM  
To: Granville, Andre G. <granvillea@gov.nl.ca>  
Cc: Morissette, John <morissettej@gov.nl.ca>; English, Tracy <TEnglish@gov.nl.ca>; Nolan, Mike <MNolan@gov.nl.ca>  
Subject: Re: Land off Kenmount Road

Understood. Don't panic.

---

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Granville, Andre G.  
Sent: Tuesday, November 21, 2017 11:45 AM  
To: Grandy, Cory  
Cc: Morissette, John; English, Tracy; Nolan, Mike  
Subject: Land off Kenmount Road

Cory

Can we have a discussion as it relates to the decision to sell off the land adjacent to the TGH and Kenmount Road before a final decision is made? This land has been earmarked as a possible location to achieve storm water detention should it be deemed necessary. There is a preliminary design in place to outlet flow from the area onto this land as a detention basin.

In discussions I have had with the City, they have asked about the availability of this land as well so I think it would be imprudent at this juncture to dispose of this land. Most recently, there was a significant rainfall event that caused flooding of the Ramada property after which the City came to the department looking for additional information on the work the Department has undertaken upstream of the Ramada as part of their investigation. I have heard there is a possible lawsuit being filed by the property owners for damages which in all likelihood the Department could end up as a co-defendant. Furthermore, the City has advised me they are looking at a major upgrading project for the entire storm sewer system on Kenmount Road and had inquired about the status of this property. As I understand it, the design work is in the early stages so there is unlikely to be any decision made on utilizing this land.

Finally, from conversations I had with your predecessor, Gary Gosse, there is some form of agreement with the City that the Department will turn over all Dept owned land that is immediately adjacent to the Team Gushue Highway. While I do not have anything formal on this agreement, I think that this would also need some investigation prior to disposing of this land to determine what the intention of this agreement was and its implications.

Andre Granville, P. Eng.
Senior Highway Design Engineer
Department of Transportation and Works
West Block, Confederation Building
PO Box 8700
St. John’s, NL
A1B 4J6

T: 709-729-5770
F: 709-729-0283
November 23, 2017

Via Courier

Honourable Steve Crocker
Minister of Transportation and Works
Minister’s Office
Department of Transportation & Works
5th Floor, West Block, Confederation Building
PO Box 8700
St. John’s, NL A1B 4J4

Dear Minister:

We are the lawyers for 80521 Newfoundland and Labrador Limited. Our clients are interested in discussing the purchase from the Crown of the land described in the attached Schedule “A”.

We look forward to discussing this with you or someone from your Department.

Thank you.

GOODLAND BUCKINGHAM

DC:fl
Encl.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
From: Nolan, Mike  
Sent: Thursday, November 23, 2017 3:06 PM  
To: Morissette, John  
Cc: Skanes, Bill; Granville, Andre G.  
Subject: RE: 80521 NL Ltd  

I will get a preliminary plan and we can sketch on a row suitable to us.

From: Morissette, John  
Sent: Thursday, November 23, 2017 2:55 PM  
To: Nolan, Mike; Skanes, Bill; Morris, Christian; Granville, Andre G.  
Cc: Woodrow, Denise; Grandy, Cory; Hillier, William  
Subject: RE: 80521 NL Ltd  

The limits for highway reservation remaining are standard and would be sufficient. A little more reservation at the Logy Bay Road ramp intersection area should be reserved for possible roundabout or traffic lights construction in future.

From: Nolan, Mike  
Sent: Thursday, November 23, 2017 02:40 PM  
To: Morissette, John; Skanes, Bill; Morris, Christian; Granville, Andre G.  
Cc: Woodrow, Denise; Grandy, Cory; Hillier, William  
Subject: RE: 80521 NL Ltd  

Regards to the 25 acres at ORR, is it surplus to TW and is 45m from median and 15m from control line okay?

From: Morissette, John  
Sent: Thursday, November 23, 2017 1:00 PM  
To: Nolan, Mike; Skanes, Bill; Morris, Christian; Granville, Andre G.  
Cc: Woodrow, Denise; Grandy, Cory; Hillier, William  
Subject: RE: 80521 NL Ltd  

Looping Cory and Bill in on this conversation.

Though the City gave a letter advising storm water detention is no longer required in the Kenmount Road area the letter conflicts with earlier positions on the matter. (see attached) The City has continued to express interest in the location proposed for the alternate Kenmount Road storm sewer routing and detention pond. (see attached) A recent storm event which affected Kenmount Road property will possibly bring litigation on current storm water management operations. The following news story appeared during that recent event [http://vocm.com/news/heavy-rains-in-metro-finally-moving-off/] The video shows the overcharged storm sewer on Kenmount Road. When Team Gushue Highway is paved the amount of hard surfaced less permeable area within the drainage basin will increase.

As pointed out the proposed alternate site was a possibility for the Virginia Park Elementary School replacement. Not sure about the access issues but there were municipal servicing issues. Access off Logy Bay Road would have to be approved by the municipality of Logy Bay - Middle Cove - Outer Cove but it would be expected the Department would be consulted if it impacts current infrastructure.

From: Nolan, Mike  
Sent: Thursday, November 23, 2017 12:14 PM  
To: Skanes, Bill <skanesb@gov.nl.ca>; Morris, Christian <ChristianMorris@gov.nl.ca>; Morissette, John <morrisseyl@gov.nl.ca>; Granville, Andre G. <granvillea@gov.nl.ca>  
Cc: Woodrow, Denise <denisewoodrow@gov.nl.ca>  
Subject: RE: 80521 NL Ltd  

The pipe we are running to Ken Brook is the TGH Drainage I was referring too
For the Logy Bay Property, it was one of the larger parcels we were holding onto along with Mews Place. Access could be had off Logy Bay

From: Skanes, Bill  
Sent: Thursday, November 23, 2017 9:55 AM  
To: Nolan, Mike; Morris, Christian; Morrissey, John; Granville, Andre G.  
Cc: Woodrow, Denise  
Subject: RE: 80521 NL Ltd

Mike,

What drainage TGH issues are you referring to? The Mews Place area was a proposed location for a detention pond, but as far as I know, the City has responded and a detention pond is no longer necessary.

As for the land adjacent to Logy Bay ramp, this was one of the proposed locations for East Point Elementary. I believe there were access issues with this parcel of land. I don't see what need we would have for it.

Bill

From: Nolan, Mike  
Sent: Thursday, November 23, 2017 9:38 AM  
To: Morris, Christian; Morrissey, John; Granville, Andre G.; Skanes, Bill  
Cc: Woodrow, Denise  
Subject: 80521 NL Ltd

Fyi the sale of the 15 acres at Mews Place to 80521 NL Ltd is on hold until the TGH drainage issues are dealt with, however I have now received orders to sell the 25 acres of TW land as per the attached to 80521 NL Ltd. Is this surplus to TW operations and are there any issues drainage etc, that we need to be aware of or have easements on. I assume 45m from median and 15m from control line will suffice for ROW on ORR? Please advise.

Thanks

Mike Nolan NLS
Transportation Planning Supervisor
Realty Services Division
Transportation & Works
Box 8700 St. John's NL A1B 4J6
T 709.729.3697
F 709.729.0984
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
July 15, 2016

Honorable Al Hawkins, Minister
Department of Transportation and Works
P.O. Box 8700
St. John’s, NL, A1B 4J6

Dear Minister Hawkins:

Re: Team Gushue Highway - Stormwater Detention

Further to my letter of July 31, 2015, to the Honorable David Brazil (former Minister, Transportation and Works), the City has completed computer modeling of the Team Gushue Highway (TGH) between Kenmount Road and the Kitty Gaul’s Brook crossing (just West of George’s Pond Road) – see attachment. We have investigated what the increase in runoff would be from the proposed asphalt surface along this section of highway and the requirements to provide stormwater detention. In that regard, we have determined that the optimal location for detention occurs along the highway above the Kitty Gaul’s Brook crossing and in the wetland along Empire Avenue.

The Kitty Gaul’s Brook crossing presently consists of two 1,500mm diameter pipes that convey the Brook under the Highway. In order to meet stormwater detention requirements for this area, we are proposing that you “throttle” one of these culverts by attaching a steel plate at the upstream headwall over the upper half of one of the 1,500mm diameter pipes. This will provide adequate storage in the upstream ditches along the highway to maintain predevelopment flows for this area.

The section of the Highway between George’s Pond Road and Old Pennywell Road discharges to the existing wetland along Empire Avenue. Several years ago the City modified the periphery and outlet of this wetland so that it would function as a stormwater detention facility for the area. Computer modelling of the catchment for the Empire Avenue wetland indicates that any increase in runoff from the TGH will be accommodated by this stormwater detention facility. Our conclusion is that no additional stormwater detention infrastructure will be required along this section of the Highway.

The drainage infrastructure for the section of the Highway between Old Pennywell Road and Kenmount Road is still under construction but our preliminary analysis of this section of the Highway indicates that the existing TGH infrastructure will not produce an increase in runoff at Kenmount Road. We are therefore satisfied that stormwater detention will not be required along this section of the Highway.

Over the coming months we will be working on the computer modeling of the section of the TGH between Kitty Gaul’s Brook (just West of George’s Pond Road) and Topsail Road. Based on the above, there is no reason why you cannot proceed with your tenders to complete the paving Team Gushue Highway. Any additional requirements for stormwater detention along the Highway, West of George’s Pond Road, we envision as being relatively minor and can be installed while the paving of the Highway is ongoing.
Yours truly,

S. 40(1)

Kevin Breen

Attachment

cc: Council
    Jason Sinyard, Deputy City Manager – Planning, Development & Engineering
    Dave Wadden, Manager – Development Engineering
See attached site sketch of 15.1 acres available currently held by the Department. Proposed routing for Storm sewer outfall is also attached.

John

From: Nolan, Mike
Sent: Monday, November 20, 2017 9:42 AM
To: Morrissey, John <morrisseyj@gov.nl.ca>
Subject: RE: Team Gushue Highway Vacant Property

John, Realty has been directed to immediately sell the vacant acreage at Mews Place as per the attached. This land was being held for the 11,000 cu. m of storm drainage off TGH. Can you advise if you have a detention pond designed and if not how much of the land you would need for this system. Thanks

Mike

From: Morrissey, John
Sent: Sunday, November 13, 2016 10:07 PM
To: Nolan, Mike
Subject: RE: Team Gushue Highway Vacant Property

See attached report on storm water detention alternatives. Take note of Alternative # 3 identified on page 9 of the report and Map 4 but also note the routing of the proposed diversion of Kenmount storm sewer is not feasible. The feasible location and eventual possible detection facility at the storm sewer outfall is in the property location requested. (see attached image of the Department alternative Kenmount storm sewer rerouting.

John

From: Chris Newman [mailto: cnewman@rvanderson.com]
Sent: Friday, November 11, 2016 12:35 PM
To: Nolan, Mike; Morrissey, John
Subject: RE: Team Gushue Highway Vacant Property

Good Afternoon Mike and John,

Further to our emails below Mr. Dave Wadden of the City of St. John's has advised that they do not have any information pertaining to a storm water management facility for the parcel of land in question.

Can you please advise of a timeframe for when this parcel of land would potentially become available for purchase as our client is interested in this area.

Regards,
Good Morning Mike,

Our client is interested in purchasing the parcel of land located off of Mews Place extension and backing onto the Team Gushue Highway.

Further to John’s email below can you please advise the approximate size of land that would be available for our client to purchase based on the size of the storm water management facility.

Regards,

The contact for property issues with the Department is Mike Nolan,(copied here)

The property in question was being reserved for a possible option of a storm water detention facility to mitigate run-off increases from upstream development. While we are still working with the City of St. John’s on those issues, the Department doesn’t typically dispose of property until a project is finished.

John
From: [Redacted]
Sent: Friday, June 03, 2016 8:34 AM
To: Morrissey, John
Subject: Team Gushue Highway Vacant Property

Good Morning John,

Please see attached PDF showing a vacant parcel of land between the commercial development fronting on Mews Place and the ramps for the Team Gushue Highway. The Parcel of land in question is noted to be owned by Her Majesty in Right of Newfoundland. We assume that the government purchased this property for the construction of the Team Gushue Highway. Can you please advise who we can speak to, to see if this parcel of land is for sale.

Regards,

Kavanagh Associates

74 O’Leary Avenue PO Box 13039 STN A St. John’s NL A1B 3V8
Tel 709 722 0024 Fax 709 722 0345
www.rvanderson.com

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Good morning Mike,

Do you know if the land got surveyed and any word on the temporary car storage?

From: Nolan, Mike <MNolan@gov.nl.ca>
Sent: March-02-18 10:02 AM
To: 
Cc: Bursey, Robyn <rburse@gov.nl.ca>; Granville, Andre G. <granvillea@gov.nl.ca>
Subject: RE: land Mews Place

Hello, we are in the process of getting this land surveyed. Attached is a draft plan outlining the approximate area, I note this plan is dated. Part of this property would be required for the Team Gushue Highway storm drainage retention system, which is to be designed. When that work is completed we will make a determination on what portion is surplus and how it will be disposed. In the meantime I will forward along your request as we may be able to accommodate a temporary car storage yard on the site under a licence arrangement.

Best regards
Mike

From: 
Sent: Thursday, March 01, 2018 3:56 PM
To: Nolan, Mike
Subject: land Mews Place

Good afternoon Mike,

I interested in buying the piece of land off Mews place as an extension to my development back in 2010-11. I'm in the process of extending my Subaru building and I need extra land for car storage and this would work for me. Any questions please email or call?
Minister Stephen Crocker  
Minister of Transportation and Works  
Ministers Office  
Department of Transportation & Works  
5th Floor, West Block  
Confederation Building  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

Dear Minister Stephen Crocker,

Our client, [redacted] of Howard Real Estate Holdings Inc. is looking to develop the approximately 15.1 acre property indicated on the attached Google Earth view as a gravel area to store automobile cars and light duty trucks. The property indicated is near Mews Place and will complement our client's adjacent automotive businesses.

To that end, this letter will represent a formal request to you to initiate the process for our client to negotiate a long-term lease of this property from the Department of Transportation and Works. The proposed length of the long-term lease is ten (10) years, with the option to renew the lease for another ten (10) years. The initial plan would be to survey the property to determine the exact boundaries and total size of the property to facilitate a lease agreement.

The planned scope of work includes clearing and grubbing, removal of overburden, placing of structural fill, and placement of properly graded road gravel. Our client is also looking at enclosing the property with a chain link fence and gate. In accordance with this scope of work, we have estimated that our client's investment to develop this property would be approximately $1.5M. We have attached a typical gravel parking lot cross section as reference.

Thank you for your consideration of this request.

Regards,
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