

May 31, 2018

Email: [REDACTED]

Dear [REDACTED]:

**Re: Request for Access to Information Under Part II
of the Access to Information and Protection Privacy Act**

On May 24, 2018, the City of St. John's received your request for access to the following information:

"As a follow-up to an earlier request, I would like a copy of the full Galway Development unredacted response to staff comments letter of May 14, 2015, from Justin Ladha of KMK Capital to Jason Sinyard, along with the original "planning and development application for the proposed Galway residential community" referred to by Mr. Ladha in the first paragraph of his May 14, 2015 letter."

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. Personal information pertaining to third parties has been redacted from the documentation provided as per Section 40 (1) of the ATIPP Act 2015:

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.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the Act). 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:

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; 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.

ST. JOHN'S

If you have any further questions, please feel free to contact the undersigned by telephone at 576-8619 or by e-mail: kchafe@stjohns.ca

Yours truly,



Karen Chafe
ATIPP Coordinator

ST. JOHN'S

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



PLEASE PRINT

CITY-1003 Building Permit & Development Application Form**BUILDING/DEVELOPMENT**

PROPERTY LOCATION INFORMATION:

Civic #: 725 Street Name: SOUTHLANDS BOULEVARD Lot #:
 Suite /Floor: GLENCREST/GALWAY DEVELOPMENT Subdivision:
 Account #: Date (yyyy/mm/dd) 2014/08/21

CONTACT INFORMATION (to be completed by the applicant):

SECTION 1

Applicant: KMK Capital Inc.
 Mailing Address: 40 Aberdeen Avenue, Suite 202
 St. John's, NL
 A1A 5T3
 Postal Code
 Telephone: (Home) (Work) 754-2057 Ext. 281
 (Fax) 738-0707 (Cell) [REDACTED]
 email: [REDACTED]

Property Owner: 10718 Nfld. Inc.
 P.O Box 5236, 34 Harvey Road
 Mailing Address: St. John's, NL
 A1C 5W1
 Postal Code
 Telephone: (Home) (Work)
 (Fax) (Cell)
 email: [REDACTED]

Contractor: To Be Determined
 Mailing Address:
 Postal Code
 Telephone: (Home) (Work)
 (Fax) (Cell)
 email: [REDACTED]

Consultant: Pinnacle Engineering Ltd.
 40 Aberdeen Avenue, Suite 202
 St. John's, NL
 A1A 5T3
 Postal Code
 Telephone: (Home) (Work) 754-2114 Ext. 290
 (Fax) (Cell)
 email: [REDACTED]

PROJECT INFORMATION: (supplemental to SECTION 1)

SECTION 3

Tenant, Occupancy, Trade Name:

Building Floor Area:

Project Floor Area:

Property/Lot Area:

On Site Parking Spaces:

Employees:

TICK BOX IF THIS PROJECT INCLUDES:

Electrical Work: Private Well Installation (Must be Drilled)Plumbing Work: Private Septic Installation (GSC Approval Required)Culvert Installation (Must be approved by streets department)

DESCRIPTION OF PROJECT:

RE-ZONING OF LAND FROM RURAL (R) TO RESIDENTIAL (R) - 49.6381 HA

SEE ATTACHED SURVEY

RECEIVED
DEPARTMENTS OF
AUG 28 2014

ESTIMATED COST OF PROJECT:
ENGINEERING AND PLANNING

PLEASE TURN OVER AND SIGN SECTION 4: NOTE: THIS APPLICATION WILL NOT BE PROCESSED WITHOUT SIGNATURE

Please send completed form to: Access St. John's, First Floor City Hall
 P.O. Box 908, 10 New Gower Street
 St. John's NL A1C 5M2

For further information:
 email: service@stjohns.ca
 call: 3-1-1
 Where 3-1-1 is unavailable, call 709-754-CITY (2489)

APPLICANT SIGNATURE OF AGREEMENT

SECTION 4

I hereby submit this application and confirm that the information supplied is, to the best of my knowledge, correct. I agree to comply with all City Regulations & By-Laws, agree to develop in accordance with the plans approved by the City of St. John's, and, not to commence development without applicable written approval and permits from the City of St. John's. In addition, I acknowledge that I have reviewed this application and agree to provide any additional information as requested.

NOTE: Where the applicant and property owner are not the same, the SIGNATURE of the Property Owner may be required before the application can be accepted for processing.

Applicant: K.N. Date: 21 August 2014

Property Owner: C.J.C. Date: 21 August 2014

This application has been reviewed and accepted for processing:

Staff Signature: R.W. Date: 29 Aug 11

FOR INTERNAL USE ONLY

SECTION 5: STAFF USE ONLY

Application processing fees are non-refundable once the application has been accepted for processing, regardless of the decision of the St. John's Municipal Council or City Staff with respect to approval of the application. Additional fees, assessments, or charges may apply to certain types of applications. In these cases, the applicant will be advised by City staff of any fees, assessments, or charges as the application is processed.

Processing Fee: _____

Budget Number: _____

Building and Property Management

Engineering and Planning

Roll #: _____

File No.: _____

Class: _____ Work Type: _____

Appl Type: _____

Structure Type: _____ Sub Type: _____

Date Entered: _____

Plans Examiner: _____

Staff Initials: _____

Inspector: _____

Land Use Zone: _____

Permitted Use: _____ Discretionary Use: _____ Change to Non conforming Use: _____

Heritage Area OR Designated Building: YES _____ AREA _____ NO _____

Dept of Historic Resources (Archeological Div) Notification Req'd: YES _____ NO _____

City Services: Water YES _____ NO _____

San Sewer YES _____ NO _____

Storm Sewer YES _____ NO _____

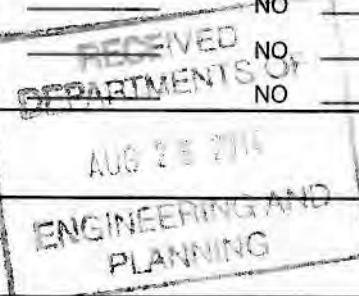
Street Excavation Permit Required YES _____ NO _____

FEES CHARGES REQUIRED:

NOTES:

Please send completed form to: Access St. John's, First Floor City Hall
P.O.Box 908,, 10 New Gower Street
St.John's NL A1C 5M2

For further information:
email: service@stjohns.ca
call: 3-1-1
Where 3-1-1 is unavailable, call 709-754-CITY (2489)



KMK

CAPITAL

TRANSMITTAL FORM

To: Access St. John's
Company: City of St. John's

From: Keith Noseworthy
Date: 8/22/2014

Project: Glencrest-Galway Development – Application for Re-zoning
Project No.: PN 10003

For Approval
For Records and Distribution
For Comments
For Reproduction
As Requested

Revise and Resubmit
Reviewed
For Tendering
Preliminary
Approved for Construction

Enclosed Items:

ITEM	# OF COPIES	DESCRIPTION
Building Permit and Development Application	1	
Legal Survey and Description	2	
Re-zoning Application Fee	1	

Please find enclosed the application and accompanying survey to re-zone an area in the Glencrest/Galway Development from Rural (R) to Residential (R). The application fee in the amount of \$300.00 is also enclosed. If there is any additional information required or if there are any questions or concerns, please contact the undersigned.

Thanks and Regards,

Signed: KNoseworthy

Keith Noseworthy, PTech
Project Coordinator/Technologist

Mobile: [REDACTED]
Office: 709 754 2057 ext. 281
Fax: 709 738 0707
E-mail: keith.noseworthy@kmkcapital.ca



Schedule "A"

Land to be Rezoned Glencrest, St. John's, NF

ALL THAT piece or parcel of land situate and being at Glencrest, in the City of St. John's, in the Province of Newfoundland, bounded and abutted as follows: that is to say beginning at a point, said point having M.T.M. Grid Co-ordinates (C.M. 53°) [NAD 83] of N 5 261 972.692 and E 317 229.670;

THENCE RUNNING South sixty four degrees thirty four minutes twenty three seconds West (S64°34'23"W), a distance of 12.036 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South eighty one degrees six minutes thirteen seconds West (S81°06'13"W), a distance of 76.663 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South seventy degrees ten minutes five seconds West (S70°10'05"W), a distance of 117.222 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North sixty five degrees forty seven minutes thirty nine seconds West (N65°47'39"W), a distance of 67.101 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy five degrees twelve minutes thirteen seconds West (N75°12'13"W), a distance of 101.115 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy nine degrees fifty seven minutes fifty seconds West (N79°57'50"W), a distance of 103.620 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South sixty degrees twenty two minutes thirty six seconds West (S60°22'36"W), a distance of 101.451 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South eighty two degrees fifty five minutes twenty five seconds West (S82°55'25"W), a distance of 59.340 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North three degrees zero minutes forty five seconds West (N03°00'45"W), a distance of 48.664 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty four degrees fifty one minutes ten seconds West (N44°51'10"W), a distance of 37.725 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North three degrees seventeen minutes twenty five seconds West (N03°17'25"W), a distance of 102.707 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty nine degrees thirty three minutes thirty one seconds West ($N89^{\circ}33'31''W$), a distance of 87.406 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North zero degrees forty three minutes thirty four seconds East ($N00^{\circ}43'34''E$), a distance of 40.000 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty nine degrees sixteen minutes twenty six seconds West ($N89^{\circ}16'26''W$), a distance of 7.283 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy degrees fifty two minutes twenty seven seconds West ($N70^{\circ}52'27''W$), a distance of 25.741 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North nineteen degrees twenty eight minutes two seconds East ($N19^{\circ}28'02''E$), a distance of 21.635 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North three degrees fifty five minutes four seconds East ($N03^{\circ}55'04''E$), a distance of 8.515 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North one degrees twenty nine minutes forty one seconds East ($N01^{\circ}29'41''E$), a distance of 9.866 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty three degrees one minutes forty three seconds East ($N23^{\circ}01'43''E$), a distance of 7.597 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty two degrees fifteen minutes forty two seconds East ($N42^{\circ}15'42''E$), a distance of 5.763 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty degrees thirty two minutes forty six seconds East ($N50^{\circ}32'46''E$), a distance of 127.411 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty seven degrees forty one minutes fifty six seconds East ($N57^{\circ}41'56''E$), a distance of 59.519 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North sixty nine degrees sixteen minutes fifty three seconds East ($N69^{\circ}16'53''E$), a distance of 36.920 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy four degrees twelve minutes fifty four seconds East ($N74^{\circ}12'54''E$), a distance of 59.215 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy three degrees forty six minutes twenty seconds East ($N73^{\circ}46'20''E$), a distance of 104.157 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy two degrees forty minutes seventeen seconds East (N72°40'17"E), a distance of 67.200 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North sixty degrees two minutes ten seconds East (N60°02'10"E), a distance of 59.284 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty two degrees forty one minutes ten seconds East (N52°41'10"E), a distance of 44.204 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty degrees fifty nine minutes twenty one seconds East (N50°59'21"E), a distance of 218.621 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty nine degrees fifty nine minutes twenty one seconds East (N49°10'14"E), a distance of 7.046 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty five degrees two minutes five seconds East (N45°02'05"E), a distance of 8.975 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North thirty seven degrees thirty six minutes fifty nine seconds East (N37°36'59"E), a distance of 19.740 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North thirty degrees zero minutes fifty seven seconds East (N30°00'57"E), a distance of 9.680 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty four degrees fifty two minutes thirty five seconds East (N24°52'35"E), a distance of 10.227 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fourteen degrees twenty two minutes thirty four seconds East (N14°22'34"E), a distance of 30.359 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North one degrees eighteen minutes seventeen seconds West (N01°18'17"W), a distance of 30.210 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy seven degrees two minutes twenty seven seconds East (N77°02'27"E), a distance of 11.314 meters by land of Cemetery Site 1 to a point;

THENCE turning and running South eighty nine degrees forty minutes fifty four seconds East (S89°40'54"E), a distance of 291.222 meters by land of Cemetery Site 1 to a point;

THENCE turning and running South forty nine degrees thirty six minutes forty three seconds West (S49°36'43"W), a distance of 183.120 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty degrees twenty three minutes seventeen seconds East (S40°23'17"E), a distance of 161.322 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty two degrees twelve minutes forty nine seconds East (S $32^{\circ}12'49''E$), a distance of 60.043 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty one degrees thirty minutes forty six seconds East (S $31^{\circ}30'46''E$), a distance of 8.468 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty two degrees eight minutes thirty eight seconds East (S $32^{\circ}08'38''E$), a distance of 1.999 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty degrees thirty three minutes thirteen seconds East (S $30^{\circ}33'13''E$), a distance of 2.659 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty two degrees three minutes twenty two seconds East (S $32^{\circ}03'22''E$), a distance of 4.457 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty two degrees twenty eight minutes twenty eight seconds East (S $22^{\circ}28'28''E$), a distance of 5.924 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty degrees fifty six minutes twenty six seconds East (S $20^{\circ}56'26''E$), a distance of 5.448 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirteen degrees zero minutes twenty seven seconds East (S $13^{\circ}00'27''E$), a distance of 4.159 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South seventeen degrees fifty seven minutes thirty six seconds East (S $17^{\circ}57'36''E$), a distance of 5.172 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South six degrees twenty five minutes eight seconds East (S $06^{\circ}25'08''E$), a distance of 6.135 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South six degrees fifty one minutes fifty six seconds East (S $06^{\circ}51'56''E$), a distance of 2.206 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South nine degrees twenty nine minutes forty eight seconds East (S $09^{\circ}29'48''E$), a distance of 3.052 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty seven degrees fifteen minutes twenty six seconds East (S $37^{\circ}15'26''E$), a distance of 2.466 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North seventy eight degrees thirty six minutes two seconds East (N $78^{\circ}36'02''E$), a distance of 13.063 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South seventy seven degrees fifty six minutes fifty seven seconds East (S $77^{\circ}56'57''E$), a distance of 11.778 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South seventy degrees thirty nine minutes thirty five seconds East (S $70^{\circ}39'35''E$), a distance of 13.061 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty eight degrees five minutes two seconds East (N $88^{\circ}05'02''E$), a distance of 9.317 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty seven degrees fourteen minutes fifty six seconds East (N $87^{\circ}14'56''E$), a distance of 15.436 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty seven degrees twenty one minutes one seconds East (N $87^{\circ}21'01''E$), a distance of 8.940 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty three degrees twenty three minutes twenty seven seconds East (N $83^{\circ}23'27''E$), a distance of 18.435 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty seven degrees forty four minutes forty one seconds East (N $87^{\circ}44'41''E$), a distance of 24.575 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South eighty nine degrees eight minutes nine seconds East (S $89^{\circ}08'09''E$), a distance of 21.781 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North eighty four degrees fifty minutes twenty four seconds East (N $84^{\circ}50'24''E$), a distance of 3.809 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty six degrees thirteen minutes eight seconds West (N $46^{\circ}13'08''W$), a distance of 7.191 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty degrees twelve minutes twelve seconds West (N $50^{\circ}12'12''W$), a distance of 9.270 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty three degrees sixteen minutes fifty one seconds West (N $43^{\circ}16'51''W$), a distance of 8.033 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North thirty degrees twenty three minutes twenty seven seconds West (N $30^{\circ}23'27''W$), a distance of 10.260 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty one degrees forty nine minutes forty seconds West (N $21^{\circ}49'40''W$), a distance of 13.115 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty six degrees thirteen minutes forty six seconds West (N26°13'46"W), a distance of 14.403 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty two degrees twelve minutes forty five seconds West (N22°12'45"W), a distance of 14.091 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North twenty seven degrees forty six minutes twenty three seconds West (N27°46'23"W), a distance of 1.679 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North forty four degrees fifty one minutes one seconds West (N44°51'01"W), a distance of 4.822 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North fifty degrees thirty nine minutes fourteen seconds West (N50°39'14"W), a distance of 39.173 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running North thirty nine degrees twenty minutes forty six seconds East (N39°20'46"E), a distance of 60.000 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South fifty degrees thirty nine minutes fourteen seconds East (S50°39'14"E), a distance of 42.215 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty four degrees fifty one minutes one seconds East (S44°51'01"E), a distance of 16.872 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty seven degrees forty six minutes twenty three seconds East (S27°46'23"E), a distance of 13.601 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty two degrees twelve minutes forty five seconds East (S22°12'45"E), a distance of 14.901 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty six degrees thirteen minutes forty six seconds East (S26°13'46"E), a distance of 14.604 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South twenty one degrees forty nine minutes forty seconds East (S21°49'40"E), a distance of 9.607 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South fifty degrees twelve minutes twelve seconds East (S50°12'12"E), a distance of 5.585 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty six degrees thirteen minutes eight seconds East (S46°13'08"E), a distance of 14.492 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty one degrees forty nine minutes fifty six seconds East (S41°49'56"E), a distance of 12.572 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South nineteen degrees thirty minutes eleven seconds East (S19°30'11"E), a distance of 7.530 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South nineteen degrees eleven minutes twenty five seconds East (S19°11'25"E), a distance of 5.055 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South eight degrees twenty eight minutes thirty seconds East (S08°28'30"E), a distance of 9.827 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South five degrees zero minutes forty seconds East (S05°00'40"E), a distance of 5.885 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty eight degrees forty five minutes thirty nine seconds East (S38°45'39"E), a distance of 1.844 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South thirty seven degrees six minutes thirteen seconds East (S37°06'13"E), a distance of 4.353 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty two degrees forty six minutes seventeen seconds East (S42°46'17"E), a distance of 3.188 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South fifty four degrees forty four minutes forty nine seconds East (S54°44'49"E), a distance of 8.596 meters by land of 10718 Newfoundland Inc. to a point;

THENCE turning and running South forty seven degrees thirty four minutes forty five seconds West (S47°34'45"W), a distance of 211.172 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South forty three degrees twenty one minutes forty eight seconds West (S43°21'48"W), a distance of 24.759 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South seventeen degrees nineteen minutes three seconds West (S17°19'03"W), a distance of 44.051 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running North seventy seven degrees thirty five minutes thirty three seconds West (N77°35'33"W), a distance of 51.196 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South nineteen degrees thirty nine minutes fourteen seconds West (S19°39'14"W), a distance of 74.330 meters by land of Fairview Investments Limited [reg. no.

545937] to a point;

THENCE turning and running North seventy degrees fifty minutes forty seconds West (N70°50'40"W), a distance of 100.568 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running North eighty six degrees sixteen minutes seven seconds West (N86°16'07"W), a distance of 46.098 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South seventy two degrees ten minutes fifty two seconds West (S72°10'52"W), a distance of 29.411 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South fifty five degrees fifty seven minutes fifteen seconds West (S55°57'15"W), a distance of 44.654 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

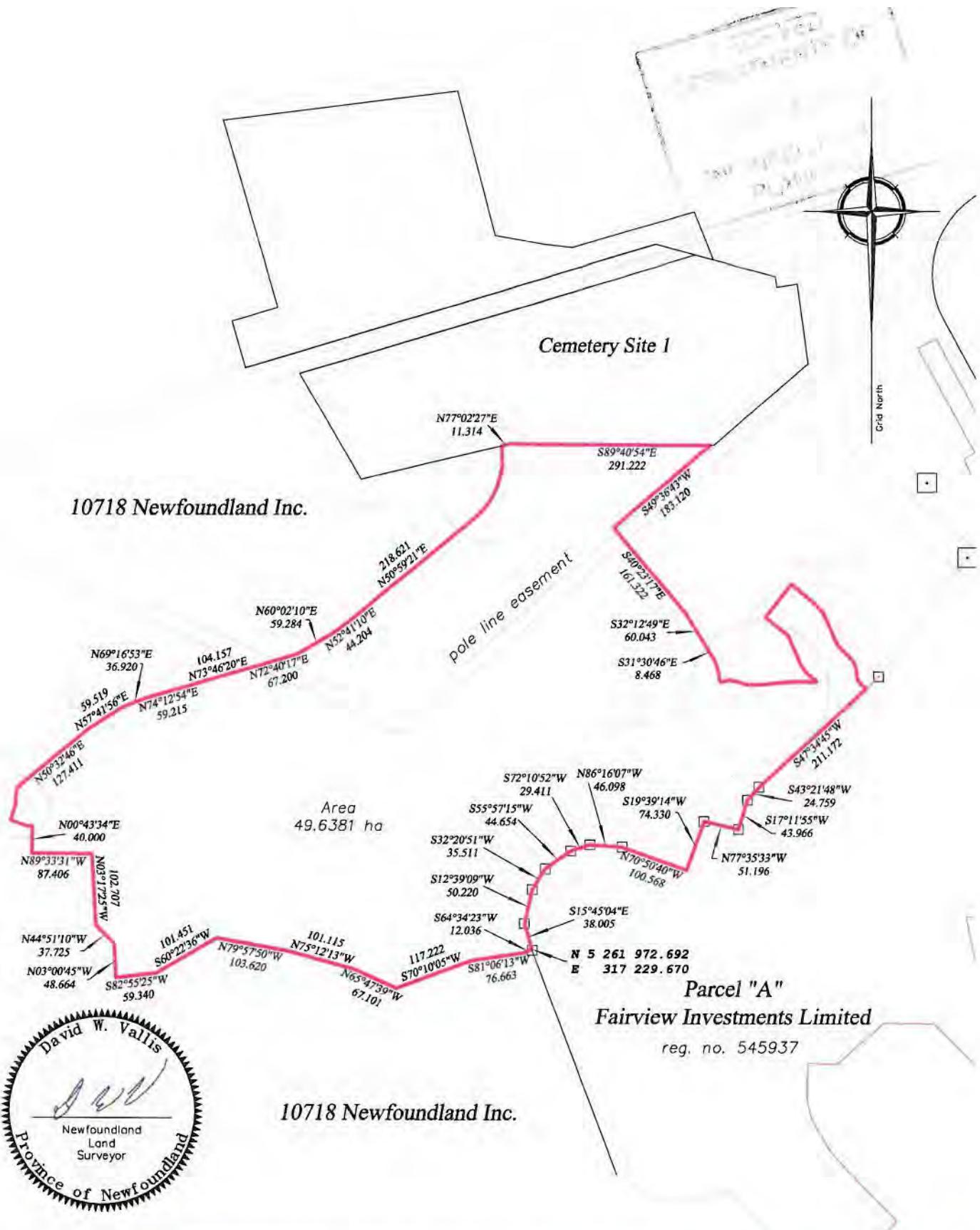
THENCE turning and running South thirty two degrees twenty minutes fifty one seconds West (S32°20'51"W), a distance of 35.511 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

THENCE turning and running South twelve degrees thirty nine minutes nine seconds West (S12°39'09"W), a distance of 50.220 meters by land of Fairview Investments Limited [reg. no. 545937] to a point;

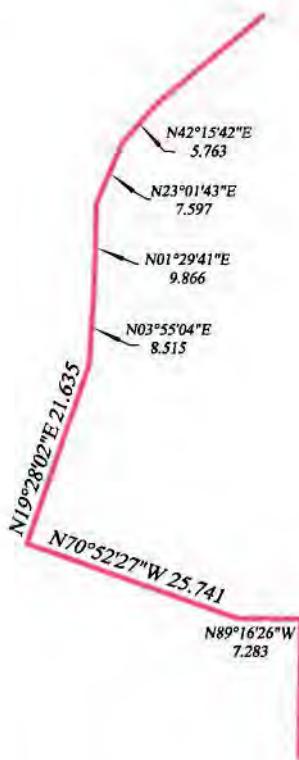
THENCE turning and running South fifteen degrees forty five minutes four seconds East (S15°45'04"E), a distance of 38.005 meters by land of Fairview Investments Limited [reg. no. 545937] to the **PLACE OF BEGINNING** and containing in all an area of 49.6381 Charles Williams hectares as more particularly described and delineated on plan 14214, July 8th 14 hereto annexed.

SUBJECT TO utility easements as shown.

ALL bearings are referred to Grid North.



Grid North



Notes:- This plan certifies the information as of the date shown and only as of this date. All distances are Metric.

© D.W. Vallis, Newfoundland Land Surveyor, 2014. Unauthorized use, alteration or reproduction of this property report is prohibited by law as outlined in the Copyright Act. However, use and reproduction thereof by or on behalf of the person to whom this report is addressed is permitted, provided that no alterations whatsoever are made thereto.

For further information contact the author at [709] 747-5923, Fax 747-0177, E-Mail dvallis@nf.aibn.com

[C.M.53][NAD 83][GPS][RTK]

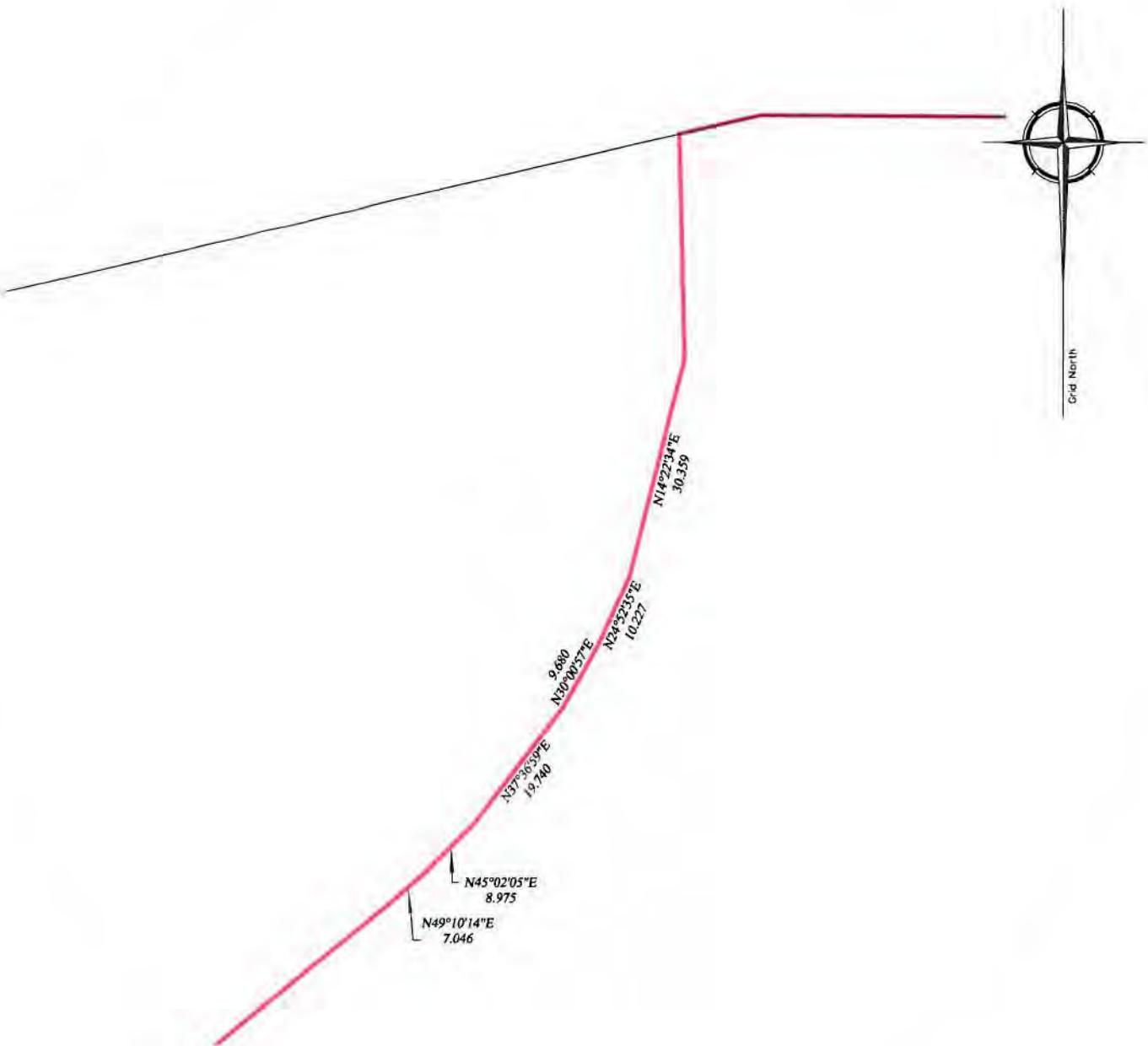
Boundary Survey
Residential Property to be Rezoned

Glencrest, St. John's, NL

date: 08 Jul 14

scale: 1:7500

Plan: 2 of 5 job no.: 14214



Notes:- This plan certifies the information as of the date shown and only as of this date. All distances are Metric.

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For further information contact the author at [709] 747-5923, Fax 747-0177, E-Mail dvallis@nf.aibn.com

[C.M.53'] [NAD 83] [GPS] [RTK]

Boundary Survey

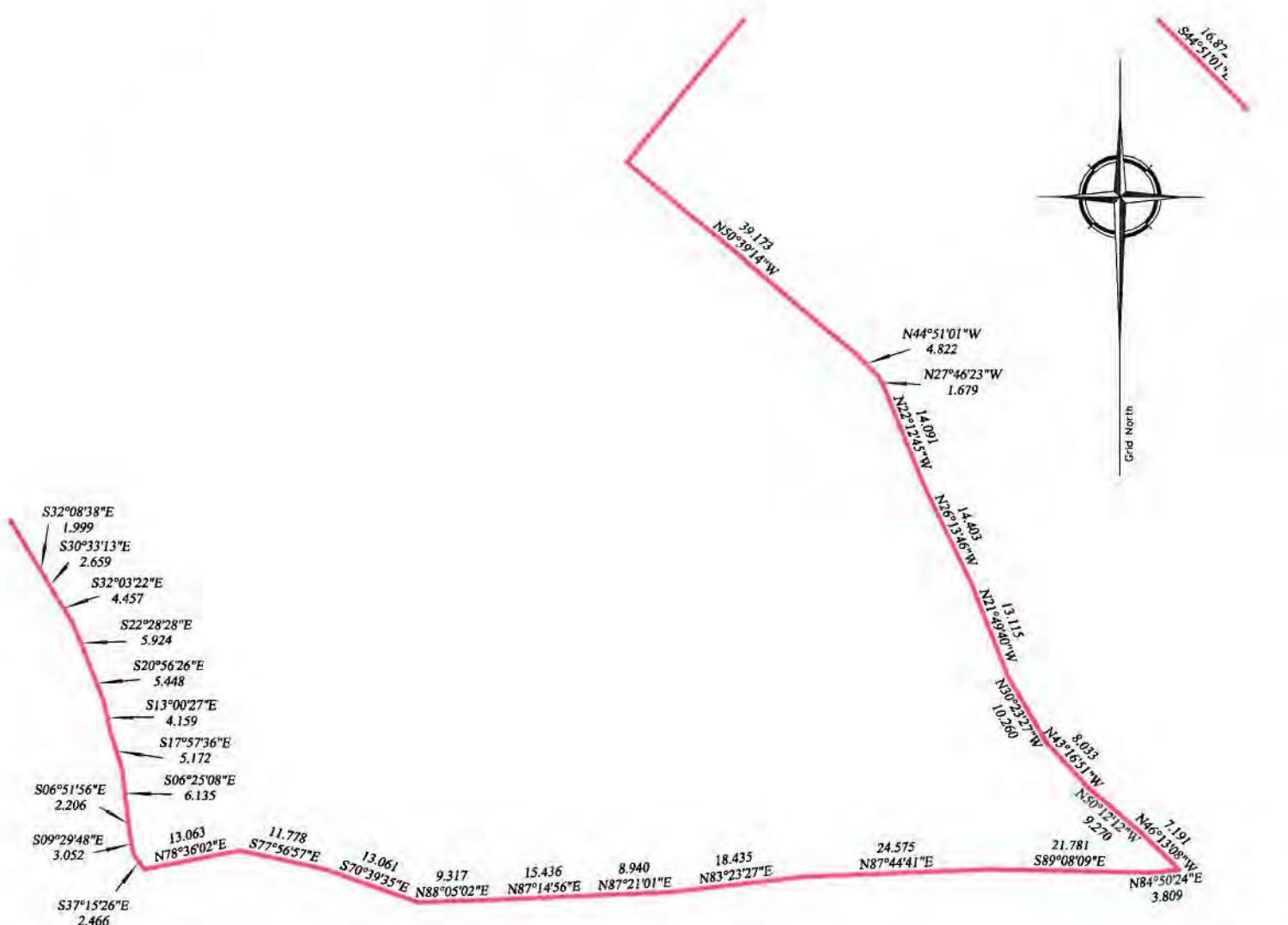
Residential Property to be Rezoned

Glencrest, St. John's, NL

date:	08 Jul 14
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Plan:	3 of 5	job no.:	14214
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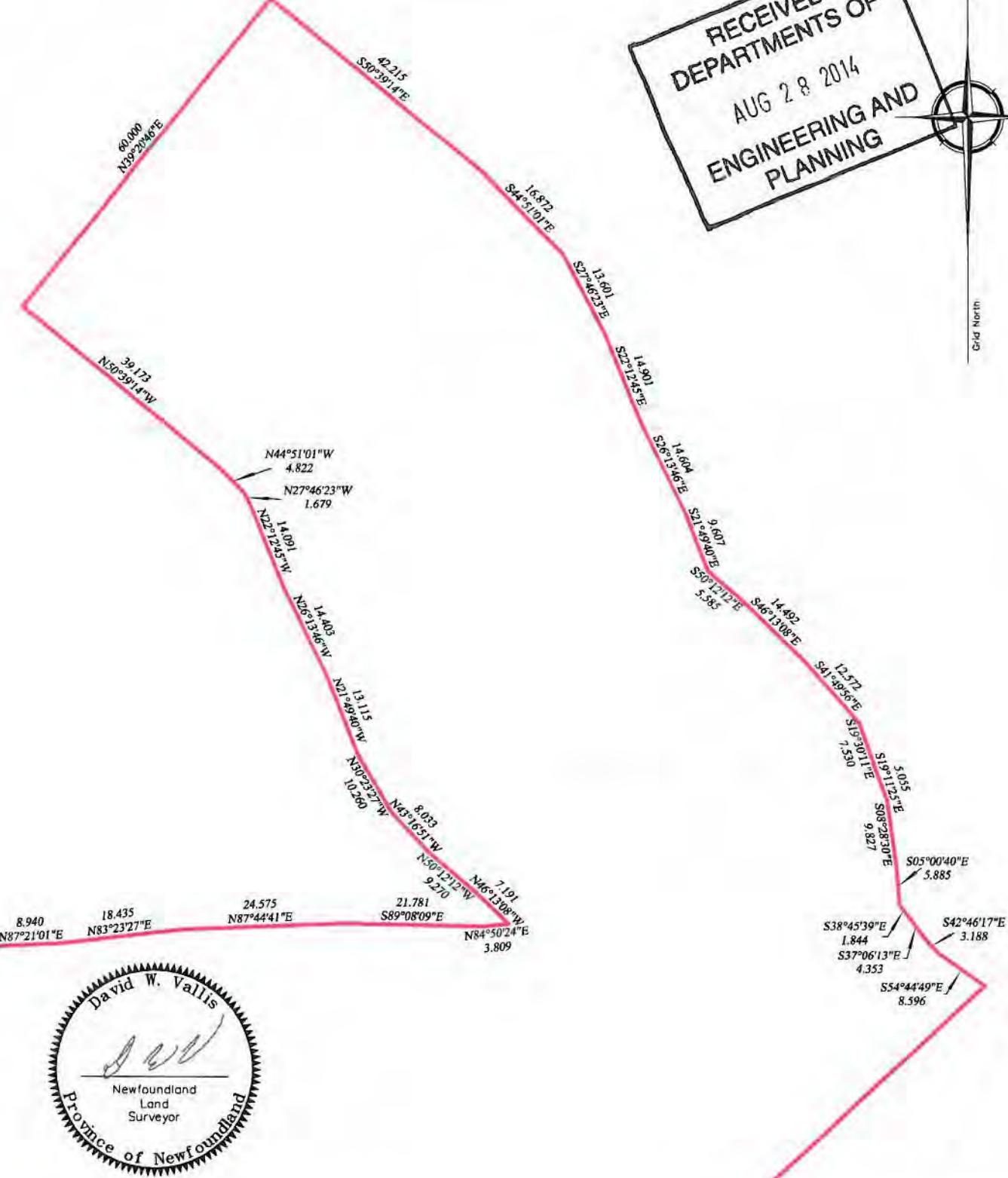
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**Boundary Survey
Residential Property to be Rezoned
Glencrest, St. John's, NL**

date: 08 Jul 14

scale: 1:7500

Plan: 4 of 5 job no.: 14214



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[C.M.53][NAD 83][GPS][RTK]

Boundary Survey
Residential Property to be Rezoned
Glencrest, St. John's, NL

date: 08 Jul 14

scale: 1:7500

Plan: 5 of 5 job no.: 14214



14th May 2015

Jason Sinyard
Director of Planning and Development
City of St. John's

Re: Glencrest/Galway – Response to Staff Comments

Thank you for your timely comments relating to the planning and development application for the proposed Galway residential community. We are also appreciative of the meetings held at the end of April which shed additional light on staff's comments and areas of concern.

Earlier in April, we received preliminary comments from Mr. O'Brien which outlined general conformity with the new Regional Plan for St. John's. We appreciate his comments and are pleased our client will be providing a master planned community which is in line with the City's long-term vision.

From the beginning, Galway has been designed as a fully integrated master planned community with an emphasis on walkability, tree retention, and housing choice. Of primary importance is the need to move away from traditional rear lot servicing and the inherent requirement to remove most on-site vegetation. Subject to agreement with the City and Newfoundland Power on technical design specifications, which from our discussions to date we see happening in the near future via further detailed technical discussions we believe the parties are generally supportive of front yard servicing and the resulting privacy afforded future property owners.

Below is a detailed response to the specific comments received earlier this week (we have also attached specific responses to each staff comment, which corresponds with the below comments). When reviewing the comments, please reference the attached revised plans detailing revised road cross sections, main parkland entrance plan with adjacent residential and commercial mixed use concept, and a parkland and pedestrian trail plan.

In general terms, we have attempted to rationalize staff's comments into five areas of concern, namely:

- Streets (hierarchy, design specifications)

- Pedestrian movement (sidewalks and trails)
- Park and Open Space (location, design details)
- Community Commercial & Transit
- Front-Yard Servicing

Streets

We acknowledge the need to address snow storage capacity within and adjacent to the street right-of-way. As such, we appreciate the general direction provided by staff relative to grassed medians, pole locations, trees planting, etc.

A series of revised cross-sections has been provided for your consideration. Please note that each cross section has sufficient room for parking on both sides of the street. We have also enlarged the proposed median to 2.25 meters. Power poles and street trees will be planted not closer than 1.75m from the curb leaving adequate separation from the sidewalk.

It is our intention to work with the City's arborist and others during the permitting phase to identify the appropriate planting specified for the area as well as the spacing intervals. In the end, we would hope to see a functional yet attractive streetscape that will mature into a well-defined urban tree canopy.

A comment was made that the city may require traffic calming measures. We would suggest that the overall plan as presented does not give rise to gratuitous through traffic nor does it promote speeding on local streets. Roads have been purposely designed to be more circuitous than straight with changes in land use or housing type at every intersection. This generates greater awareness amongst drivers as they navigate around parked cars and pedestrian crosswalks.

It is our intention to introduce "street printing" within the neighborhood roundabout as well as other pedestrian signage. We do not believe additional traffic calming measures are required at this time. In addition to our review we have also asked Harbourside Transportation Consultants to review the requirement for traffic calming measures with respect to the current proposed design and following this review they also agreed that traffic calming is not required, given the proposed design. This being said, we are certainly open to further dialogue at the permitting stage.

Please note that the proposed collector Road #10 has been reconfigured to provide direct routing to the water tower connector road. This has necessitated reconfiguration of the adjacent local streets (Road #7). We are comfortable with these changes.

Pedestrian Movement

From the outset of our discussions with staff, we have promoted the concept of pedestrian movement through a variety of sidewalk and trail configurations. In our view, we have incorporated best practices found in other jurisdictions throughout Atlantic Canada while at the same time recognizing the additional costs associated with increased pedestrian options throughout the community.

We have included a revised sidewalk and trails plan for your consideration. There are three streets which will include sidewalks on each side. Road #2 will be the main entrance to the community and is proposed to have sidewalks on both sides of two travel ways separated by a

raised median. Road #10 is a proposed collector road that will link future phases of Galway residential to the water tower connector road. We believe it important for this road to offer sidewalks on both sides of the street.

Road #3 is proposed to have sidewalks on both sides of the street between Road #1 and Road #5. This is an area that encircles the Village Green and future community commercial node where increased traffic (local and external) as well as pedestrian movement can be anticipated. In the interest of providing convenient and accessible on- street parking, we would anticipate children and adults accessing their cars from the adjacent median and sidewalk and proceeding to the Green or commercial node.

Please note, three of the four cul-de-sacs are proposed to contain sidewalks along one-side of the street. Roads #1 and #5 provide important pedestrian links to Village Green. While sidewalks are normally not required on cul-de-sacs, we believe the use of same enhances the overall pedestrian experience throughout the community. Likewise, Road #7 will offer a single sidewalk in order to facilitate pedestrian movement to and from the proposed collector Road #10.

With the exception of Road #9, the remaining streets are proposed to have single sidewalks – the specific side to be determined at the permitting stage. Harbourside Transportation Consultants along with our engineers have determined these streets to fall within the “local” street classification. Based on our client’s extensive experience with master plan communities elsewhere in Atlantic Canada, we fully appreciate the concept of integrating single sidewalk streets with a comprehensive “off-site” trails network. This is common practice elsewhere in master planned communities and should be integrated into the Galway residential plan.

You will note a series of trails identified on the “Pedestrian Movement” plan. Trails marked in green are intended to be 5 - 6ft wide crusher-dust trails for the exclusive use of pedestrians. Trails marked in orange are intended for both pedestrians and cyclists. Our intention is to work with staff during the detail design/permitting phase to better understand the partnership opportunities for maximizing end user experience of these trails. We have attempted to follow the thinking contained in the December, 2014 Park and Open Space plan, but would appreciate a more thorough discussion with staff in parallel with the rezoning process.

Park and Open Space

The overall concept plan proposes a generous and diverse mixture of park and open space. This is an extremely important component of the master plan for which our clients are most anxious to discuss in partnership with city staff and council. These areas will be developed over time. The specific details for each area are not necessarily required for the requested rezoning. However, in the near future we would appreciate an opportunity to discuss how these important areas can be developed to serve the recreational and cultural needs of local residents as well as those of the broader community.

The smaller neighborhood parks require additional commentary from staff. Again, this may not be necessary for the proposed rezoning. We have attempted to integrate these areas with the pedestrian trails in a manner that reflects the intent of the city’s Open Space Plan. However, we are flexible and open to suggestions as to the location and intended use of these areas.

Community Commercial & Transit

We wish to reinforce the notion that the two community commercial nodes adjacent to the Village Green are intended to serve the needs of the local community as well as those that may patronage the park itself. For the most part, these are "walk-to" locations and are not intended to compete with the regional commercial and retail area to the immediate north. To this end, our client would prefer to avoid traditional suburban parking requirements relying instead upon a combination of on-site and on-street parking. At this time, we are proposing a parking ratio of 4 spaces per 1000 sq.ft. of retail or seating space. Our clients believe this is more than sufficient to accommodate the needs of local merchants.

It is also proposed that the floor above the retail shops be developed for residential purposes at a rate of 2 spaces per residential unit. A conceptual site plan for the area is provided for illustrative purposes only. Subject to formal zoning, we will return in due course with specific building and site designs that will adhere to the specific parking requirements noted herein. You will note a parking lot adjacent to the easterly community commercial site. This is intended to accommodate parking for the Village Green. Considerable on-street parking will be provided on adjacent streets. Again, we look forward to confirming design details at a future point in time.

Transit

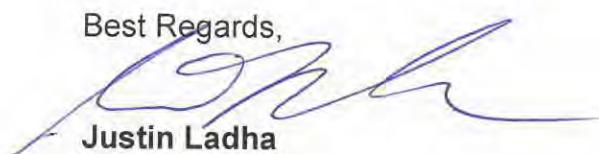
We understand that the concept plan has yet to be reviewed by Transit staff. Thus, we are somewhat surprised that the layout "does not appear to be transit friendly". We respectfully disagree with this observation and look forward to discussing the matter at greater length with the appropriate staff.

Front-Yard Serving

We remain hopeful that the parties can come to a timely agreement on the specifics of front-yard serving. The approach is common place elsewhere in Canada and should be allowed within this master plan community. The opportunity to retain trees in the rear yards of most homes enhances the overall appearance of the development while greatly improving rear yard privacy. Tree retention will also provide great opportunities for on-site storm water storage as well as natural wind breaks.

We understand that additional meetings are proposed between the City and Newfoundland Power. We encourage both sides to find common ground on this important feature. To this end, our clients are prepared to share the specific design details used elsewhere for both partial and total underground servicing.

Best Regards,



Justin Ladha
Vice-President
KMK Capital Inc.

Cc: Keith Noseworthy, KMK Capital Incorporated
Craig Hippern, DewCor
Mike Hanusiak, Clayton Development

May 8, 2015 (KMK responses in red below)

Galway Residential Development – Proposed Cross –Sections: Comments

During April 30 and May 1, 2015, a series of meetings occurred between the developers of the proposed Galway Residential Development and the City of St. John's to discuss concerns and comments of various City departments with respect to cross sections proposed for the development.

Based on these meetings and a review of the currently proposed cross sections, a series of comments is provided below:

1. On-street parking is required on both sides of the proposed local roads. The proposed 10m travel way must be increased to a width of 10.2 m. **Agree – please see revised plans.**
2. The developer must be aware that the proposed boulevards with sodding are likely to be damaged during winter maintenance. *[Due to budget implications, this issue will need to be discussed with council prior to final approval]*. In all instances, trees must be planted behind the sidewalk. **The proposed boulevards are an important feature for the Galway development that will set it apart from others and help in making it a success. We believe that maintenance costs are not significant in the context of the overall snow clearing budget and would be a small concession to achieve this improved streetscape.**

We understand the concern with respect to the proximity of the proposed trees to the street is the ability of the trees to survive. We will work with the City arborist to source appropriate species of trees that are proven to survive within the proposed proximity to the road in this climate.

3. Proposed street lighting of all cross sections should be relocated a minimum of 1.75 m from the face of curb. LED lighting should be used for all street lighting. **Agree**
4. The Cul-de-Sac bulbs for all public streets (Road 1, Road 9 and Road 10) must meet the City's minimum requirements of a 15.25 m radius. **Agree**
5. With respect to the proposed private cul-de-sac west of the Community Green, please note the following:
 - i. The City cannot accept a private street. **This is a condominium and steps will be taken such that it is differentiated from a street in its appearance.**
 - ii. During meetings, the developer suggested that the access will be for a condominium development, and that it will be clearly delineated as such. The City requests further information on this proposal to ensure that the access is not misinterpreted as a public street. **Will provide, but should not be a reason to delay rezoning application as the requirement is understood.**

6. The proposed design/end treatment of “Road 3” must be designed in such a manner that access for City equipment (snow clearing and fire access) is maintained:
 - i. A minimum turning radius of 15.25 m must be provided at the end. **Agree**
 - ii. Full details of this cross section must be provided for review, prior to approval. This should also include providing information as to whether the “loop” is proposed to be one-way or two-way traffic, and whether any on-street parking will be permitted on the street (one side, or two). **Agree – designed for one-way traffic movement.**
 - iii. The Developer has indicated that they may use bioretention in the proposed central boulevard of Road 3. Further details must be provided from a stormwater management point of view and a Parks management perspective. **Will not be used for stormwater purposes.**
 - iv. For information, the developer should be aware that for the end loop of Road 3, the City cannot plow snow into the central boulevard area. The City of St. John's pushes snow to the right. **Agree**
7. A sidewalk (or multi use trail) should be placed on both sides of all cross sections. In limited cases, adjustments to this requirement may be entertained as long as the overall goal of maintaining safe access for all modes of transport between homes and destination within and outside the community is maintained. The developer should revised cross sections accordingly. Details of any variations should be provided for review. **We disagree. This is a significant extra cost that, in our opinion, is not needed for safety. We can review multiple other jurisdictions as examples. It should also be noted that the proposed investment in off-street walking and cycling trails is unmatched elsewhere in the City and is required to achieve the envisioned plan. If the above noted City comment were to be implemented it would necessitate a reduction in the off-street walking and cycling trails and would detract from the master planned community. We welcome further discussion on this matter.**
8. Further details are required about the proposal for Road 2 (red as shown on Schedule D), particularly with respect to the proposed central boulevard. To provide appropriate space to support tree growth, the boulevard must be a minimum of 5 m in width. Trees can be planted no closer than 2.5 m from the face of curb. Should the developer wish to maintain a more narrow boulevard, alternate plantings would be required. The Developer should provide some details for review by the City’s Parks and Open Spaces Division. Regardless, road speeds must be limited to 50 km/hr. **Agreed – plan has been revised and ready for additional comment.**
9. It appears that traffic calming will be required at the intersection locations. Details should be provided for review. **We disagree with this assessment. Streets are short in travel distance and circuitous by design. The street design does not lend itself to speeding. Pedestrian safety will be incorporated into final design of central roundabout. Harbourside Transportation Consultants have also reviewed and have stated that traffic calming is not required. We can review this in further detail with the City and our traffic consultants if required.**

10. The City does not accept direct access parking into a public street right-of-way. As per the Commercial Development Policy, for a proposed commercial development, all parking must be contained on site with a central access point. All turning movements must be contained within the parking area. There are a couple of locations within the concept plan which show proposed parking areas directly accessed to the street (both east and west of the roundabout). However, it is our understanding that this will be revised in future revisions. **Agree – plan has been revised.**
11. At this stage, the concept plan does not appear to show sufficient parking for the commercial development. Future revisions should indicate where proposed parking lots for these developments are to be located. In addition, the proposed use and size of the Community Green may require parking. If a sports field or otherwise is constructed at this location then where would the users park? This should be considered during future design revisions. The Community Green will require amenities identified in the Parks and Open Spaces Master Plan (adopted December 2014). Specific attributes will be determined based on demographics and criteria identified in the Recreation Master Plan. This will need to be discussed with Parks and Recreation Divisions prior to final approval. **Community commercial uses adjacent to the village green are intended as primarily “walk-to” destinations. While some on-site parking has been provided, the uses are designed for boutique local retailers and not high traffic nationals that will generate high volume vehicular traffic. Such national tenants will be located in the Galway retail area located to the North. In addition to the parking lots provided, there is also significant on-street parking to serve both the small local retail component and the recreation space. We can review this issue further on the most recent plan in conjunction with the City.**
12. Details of the proposed neighborhood parks should be provided and should be consistent with the Parks and Open Spaces Master Plan. **Further consultation required with city staff, but not an issue we foresee critical to the rezoning.**
13. It should be indicated how the proposed stormwater detention pond will be accessed for maintenance. This should be shown on future revisions. **From the cul-de-sac (Road 1).**
14. The City's Parks and Open Spaces Division would like the submission of details regarding the proposed multi-use/walking trail network throughout the proposed development. Currently, the multi-use trails specified lack explicit connectivity to the off road trail network. There should be consideration of adding a trail using the proposed transmission line easement. In addition, trail systems will need to connect outside the proposed development to neighboring areas. Details must be provided. As a minimum, the surface of a multi-use trail should be 3.0 m in width and connectivity should be demonstrated throughout the proposed development. **To be further reviewed with city staff and discussed if required for rezoning.**
15. The installation of non-signalized 4-way intersections will not be approved unless it can be demonstrated that appropriate traffic calming is in effect. **We disagree with this comment.**

There is only one 4-way intersection. It is unavoidable. We do not see anything to suggest that this intersection is problematic from a safety point of view.

16. The intersection of "Road 3" and "Road 5" is improperly designed and needs to be reconfigured. The current designation of the roadways along with the end treatment and change in designation of "Road 3" results in the main flow of traffic performing turning movements at an intersection. This can be eliminated by continuing the main roadway and altering the cul-de-sac to intersect with the main travel way. The current design encourages non-compliance to the traffic control and invites collision problems. **This intersection has been redesigned accordingly.**
17. The junction of the Residential Collector Road and Road 7 is improperly designed. The "Residential Collector Road" should be continuous as this is one of the main thoroughfares. The alignment should be altered to maintain the continuous flow/alignment of the collector with "Road 7" altered to intersect and form a T intersection. **The road configuration has been revised accordingly.**
18. The current network layout does not appear to be transit friendly. This issue will be referred to the St. John's Transportation Commission (Metrobus Transit) for review. Please note that approved Metrobus transit routes do not necessitate sidewalk clearing by the City of St. John's. **We understand this has not yet been reviewed in detail with respect to transit. We would like to review with the appropriate staff.**
19. Road 2 has a different cross-section in Schedule "D" and Schedule "E". **Revised**
20. During the phasing of the residential development temporary turn arounds will be required. These must maintain a minimum radius of 15.25 m and will require 50 mm asphalt with appropriate subgrade and granular materials. **Understood – would like some flexibility where work has to be stopped for the winter period, to be continued in the spring.**

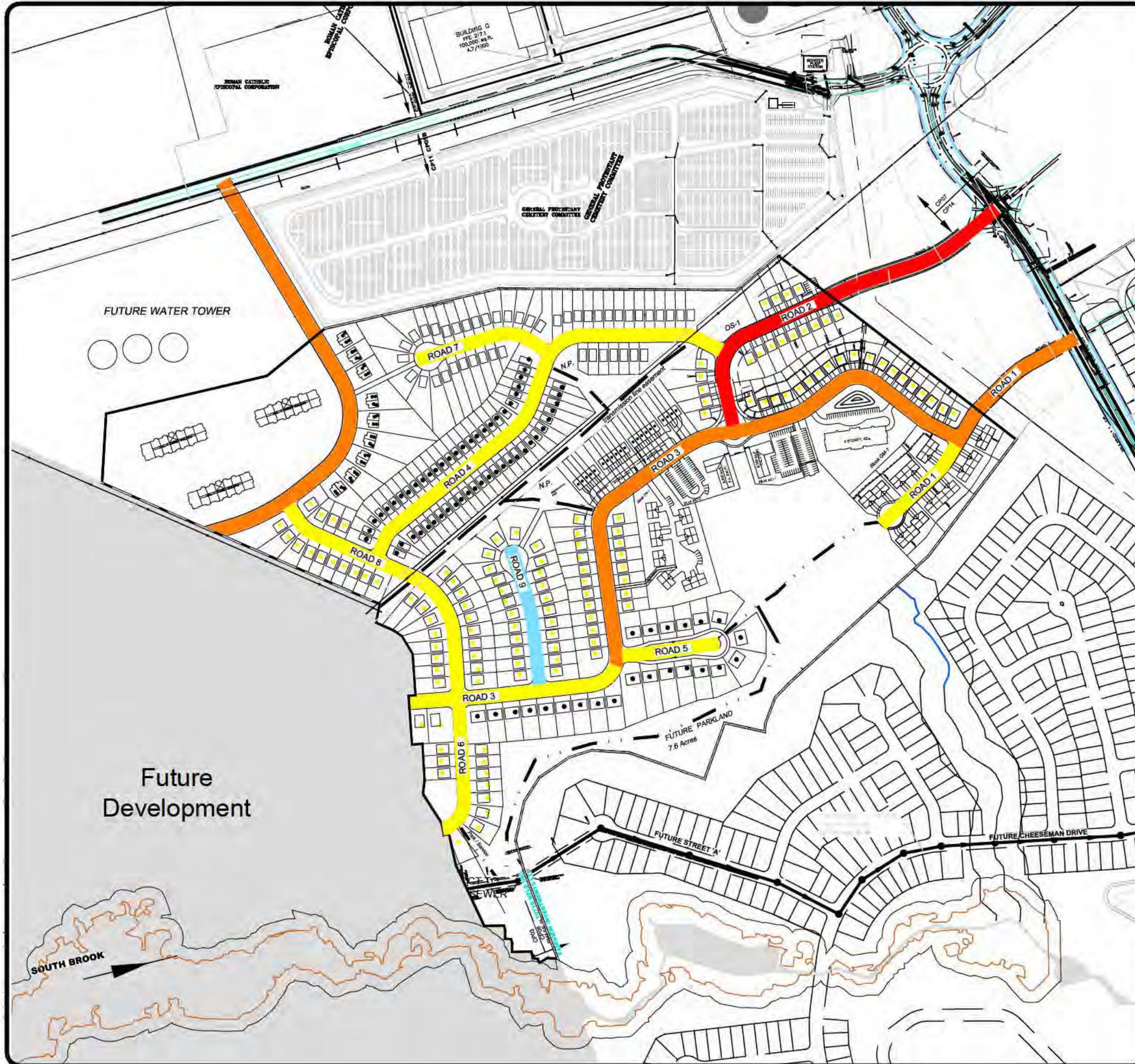
Additional Comments, specifically with respect to Snow Storage:

21. The proposed 1-acre snow storage is insufficient. A minimum 3 acres must be provided, with a minimum frontage of 300 ft (91.5 m). The Developer indicated during meetings that this could be achieved near the proposed future water reservoir. The details of the 3 acre storage must be shown on future revisions. A minimum 10 m separation from the reservoir and the proposed snow storage area should be provided. **Agreed**

22. The snow storage information provided for the lots appears to meet the requirements; however the driveway sizes must be strictly controlled in order to maintain the space. Details of proposed covenants must be provided for review by the City's legal department. **Agreed, this will be provided, but we don't see it as an issue for the rezoning.**

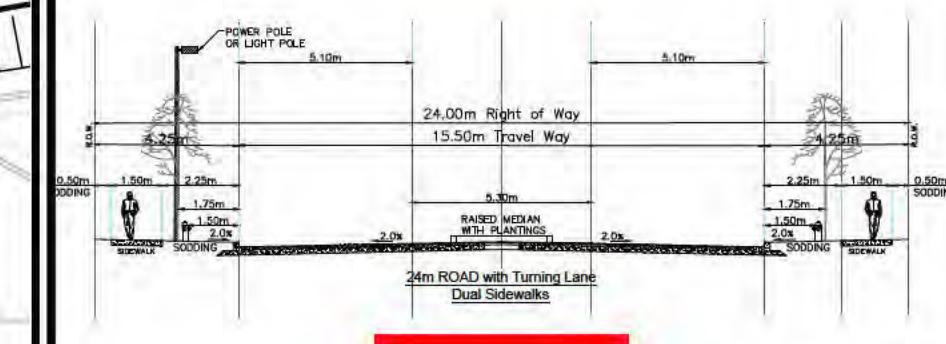
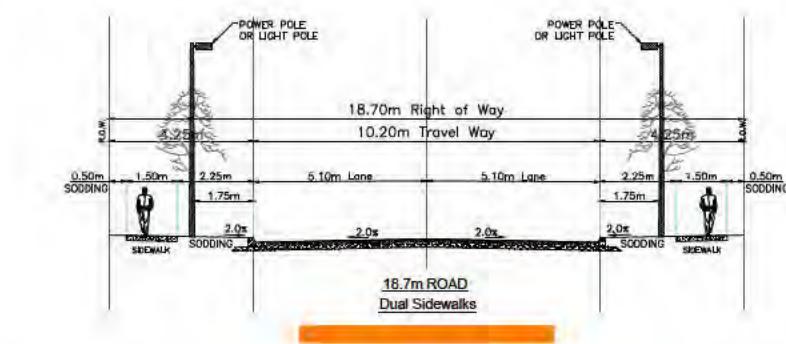
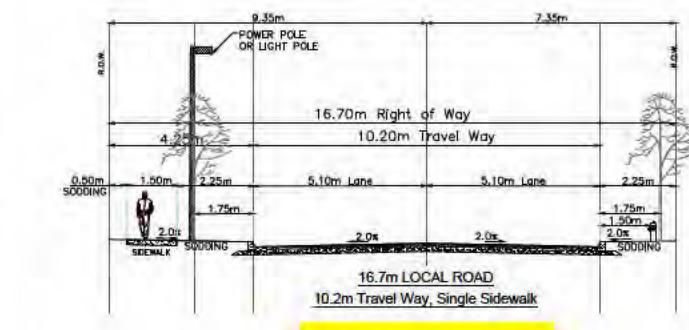
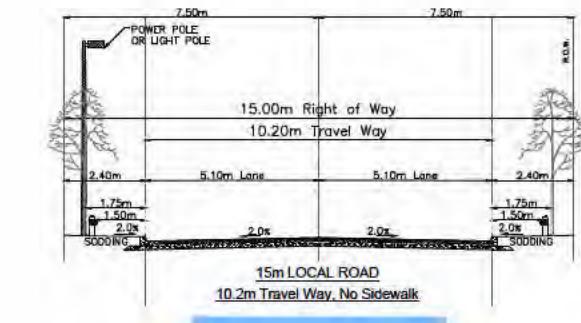
Additional Comments, specifically with respect to NL Power Servicing: Further review of detailed plans on this issue is required between the developer, its consultants, NL Power and the City.

23. Newfoundland power conduits for the proposed front lot servicing must be the following requirements:
- i. Conduit spacers must be placed at 1 meter intervals
 - ii. 2" x 8 protective boards must be placed over the conduits at appropriate vertical separation.
 - iii. On top of the boards, marker/locater balls should be installed at approximately 5 to 10 meter intervals. These balls are manufactured by 3M. A data sheet is provided for reference.
 - iv. Underground conduits must be located 2 m behind the right-of-way, which will necessitate that all house services for the development will terminate 5 meters behind the right of way.
 - v. House services must be located at the center of each lot.
 - vi. The City will require detailed plans for review showing the locations of:
 - all underground infrastructure;
 - tree planting;
 - hydrants;
 - poles;
 - curb stops;
 - power distribution boxes;
 - guy wire anchors;
 - driveways, structures and lot layouts; and
 - easements



TRANSPORTATION PLAN

GALWAY ROAD CROSS SECTIONS

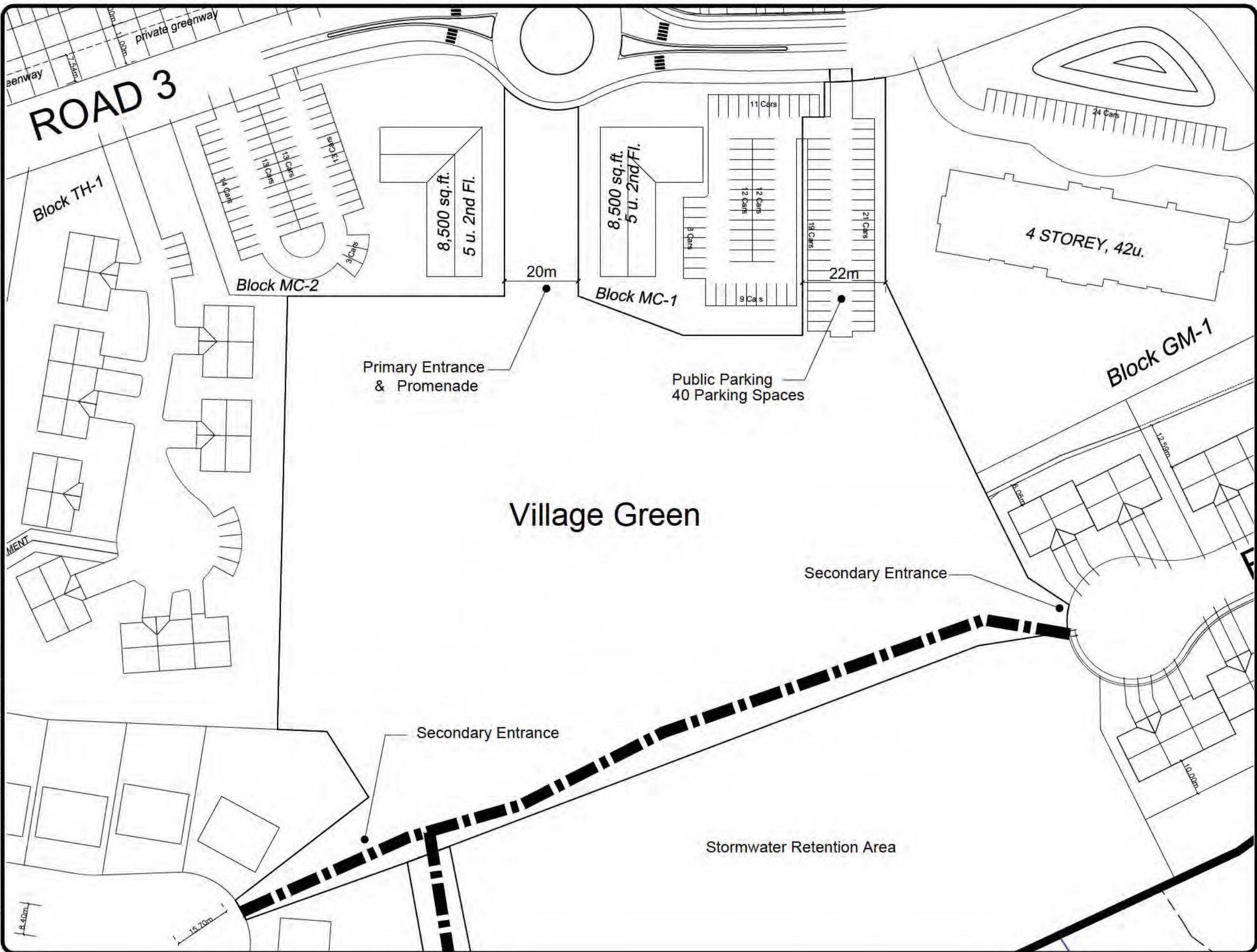


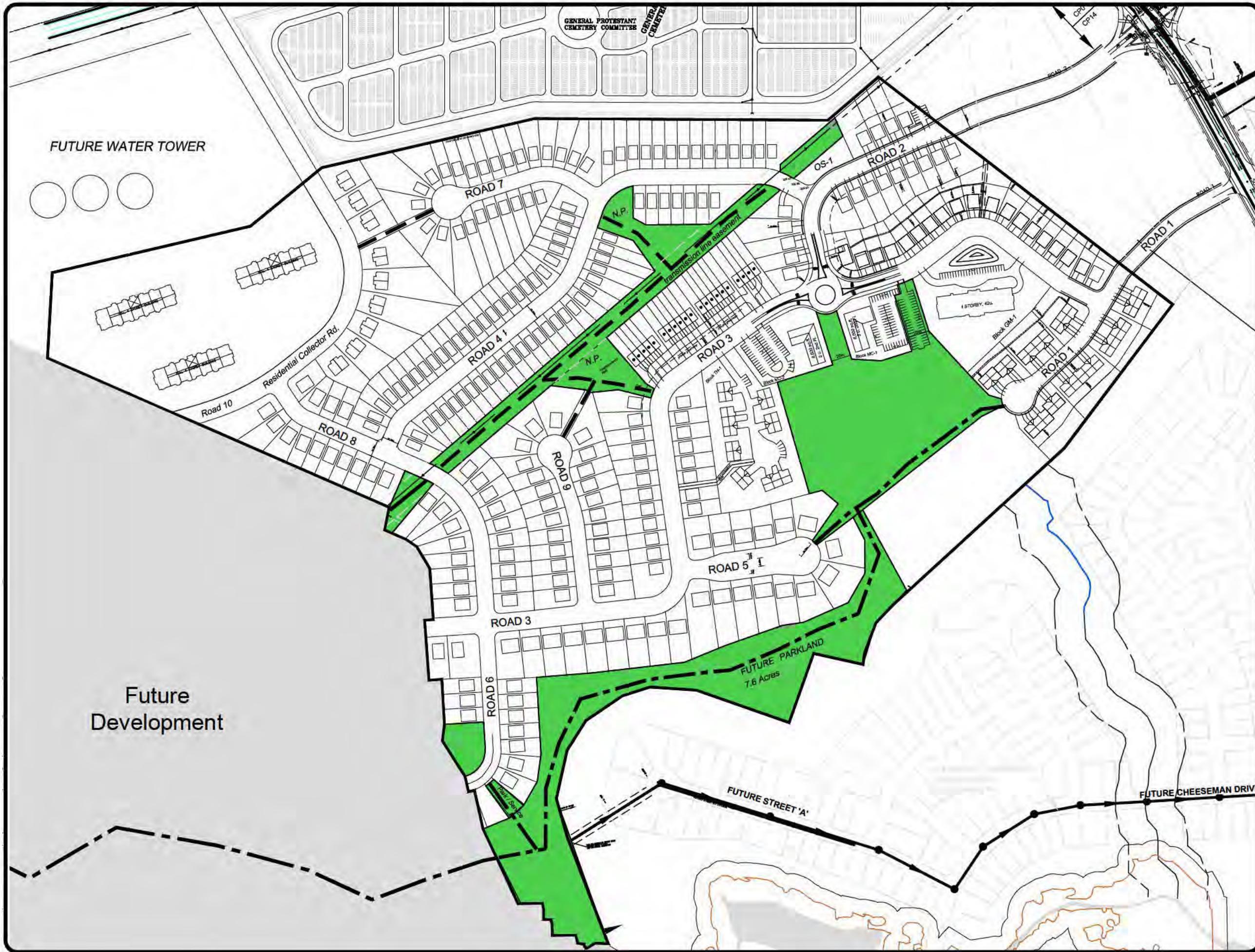
May 13, 2015

Parkland Entrance Plan

- Details of Village Green concept to be determined in consultation with City Staff
- Commercial layout is conceptual and will be finalized at the building permit stage.

Village Green



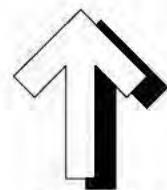


Parkland
&
Pedestrian
Trail Plan

Parkland

Pedestrian Trail
(1.5m wide
Crusher-dust)

Multi-use Trail
(3m wide
Crusher-dust)



North

N.T.S.

May 13, 2015