



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I  
PUBLISHED BY AUTHORITY

Vol. 97

ST. JOHN'S, FRIDAY, MARCH 18, 2022

No. 11

## QUIETING OF TITLES ACT

### 2022 06G 0024 IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR TRIAL DIVISION (General)

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3.

NOTICE IS HEREBY GIVEN to all parties that the Estate of CECIL BURT, late of the Community of Bunyan's Cove, in the District of Bonavista, in the Province of Newfoundland and Labrador, has applied to the Supreme Court, General Division, Grand Bank, to have title to all that piece or parcel of property situate at the Community of Bunyan's Cove, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed.

ALL BEARINGS aforementioned, for which the Estate of CECIL BURT claims to be the owner investigated and for a Declaration that the Estate of CECIL BURT is the absolute owner in fee simple in possession and the said Estate of CECIL BURT has been ordered to publish this Notice of Application as required by the above named Act.

All persons having title adverse to the said title claimed by the said Estate of CECIL BURT shall file in the Registry of

the Supreme Court of Newfoundland and Labrador, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 19<sup>th</sup> day of April, 2022, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Grand Bank, may direct.

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 10<sup>th</sup> day of February, 2022.

MILLS PITTMAN TWYNE LAW OFFICES  
Solicitors for the Applicant  
PER: GREGORY J. FRENCH

#### ADDRESS FOR SERVICE:

111 Manitoba Drive  
Suite 201  
Clarenville, NL  
A5A 1K2

Tel: (709) 466-2641  
Fax: (709) 466-7109  
Email: apollard@mhplawfirm.com

**SCHEDULE "A"**

ESTATE OF CECIL BURT  
Bunyan's Cove, NL

ALL THAT piece or parcel of land situate and being in the Community of BUNYAN'S COVE, in the Electoral District of Bonavista abutted and bounded as follows:

THAT IS TO SAY: Beginning at a point on the western limit of a LOCAL ROAD having co-ordinates N 5 362 745.99 metres and E 229 388.61 metres of the Three Degree Modified Transverse Mercator Projection (NAD-83) for the Province of Newfoundland;

THENCE along the said western limit of a LOCAL ROAD south thirteen degrees fifty-five minutes zero zero seconds east (S 13-55-00 E) twenty-five decimal three eight (25.38) metres, south twenty-four degrees eleven minutes zero zero seconds east (S 24-11-00 E) twenty-five decimal three one (25.31) metres;

THENCE by property of Newfoundland and Labrador Housing Corporation south sixty-nine degrees twenty-one minutes zero zero seconds west (S 69-21-00 W) twenty-four decimal five four (24.54) metres;

THENCE by property of Gertrude Tucker and by property of Alexander Oldford south seventy degrees twenty-one minutes zero zero seconds west (S 70-21-00 W) eighty-eight decimal eight one (88.81) metres;

THENCE by property of Kirk Tucker south seventy-three degrees forty-three minutes zero zero seconds west (S 73-43-00 W) seventy-six decimal one four (76.14) metres;

THENCE by property now or formerly the Estate of Thomas Tucker south sixty-four degrees thirty-two minutes zero zero seconds west (S 64-32-00 W) thirty-one decimal three four (31.34) metres, south fifty-six degrees fifty-nine minutes zero zero seconds west (S 56-59-00 W) one hundred and seventeen decimal seven eight (117.78) metres;

THENCE by property of Mitchell Tucker south sixty-nine degrees thirty-two minutes zero zero seconds west (S 69-32-00 W) eighty-nine decimal one three (89.13) metres;

THENCE along the Salvation Army Cemetery north thirty-seven degrees thirty-three minutes zero zero seconds west (N 37-33-00 W) sixteen decimal seven four (16.74) metres;

THENCE by property of David Tucker and Beverley-Anne Jacques north twenty-five degrees thirty minutes zero zero seconds east (N 25-30-00 E) forty-eight decimal three two (48.32) metres, north twenty-five degrees thirty-two minutes forty seconds east (N 25-32-40 E) fifty-five decimal eight nine (55.89) metres;

THENCE by property of the Estate of the Late Dotchen Martin claimed by Rose Martin north seventy-one degrees eighteen minutes fifty-five seconds east (N 71-18-55 E) one hundred and thirty-nine decimal six seven (139.67) metres;

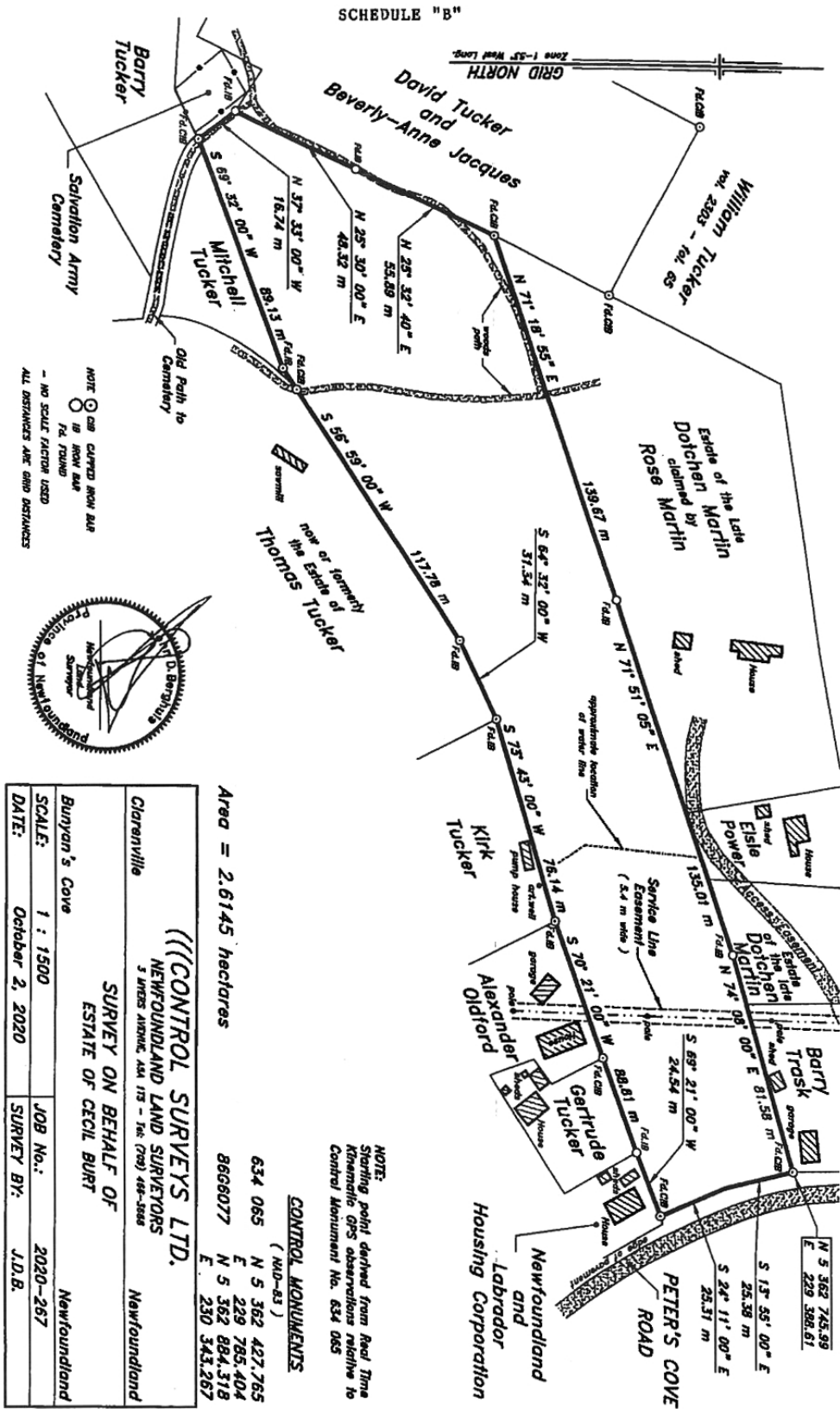
THENCE by property of the Estate of the Late Dotchen Martin claimed by Rose Martin and by property of Elsie Power and by property of the Estate of the Late Dotchen Martin north seventy-one degrees fifty-one minutes zero five seconds east (N 71-51-05 E) one hundred and thirty-five decimal zero one (135.01) metres;

THENCE by property of the Estate of the Late Dotchen Martin and by property of Barry Trask north seventy-four degrees zero eight minutes zero zero seconds east (N 74-08-00 E) eighty-one decimal five eight (81.58) metres, more or less to the point of beginning and containing an area of 02.6145 hectares.

All bearings refer to the above mentioned Projection.

The above described piece or parcel of land is subject to a Service Line Easement (5.4 metres wide) extending through the property and ALSO two (2) woods paths extending through the property as shown on the plan hereto attached.

CONTROL SURVEYS LIMITED.



**2022 06G 0029**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (General)**

**SCHEDULE "A"**

GAVIN BUTT  
Weybridge, NL

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3.

ALL THAT piece or parcel of land situated being in the Community of WEYBRIDGE, in the Electoral District of Terra Nova abutted and bounded as follows:

NOTICE IS HEREBY GIVEN to all parties that GAVIN BUTT AND HOLLY BUTT, of the Community of Weybridge, in the District of Terra Nova in the Province of Newfoundland and Labrador, have applied to the Supreme Court, General Division, Grand Bank, to have title to all that piece or parcel of property situate at the Community of Weybridge, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed.

THAT IS TO SAY: Beginning at a point on the western limit of RANDOM ISLAND ROAD; (20 metres wide), the said point having coordinates N 5 331 349.823 metres and E 238123.880 metres of the Three Degree Modified Transverse Mercator Projection (NAD - 83) for the Province of Newfoundland;

ALL BEARINGS aforementioned, for which GAVIN BUTT AND HOLLY BUTT claim to be the owners investigated and for a Declaration that they are the absolute owners in fee simple in possession and the said GAVIN BUTT AND HOLLY BUTT have been ordered to publish this Notice of Application as required by the above named Act.

THENCE by property of Amelia Lambert north sixty-three degrees fifteen minutes fifteen seconds east (N 63-15-15 E) one hundred fifty-three decimal nine three four (153.934) metres;

All persons having title adverse to the said title claimed by the said GAVIN BUTT AND HOLLY BUTT shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 19<sup>th</sup> day of April, 2022, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

THENCE by Crown Land and by property of Maxwell Butt south seven degrees forty-four minutes fifty seconds west (S 7-44-50 W) one hundred and eleven decimal nine one six (111.916) metres;

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Grand Bank, may direct.

THENCE by property of Maxwell Butt south sixty-two degrees fifty-nine minutes forty seconds west (S 62-59-40 W) seventy-five decimal seven six one (75.761) metres, south seventy-six degrees fifty minutes forty-five seconds west (S 76-50-45 W) fifty-three decimal three nine six (53.396) metres;

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 21<sup>st</sup> day of February, 2022.

THENCE along the said western Hmit of RANDOM ISLAND ROAD north one degrees fifty-two minutes twenty-five seconds west (N 1-52-25 W) eighty-eight decimal two two one (88.221) metres, more or less to the point of beginning and containing an area of 0.1485 hectares.

MILLS PITTMAN TWYNE LAW OFFICES  
Solicitors for the Applicant  
PER: GREGORY J. FRENCH

All bearings refer to the above mentioned Projection.

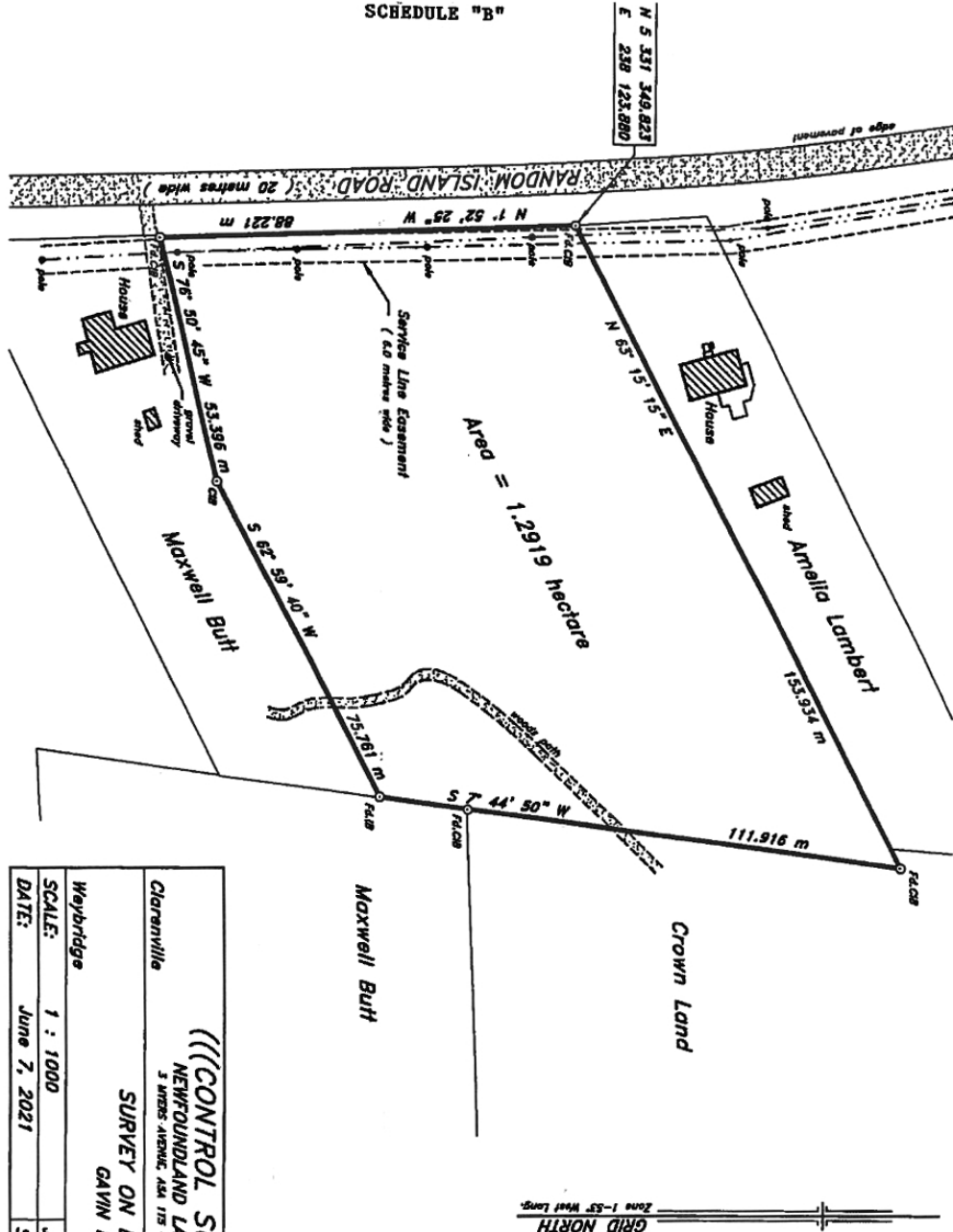
ADDRESS FOR SERVICE:  
111 Manitoba Drive  
Suite 201  
Clarenville, NL  
A5A 1K2

The above described piece or parcel of land is subject to a Service Line Easement (6.0 metres wide) extending along the western most boundary of the property as shown on the plan hereto attached and ALSO a woods path extending through the property as shown on the plan hereto attached.

Tel: (709) 466-2641  
Fax: (709) 466-7109  
Email: apollard@mhplawfirm.com

CONTROL SURVEYS LTD.

SCHEDULE "B"



N S 331 349.823  
 E 238 123.890

Ared = 1.2919 hectare

<b>(((CONTROL SURVEYS LTD.)))</b>	
NEWFOUNDLAND LAND SURVEYORS	
5 WINDS AVENUE, 454 115 - TEL: (709) 458-3548	
Clarenville	Newfoundland
<b>SURVEY ON BEHALF OF</b>	
<b>GAVIN BUTT</b>	
Newfoundland	
Weybridge	
SCALE: 1 : 1000	JOB No.: 2021-194
DATE: June 7, 2021	SURVEY BY: J.D.B.

NOTE:  
 Starting point derived from Real Time Kinematic GPS observations relative to Control Monument No. 731 028

CONTROL MONUMENTS  
 (MID-83)

731 028 N S 330 596.327  
 E 238 123.022  
 731 029 N S 329 836.593  
 E 238 852.994

NOTE: CONTROL MONUMENT WITH BAR  
 IRON BAR  
 ROCK FOUND

- NO SCALE FACTOR USED  
 ALL DISTANCES ARE GRID DISTANCES



**2022 06G 0022**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (General)**

**SCHEDULE "A"**

BARBARA DORAN  
Port Rexton, NL

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3.

ALL THAT piece or part of land situate and being in the Town of PORT REXTON, in the Electoral District of Bonavista abutted and bounded as follows:

NOTICE IS HEREBY GIVEN to all parties that TRINITY BIGHT VACATION HOMES INC., a body corporate duly incorporated pursuant to the *Corporations Act*, RSNL1990 c. C-36, has applied to the Supreme Court, General Division, Grand Bank, to have title to all that piece or parcel of property situate at the Town of Port Rexton, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed.

THAT IS TO SAY: Beginning at a point on the western limit of a Right-of-Way (3.81 metres wide), the said point having coordinates N 5 359 898.04 metres and E 280 203.70 metres of the Three Degree Modified Transverse Mercator Projection (NA0-83) for the Province of Newfoundland;

ALL BEARINGS aforementioned, for which TRINITY BIGHT VACATION HOMES INC. claims to be the owner investigated and for a Declaration that TRINITY BIGHT VACATION HOMES INC. is the absolute owner in fee simple in possession and the said TRINITY BIGHT VACATION HOMES INC. has been ordered to publish this Notice of Application as required by the above named Act.

THENCE by property of Barbara Doran north sixty-eight degrees twenty-five minutes fifty seconds west (N 68-25-50 W) forty-two decimal three eight (42.38) metres, north twenty-one degrees thirty-four minutes twenty-five seconds east (N 21-34-25 E) forty-three decimal four nine (43.49) metres, north fifty-eight degrees fourteen minutes twenty-five seconds west (N 58-14-25 W) forty-one decimal three zero (41.30) metres, north twenty-three degrees fifty-seven minutes thirty seconds east (N 23-57-30 E) nine decimal two three (9.23) metres;

All persons having title adverse to the said title claimed by the said TRINITY BIGHT VACATION HOMES INC. shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 19<sup>th</sup> day of April, 2022, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

THENCE along the southern limit of the said Right-of-Way (3.81 metres wide) south fifty-eight degrees fourteen minutes twenty-five seconds east (S 58-14-25 E) forty decimal nine one (40.91) metres, south sixty degrees forty minutes thirty seconds east (S 60-40-30 E) twenty-four decimal five zero (24.50) metres:

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Grand Bank, may direct.

THENCE along the western limit of the said Right-of-Way along the arc of a curve having a radius of sixteen decimal one nine (16.19) metres to a point, the said point being distant eighteen decimal one one (18.11) metres as measured on a bearing of south twenty-six degrees forty minutes fifteen seconds east (S 26-40-15 E) from the last mentioned point; THENCE along the western limit of the said Right-of-Way south seven degrees twenty minutes zero zero seconds west (S 7-20-00 W) twenty-five decimal seven eight (25.78) metres;

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 10<sup>th</sup> day of February, 2022.

THENCE along the western limit of the said Right-of-Way along the arc of a curve having a radius of forty-five decimal nine six (45.96) metres to a point, the said point being distant twelve decimal five four (12.54) metres as measured on a bearing of south twenty-nine degrees thirty-three minutes forty seconds west (S 29-33-40 W) from the last mentioned point, more or less to the point of beginning and containing an area of 0.2388 hectares.

MILLS PITTMAN TWYNE LAW OFFICES  
Solicitors for the Applicant  
PER: GREGORY J. FRENCH

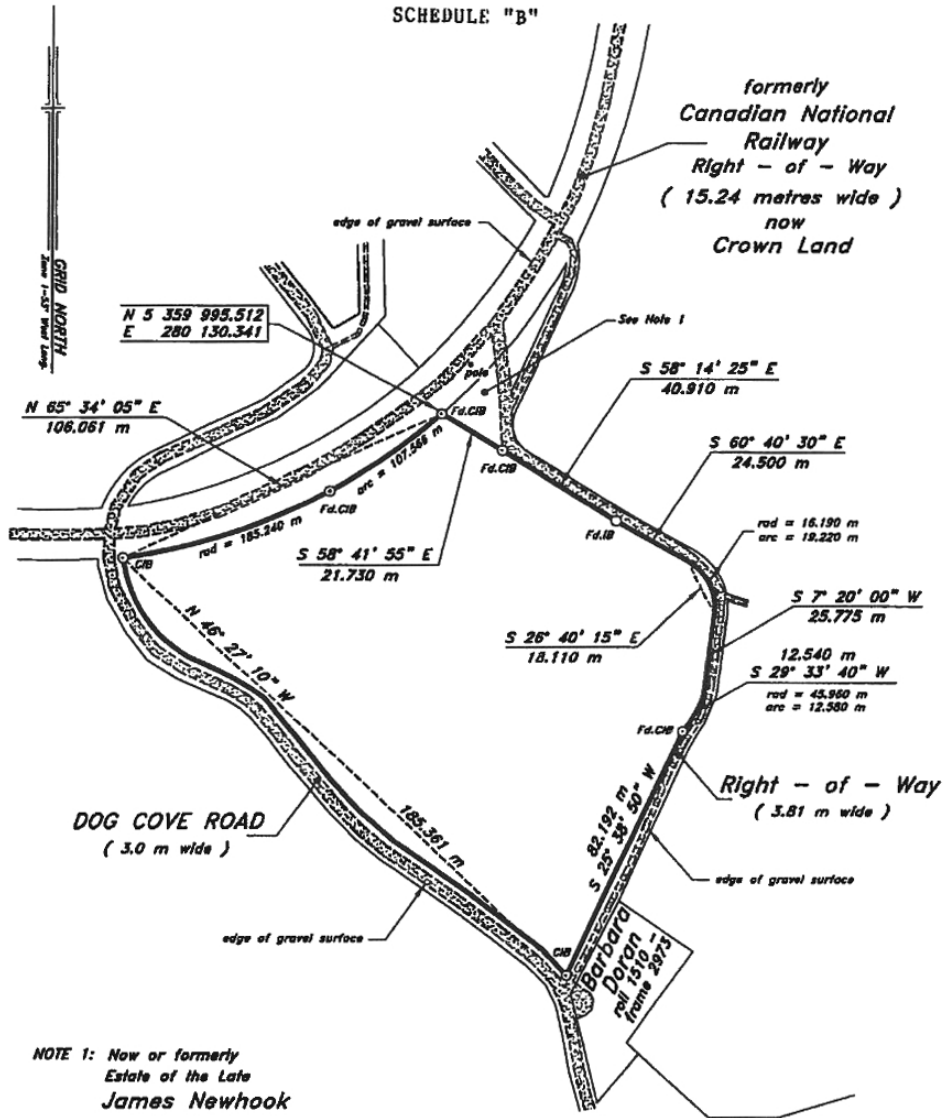
All bearings refer to the above mentioned Projection.

ADDRESS FOR SERVICE:  
111 Manitoba Drive  
Suite 201  
Clarenville, NL  
A5A 1K2

The above described piece or parcel of land is subject to an Access Easement (6.0 metres wide) extending across the north western most portion of the property as shown on the plan hereto attached.

Tel: (709) 466-2641  
Fax: (709) 466-7109  
Email: apollard@mhplawfirm.com

CONTROL SURVEYS LTD.



**Area = 1.6131 hectares**

**NOTE:**  
 Starting point derived from Real Time  
 Kinematic GPS observations relative to  
 Control Monument No. 834 024

**NOTE** ○ CIB CAPPED IRON BAR  
 ○ IB IRON BAR  
 Fd. FOUND  
 - NO SCALE FACTOR USED  
 ALL DISTANCES ARE GRID DISTANCES

**CONTROL MONUMENTS**

( NAD-83 )

834 024	N 5 359 875.678
	E 279 442.069
834 038	N 5 360 415.424
	E 278 826.391



<b>(((CONTROL SURVEYS LTD.</b>	
<b>NEWFOUNDLAND LAND SURVEYORS</b>	
3 MYERS AVENUE, ASA 175 - Tel: (709) 468-3666	
Clareville	Newfoundland
<b>SURVEY ON BEHALF OF          BARBARA DORAN</b>	
Port Rexton	Newfoundland
<b>SCALE:</b> 1 : 1500	<b>JOB No.:</b> 2021-105
<b>DATE:</b> November 24, 2021	<b>SURVEY BY:</b> J.D.B.

**2022 06G 0017**  
**IN THE SUPREME COURT OF**  
**NEWFOUNDLAND AND LABRADOR**  
**TRIAL DIVISION (General)**

**SCHEDULE "A"**

DONALD WALSH  
King's Cove, NL

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3.

ALL THAT piece or parcel of land situate and being in the Town of KING'S COVE, in the Electoral District of Bonavista and bounded as follows:

NOTICE IS HEREBY GIVEN to all parties that DONALD WALSH, of Mobile, in the Province of Newfoundland and Labrador, has applied to the Supreme Court, General Division, Grand Bank, to have title to all that piece or parcel of property situate at the Town of King's Cove, District of Bonavista, in the Province of Newfoundland and Labrador, which property is more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed.

THAT IS TO SAY: Beginning at a point on the southern limit of MAIN ROAD TO DUNTARA (20 metres wide) and having coordinates N 5 381 366.04 metres and E 280 015.87 metres of the Three Degree Modified Transverse Mercator Projection (NAD - 83) for the Province of Newfoundland and Labrador;

ALL BEARINGS aforementioned, for which DONALD WALSH claims to be the owner investigated and for a Declaration that he is the absolute owner in fee simple in possession and the said DONALD WALSH has been ordered to public Notice of Application as required by the above named Act.

THENCE along the said southern limit of the MAIN ROAD TO DUNTARA south sixty-two degrees zero one minute thirty-five seconds east (S 62-01-35 E) thirty-six decimal five eight (36.58) metres;

All persons having title adverse to the said title claimed by the said DONALD WALSH shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Grand Bank, particulars of such adverse claim and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Petitioner on or before the 19<sup>th</sup> day of April, 2022, after which date no party having any claim shall be permitted to file the same or to be heard except by special leave of the Court and subject to such conditions as the Court may deem just.

THENCE by property of the Roman Catholic Episcopal Corporation (St. Mark's Parish) south forty-three degrees thirteen minutes fifteen seconds west (S 43-13-15 W) seventy-eight decimal nine six (78.96) metres, north fifty-seven degrees forty-eight minutes zero zero seconds west (N 57-48-00 W) forty-two decimal six seven (42.67) metres;

All such adverse claims shall be investigated then in such manner as the Supreme Court of Newfoundland and Labrador, Grand Bank, may direct.

THENCE by property of the Roman Catholic Episcopal Corporation (St. Mark's Parish) and by property of Donald Byrne north forty-eight degrees zero five minutes zero five seconds east (N 48-05-05 E) seventy-seven decimal seven eight (77.78) metres, more or less to the point of beginning and containing an area of 0.2990 hectares.

DATED AT Clarenville, in the Province of Newfoundland and Labrador, this 7<sup>th</sup> day of February, 2022.

All bearings refer to the above mentioned Projection.

The above described piece or parcel of land is subject to a Service Line Easement (5.4 metres wide) extending through the subject property and ALSO a Service Line Easement (5.4 metres wide) extending into the subject property as shown on the plan hereto attached.

MILLS PITTMAN TWYNE LAW OFFICES  
Solicitors for the Applicant  
PER: GREGORY J. FRENCH

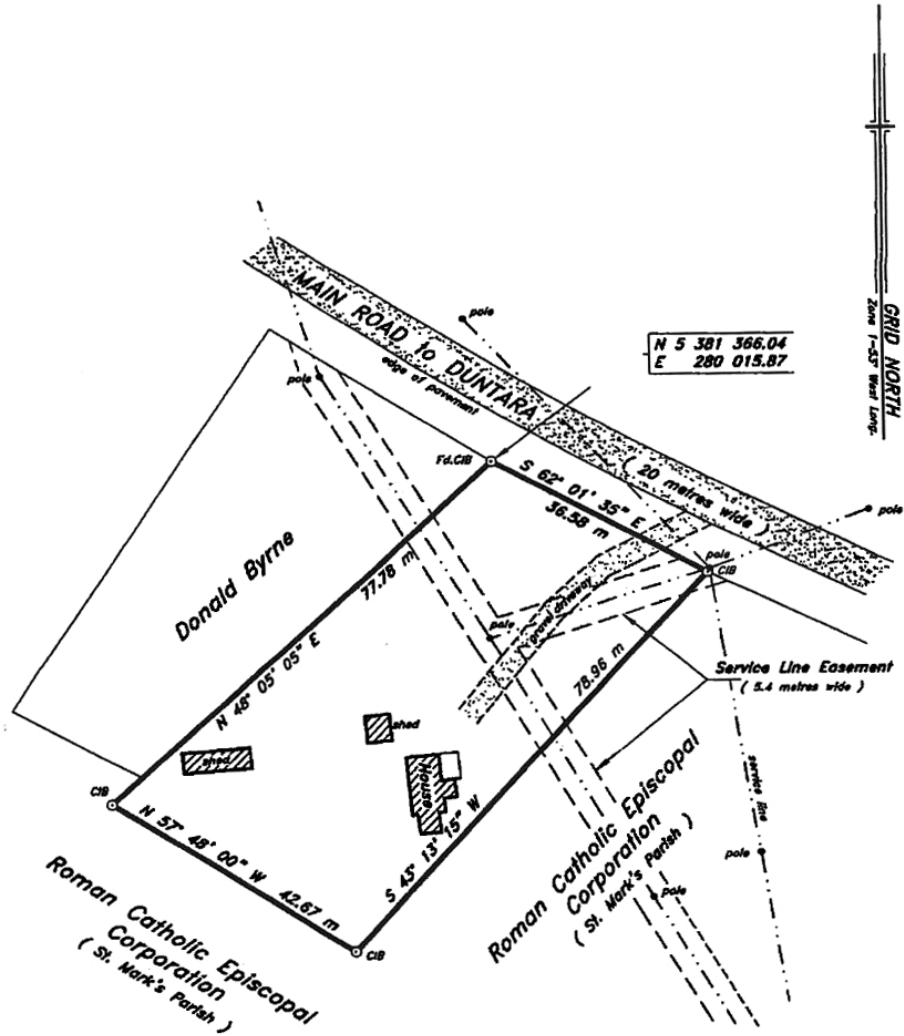
CONTROL SURVEYS LTD.

ADDRESS FOR SERVICE:  
111 Manitoba Drive  
Suite 201  
Clarenville, NL  
A5A 1K2

Tel: (709) 466-2641  
Fax: (709) 466-7109  
Email: apollard@mhplawfirm.com



SCHEDULE "B"



Area = 0.2990 hectares

NOTE:  
 Starting point derived from Real Time Kinematic GPS observations relative to Control Monument No. 86G6030

NOTE ○ CIB CAPPED IRON BAR  
 ○ IRON BAR  
 Fd. FOUND  
 - NO SCALE FACTOR USED  
 ALL DISTANCES ARE GRID DISTANCES

**CONTROL MONUMENTS**  
 ( NAD-83 )

86G6030	N 5 381 223.841
	E 280 164.487
86G6029	N 5 377 745.955
	E 280 257.613



<b>(((CONTROL SURVEYS LTD.</b> NEWFOUNDLAND LAND SURVEYORS 3 MYERS AVENUE, ASA 173 - Tel: (709) 486-3668	
Clarenville	Newfoundland
SURVEY ON BEHALF OF DONALD WALSH	
King's Cove	Newfoundland
SCALE: 1 : 750	JOB No.: 2018-265
DATE: August 14, 2018	SURVEY BY: J.D.B.

**URBAN AND RURAL PLANNING ACT, 2000**

**NOTICE OF REGISTRATION  
TOWN OF GANDER  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 1, 2022**

Take notice that the TOWN OF GANDER DEVELOPMENT REGULATIONS AMENDMENT NO. 1, 2022, adopted and approved on the 16<sup>th</sup> day of February, 2022 has been registered by the Minister of Municipal Affairs.

IN GENERAL TERMS, DEVELOPMENT REGULATIONS AMENDMENT NO. 1, 2022 will remove condition:

**“9.9.2 Industrial Uses**

A light or general industrial use, if permitted at Council’s discretion, will be limited to one that involves the assembly of component parts and will not involve chemical processes that might result in the emission of gases, use of high volumes of water, or generate significant truck traffic.” respecting the Discretionary Uses classifications of Light Industry and General Industry in the Commercial General Use Zone Table.

DEVELOPMENT REGULATIONS AMENDMENT NO. 1, 2022 shall come into effect on the day that this notice is published in *The Newfoundland Gazette*. Anyone who wishes to inspect a copy of these amendments may do so at the Town Office, Gander during normal working hours (8:30am to 4:30 pm).

TOWN OF GANDER  
John Boland, Planning & Control Technician  
Mar. 18

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**WAREHOUSER’S LIEN ACT**

**NOTICE**

TAKE NOTICE that due to indebtedness incurred to CORNER BROOK SELF STORAGE & RENTAL LTD., pursuant to *Warehouse’s Lien Act*, bids will be accepted on the contents of A-31 consisting of domestic items belonging to John Smith.

Auction to be held March 25, 2022, at 5:00 p.m.

Bidding details can be obtained at: CORNER BROOK SELF STORAGE & RENTAL LTD., 6 Lundrigan Dr. Corner Brook, NL, 709-639-4663.

Bidders must pre-register prior to 4:30 p.m. on March 25, 2022. CASH ONLY

CORNER BROOK SELF STORAGE & RENTAL LTD.  
Rhonda Coley, Representative

Mar 11 & 18

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**TRUSTEE ACT**

**ESTATE NOTICE**

IN THE MATTER OF the Estate of ELZIRE FUGARD, Late of St. John’s, in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by blood, legal adoption or marriage) upon or affecting, the Estate of ELZIRE FUGARD, Gentlewoman, who died at St. John’s, NL on or about September 8<sup>th</sup>, 2021, are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John’s, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Executor of the Estate of ELZIRE FUGARD, on or before April 20, 2022, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at the City of St. John’s, in the Province of Newfoundland and Labrador, this 18<sup>th</sup> day of March, 2022.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
ELZIRE FUGARD

ADDRESS FOR SERVICE:  
Viking Building  
Suite 401 - 136 Crosbie Road  
St. John’s, NL A1B 3K3

Tel: (709) 729-0850  
Fax: (709) 729-3063

Mar. 18

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**ESTATE NOTICE**

IN THE MATTER OF the Estate of GERALD POWER, Late of St. John’s, in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by blood, legal adoption or marriage) upon or affecting, the Estate of GERALD POWER, Gentleman, who died at St. John’s, NL on or about September 28<sup>th</sup>, 2021, are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John’s, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Executor of the Estate of GERALD POWER, on or before April 20, 2022, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at the City of St. John’s, in the Province of Newfoundland and Labrador, this 18<sup>th</sup> day of March, 2022.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
GERALD POWER

ADDRESS FOR SERVICE:  
Viking Building  
Suite 401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

Tel: (709) 729-0850  
Fax: (709) 729-3063

Mar. 18

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**ESTATE NOTICE**

IN THE MATTER OF the Estate of BARRY BARTON ROSS, Late of St. John's in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by full or half blood, legal adoption or marriage) upon or affecting, the Estate of BARRY BARTON ROSS who died at St. John's NL on or about July 11, 2021, are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John's, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Executor of the Estate of BARRY BARTON ROSS, on or before April 16, 2022, after which date the said Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 11<sup>th</sup> day of March, 2022.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
BARRY BARTON ROSS

ADDRESS FOR SERVICE:  
Viking Building  
Suite 401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

Tel: (709) 729-0850  
Fax: (709) 729-3063

Mar. 18

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**ESTATE NOTICE**

IN THE MATTER OF the Estate of EDWARD MICHAEL SULLIVAN, Late of South River, in the Province of Newfoundland and Labrador, Deceased.

ALL PERSONS claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by blood, legal adoption or marriage) upon or affecting, the Estate of EDWARD MICHAEL SULLIVAN, Gentleman, who died at Carbonear, NL on or about July 19<sup>th</sup>, 2020, are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John's, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Administrator of the Estate of EDWARD MICHAEL SULLIVAN, on or before April 20, 2022, after which date the said Administrator will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 18<sup>th</sup> day of March, 2022.

OFFICE OF THE PUBLIC TRUSTEE  
Administrator of the Estate of  
EDWARD MICHAEL SULLIVAN

ADDRESS FOR SERVICE:  
Viking Building  
Suite 401 - 136 Crosbie Road  
St. John's, NL A1B 3K3

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Mar. 18

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# THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II  
SUBORDINATE LEGISLATION  
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

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ST. JOHN'S, FRIDAY, MARCH 18, 2022

No. 11

**NEWFOUNDLAND AND LABRADOR  
REGULATION**

**NLR 10/22**





**NEWFOUNDLAND AND LABRADOR  
REGULATION 10/22**

*Valentine Gold Project Release Order*  
under the  
*Environmental Protection Act*  
(O.C. 2022-067)

*(Filed March 17, 2022)*

Under the authority of paragraph 67(3)(a) of the *Environmental Protection Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, March 17, 2022.

Krista Quinlan  
Clerk of the Executive Council

**ORDER**

*Analysis*

- |  |                                    |
|--|------------------------------------|
| 1. Short title                           | 4. Terms and conditions of release |
| 2. Definitions                           |                                    |
| 3. Release from environmental assessment |                                    |

Short title                    **1.** This Order may be cited as the *Valentine Gold Project Release Order*.

Definitions                **2.** In this Order

- (a) "department" means the Department of Environment and Climate Change;
- (b) "Marathon Gold" means Marathon Gold Corporation; and
- (c) "project" means the Valentine Gold Project developed and operated by Marathon Gold.

Release from  
environmental  
assessment  
Terms and  
conditions of  
release

3. The project is released from environmental assessment.

4. The release of the project from environmental assessment under section 3 is subject to the following terms and conditions:

- (a) Marathon Gold shall adhere to all mitigation, monitoring and commitments stated in the Environmental Impact Statement submitted on November 3, 2020 and amended on August 6, 2021 and January 7, 2022;
- (b) Marathon Gold shall, prior to the start of mining construction, submit an Environmental Protection Plan for all applicable mining construction activities for the minister's approval;
- (c) the Environmental Protection Plan referred to in paragraph (b) shall describe the environmental protection and mitigation measures that shall be applied throughout the life of mining construction activities of the project to avoid or minimize potential negative effects on the environment associated with the project, and shall be updated by Marathon Gold as needed;
- (d) Marathon Gold shall, prior to the start of mining operations, submit an Environmental Protection Plan for all applicable mining operations activities for the minister's approval;
- (e) the Environmental Protection Plan referred to in paragraph (d) shall describe the environmental protection and mitigation measures that shall be applied throughout the life of mining operations activities of the project to avoid or minimize potential negative effects on the environment associated with the project, and shall be updated by Marathon Gold as needed;



- (f) Marathon Gold shall implement, review, and update the Caribou Protection and Environmental Effects Monitoring Plan in collaboration with the Wildlife Division of the Department of Fisheries, Forestry and Agriculture;
- (g) the review of the Caribou Protection and Environmental Effects Monitoring Plan referred to in paragraph (f) shall
  - (i) occur twice per year, every year of project operation and prior to each caribou migration, and
  - (ii) include sharing and reviewing of all data collected during the most recent migration, including the operational response of the mine site;
- (h) Marathon Gold shall fund the hiring of one full-time Environmental Ecologist position and one full-time Environmental Effects Monitor position to report to the Department of Fisheries, Forestry and Agriculture for all phases of the project, and shall provide financial support to offset additional survey activities required by the Department of Fisheries, Forestry and Agriculture;
- (i) Marathon Gold shall provide annual funding to support 3 graduate students, over all phases of the project, to study specific and cumulative project effects;
- (j) Marathon Gold shall submit a Fish Data Collection Plan for the approval of the Wildlife Division of the Department of Fisheries, Forestry and Agriculture by May 1, 2022;
- (k) Marathon Gold shall, in consultation and partnership with the Water Resources Management Division of the department, establish a real-time water resources monitoring network that shall be comprised of water quantity, quality, climate and groundwater monitoring stations;
- (l) Marathon Gold shall bear all costs associated with the water resources monitoring network referred to in paragraph (k) and shall install the required stations to collect baseline data prior to project commencement and throughout the life of the project;

- (m) Marathon Gold shall, prior to commencement of project construction, submit a plan, developed in consultation with Water Resources Management Division of the department, to address remediation of the Victoria River valley in the case of a tailings dam breach that blocks the flow of water in the Victoria River and results in water backing up towards the Victoria Dam;
- (n) Marathon Gold shall meet with Newfoundland and Labrador Hydro at least quarterly, commencing with project construction, to discuss issues of mutual concern including, but not limited to, dam safety, blasting, site access and further studies and shall undertake and cover the cost associated with the following work, in consultation with Newfoundland and Labrador Hydro:
  - (i) modelling of the tailings dam breach that incorporates outflows from the Victoria Reservoir and development of dam breach inundation maps, which shall include assessment of a range of annual exceedance probability floods where incremental differences may be of more impact, and further refinements to improve the accuracy of the model used in the analysis, including survey work to establish accurate elevations and shall be submitted to the Water Resources Management Division of the department for review prior to the commencement of project construction,
  - (ii) monitoring and review of ground acceleration and blasting impacts on the Victoria Dam by a qualified geotechnical engineer to ensure impacts are maintained within acceptable limits, and
  - (iii) notification of Newfoundland and Labrador Hydro of changes to the project design, site access, the commencement of major works that may result in increased vehicle traffic on the access road, blasting operations and any other activities which may affect the operations of Newfoundland and Labrador Hydro or the safety of its assets, including the Victoria Dam;
- (o) Marathon Gold shall consult Newfoundland and Labrador Hydro on the review referred to in subparagraph (n)(ii) prior

to the undertaking of any blasting operations that have the potential to impact existing Newfoundland and Labrador Hydro assets, including the Victoria Dam;

- (p) Marathon Gold shall undertake further investigation to confirm the hydraulic conductivity of the Valentine Lake thrust fault and further characterization of the Victoria Lake Group rock units;
- (q) full characterization of the Victoria Lake Group rock units referred to in paragraph (p) shall be undertaken prior to the start of mine development and the data shall be used to update the groundwater model and the new modelling results shall be submitted to Water Resources Management Division of the department and determined to be sufficient prior to the start of mine development;
- (r) Marathon Gold shall prepare a Benefits Agreement that meets the approval of the Minister of the Department of Industry, Energy and Technology and that includes a Gender Equity, Diversity and Inclusion Plan that meets the requirements of the Minister responsible for Women and Gender Equality;
- (s) Marathon Gold shall finalize the Benefits Agreement and Gender Equity, Diversity and Inclusion Plan referred to in paragraph (r) and obtain ministerial approval prior to the commencement of site activities;
- (t) Marathon Gold shall submit an Outfitter Environmental Effects Monitoring Plan in partnership with the Newfoundland and Labrador Outfitters Association that aligns with the Memorandum of Understanding that Marathon Gold Corporation and the Newfoundland and Labrador Outfitters Association signed on October 4, 2021;
- (u) Marathon Gold shall submit the Outfitter Environmental Effects Monitoring Plan referred to in paragraph (t) to the Department of Tourism, Culture, Arts and Recreation for review in consultation with the Newfoundland and Labrador Outfitters Association and it shall be approved by the Department of Tourism, Culture, Arts and Recreation prior to construction activities; and

- (v) Marathon Gold shall construct its facility and operate it in a manner consistent with the best available control technology requirements prescribed in the *Management of Greenhouse Gas Regulations*.

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### PART II

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<b>Environmental Protection Act</b>			
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