



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART I

PUBLISHED BY AUTHORITY

Vol. 78

ST. JOHN'S, FRIDAY, DECEMBER 19, 2003

No. 51

### MINERAL ACT

#### NOTICE

Published in accordance with regulation 62 of the Mineral Regulations.

Mineral rights to the following mineral licences have reverted to the Crown:

Mineral Licence 3405  
held by Atlantis Exploration Inc.  
situate near Micmac Lake, Baie Verte Penin.  
on map sheet 12H/ 9

Mineral Licence 7644M, 7645M  
held by Gallery Resources Limited  
situate near Cabot Lake  
on map sheet 14D/ 2

Mineral Licence 7647M  
held by South Coast Ventures Inc  
situate near Gills Pond, Central NL  
on map sheet 12A/10

Mineral Licence 7653M  
held by Black Bart Prospecting  
situate near Great Rattling Bk, Central NL  
on map sheet 2D/12

Mineral Licence 7669M  
held by Omya (Canada) Inc.

situate near Roddickton, Northern Peninsula  
on map sheet 12I/16

Mineral Licence 7672M  
held by South Coast Ventures Inc  
situate near Gills Pond, Central NL  
on map sheet 12A/10

Mineral Licence 7674M, 7675M, 7676M  
held by South Coast Ventures Inc  
situate near Gills Pond, Central NL  
on map sheet 12A/10

Mineral Licence 7686M  
held by Trinity Resources & Energy Limited  
situate near Old Bay, Southern NL  
on map sheet 1M/12

Mineral Licence 8176M  
held by Celtic Minerals Ltd  
situate near Fair Haven, Avalon Peninsula  
on map sheet 1N/12

Mineral Licence 8180M  
held by Hudson Bay Exploration and  
Development Company Limited  
situate near Tasialuk River  
on map sheet 14D/15

Mineral Licence 8181M  
held by Derek R. White

THE NEWFOUNDLAND AND LABRADOR GAZETTE  
December 19, 2003

situate near on map sheet	Black Duck, Western NL 12B/ 9	situate near on map sheet	Glovertown, Eastern NL 2C/12
Mineral Licence held by situate near on map sheet	9061M Phil Dwyer Riverdale, Avalon Peninsula 1N/ 6	Mineral Licence held by situate near on map sheet	9085M Don Hawco ShoulderBlade Lk, Central NL 12A/ 9
Mineral Licence held by situate near on map sheet	9063M Candor Ventures Corp. Mobile Big Pond, Avalon Pen 1N/ 7	Mineral Licence held by situate near on map sheet	9090M Ronald Sweetapple Alexander Bay, Eastern NL 2C/12
Mineral Licence held by situate near on map sheet	9065M Alec Turpin Recontre, Southern NL 1M/11	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	8343M Northstar Exploration Limited Port Manvers 14F/ 3, 14F/ 4
Mineral Licence held by situate near on map sheet	9064M Alexander J. Turpin North West River, Southern NL 1M/14	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	6988M Roland Quinlan Wild Bight, Central NL 2E/10
Mineral Licence held by situate near on map sheet	9066M William Dancey Powder Hill Pond, Eastern NL 2F/ 4	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	9791M Altius Resources Inc. Paradise Lake, Central NL 2D/13, 2D/12
Mineral Licence held by situate near on map sheet	9069M Leonard Muise Cold Brook, Western NL 12B/ 9	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	8255M Altius Resources Inc. Northwest Gander, Central NL 2D/11, 2D/12, 2D/ 5, 2D/ 6
Mineral Licence held by situate near on map sheet	9070M Donald J. Cormier Cold Brook, Western NL 12B/ 9	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	8254M Altius Resources Inc. Northwest Gander, Central NL 2D/11
Mineral Licence held by situate near on map sheet	9071M Derek R. White Long Gull Pond, Western NL 12B/ 9	A portion of licence held by situate near on map sheet more particularly described in an application on file at Dept. of Mines and Energy	9788M Altius Resources Inc. Burnt Lake, Central NL 2E/ 7, 2E/ 2
Mineral Licence held by situate near on map sheet	9072M Vance W. Green Long Gull Pond, Western NL 12B/ 9		
Mineral Licences held by situate near on map sheet	9075M, 9076M, 9077M, 9078M Lloyd S. Hicks Alexis River 13A/ 9		
Mineral Licence held by	9079M Ronald Sweetapple	more particularly described in an application on file at Dept. of Mines and Energy . The lands covered by this notice	

except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in Consolidated Newfoundland and Labrador Regulations 1143/96 and Newfoundland and Labrador Regulation 71/98, 104/98, 97/2000 and 36/2001 and outlined on 1:50 000 scale maps maintained by the Department of Mines and Energy, will be open for staking after the hour of 9:00 AM on the 32nd clear day after the date of this publication. Priority of applications submitted will be determined by a draw.

JIM HINCHEY, P.Geo  
Manager - Mineral Rights

File #: 771: 1532

774: 0432, 3615, 4026, 4027, 4030, 4035, 4037,  
4039, 4048, 4373, 4377, 4378, 4420, 4421,  
4434, 4928, 4930, 4931, 4932, 4935, 4936,  
4937, 4938, 4941, 4942, 4946, 4950

Dec 19

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#### CO-OPERATIVES ACT

##### CANCELLATION OF REGISTRATION

The Registrar of Co-operatives has, pursuant to the *Co-operatives Act*, Chapter C-35.1, S.N.L. 1998, s. 134, cancelled the Registration of the following co-operatives:

- 292 - Carol Wabush Co-operative Society Limited,  
Labrador City, NL Incorporated - 1970
- 330 - Venture Housing Co-operative Society Limited, St.  
John's, NL Incorporated - 1981
- 335 - Concord Housing Co-operative Society Limited, St.  
John's, NL Incorporated - 1981
- 349 - Harmony Housing Co-operative Society Limited,  
St. John's, NL Incorporated - 1982
- 352 - Heritage Housing Co-operative Society Limited,  
Mount Pearl, NL Incorporated - 1983

DOUGLAS LAING  
Registrar of Co-operatives  
for the Province of  
Newfoundland and Labrador

Dec 19

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#### URBAN AND RURAL PLANNING ACT

##### NOTICE OF REGISTRATION TOWN OF CORMACK DEVELOPMENT REGULATIONS AMENDMENT NO. 6, 2003

Take notice that the Town of Cormack Development Regulations Amendment No. 6, 2003, adopted on the 21<sup>st</sup> day of October, 2003, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Development Regulations Amendment No. 6, 2003 are:

- a) to allow accessory buildings to be erected closer to public road than a dwelling, which is useful where dwellings are well set back from a road, and it is desirable to have an accessory building closer to the road than a dwelling - provided that minimum road setbacks for a given zone are retained;
- b) to alter the definition of Lot Frontage to accommodate the Crown Land Windbreak;
- c) to relax the maximum dwelling setback requirements in the Agriculture and Rural Zones because a farmer may wish to place his or her dwelling fairly close to certain of his or her operations and this could necessitate a dwelling being located outside the maximum allowable setbacks.

The Cormack Development Regulations Amendment No. 6, 2003 comes into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone who wishes to inspect a copy of the Cormack Development Regulations Amendment No. 6, 2003 may do so at the Town Office, Cormack during normal working hours.

TOWN OF CORMACK  
Town Clerk

Dec 19

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**MUNICIPALITIES ACT, 1999**

**TOWN OF GRAND FALLS-WINDSOR  
TAXI REGULATIONS AMENDMENT # 5**

The Town of Grand Falls-Windsor Taxi Regulations are hereby amended by adding the following Regulation:-

- 46 (3) Except as otherwise prescribed in these regulations a vehicle which is being operated by a licensed Daycare Centre or a pre-school is exempt from the provisions of these regulations while transporting children who are entrusted to the care of that Daycare Centre or pre-school.

M. PINSENT  
Town Manager/Clerk

Dec 19

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**TRUSTEE ACT**

**ESTATE NOTICE**

**IN THE MATTER OF the Estate of Roy Bellows, late of  
St. John's, in the Province of Newfoundland and  
Labrador, Licensed Practical Nurse, Deceased.**

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All persons claiming to be creditors of or who have any claims or demands upon or affecting the Estate of Roy Bellows late of St. John's, aforesaid, deceased, are hereby requested to send particulars therein in writing, duly attested to Deanne M. Penney, of PATTERSON PALMER, Scotia Centre, 235 Water Street, P. O. Box 610, St. John's, Newfoundland and Labrador, Solicitors for the estate of the deceased on or before the 19 January, 2004 after which date the Solicitors will proceed to distribute the said estate, having regard only to the claims which they shall then have had notice.

DATED at St. John's, this 9<sup>th</sup> day of December, 2003.

PATTERSON PALMER  
Solicitors for the Estate  
Per: Deanne M. Penney

ADDRESS FOR SERVICE:  
10<sup>th</sup> Floor, Scotia Centre  
235 Water Street, P. O. Box 610  
St. John's, NL  
A1C 5L3

Dec 19

CHANGE OF NAME ACT

Legal Name Changes  
Processed During the Period  
NOVEMBER, 2003

Under the authority vested in me by The Change of Name Act, Chapter C-8 of The Revised Statutes of Newfoundland, 1990, I hereby certify that the following names have been changed.

Former Name	Present Name	Address	District
Bartlett, Nathan Robert Thomas	Hart, Nathan Robert Thomas	Holyrood	Harbour Main-Whitbourne
Blackwood, Erika Charmaine	Sweetapple, Erika Charmaine	Glovertown	Terra Nova
Barrington, Travis Carsten	Johnson, Travis Carsten	Torbay	Cape St. Francis
Prin, Daniel Adam	Michelin, Daniel Adam	Northwest River	Lake Melville
Guang, Li Feng	Dyer, Holly Li Feng	St. John's	St. John's North
Ewing, William John	Clarke, William John	Corner Brook	Humber West
Lawrence, Haley Amber	Conway, Haley Amber	Bell Island	CBE & Bell Island
Holloway, Tamara Angeline	Templeman, Tamara Angeline	Shoal Harbour	Trinity North
Loder, Donovan Lewis Gallant	Gallant, Donovan Lewis	Stephenville	Port au Port
Heddlison, Newell	Heddlison, Newell	Torbay	Cape St. Francis
Cormier, Makayla Lynn	Power, Makayla Lynn	Clarenville	Trinity North
Heath, Michael Richard	Yanchus, Michael Joseph	Paradise	Topsail
Parsons, Julia Anne Elizabeth	Waddleton, Julia Anne Elizabeth	St. John's	St. John's North
Parsons, Jessica Lynn Sandra	Waddleton, Jessica Lynn Sandra	St. John's	St. John's North
Parsons, Jacob Nicholas	Waddleton, Jacob Nicholas	St. John's	St. John's North

Dated this 11th day of December, 2003

*Brenda Andrews*

Brenda Andrews  
Registrar, Vital Statistics Division  
Department of Government Services & Lands



# THE NEWFOUNDLAND AND LABRADOR GAZETTE

## PART II

### SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

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Vol. 78

ST. JOHN'S, FRIDAY, DECEMBER 19, 2003

No. 51

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### NEWFOUNDLAND AND LABRADOR REGULATIONS

**NLR 137/03**

**NLR 138/03**

**NLR 139/03**

**NLR 140/03**



## NEWFOUNDLAND AND LABRADOR REGULATION 137/03

*Interim Development Regulations, 2003*  
under the  
*Urban and Rural Planning Act, 2000*

Under the authority of section 34 of the *Urban and Rural Planning Act, 2000*, I make the following regulations.

Dated at St. John's, December 9, 2003.

Jack Byrne  
Minister of Municipal and Provincial Affairs

### REGULATIONS

#### *Analysis*

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| 1. Short title                  | 7. Permit validity                  |
| 2. Definition                   | 8. Expiry or cancellation of permit |
| 3. Application                  | 9. Inspections                      |
| 4. Development prohibited       | 10. Appeals                         |
| 5. Applications for development | 11. Repeal                          |
| 6. Conditions for development   |                                     |

Schedule

Short title

**1.** These regulations may be cited as the *Interim Development Regulations, 2003*.

Definition

**2.** In these regulations

(a) "Act" means the Urban and Rural Planning Act, 2000"; and

- (b) "area" means a municipal planning area designated under section 11 of the Act.

Application

3. These regulations shall apply to areas listed in the Schedule attached to these regulations.

Development  
prohibited

4. A development shall not be carried out by a person, corporation, partnership, association or other organization in an area unless a permit for the development has first been issued by the council or regional authority for that area.

Applications for  
development

5. (1) An application for a permit to carry out development in an area

(a) shall be submitted to the council or regional authority for the area; and

(b) shall include plans and specifications that may be required by the council or regional authority.

(2) A council or regional authority, when considering an application for a permit to carry out a development, shall not issue a permit for the development of land within an area unless the proposed development conforms with

(a) criteria set out in these regulations; and

(b) where applicable, a plan for the area referred to the council or regional authority by the Director of Urban and Rural Planning for the department.

(3) In considering an application for a permit, the council or regional authority shall take into account the effect of the development on the overall development of the area and shall consider

(a) the topography, physical condition and natural features of the land;

(b) the use or proposed use of the land and the use of the land in the immediate vicinity;

(c) the number, location, safety and convenience of accesses;



- (d) the design, location and construction of the proposed development;
  - (e) the amenity of the surroundings and general appearance;
  - (f) the adequacy of the method and suitability of the land for the type of water and sewage disposal required;
  - (g) the adequacy and suitability of the methods proposed for the disposal of waste material;
  - (h) the shape and size of each lot or parcel of land;
  - (i) its compliance with the National Building Code of Canada and ancillary codes; and
  - (j) whether or not the development is contained within limits of established community development.
- (4) Notwithstanding subsections (1), (2), and (3) and subject to section 108 of the Act, these regulations shall not
- (a) prevent the completion of a structure or the use of land prohibited by a plan authorized under the Act where that development was lawfully commenced before the area was defined under section 11 of the Act, and where that development is completed within a reasonable time after the coming into force of that plan;
  - (b) prevent the rebuilding or repair of a building or development prohibited by a plan or a plan referred to a council or regional authority by the department if the building or development suffers damage to an extent less than 50% of its replacement value provided the owner of the structure within one year of the damage taking place, submits an application for a permit to reconstruct for the same purpose as its original use at the date the area was defined under section 11 of the Act and initiates construction of the building not later than one year after receiving that permit; or
  - (c) prevent the extension of a non-conforming use by an amount not exceeding 50% of the existing floor area provided the council or regional authority is satisfied that appropriate set-

back will be maintained and that there will be no adverse effect on adjoining properties.

(5) An application for a permit that is properly submitted in accordance with the regulations that has not been determined by the council or regional authority within 8 weeks after receipt by the council or regional authority shall be considered to be refused unless an extension of time has been requested by the council or regional authority and agreed upon in writing by the applicant for the permit.

(6) A council or regional authority may

(a) grant a permit, subject to terms and conditions;

(b) grant a permit, without terms and conditions; or

(c) reject an application for a permit,

to carry out development made under this section.

(7) Where a permit is rejected or granted under subsection (6), the council or regional authority shall inform the applicant, in writing and with reasons, for the rejection or terms and conditions of that permit.

(8) A council or regional authority shall, where it decides to reject a permit or to impose terms and conditions under subsection (6), inform the applicant of his or her right to appeal that decision.

Conditions for  
development

**6.** (1) A council or regional authority may impose conditions on a permit issued under section 5 in the interest of the proper development of an area or a specific locality within an area.

(2) Developments shall be carried out in accordance with conditions prescribed under subsection (1).

(3) A council or regional authority may cancel a permit for failure by the holder to comply with these regulations or conditions imposed under the permit.

Permit validity

**7.** (1) A permit for a development is valid for a period of one year and may be renewed twice to a maximum duration of 3 years.

(2) A permit for development shall not be renewed where construction of the development is not initiated within one year of the issuance of the permit.

(3) A person whose permit is not renewed in accordance with subsection (2) may make a new application to the council or regional authority for a permit for development.

(4) A permit for the temporary use of land may be issued by a council or regional authority for a period not exceeding 2 years and may be renewed by the council or regional authority where a new application is made.

Expiry or cancellation of permit

**8.** (1) A permit may be cancelled by a council or regional authority where

(a) development has commenced or is carried out that is contrary to terms and conditions imposed under a permit; and

(b) a development permit was issued in error.

(2) Where a permit to develop is cancelled or expires, the council or regional authority may order the developer or owner to

(a) remove all buildings or erections above ground;

(b) cover or fill all wells or excavations;

(c) landscape or do other things which may be necessary to prevent erosion; and

(d) remove all accesses,

and the developer or owner shall carry out the order of the council or regional authority and shall restore the site to its original state to the satisfaction of the council or regional authority.

Inspections

**9.** An inspector or other person authorized by a council or regional authority may enter public or private property at a reasonable time for the purpose of making surveys, inspections or obtaining information under these regulations.

Appeals

**10.** A decision, action, finding or order of a council or regional authority under these regulations may, in accordance with Part VI of the Act, be appealed to the appeal board which has jurisdiction over the area to which the decision, action, finding or order applies.

Repeal

**11.** The *Interim Development Regulations, Consolidated Newfoundland and Labrador Regulation 1024/96 and Newfoundland and Labrador Regulations 18/98, 64/98, 58/00 and 7/01*, are repealed.

**Schedule**

New-Wes-Valley Municipal Planning Area

Port Rexton Municipal Planning Area

Postville Municipal Planning Area

Sandy Cove Municipal Planning Area

St. Lewis Municipal Planning Area

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 138/03**

*Sandy Cove Municipal Planning Area  
under the  
Urban and Rural Planning Act, 2000*

*(Filed December 11, 2003)*

Under the authority of section 11 of the *Urban and Rural Planning Act, 2000*, I define the following area as the Sandy Cove Municipal Planning Area.

Dated at St. John's, December 9, 2003.

Jack Byrne  
Minister of Municipal and Provincial Affairs

**PLANNING AREA**

All that area within the boundary of the town of Sandy Cove as defined or redefined by an Order-in-Council and published in the *Gazette*.

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## NEWFOUNDLAND AND LABRADOR REGULATION 139/03

*Labrador Border Zones Rebate Regulations, 2003 No.2*  
under the  
*Tobacco Tax Act*

*(Filed December 16, 2003)*

Under the authority of section 45.2 of the *Tobacco Tax Act*, I  
make the following regulations.

Dated at St. John's, December 12, 2003.

Loyola Sullivan  
Minister of Finance

### REGULATIONS

#### *Analysis*

1. Short title
2. Rebate amount
3. Repeal

Short title

**1.** These regulations may be cited as the *Labrador Border Zones Rebate Regulations, 2003 No.2*.

Rebate amount

**2.** The rebate of tax in Labrador border zones established under section 9 of the *Tobacco Tax Act* shall be

(a) for cigarettes, \$0.0675 per cigarette; and

(b) for tobacco, \$0.0636 per gram.

Repeal

**3. The *Labrador Border Zones Rebate Regulations, 2003*, Newfoundland and Labrador Regulation 67/03, are repealed.**

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**NEWFOUNDLAND AND LABRADOR  
REGULATION 140/03**

*Judgment Interest Order, 2004*  
under the  
*Judgment Interest Act*

*(Filed December 17, 2003)*

Under the authority of section 6 of the *Judgment Interest Act*, I  
make the following Order.

Dated at St. John's, December 17, 2003.

Thomas W. Marshall, Q.C.  
Minister of Justice

**ORDER**

*Analysis*

1. Short title

2. Interest rate

Short title

**1.** This Order may be cited as the *Judgment Interest Order, 2004*.

Interest rate

**2.** Effective January 1, 2004, the pre-judgment and post-judgment  
interest rate shall be 2%.

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### PART II

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<b>Tobacco Tax Act</b>			
Labrador Border Zones Rebate Regulations, 2003, No.2	NLR 139/03 Extra Dec 16/03	R & S NLR 67/03	Dec 19/03, p. 1263
<b>Urban and Rural Planning Act, 2000</b>			
Interim Development Regulations, 2003	NLR 137/03	R & S CNLR 1024/96	Dec 19/03, p. 1253
Sandy Cove Municipal Planning Area	NLR 138/03	New	Dec 19/03, p. 1261

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