



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

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Vol. 79

ST. JOHN'S, FRIDAY, OCTOBER 8, 2004

No. 41

ROYAL NEWFOUNDLAND CONSTABULARY ACT

NOTICE OF PUBLIC HEARING

TAKE NOTICE that pursuant to section 32 of the *Royal Newfoundland Constabulary Act*, 1992, a Public Hearing will commence on Monday, October 18, 2004, 9:30 AM, at the office of the Royal Newfoundland Constabulary Public Complaints Commission, Suite E160, Bally Rou Place, 280 Torbay Road, St. John's, NL

Any member of the Public requiring further information should call the office of the RNC Public Complaints Commission at telephone number 729-0950.

LOIS HOEGG, Q.C.
COMMISSIONER

Oct 8

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 7954M
held by Ivan Mesher
situate near Wood Lake, Central NL
on map sheet 12A/ 4

Mineral Licence 7537M
held by Buchans River Ltd
situate near Lost Pond, Central NL
on map sheet 12A/10

Mineral Licence 9761M
held by Gallery Resources Limited
situate near Coy Pond, Central NL
on map sheet 2D/ 5

Mineral Licence 7596M
held by Buchans River Ltd
situate near Morgan Arm, Southern NL
on map sheet 1M/13

Mineral Licence 8070M
held by Vinland Resources Limited
situate near Dawes Pond, Central NL
on map sheet 12H/ 1

Mineral Licence 8075M
held by Vinland Resources Limited
situate near Little Joe Glodes, Central NL
on map sheet 12H/ 1

Mineral Licence 8098M
held by Cornerstone Resources Inc.
situate near Hickmans Harbour, Eastern NL
on map sheet 2C/ 4

Mineral Licence 8101M
held by Cornerstone Resources Inc.
situate near Little Catalina, Eastern NL
on map sheet 2C/10, 2C/11, 2C/ 6

Mineral Licence 8546M
held by Gary E. Lewis
situate near Gander River, Central NL
on map sheet 2E/ 2

Mineral Licence 8874M
held by Gallery Resources Limited
situate near Matthews Pond, Central NL
on map sheet 2D/ 4, 2D/ 5

Mineral Licence 8875M
held by Hudson Bay Exploration and
Development Company Limited
situate near Kingurutik Lake
on map sheet 14D/15, 14D/14

Mineral Licence 8890M
held by Buchans River Ltd
situate near Victoria Lake, Central NL
on map sheet 12A/ 5, 12A/ 6

Mineral Licence 8894M
held by Datan Resources Ltd.
situate near Great Gull River, Central NL
on map sheet 2D/11

Mineral Licence 9457M, 9458M, 9459M
held by Paul Chafe
situate near Star Lake, Central NL
on map sheet 12A/11

Mineral Licence 9461M
held by Paul Chafe
situate near Baie Verte Area
on map sheet 12H/16

Mineral Licence 9462M, 9463M
held by Gary E. Lewis
situate near Star Lake, Central NL
on map sheet 12A/11

Mineral Licence 9468M
held by Black Bart Prospecting Inc
situate near Western Arm, Central NL
on map sheet 2E/12, 12H/ 9

Mineral Licence 9466M
held by Black Bart Prospecting Inc
situate near Jacksons Cove, Central NL
on map sheet 12H/ 9, 2E/12

Mineral Licence 9470M, 9471M, 9472M
held by Black Bart Prospecting Inc
situate near Wild Bight, Central NL
on map sheet 2E/12

Mineral Licence 9474M, 9475M
held by Black Bart Prospecting Inc
situate near Blow Me Down, Central NL
on map sheet 2E/12, 12H/ 9

Mineral Licence 9561M, 9562M
held by British Canadian Mines Ltd.
situate near White Bay Area
on map sheet 12H/10

Mineral Licence 9563M
held by Peter M. Dimmell
situate near Parkers Cove, Burin Peninsula
on map sheet 1M/ 7

Mineral Licence 9568M
held by Krinor Resources Inc.
situate near Red Harbour, Burin Peninsula
on map sheet 1M/ 6

Mineral Licence 9574M
held by Alexander J. Turpin
situate near Red Harbour, Burin Peninsula
on map sheet 1M/ 6, 1M/ 7

Mineral Licence 9577M
held by Graham Tobin
situate near Point Rosie, Burin Peninsula
on map sheet 1M/ 6

Mineral Licence 9590M
held by Wayne Hurley
situate near Purbecks Cove, Baie Verte Area
on map sheet 12H/10

A portion of licence 07670M
held by Clayton Dumaesque
situate near Lac Virot
on map sheet 23B/14
more particularly described in an application on file at
Dept. of Natural Resources

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, 36/2001 and 31/2004
and outlined on 1:50 000 scale maps maintained by the
Department of Natural Resources, 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 No. 774:3599,3944,3945,3991,4036, 4311, 4315,4323,
4612,4808,4809, 4819, 4822, 5203,5204, 5205, 5207, 5208,
5247, 5248, 5252, 5256, 5259, 5265

Oct 8

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION CITY OF MOUNT PEARL DEVELOPMENT REGULATIONS AMENDMENT NO. 148, 2004

TAKE NOTICE that the City of Mount Pearl
Development Regulations Amendment Number 148, 2004,
adopted by Council on the 21st day of September, 2004, has
been registered by the Minister of Municipal and Provincial
Affairs.

In general terms, the purpose of Development
Regulations Amendment Number 148, 2004 is to rezone
property located at 7 Commonwealth Avenue from
Commercial General (GC) to Commercial General-Special
(GC-S).

The Mount Pearl Development Regulations
Amendment Number 148, 2004 comes into effect on the
day that this notice is published in *The Newfoundland &
Labrador Gazette*. Anyone who wishes to inspect a copy of

the Mount Pearl Development Regulations Number 148, 2004 may do so at City Hall, City of Mount Pearl during normal working hours.

CITY OF MOUNT PEARL
PER: Gerard Lewis
Chief Administrative Officer

Oct 8

**2004 01T 3567
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

IN THE MATTER OF *Quieting of Titles Act*, Chapter Q-3 of the Revised Statutes of Newfoundland and Labrador, 1990, as amended

AND IN THE MATTER OF a piece or parcel of land situate and being on the Eastern side of Walsh's Road, referred to as Civic No. 59-75 Walsh's Road, at Kelligrews, in the Town of Conception Bay South, in the Province of Newfoundland and Labrador, Canada, being an area of 5605 square metres more or less,

AND IN THE MATTER OF a piece or parcel of land situate and being on the Eastern side of Walsh's Road, referred to as Civic No. 98-105 Walsh's Road, at Kelligrews, in the Town of Conception Bay south, in the Province of Newfoundland and Labrador, Canada, being an area of 3609 square metres more or less.

AND IN THE MATTER OF an Application of Bride Thomey, of the City of Calgary, in the Province of Alberta, Canada

NOTICE

NOTICE of Application under the *Quieting of Titles Act*, Chapter Q-3 of the Revised Statutes of Newfoundland and Labrador, 1990, as amended.

NOTICE is hereby given to all parties that Bride Thomey, of the City of Calgary, in the Province of Alberta, has applied to the Supreme Court of Newfoundland and Labrador, Trial Division, at St. John's, to have the title to ALL THOSE certain pieces or parcels of land situate, lying and being at 59-75 Walsh's Road, Kelligrews, in the Town of Conception Bay South, in the Province of Newfoundland and Labrador, Canada, and 98-105 Walsh's Road, Kelligrews, in the Town of Conception Bay South, in the Province of Newfoundland and Labrador, Canada, and being more particularly described in the Schedules "A", and "B" and "C" and "D" hereunto annexed, for which she claims to be the owner, investigated and for a Declaration that she is the absolute owner in fee simple and that she has been ordered to publish notice of the Application as required by the before noted Act.

All persons having title adverse to the said title claimed by the Applicant, shall file in the Registry of the

Supreme Court of Newfoundland and Labrador at St. John's, particulars of such adverse claim, and serve the same together with an Affidavit verifying same on the undersigned Solicitors for the Applicant on or before the 29th day of October, 2004, after which date no party having any claim shall be permitted to file the same or be heard except by leave of the Court and subject to such conditions as the Court may deem just.

All such adverse claims shall be then investigated in such manner as the said Supreme Court of Newfoundland and Labrador at St. John's may direct.

DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 27th day of September, 2004.

GILLIAN D. BUTLER, Q.C.
LITIGATION AND MEDIATION
Solicitors for the Applicant
PER: Kimberley M. McLennan

ADDRESS FOR SERVICE:
Level Two, The Boathouse
Clancy Drive, Quidi Vidi Lake
St. John's, NL A1A 5P5

SCHEDULE 'A'
Survey Description for Bride Thomey
Walsh's Road, Kelligrews
Parcel 1

ALL THAT piece or parcel of land situate and being on the eastern side of Walsh's Road at Kelligrews, in the electoral district of Conception Bay South, Newfoundland, Canada and being abutted as follows, that is to say:

BEGINNING at a point, said point having NAD83 coordinates of North 5261706.631 meters and East 303728.945 meters with reference to Crown Land Monument No. 96G 6119 having coordinates of North 5260486.208 meters and East 302108.430 meters and Crown Land Monument No. 96G 6120 having coordinates of North 5261157.910 meters and East 303060.175 meters of the Modified Three Degree Transverse Mercator Projection for Newfoundland having a central meridian of 53 degrees west longitude;

Thence running along by Walsh's Road North twenty degrees zero five minutes thirty-five seconds West, eleven decimal eight eight two zero meters;

AND THENCE running North twenty-seven degrees zero eight minutes twenty-five seconds West, nine decimal seven zero four meters;

AND THENCE running North thirty-five degrees eleven minutes zero four seconds West, twenty-four decimal one two five meters;

AND THENCE running North thirty-one degrees forty-five minutes twenty seconds West, twenty-five decimal eight zero four meters;

AND THENCE running North twenty-six degrees forty-four minutes forty-seven seconds West, thirteen decimal eight three three meters;

AND THENCE running North sixteen degrees fifty-eight minutes zero two seconds West, twenty-nine decimal nine three seven metres;

THENCE running along by land now or formerly belonging to Kim Murphy surveyed for Wilson Porter by Craig Nightingale, NLS dated August 11, 1994 North eighty-five degrees fifty-five minutes forty-six seconds East, twenty-eight decimal six nine five meters;

AND THENCE running North eighty degrees thirty-one minutes fifty-four seconds East, sixteen decimal five seven eight meters;

THENCE running along by land now or formerly belonging to Wilson Porter registered in Volume 826 Folio 71 of the Registry of Deeds in Newfoundland and Labrador South thirty-two degrees thirty-nine minutes fifty-seven seconds East, forty-one decimal zero two two meters;

AND THENCE running South thirty-two degrees forty-four minutes zero two seconds East, thirty-eight decimal two three five meters;

AND THENCE running South twenty-five degrees zero seven minutes fifty-two seconds East, thirty-two decimal one six six meters;

THENCE running along by land now or formerly belonging to the Estate of Abe Butler surveyed by Geo. Way Surveys Limited dated 1974 South sixty-six degrees forty-two minutes zero three seconds West, five decimal three four three meters;

AND THENCE running South sixty-six degrees twenty-five minutes zero three seconds West, eight decimal three eight zero meters;

AND THENCE running South eighty-one degrees thirteen minutes zero three seconds West, thirty-eight decimal three eight three meters, more or less, to the point of beginning.

The above described parcel of land has as area of 5605 square meters, more or less, and is shown more fully delineated as parcel 1 on the adjoining plan having Job No. 515703 dated January 7, 2004. All the bearings are referred to Grid North of the above mentioned projection. All distances are grid distances using a scale factor of 0.999899.

All that piece or parcel of land situate and being on the eastern side of Walsh's Road of Kelligrews in the electoral district of Conception Bay South, Newfoundland and Labrador, Canada and being abutted as follows, that is to say;

BEGINNING at a point, said point having NAD83 coordinates of North 5261470.818 meters and East 303789.336 meters with reference to Crown Land Monument No. 96G 6119 having coordinates of North 5260486.208 meters and East 302108.430 meters and Crown Land Monument No. 96G 6120 having coordinates of North 5261157.910 meters and East 303060.175 meters of the Modified Three Degree Transverse Mercator Projection for Newfoundland having a central meridian of 53 degrees west longitude;

THENCE running along by Walsh's Road North seventeen degrees thirty-five minutes twenty-six seconds West, thirty-two decimal zero four three meters;

AND THENCE running North nine degrees forty-five minutes zero zero seconds West, five decimal seven one one meters;

AND THENCE running North twenty-four degrees forty-seven minutes fifty-three seconds West, twelve decimal six one four meters;

AND THENCE running North twenty-three degrees fifty-six minutes zero two seconds West, thirteen decimal two zero eight meters;

AND THENCE running North fifteen degrees twenty-four minutes eighteen seconds West, six decimal seven five three meters;

THENCE running along by land now or formerly belonging to Wilfred Dawe registered in Volume 1296 Folio 417 of the Registry of Deeds in Newfoundland and Labrador surveyed by Clifton G. Hawco, NLS (March, 1992) North sixty-eight degrees twenty-eight minutes forty-six seconds East, fifty decimal zero five five meters;

AND THENCE running North seventy-two degrees zero zero minutes forty-six seconds East, fifteen decimal zero five eight meters;

THENCE running along by Parcel 1 of Ralph Ledrew's land surveyed for the Department of Works, Services and Transportation by Craig Nightingale, NLS dated April 1998 South seventeen degrees fifty-nine minutes zero five seconds East, twenty-nine decimal seven one eight meters;

AND THENCE running South fifteen degrees forty-five minutes zero one seconds East, fourteen decimal two two two meters;

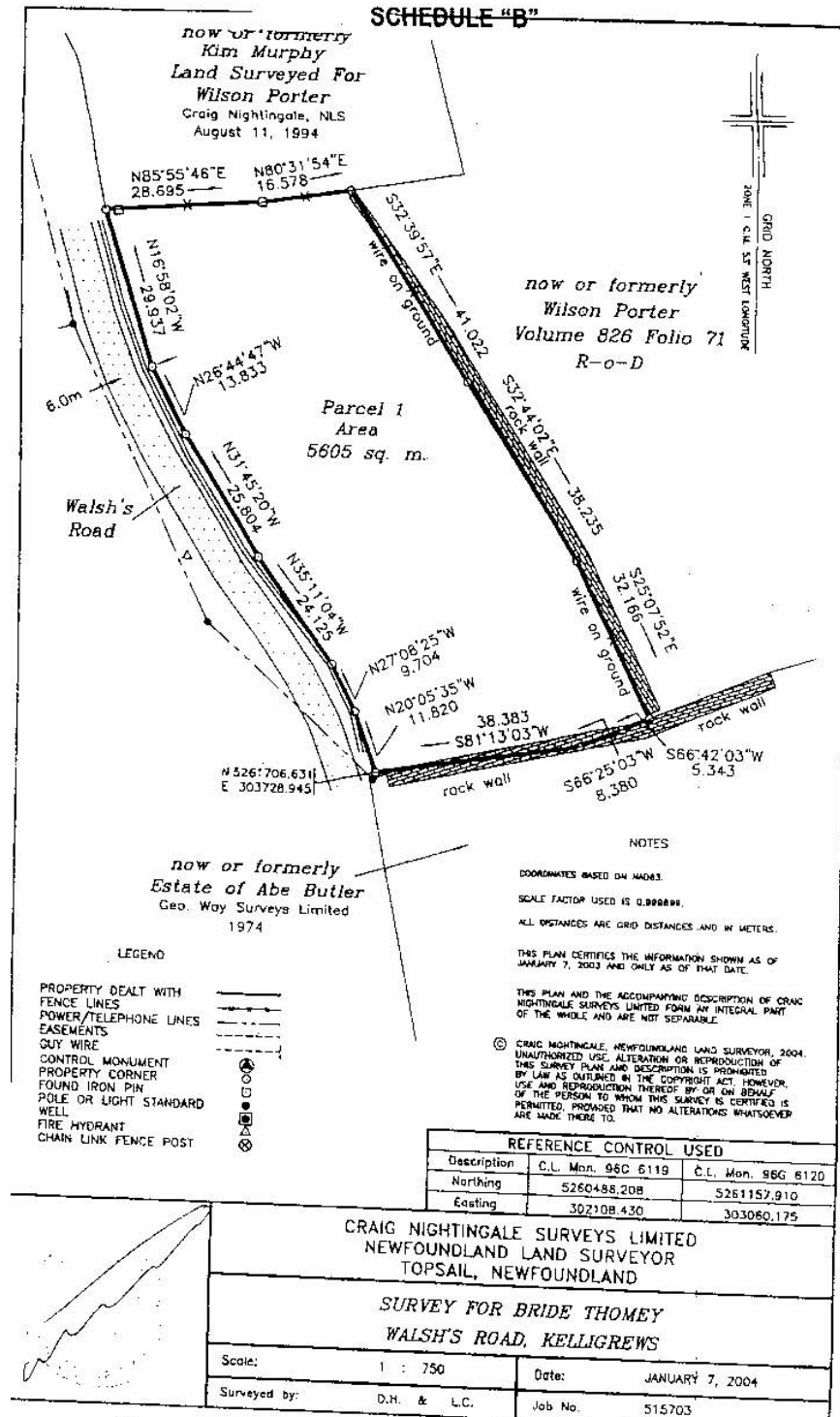
THENCE running counterclockwise by the Conception Bay South Bypass Road along by the arc of a curve having a radius of six hundred ninety-three decimal six nine nine meters, an arc length of sixty-nine decimal four three nine

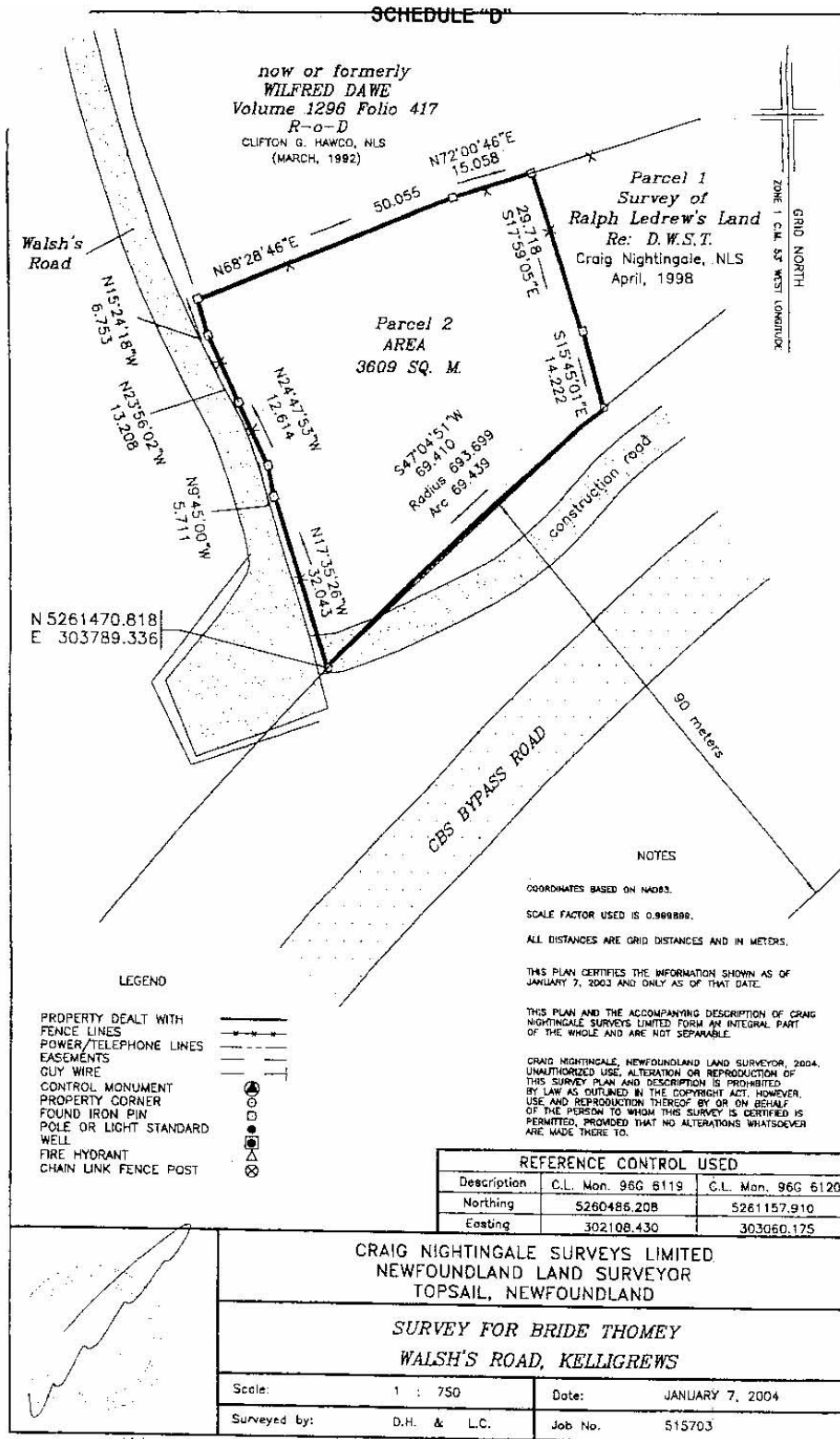
SCHEDULE 'C'
Description of survey for Bride Thomey
Walsh's Road, Kelligrews
Parcel 2

meters and a chord bearing and distance of South forty-seven degrees zero four minutes fifty-one seconds West, sixty-nine decimal four one zero meters, more or less, to the point of beginning.

The above described parcel of land has an area of 3609 square meters, more or less, and is shown more fully

delineated as Parcel 2 on the adjoining plan having Job No. 515703 dated January 7, 2004. All the bearings are referred to Grid North of the above mentioned projection. All distances are grid distances using a scale factor of 0.999899.





CHANGE OF NAME ACT

C-8 RSN 1990

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

ROXANNE O'REILLY

of 258 St. Thomas Line, Paradise, A1L 3K9, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

CHANTEL ELIZABETH WILLIAMS
to
CHANTEL ELIZABETH O'REILLY

DATED this 28th day of September, 2004.

ROXANNE O'REILLY
(Signature of Applicant)

Oct 8

**NOTICE OF APPLICATION
FOR CHANGE OF NAME**

NOTICE is hereby given that an application will be made to the Minister of Government Services for a change of name, pursuant to the provisions of the *Change of Name Act*, by me:-

SANDRA GEORGINA JERRETT

of P. O. Box 325, Dildo, A0B 1P0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

CHARLEE KATELYN TREMBECKY
to
CHARLEE KATELYN JERRETT

DATED this 24th day of September, 2004.

SANDRA JERRETT
(Signature of Applicant)

Oct 8



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 79

ST. JOHN'S, FRIDAY, OCTOBER 8, 2004

No. 41

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 122/04
NLR 123/04
NLR 97/04 REPRINT



NEWFOUNDLAND AND LABRADOR REGULATION 122/04

Pension Benefits Act Regulations (Amendment)
under the
Pension Benefits Act, 1997
(O.C. 2004-376)

(Filed October 5, 2004)

Under the authority of section 78 of the *Pension Benefits Act, 1997*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, September 29, 2004.

Robert C. Thompson
Clerk of the Executive Council

REGULATION

Analysis

1. S.41 Amdt.
Application to public sector
plans

NLR 114/96
as amended

1. Section 41 of the *Pension Benefits Act Regulations* is amended by repealing subsection (4) and substituting the following:

(4) Notwithstanding subsection (1), the Memorial University Pension Plan is

- (a) exempt for the period from April 1, 2002 until December 31, 2005 from the requirement that the employer pay an amount under paragraph 12(3)(d) of these regulations; and
- (b) exempt from the requirement under paragraph 12(3)(c) of the regulations to liquidate the going concern unfunded liability arising from the cost of providing indexed benefits in relation to past service under section 24.1 of the *Memorial University Pensions Act* within the prescribed 15 year period and is instead permitted to liquidate this liability within 40 years from the day that indexing is effective.

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NEWFOUNDLAND AND LABRADOR REGULATION 123/04

Occupational Health and Safety Regulations (Amendment)
under the
Occupational Health and Safety Act
(O.C. 2004-410)

(Filed October 8, 2004)

Under the authority of section 65 of the *Occupational Health and Safety Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, October 8, 2004.

Tim Murphy
Deputy Clerk of the Executive Council

REGULATIONS

Analysis

1. S.187.1 Amdt.
Diving standards

CNLR 1165/96
as amended

1. Section 187.1 of the *Occupational Health and Safety Regulations* is amended by adding immediately after subsection (1) the following:

(1.1) Notwithstanding paragraph (1)(b), the following modifications to CAN/CSA-Z275.2-92 "Occupational Safety Code for Diving

Operations" apply to seafood harvesting operations for the period of October 8, 2004 to April 30, 2005 inclusive:

(a) clause 6.4.2 shall be deleted and the following substituted:

6.4.2 When diving in a tethered mode a minimum of 3 workers shall be present at each dive site, one of whom shall be a diver, one a standby diver, and one a diver's tender.

(b) clause 6.4.3 shall be deleted and the following substituted:

6.4.3 When diving in a free-swimming mode, a minimum of 3 workers shall be present at each dive site, 2 of whom shall be divers and one a diver's tender. Notwithstanding clause 3.4.6, for the purpose of this clause, a standby diver shall not be required when the buddy system referred to in clause 6.5.3 is being followed.

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NEWFOUNDLAND AND LABRADOR REGULATION 97/04 - REPRINT

Charlottetown Municipal Planning Area, 2004
under the
Urban and Rural Planning Act, 2000

(Filed September 14, 2004)

Under the authority of section 11 of the *Urban and Rural Planning Act, 2000* I define the following area as the Charlottetown Municipal Planning Area, 2004.

Dated at St. John's, September 9, 2004.

Jack Byrne
Minister of Municipal and Provincial Affairs

ORDER

Beginning at a point at the highwater mark on the southern shoreline of White Bear Arm where an unnamed stream enters that arm, more specifically having co-ordinates north 5,846,880 metres and east 563,336 metres;

Then south 50° 12' 17" west 2,700 metres, more or less, to a high point;

Then south 62° 53' 41" west 1,774 metres, more or less, to a high point;

Then south 65° 12' 19" west 1,125 metres, more or less, to a high point;

Then north 74° 53' 21" west 3,852 metres, more or less, to a high point;

Then north 9° 17' 47" west 2,400 metres, more or less, to a high point;

Then north 17° 59' 12" west 1,200 metres, more or less, to a high point;

Then north 63° 32' 19" east 3,829 metres, more or less, to a high point;

Then north 89° 12' 3" east 760 metres, more or less, to a point on the southern shoreline of White Bear Arm, more specific having co-ordinates north 5,850,103 metres and east 558,373 metres;

Then in a generally southwesterly direction following the shoreline of White Bear Arm, passing the Town of Charlottetown, to the point of commencement.

All bearings refer to grid north and as with distances and co-ordinates given are subject to approximation as delineated on the 1:50,000 National Topographic Mapping.

The *Charlottetown Municipal Planning Area*, Consolidated Newfoundland and Labrador Regulation 831/96, is repealed.

*(Reprint of Newfoundland and Labrador Regulation 97/04
as originally published on September 17, 2004, page 435
due to errors in the original.)*

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PART II

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Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Occupational Health and Safety Act			
Occupational Health and Safety Regulations (Amdt)	NLR 12304	Amends CNLR 1165/96 S.187.1 Amdt.	Oct 8/04, p. 633
Pension Benefits Act, 1997			
Pension Benefits Act Regulations (Amdt)	NLR 122/04	Amends NLR 114/96 S.41 Amdt.	Oct 8/04, p. 631
Urban and Rural Planning Act, 2000			
Charlottetown Municipal Planning Area, 2004	Reprint of NLR 97/04		Oct 8/04, p. 635

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