



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 80

ST. JOHN'S, FRIDAY, SEPTEMBER 2, 2005

No. 35

URBAN AND RURAL PLANNING ACT

NOTICE OF REGISTRATION TOWN OF HOLYROOD MUNICIPAL PLAN AMENDMENT NO. 6, 2005, AND DEVELOPMENT REGULATIONS AMENDMENT NO. 7, 2005

Take notice that the Town of Holyrood Municipal Plan Amendment No. 6, 2005, and Development Regulations Amendment No. 7, 2005 approved on the 9th day of August, 2005, has been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of the Municipal Plan Amendment No.6, 2005, is to re-designate an area of land located south of a service road of the former Trans Canada Highway, from Conservation and Rural to Highway Commercial. The Amendment will also add new policy to Section 3.2.4.A of the Holyrood Municipal Plan.

Development Regulations Amendment No. 7, 2005, is to re-zone the same area of land currently zoned as Conservation and Rural to Commercial-Highway. The Amendment will also add outdoor assembly as a permitted use to the Commercial-Highway Land Use Zone Table and add a condition for outdoor assembly uses to Schedule C of the Holyrood Development Regulations. Camping grounds and R.V. Parks will be added as examples to the Outdoor Assembly Use Class, Schedule B.

The purpose of the amendment is to allow for the development of a Recreational Vehicle Park at this location

The Town of Holyrood Municipal Plan Amendment No. 6, 2005, and Development Regulations Amendment No. 7, 2005, 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 Town of Holyrood Municipal Plan Amendment No. 6, 2005, and Development Regulations Amendment No. 7, 2005, may do so at the Town Office, Holyrood, during normal working hours.

TOWN OF HOLYROOD
Scott Devereaux, Town Clerk

Sept 2

NOTICE OF REGISTRATION TOWN OF FLATROCK MUNICIPAL PLAN AMENDMENT NO. 3, 2005, AND DEVELOPMENT REGULATIONS AMENDMENT NOS. 7, 9 AND 11, 2005

Take notice that the Town of Flatrock Municipal Plan Amendment No. 3, 2005, and Development Regulations Amendment Nos. 9, 10 and 11, 2005 approved on the 6th day of July, 2005, the 1st and the 8th day of August 2005, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of the Municipal Plan Amendment No.3, 2005, is to re-designate land located west off Pouch Cove Highway currently zoned as Rural to Residential. The Amendment is required to allow for a 20 lot residential subdivision to be located west off the Pouch Cove Highway, Flatrock.

Development Regulations Amendment No. 7, 2005, will re-zone the same parcel of land from Rural (R) to Residential Rural (RR) and Residential Subdivision Area (RSA) to Residential Rural (RR).

Development Regulations Amendment No. 9, 2005, will amend the Accessory Building condition found in the Residential Medium Density (RMD); Residential Rural (RR); and Mixed Development (MD) Land Use Zone Tables in Schedule C. The Amendment will change the conditions for Accessory Buildings.

Development Regulations Amendment No. 11, 2005, will re-zone a portion of land from Residential Subdivision Area (RSA) to Residential Rural (RR). The Amendment is required to allow for a nineteen (19) lot residential subdivision to be located south off Medalsis Pond Road and north off Pouch Cove Highway.

The Town of Flatrock Municipal Plan Amendment No. 3, 2005, and Development Regulations Amendment Nos. 9, 10 and 11, 2005, 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 Town of Flatrock Municipal Plan Amendment No. 3, 2005, and Development Regulations Amendment Nos. 9, 10 and 11, 2005, may do so at the Town Office, Flatrock, during normal working hours.

TOWN OF FLATROCK
Ms. Rita Farrell, Town Clerk

Sept 2

**NOTICE OF REGISTRATION
TOWN OF PASADENA
MUNICIPAL PLAN AMENDMENT NO. 9, 2005 AND
DEVELOPMENT REGULATIONS
AMENDMENT NO. 12, 2005**

Take notice that the Town of Pasadena Municipal Plan Amendment No. 12, 2005 as adopted on the 21st day of June, 2005 and approved on the 15th day of August, 2005, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of the Municipal Plan Amendment and Development Regulations Amendment is to allow the development of a rural residential development along Tipping Drive, immediately east of the Town limits in Pynn's Brook.

The Municipal Plan Amendment No. 9, 2005 and Development Regulations Amendment No. 12, 2005 come 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 Pasadena Municipal Plan Amendment No. 9, 2005 and Development Regulations Amendment No. 12, 2005 may do so at the Pasadena Town Office during normal working hours.

TOWN OF PASADENA
Mr. Jim Merrigan, Town Manager/Clerk

Sept 2

**NOTICE OF REGISTRATION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NO. 26, 2005, AND
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NO. 352, 2005**

Take notice that the St. John's Municipal Plan Amendment No. 26, 2005 and St. John's Development Regulations Amendment No. 352, 2005 adopted on the 25th day of July, 2005, and approved on the 22nd day of August, 2005, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of Municipal Plan Amendment No. 26, 2005 is to redesignate 2.6 hectares (5.3 acres) of land situated at Viscount Street and south of Portugal Cove Road (the Penetanguishene By-Pass Road) to the Residential Low Density District.

In general terms, the purpose of Development Regulations Amendment No. 352, 2005 is to rezone 2.6 hectares (5.3 acres) of land situated at Viscount Street and south of Portugal Cove Road (the Penetanguishene By-Pass Road) to the Residential Low Density District.

These amendments come 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 amendments may do so at the Department of Planning, 3rd floor, St. John's City Hall during normal business hours.

CITY OF ST. JOHN'S
Mr. Cliff Johnston, Department of Planning

Sept 2

**NOTICE OF REGISTRATION
ST. JOHN'S MUNICIPAL PLAN
AMENDMENT NO. 28, 2005, AND
ST. JOHN'S DEVELOPMENT REGULATIONS
AMENDMENT NO. 355, 2005**

Take notice that the St. John's Municipal Plan Amendment No. 28, 2005 and St. John's Development Regulations Amendment No. 355, 2005 adopted on the 25th day of July, 2005, and approved on the 22nd day of August, 2005, have been registered by the Minister of Municipal and Provincial Affairs.

In general terms, the purpose of the Municipal Plan Amendment No. 28, 2005 is to redesignate land on the west side of Logy Bay Road south of the Outer Ring Road to the Residential Low Density District.

In general terms, the purpose of Development Regulations Amendment No. 355, 2005 is to rezone land on the west side of Logy Bay Road south of the Outer Ring Road to the Residential Low Density Zone.

These amendments come 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 amendments may do so at the Department of Planning, 3rd Floor, St. John's City Hall during normal business hours.

CITY OF ST. JOHN'S
Mr. Cliff Johnston, Department of Planning

Sept 2

LANDS ACT
NOTICE OF INTENT

LANDS ACT, Chapter 36, S.N. 1991

Notice is hereby given that Robert Stapleton of Portugal Cove-St. Philip's intends to apply to the Department of Environment and Conservation, two months from the publication of this Notice, to acquire title, pursuant to Section 7(2)(e) of the said Act, to that piece of Crown Land situated within fifteen (15) metres of the waters of Western Round Pond, in the Electoral District of Conception Bay East-Bell Island for the purpose of construction of a wharf and being more particularly described as follows:

*Bounded on the North by Robert Stapleton
for a distance of 30 m;
Bounded on the East by Crown Land
for a distance of 15 m;
Bounded on the South by waters of Western Round Pond
for a distance of 30 m;
Bounded on the West by Crown Land
for a distance of 15 m;
and containing an area of
approximately 450 square metres.*

Any person wishing to object to the application must file the objection, in writing, within one month from the publication of this notice, with reasons for it, to the Minister of Environment and Conservation, c/o Eastern Regional Lands Office, P. O. Box 8700, 5 Mews Place, St. John's, NL, A1B 4J6.

For further information regarding the proposed application, please contact Robert Stapleton, Telephone (709) 895-3241.

Sept 2

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:-

FRANCIS COOLIDGE DUFFENNAIS

of P. O. Box 8, Site 15, RR #1, St. Teresa's, in the Province of Newfoundland and Labrador, as follows:

To change my name from
FRANCIS COOLIDGE DUFFENNAIS
to
FRANCIS COOLIDGE DUFFNEY

DATED this 23rd day of August, 2005.

FRANCIS C. DUFFENNAIS
(Signature of Applicant)

Sept 2

**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:-

CYNTHIA SHEILA MURRINS

of P. O. Box 254, Cox's Cove, NL A0L 1C0, in the Province of Newfoundland and Labrador, as follows:

To change my name from
CYNTHIA SHEILA MURRINS
to
CYNTHIA SHEILA MURRIN

DATED this 23rd day of August, 2005.

CYNTHIA MURRINS
(Signature of Applicant)

Sept 2

**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:-

COLETTE RENEE PUDDISTER

of P. O. Box 1466, Bay Roberts, A0A 1G0, in the Province of Newfoundland and Labrador, as follows:

To change my name from
COLETTE RENEE PUDDISTER
to
COLETTE RENEE RUSSELL

DATED this 22nd day of August, 2005.

COLETTE RENEE PUDDISTER
(Signature of Applicant)

Sept 2

**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:-

ROSALIND KIMBERLEY STOYLES

of 11 Osprey Place, Paradise, A1L 1J5, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried children's name from

RILEY CAMERON EARLE

to

RILEY CAMERON STOYLES

ALEXANDER GRIFFIN EARLE

to

ALEXANDER GRIFFIN STOYLES

DATED this 19th day of August, 2005.

R. KIMBERLEY STOYLES
(Signature of Applicant)

Sept 2

**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:-

SUSAN HEATHER PECKFORD

of 167 Georgetown Road, Corner Brook, A2H 3X3, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

EMILY MARIE BURT

to

EMILY MARIE PECKFORD

DATED this 18th day of August, 2005.

SUSAN PECKFORD
(Signature of Applicant)

Sept 2

**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:-

GLORIA MAYE DECKER

of P. O. Box 36, St. Lewis, A0K 4W0, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

JEREMY ALBERT THOMAS POOLE

to

JEREMY ALBERT THOMAS CURL

DATED this 9th day of August, 2005.

GLORIA DECKER
(Signature of Applicant)

Sept 2

**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:-

CONETTA BERYL WAKELEY

of 88A Canada Drive, St. John's, A1E 2M5, in the Province of Newfoundland and Labrador, as follows:

To change my minor unmarried child's name from

DAWSON EDWARD PITTMAN

to

DAWSON EDWARD WAKELEY

DATED this 23rd day of August, 2005.

CONETTA BERYL WAKELEY
(Signature of Applicant)

Sept 2



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 80

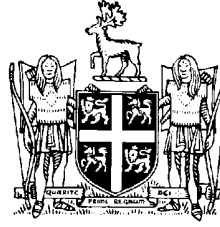
ST. JOHN'S, FRIDAY, SEPTEMBER 2, 2005

No. 35

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 65/05

NLR 66/05



NEWFOUNDLAND AND LABRADOR REGULATION 65/05

Automobile Insurance Regulations (Amendment)
under the
Automobile Insurance Act
(O.C.2005-454)

(Filed August 30, 2005)

Under the authority of section 60(1)(d.1) of the *Automobile Insurance Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, August 25, 2005.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

1. Ss.15 & 16 Added
 15. Restriction on rate increase
 16. Application of rate increase prohibited

NLR 81/04
as amended

1. The *Automobile Insurance Regulations* are amended by adding immediately after section 14 the following:

Restriction on rate
increase

15. Where an insurer files a proposal to increase rates with the board under section 51 of the Act, a proposed rate increase the board determines is the result of the coming into force of paragraph 4(1)(e.1)

of the *Automobile Insurance Prohibited Underwriting Regulations* is prohibited for the 12 month period beginning on August 1, 2005 unless the insurer can demonstrate to the board that the increase is justified.

Application of rate
increase prohibited

16. A rate increase based solely on the coming into force of paragraph 4(1)(e.1) of the *Automobile Insurance Prohibited Underwriting Regulations* that would otherwise apply to an insured to whom subsection 4(2.1) of those regulations applies is prohibited for the 12 month period beginning on August 1, 2005 unless the insurer can demonstrate to the board that the increase is justified.

©Earl G. Tucker, Queen's Printer



NEWFOUNDLAND AND LABRADOR REGULATION 66/05

*Automobile Insurance Prohibited Underwriting
Regulations (Amendment)*
under the
Insurance Companies Act
(O.C.2005-453)

(Filed August 30, 2005)

Under the authority of paragraph 107(e.1), of the *Insurance Companies Act*, the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's, August 25, 2005.

Robert C. Thompson
Clerk of the Executive Council

REGULATIONS

Analysis

1. S.4 Amdt.
Prohibition - risk classification system

NLR 80/04
as amended

1. The *Automobile Insurance Prohibited Underwriting Regulations* are amended by adding immediately after subsection 4(2) the following:

(2.1) Notwithstanding paragraph (1)(e.1), where, after August 1, 2005 a rate charged by an insurer to a person insured under a contract would, as a result of the coming into force of paragraph (1)(e.1), be

higher than the rate the person would otherwise have been required to pay, the insurer is not prohibited from charging the person the lower rate.

(2.2) Where an insurer receives an approval under section 51 of the *Automobile Insurance Act* to increase a rate it charges to an insured referred to in subsection (2.1), the insurer may phase in the amount of the increase over the period the insurer may determine.

©Earl G. Tucker, Queen's Printer

Index

PART I

Index

PART I

Change of Name Act – Applications	457
Lands Act – Notice	457
Urban and Rural Planning Act – Notices	455

PART II

CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
Automobile Insurance Act			
Automobile Insurance Regulations (Amdt)	NLR 65/05	NLR 81/04 Ss. 15 & 16 Added Extra. Aug 30/05	Sept 2//05 p. 355
Insurance Companies Act			
Automobile Insurance Prohibited Underwriting Regulations (Amdt)	NLR 66/05	NLR 80/04 S.4 Amdt Extra. Aug 30/05	Sept 2/05 p. 357

The Newfoundland and Labrador Gazette is published from the office of Earl G. Tucker, Queen's Printer.

Copy for publication must be received before **Friday, 4:30 p.m.**, seven days before publication, to ensure inclusion in next issue. Advertisements should be typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

Advertising rates are available upon request. Subscription rate for *The Newfoundland and Labrador Gazette* is \$125.00 for 52 weeks plus applicable tax (\$133.75). Weekly issues of \$3.00 per copy, plus tax payable in advance.

All cheques, money orders, etc., should be made payable to THE NEWFOUNDLAND EXCHEQUER ACCOUNT and all correspondence should be addressed to: Office of the Queen's Printer, P. O. Box 8700, Ground Floor, East Block, Confederation Building, St. John's, NL A1B 4J6. Telephone (709) 729-3649. Fax: (709) 729-1900.

Web Site: www.gov.nl.ca/queensprinter

Legislative History of the Judicature Act, 1791-1988

Price \$25.00 plus G.S.T.

(Plus \$2.00 postage and handling)

Place your order by contacting:

Office of The Queen's Printer

Confederation Building, East Block

St. John's, NL A1B 4J6

Telephone: (709) 729-3649 Fax: (709) 729-1900

Government Information Product

Publication Rate Mail

G.S.T. # R107442683

All requests for Subscription and Legislation MUST be prepaid.