



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I

PUBLISHED BY AUTHORITY

Vol. 88

ST. JOHN'S, FRIDAY, SEPTEMBER 27, 2013

No. 39

URBAN AND RURAL PLANNING ACT, 2000

NOTICE OF REGISTRATION TOWN OF GRAND FALLS-WINDSOR DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2013

TAKE NOTICE that the TOWN OF GRAND FALLS-WINDSOR Development Regulations Amendment No. 2, 2013, adopted on the 9th day of July, 2013, has been registered by the Minister of Municipal Affairs.

In general terms, the TOWN OF GRAND FALLS-WINDSOR Development Regulations Amendment No. 2, 2013 deal with the following changes: (1) to add to the Definition - Subsidiary Residential Apartment that if a single family residential dwelling is not owner occupied, a subsidiary residential unit can be permitted if it is situated in the basement; (2) to add to Regulation 3.6 - Discretionary Consideration of Development Permit Applications that proposed applications will be advertised in the local newspaper, letters to be sent to the property owners within the notification area, and for Authority to allow a minimum of 7 days for response; (3) to clarify and add to Regulation 7.5 (3) that the eaves of all accessory buildings and other structures must maintain a minimum setback distance of 0.3m (1ft) from any power line easement area within the property boundaries. If the easement area is outside the property boundaries, then lot line setbacks are in effect; (4) to add to Regulation 28.4 - CG And Principal Building(s) Development Standards

Table the maximum height of 15m (49.2ft) for a hotel building in the Commercial General Zone.

The amendments come into legal 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 GRAND FALLS-WINDSOR Development Regulations Amendment No. 2, 2013 may do so at the Community Planner's Office, Engineering Department, Town Hall, 5 High Street, Grand Falls-Windsor, during normal working hours.

TOWN OF GRAND FALLS-WINDSOR
Michael Pinsent, P. Eng., Town Clerk

Sept 27

NOTICE OF REGISTRATION TOWN OF PARADISE DEVELOPMENT REGULATIONS AMENDMENT No. 72, 2013

TAKE NOTICE that the TOWN OF PARADISE Development Regulations Amendment No. 72, 2013, adopted by Council on the 16th day of July 2013, has been registered by the Minister of Municipal Affairs.

In general terms, the amendment rezones land located along St. Thomas Line, approximately 160m northeast of the intersection with Whelan's Crescent from Residential Subdivision Area (RSA) to Residential Low Density (RLD). The intent of the amendment is to accommodate a

comprehensive development plan for a 49-lot serviced residential subdivision.

**ST. JOHN'S URBAN REGION REGIONAL
PLAN AMENDMENT No. 1, 2013**

The Minister of Municipal Affairs has approved St. John's Urban Region Regional Plan Amendment No. 1, 2013. The amendment re-designates land along St. Thomas Line, approximately 160m northeast of the intersection with Whelan's Crescent from "Rural" to "Urban Development." This Regional Plan Amendment was required in order for the Town to proceed with Development Regulations Amendment No. 72, 2013.

The municipal amendments come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of Development Regulations Amendment No. 72, 2013 and St. John's Urban Region Regional Plan Amendment No. 1, 2013 may do so at the Paradise Town Hall, 28 McNamara Drive, during normal hours of operation.

TOWN OF PARADISE
Terrilynn Smith, Town Clerk

P.O. # 36222

Sept 27

**NOTICE OF REGISTRATION
TOWN OF PARADISE
MUNICIPAL PLAN AMENDMENT No. 29, 2013
DEVELOPMENT REGULATIONS
AMENDMENT No. 76, 2013**

TAKE NOTICE that the TOWN OF PARADISE Municipal Plan Amendment No. 29, 2013 and Development Regulations Amendment No. 76, 2013, adopted on the 6th day of August, 2013 and approved on the 3rd day of September, 2013, have been registered by the Minister of Municipal Affairs.

In general terms, the Municipal Plan Amendment re-designates land at 35-37 Ashgrove Drive from Open Space to Residential. The Development Regulation Amendment rezones this property from Open Space Recreation (OSR) to Residential High Density (RHD). The purpose of the amendments is to facilitate the development of a duplex dwelling. The playground equipment at this location will be relocated to an adjacent site.

The amendments come into effect on the day that this notice is published in *The Newfoundland and Labrador Gazette*. Anyone wishing to inspect a copy of Municipal Plan Amendment No. 29, 2013 and Development Regulations Amendment No. 76, 2013 may do so at the Paradise Town Hall, 28 McNamara Drive, during normal hours of operation.

TOWN OF PARADISE
Terrilynn Smith, Town Clerk

P.O. # 36222

Sept 27

LANDS ACT

NOTICE OF INTENT

Lands Act, c36, SNL 1991, as amended

NOTICE IS HEREBY given that MELVIN COLES of Pickle Lake, ON 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)(d) of the said Act, to that piece of Crown land situated within fifteen (15) metres of the waters of Change Islands in the Electoral District of The Isles of Notre Dame for the purpose of a residence and being more particularly described as follows:

*Bounded on the North by Crown land
for a distance of 5 metres;
Bounded on the East by Crown land
for a distance of 5 metres;
Bounded on the South by Town road
for a distance of 5 metres;
Bounded on the West by waters of Change Islands
for a distance of 5 metres;
and containing an area of
approximately 25 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, and mail to the nearest Regional Lands Office:

c/o Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6.

c/o Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 1L7.

c/o Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8.

c/o Labrador Regional Lands Office, P.O. Box 3014, Station "B," Happy Valley-Goose Bay, NL, A0P 1E0.

For further information on the proposed application, please contact: MELVIN COLES, Telephone Number: (807) 928-0354.

Sept 27

QUIETING OF TITLES ACT

**2013 01G 4320
IN THE SUPREME COURT OF
NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (General)**

IN THE MATTER OF that piece or parcel of land situate south of the waters of Holyrood Bay, in the Town of Holyrood, in the Province of Newfoundland and Labrador, and an Application by MARY LAYMAN and GERALD SNOW pursuant to the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

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

NOTICE IS HEREBY given to all parties that MARY LAYMAN and GERALD SNOW of the Town of Bay Roberts, in the Province of Newfoundland and Labrador have applied to the Supreme Court of Newfoundland and Labrador, Trial Division (General) to have their title to all that piece or parcel of land at Holyrood, in the Province of Newfoundland and Labrador, and more particularly described and outlined in Schedule "A" as attached hereto in this matter in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division (General), at St. John's, investigated and for a declaration that the Applicants are the absolute owners thereof.

All persons having title adverse to the said title claimed by the Applicants shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division (General), particulars of such adverse claim and serve same, together with an Affidavit verifying same, on the undersigned solicitors for the Applicants on or before the 21st day of October, 2013 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 adverse claims shall be investigated in such manner as the Supreme Court may direct.

DATED AT St. John's in the Province of Newfoundland and Labrador this 5th day of September, 2013.

PERRY AND POWER LAW OFFICE
Solicitors for the Applicant
PER: David R. Power

ADDRESS FOR SERVICE:
55 Bond Street
St. John's, NL A1C 5L4
Tel: (709) 726-6900
Fax: (709) 726-6960

SCHEDULE "A"
Parcel "A"

ALL THAT piece or parcel of land situate and being at Holyrood in the Electoral District of Harbour Main in the Province of Newfoundland and Labrador and being abutted and bounded as follows;

THAT IS TO SAY; By a line beginning at a point said point being a Standard Survey Marker found on the West limit of the Conception Bay Highway at the Northeast angle of land of Blair Tilley and having coordinates of N 5,253,951.188 and E 297,135.899 metres of the Modified Transverse Mercator Projection for the Province of Newfoundland and Labrador;

THENCE running by land of Blair Tilley North eighty eight degrees forty nine minutes forty six seconds West a distance of one hundred and forty decimal two one zero metres;

THENCE North ten degrees five minutes thirty two seconds East a distance of ten decimal six seven zero metres;

THENCE following the existing Southern limit of Flood's Road to a point distance one hundred and fifty two decimal nine one zero metres on a bearing of North eighty six degrees fifty eight minutes thirty nine seconds East;

THENCE following the West limit of the Conception Bay Highway South thirty three degrees fifty two minutes seventeen seconds West a distance of twenty five decimal eight one two metres; more or less to the point of beginning and containing an area of 0.297 hectares and being more completely described and delineated and referred to as Parcel "A" on the drawing hereto attached. All bearings refer to Grid North N.A.D. 1983.

SCHEDULE "A"
Parcel "B"

ALL THAT piece or parcel of land situate and being on the West side of the Conception Bay Highway at Holyrood in the Electoral District of Harbour Main in the Province of Newfoundland and Labrador and being abutted and bounded as follows;

THAT IS TO SAY; By a line beginning at a point said point being a Standard Survey Marker found on the West limit of the Conception Bay Highway at the Northeast angle of land of Beverley A. Carter and having coordinates of N 5,254,034.257 and E 297,190.068 metres of the Modified Transverse Mercator Projection for the Province of Newfoundland and Labrador;

THENCE running by land of Beverley A. Carter North seventy five degrees thirty seven minutes forty two seconds West a distance of seventy three decimal seven six eight metres;

THENCE South twenty eight degrees thirty three minutes twelve seconds West a distance of eighty five decimal zero five nine metres;

THENCE running along the North limit of Flood's Road to a point distant two hundred and thirty nine decimal two three zero metres on a bearing of South sixty three degrees thirty six minutes forty five seconds West;

THENCE continuing along the North limit of Flood's Road to a point distant three hundred and eighteen decimal eight six two metres on a bearing of North forty seven degrees fifty one minutes forty seconds West;

THENCE running by land of A. Neary and M. Grubbs North thirteen degrees forty nine minutes zero seconds East a distance of fifty four decimal zero four zero metres;

THENCE North sixty nine degrees thirty nine minutes fifty seven seconds West a distance of twenty two decimal six two zero metres;

THENCE North seventy six degrees one minute fifty seven seconds West a distance of seventeen decimal six three zero metres;

THENCE North eighty five degrees twenty six minutes fifty seven seconds West a distance of fourteen decimal five four zero metres;

THENCE North seventy one degrees twenty six minutes fifty seven seconds West a distance of forty eight decimal five six zero metres;

THENCE North sixty two degrees forty six minutes fifty seven seconds West a distance of forty four decimal eight three zero metres;

THENCE North fifty five degrees eight minutes fifty seven seconds West a distance of twenty seven decimal three seven zero metres;

THENCE North sixty five degrees sixteen minutes fifty seven seconds West a distance of thirty decimal two six zero metres;

THENCE North seventy degrees thirty nine minutes fifty seven seconds West a distance of thirty decimal seven five zero metres;

THENCE South eighteen degrees thirty three minutes three seconds West a distance of forty one decimal seven three zero metres;

THENCE North seventy six degrees fifty five minutes fifty seven seconds West a distance of eleven decimal two nine zero metres;

THENCE North sixty one degrees twenty five minutes fifty seven seconds West a distance of twenty one decimal nine two zero metres;

THENCE North seventy one degrees twenty eight minutes fifty seven seconds West a distance of forty decimal nine two zero metres;

THENCE North sixty seven degrees fifty nine minutes fifty seven seconds West a distance of twenty two decimal three eight zero metres;

THENCE running along the Easterly limit of the former Canadian National Railway Corridor North twenty eight degrees thirty six minutes fifty seconds East a distance of one hundred and twenty one decimal nine one one metres;

THENCE running by land claimed at one time by the Harding Estate North eighty five degrees thirty four minutes fifty six seconds East a distance of three hundred decimal three five nine metres;

THENCE running by land of Richard O'Neil and Christian O'Neil South sixty five degrees twenty nine minutes sixteen seconds East a distance of six hundred and three decimal seven three eight metres;

THENCE South sixty five degrees fifty two minutes forty five seconds East a distance of five decimal one zero seven metres;

THENCE running along the West limit of the Conception Bay Highway South thirty two degrees forty seven minutes twenty one seconds West a distance of seventy five decimal eight seven five metres; more or less to the point of beginning and containing an area of 19.324 hectares and being more completely described and delineated and referred to as Parcel "B" on the drawing hereto attached. All bearings refer to Grid North N.A.D. 1983.

SCHEDULE "A"
Parcel "C"

ALL THAT piece or parcel of land situate and being West of the Conception Bay Highway at Holyrood in the Electoral District of Harbour Main in the Province of Newfoundland and Labrador and being abutted and bounded as follows;

THAT IS TO SAY; By a line beginning at a point said point being a Standard Survey Marker placed at the intersection formed where the West limit of an old Winter Path meets the Southern limit of Flood's Road and having coordinates of N 5,254,118.995 and E 296,542.082 metres of the Modified Transverse Mercator Projection for the Province of Newfoundland and Labrador;

THENCE running along the West limit of the aforementioned old Winter Path to a point distant two hundred and twelve decimal four six eight metres on a bearing of South three degrees fifty two minutes twenty seven seconds West;

THENCE running by land claimed by the Estate of Margaret Sooley (Gunn) North sixty nine degrees twenty three minutes twenty one seconds West a distance of fifty seven decimal zero three five metres;

THENCE North sixty four degrees forty minutes fifty six seconds West a distance of two hundred and sixty two decimal six four two metres;

THENCE running along the Eastern limit of the former Canadian National Railway Corridor North twenty three degrees seven minutes forty four seconds East a distance of one hundred and forty one decimal eight four six metres;

THENCE running by land of A. Neary and M. Grubbs South sixty six degrees fifty two minutes fifty seven seconds East a distance of twenty one decimal nine nine zero metres;

THENCE South seventy five degrees thirty nine minutes fifty seven seconds East a distance of seventy one decimal zero five zero metres;

THENCE South seventy two degrees twenty six minutes fifty seven seconds East a distance of thirty two decimal three eight zero metres;

THENCE continuing by land of A. Neary and M. Grubbs and crossing Flood's Road to a point distant thirty two decimal two seven four metres on a bearing of South sixty four degrees twenty four minutes fifty seven seconds East;

THENCE following the Southerly limit of Flood's Road to a point distant forty four decimal eight zero nine metres on a bearing of North thirty one degrees twelve minutes fifty six seconds East;

THENCE running by land of A. Neary and M. Grubbs South sixty eight degrees twenty three minutes fifty seven seconds East a distance of thirty eight decimal four five four metres;

THENCE continuing along the South limit of Flood's Road to a point bearing South fifty eight degrees eighteen minutes thirty seconds East at a distance of forty seven decimal six six two metres; more or less to the point of beginning and containing an area of 5.052 hectares and being more completely described and delineated and referred to as Parcel "C" on the drawing hereto attached. All bearings refer to Grid North N.A.D. 1983.

Reserving nevertheless out of the above described area Flood's Road (R/W= 3.05 metres wide) and an old Cart Road (R/W=3.05 metres wide) shown running through the Subject Lot as shown on the attached drawing.

SCHEDULE "A"
Parcel "D"

ALL THAT piece or parcel of land situate and being West of the Conception Bay Highway at Holyrood in the Electoral District of Harbour Main in the Province of Newfoundland and Labrador and being abutted and bounded as follows;

THAT IS TO SAY; By a line beginning at a point said point being a Standard Survey Marker found on the East shoreline of Holyrood Bay at the Southwest angle of land of A. Neary and M. Grubbs and having coordinates of N 5,254,186.537 and E 296,232.203 metres of the Modified Transverse Mercator Projection for the Province of Newfoundland and Labrador;

THENCE running by land of A. Neary and M. Grubbs South seventy one degrees five minutes fifty seven seconds East a distance of twenty nine decimal three eight zero metres;

THENCE South eighty degrees fifty five minutes fifty seven seconds East a distance of eighteen decimal eight two zero metres;

THENCE running along the West limit of the former Canadian National Railway Corridor South twenty three degrees seven minutes forty four seconds West a distance of one hundred and thirty nine decimal seven two seven metres;

THENCE running by land claimed by the Estate of Margaret Sooley (Gunn) North sixty four degrees twelve minutes fifty seconds West a distance of forty three decimal five two nine metres;

THENCE running along the aforementioned East shoreline of Holyrood Bay to a point bearing North twenty one degrees twenty minutes fifty one seconds East at a distance of one hundred and thirty one decimal zero three four metres; more or less to the point of beginning and containing an area of 0.612 hectares and being more completely described and delineated and referred to as Parcel "D" on the drawing hereto attached. All bearings refer to Grid North N.A.D. 1983.

SCHEDULE "A"
Parcel "E"

ALL THAT piece or parcel of land situate and being West of the Conception Bay Highway at Holyrood in the Electoral District of Harbour Main in the Province of Newfoundland and Labrador and being abutted and bounded as follows;

THAT IS TO SAY; By a line beginning at a point said point being a Standard Survey Marker found on the East shoreline of Holyrood Bay at the Southwest angle of land claimed at one time by the Harding Estate and having coordinates of N 5,254,342.316 and E 296,315.193 metres of the Modified Transverse Mercator Projection for the Province of Newfoundland and Labrador;

THENCE running by land claimed at one time by the Harding Estate South sixty seven degrees thirty four minutes forty two seconds East a distance of forty seven decimal zero four six metres;

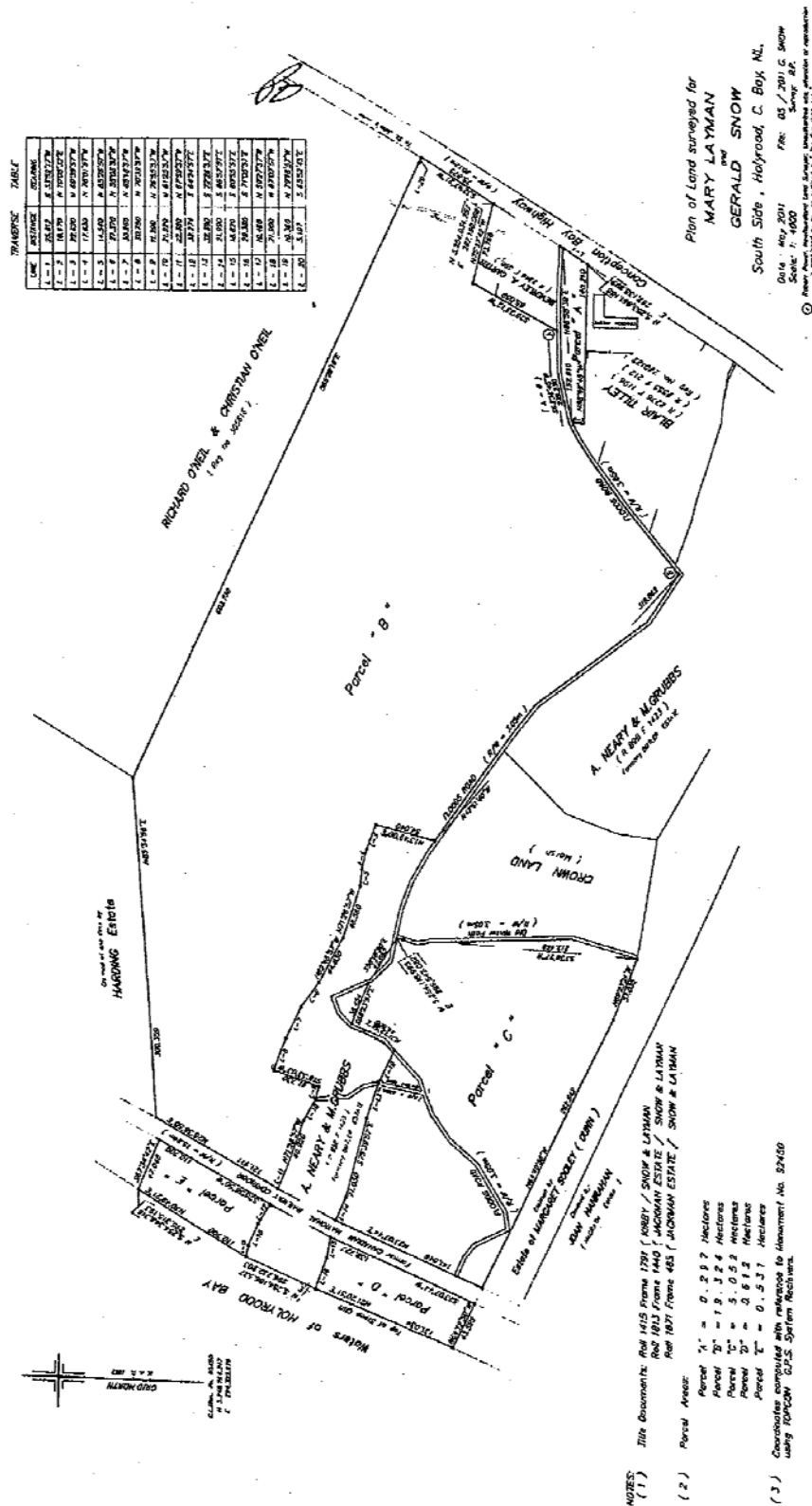
THENCE running along the West limit of the former Canadian National Railway Corridor South twenty eight degrees thirty six minutes fifty seconds West a distance of one hundred and ten decimal seven zero zero metres;

THENCE running by land of A. Neary and M. Grubbs North fifty nine degrees twenty seven minutes fifty seven seconds West a distance of nineteen decimal four six zero metres;

THENCE North sixty seven degrees seven minutes fifty seven seconds West a distance of twenty one decimal nine zero zero metres;

THENCE North seventy nine degrees eighteen minutes fifty seven seconds West a distance of ten decimal three six zero metres;

THENCE running along the East shoreline of Holyrood Bay to a point bearing North thirty degrees forty nine minutes twenty one seconds East at a distance of one hundred and ten decimal seven zero zero metres; more or less to the point of beginning and containing an area of 0.531 hectares and being more completely described and delineated and referred to as Parcel "E" on the drawing hereto attached. All bearings refer to Grid North N.A.D. 1983.



TRUSTEE ACT

ESTATE NOTICE

IN THE ESTATE of WINONA SHEPPARD, of the City of St. John's, in the Province of Newfoundland and Labrador, Retired Person, Deceased, who died on or about the 23rd day of July, 2013.

All persons claiming to be creditors of or who have any claims or demands upon or affecting the estate of WINONA SHEPPARD, of the City of St. John's, in the Province of Newfoundland and Labrador, Retired Person, Deceased, are hereby requested to send particulars thereof in writing, duly attested, to the undersigned Solicitors for the Executor of the said Deceased, on or before the 27th day of October, 2013 after which date the Executor will proceed to distribute the said Estate having regard only to the claims of which he then shall have had notice.

DATED at St. John's, this 17th day of September, 2013.

BENSON-BUFFETT
Barristers and Solicitors
PER: Francis P. Fowler, Q.C

ADDRESS FOR SERVICE:

Suite 900, Atlantic Place
215 Water Street
P. O. Box 1538
St. John's, NL A1C 5N8

Tel: (709) 570-7245
Fax: (709) 579-2647

Sept 27



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART II

SUBORDINATE LEGISLATION

FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT

Vol. 88

ST. JOHN'S, FRIDAY, SEPTEMBER 27, 2013

No. 39

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 110/13

NLR 111/13



NEWFOUNDLAND AND LABRADOR REGULATION 110/13

Endangered Species List Regulations (Amendment)
under the
Endangered Species Act
(O.C. 2013-259)

(Filed September 25, 2013)

Under the authority of section 7 of the *Endangered Species Act*, the Minister of Environment and Conservation, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, September 25, 2013.

Thomas J. Hedderson
Minister of Environment and Conservation

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

1. Sch. A Amdt.
2. Sch. B Amdt.

NLR 57/02
as amended

1. Schedule A of the *Endangered Species List Regulations* is amended by

- (a) adding immediately before the species "Barrens Willow - *Salix jejuna*", the species "Alaska Rein Orchid - *Platanthera foetida*";
- (b) adding immediately before the species "Eskimo Curlew - *Numenius borealis*", the species "Cutleaf Fleabane - *Erigeron compositus*"; and
- (c) adding immediately before the species "Piping Plover - *Charadrius melodus*", the species "Oval-leaved Creeping Spearwort - *Ranunculus flammula* var. *ovalis*".

2. Schedule B of the regulations is amended by adding immediately before the species "Chimney Swift - *Chaetura pelagica*", the species "Bodin's Milkvetch - *Astragalus bodinii*".

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NEWFOUNDLAND AND LABRADOR REGULATION 111/13

Endangered Species List Regulations (Amendment)
under the
Endangered Species Act
(O.C. 2013-260)

(Filed September 25, 2013)

Under the authority of section 7 of the *Endangered Species Act*, the Minister of Environment and Conservation, with the approval of the Lieutenant-Governor in Council, makes the following regulations.

Dated at St. John's, September 25, 2013.

Thomas J. Hedderson
Minister of Environment and Conservation

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

1. Sch. A Amdt.

NLR 57/02
as amended

1. Schedule A of the *Endangered Species List Regulations* is amended by

- (a) adding immediately before the species "Graceful Felt Lichen (Voles Ears Lichen) - *Erioderma mollissimum*", the species "Feathery False Solomon's Seal - *Maianthemum racemosum* subsp. *racemosum*";
- (b) adding immediately before the species "Long's Braya - *Braya longii*", the species "Lindley's Aster - *Symphyotrichum ciliolatum*"; and
- (c) adding immediately after the species "Red Knot - *Calidris canutus rufa*", the species "Rock Dwelling Sedge - *Carex petricosa* var. *misandroides*" and the species "Vreeland's Striped Coralroot - *Corallorhiza striata* var. *vreelandii*".

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Endangered Species List Regulations (Amdt.)	NLR 111/13	Amends NLR 57/02 Sch. A Amdt.	Sept 27/13 p. 717

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Copy for publication must be received by **Friday, 4:30 p.m.**, seven days before publication date to ensure inclusion in next issue.

Advertisements must be submitted in either PDF format or as a MSWord file. When this is not possible, advertisements must be either 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.

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