



THE NEWFOUNDLAND AND LABRADOR GAZETTE

PART I PUBLISHED BY AUTHORITY

Vol. 92

ST. JOHN'S, FRIDAY, OCTOBER 20, 2017

No. 42

MINERAL ACT

NOTICE

Published in accordance with section 62 of CNLR 1143/96 under the *Mineral Act*, RSNL1990 cM-12 as amended.

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

Mineral License 024194M
Held by Silvertip Exploration Consultants Inc.
Situates near Northwest Gander River, Central NL
On map sheet 02D/05

Mineral License 025274M
Held by Kendell, Colin Albert
Situates near Little River, Southern NL
On map sheet 01M/13

Mineral License 023949M
Held by Altius Resources Inc.
Situates near Little Wing Pond, Central NL
On map sheet 02E/01

Mineral License 013809M
Held by Marathon Gold Corporation
Situates near Quinn Lake, Central NL
On map sheet 12A/07

Mineral License 013810M
Held by Marathon Gold Corporation
Situates near Victoria Lake, Central NL
On map sheet 12A/06

Mineral License 013833M
Held by Celtic Minerals Ltd
Situates near Kingurutik River
On map sheet 14D/15

Mineral License 020411M
Held by New Millennium Iron Corp.
Situates near Kivivik Lake
On map sheet 23O/03

Mineral License 021251M
Held by Skanes, Leonard
Situates near Star Lake Area, Central NL
On map sheet 12A/11

Mineral License 023191M
Held by Dimmell, Peter
Situates near Jakes Gully, Avalon Peninsula
On map sheet 01N/07

Mineral License 023193M
Held by Dimmell, Peter
Situates near Soldiers Pond, Avalon Peninsula
On map sheet 01N/07

Mineral License 023898M
 Held by Lewis, Donna
 Situate near St. Lewis Inlet
 On map sheet 13A/08

Mineral License 024036M
 Held by Emberley, Stephen
 Situate near Ocean Pond, Central NL
 On map sheet 02E/01

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/00, 36/01, 31/04, 78/06, 8/08, 28/09 and 5/13 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES
 Justin Lake, Manager - Mineral Rights

File #'s 774: 4939, 8293, 8630, 8631, 8632, 8655;
 775: 3365, 3873, 5104, 5106, 5599, 5724.

Oct 20

URBAN AND RURAL PLANNING ACT, 2000

NOTICE OF REGISTRATION CITY OF ST. JOHN'S REZONING 50 BENNETT AVENUE (PORTION THEREOF)

TAKE NOTICE that an Amendment adopted on the 22nd day of August, 2017, has been registered by the Minister of Municipal Affairs and Environment.

In general terms, the purpose of Municipal Plan Amendment Number 142, 2017, is to redesignate a portion of 50 Bennett Avenue from the Institutional District to the Residential Medium Density District, to enable a townhousing development.

In general terms, the purpose of Development Regulations Amendment Number 655, 2017, is to rezone a portion of 50 Bennett Avenue from the Institutional (INST) Zone to the Residential Medium Density (R2) Zone, to enable a townhouse development.

This amendment comes into effect on the date that this notice is printed in *The Newfoundland and Labrador Gazette*. For further information, please contact (709) 576-8220 or planning@stjohns.ca.

CITY OF ST. JOHN'S
 Ken O'Brien, MCIP, Chief Municipal Planner

Oct 20

LANDS ACT

NOTICE OF INTENT, SECTION 7 LANDS ACT, SNL1991 c36 AS AMENDED

NOTICE IS HEREBY given that an application (No. 152264) has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2) (d) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Bonne Bay, NL for the purpose of installing a non-permanent floating dock (for use from May to November) that is 4.6 metres wide by 18.3 metres long from the shore at low tide, secured to stone blocks on shore and with a 4 metre ramp from the stone blocks to the floating dock.

The land is described as follows (to the extent of the intrusion on the reservation):

*Bounded on the North by waters of Bonne Bay;
 Bounded on the East by waters of Bonne Bay;
 Bounded on the South by waters of Bonne Bay;
 Bounded on the West by Curzon Village Shore
 at the juncture just north of the Beatrice Taylor
 Vol-183 Fol – 5 property line for 4.6 metres
 along the shoreline and containing an area,
 in square metres of maximum
 84 square metres over the water.*

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from the publication of the notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: easternlandsoffice@gov.nl.ca
- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: centrallandsoffice@gov.nl.ca
- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: westernregionlands@gov.nl.ca
- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: labradorlandsoffice@gov.nl.ca

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Oct 20



THE NEWFOUNDLAND AND LABRADOR GAZETTE

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

Vol. 92

ST. JOHN'S, FRIDAY, OCTOBER 20, 2017

No. 42

NEWFOUNDLAND AND LABRADOR REGULATIONS

NLR 88/17

NLR 89/17

NLR 90/17

NLR 91/17



**NEWFOUNDLAND AND LABRADOR
REGULATION 88/17**

Proclamation bringing sections 1,3,4,5 and 6 of the Act into force
(SNL2016 c37) [October 17, 2017]
under
An Act to Amend the Judicature Act
(O.C 2017-316)

(Filed October 17, 2017)

ANDREW PARSONS
Attorney General

J. DEREK GREEN
Administrator

ELIZABETH THE SECOND, by the Grace of God
of the United Kingdom, Canada and Her Other
Realms and Territories QUEEN, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME

GREETING;

A PROCLAMATION

WHEREAS in and by section 7 of *An Act to Amend the Judicature Act*, Statutes of Newfoundland and Labrador 2016, Chapter 37 (the “Act”), it is provided that the Act, or a section, subsection or paragraph of it, comes into force on a day or days to be proclaimed by the Lieutenant-Governor in Council;

AND WHEREAS it is deemed expedient that section 1, section 3, section 4, section 5 and section 6 of the Act shall now come into force;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that section 1, section 3, section 4, section 5 and section 6 of an *Act to Amend the Judicature Act*, Statutes of Newfoundland and Labrador 2016, Chapter 37 shall come into force on the date of publication of this proclamation in *The Newfoundland and Labrador Gazette*.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be made Patent and the Great Seal of Newfoundland and Labrador to be hereunto affixed.

WITNESS: Our trusty and well-beloved the
Honourable J. Derek Green, Chief Justice of
Newfoundland and Labrador, Court of Appeal,
Administrator in and for Our Province
of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City of
St. John's, this 17th day October in the year
of Our Lord two thousand and seventeen,
in the sixty-sixth year of Our Reign.

BY COMMAND,

JAMIE CHIPPETT
Deputy Registrar General



NEWFOUNDLAND AND LABRADOR REGULATION 89/17

Rules of Supreme Court, 1986 (Amendment)
under the
Judicature Act

(Filed October 18, 2017)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Trial Division makes the following Rules.

Dated at St. John's, October 11, 2017.

Raymond P. Whalen
Chairperson, Rules Committee

REGULATIONS

Analysis

- | | |
|---|--|
| 1. Rule 4.02 Amdt.
Documents | 6. Rule 58.13 Amdt.
Resolving pre/post hearing
issues |
| 2. Rule 39B.01 Amdt.
Purpose of settlement
conference | 7. Rule F16.02 Amdt.
When an interim application
without notice for a
procedural order may be
made |
| 3. Rule 39B.03A Added
Attendance at a settlement
conference | 8. Rule F22.01 Amdt.
Requirement to attend intake
session and parent
information session |
| 4. Rule 46.30 Added
Document | |
| 5. Rule 58.03 Amdt.
How to start an appeal
(where leave required) | |

1. Subrule 4.02(1) of the *Rules of the Supreme Court, 1986* is repealed and following substituted:

(1) Unless a judge orders otherwise, every document prepared by a party for use in the Court shall be in the English language, legibly printed, typewritten, written or reproduced on durable white paper 279 mm in length and 216 mm in width, with a margin on the left side of the face of the page and, where the reverse side is used, on the right side of the reverse.

2. Rule 39B.01 is repealed and the following substituted:

Purpose of
settlement
conference

39B.01 The purpose of a settlement conference is to allow the parties to attend before a judge who shall, in private and without hearing witnesses, explore all possibilities of settlement of the issues that are outstanding.

3. Rule 39B is amended by adding immediately after rule 39B.03 the following:

Attendance at
settlement
conference

39B.03A (1) Unless a judge permits otherwise, the following persons must attend a settlement conference in person:

- (a) each party or an agent for the party that is authorized to enter into binding terms of settlement;
- (b) any other person who may be liable to satisfy all or a part of a judgment in the proceeding or to indemnify or reimburse a party for money paid in satisfaction of all or a part of a judgment in the proceeding, or an agent for that person that is authorized to enter into binding terms of settlement; and
- (c) if applicable, counsel for any person listed in (a), or (b).

(2) A judge may order that any other person whose attendance may be of assistance be present at the settlement conference and specify the manner of attendance.

(3) A person may be permitted to appear at the settlement conference remotely pursuant to rule 47A.

(4) A settlement conference judge may, on request, excuse a person from attending the settlement conference.

(5) Unless a judge orders otherwise, counsel attending a settlement conference must be fully authorized, briefed and prepared to discuss, deal with and, where appropriate, give undertakings with respect to all matters properly arising during the settlement conference.

4. Rule 46 of the rules is amended by adding immediately after rule 46.29 the following:

Document

46.30 (1) Unless a judge orders otherwise, where a party to a proceeding intends to submit a document in evidence which is, or is in part, written in a language other than English, the document must be accompanied by:

- (a) a translation of the document into English; and
- (b) an affidavit sworn or affirmed by the person that completed the translation, attesting to the translator's qualifications and the accuracy of the translation.

5. (1) Rule 58.03 of the rules is amended by adding immediately after rule 58.03(9) the following:

(10) A failure to seek or obtain leave to appeal a decision made in an uncompleted matter does not

- (a) prejudice the right of a party to appeal from that decision on an appeal taken once the matter is completed; or
- (b) limit the power of a judge to grant an order on an appeal from a completed matter that the judge considers appropriate.

6. Rule 58.13 of the rules is amended by adding immediately after paragraph (1)(a) the following:

- (a.1) determining the appropriateness of hearing the application for leave to appeal and the appeal at the same time and provide any necessary directions with respect to the hearing;

7. Subrule F16.02(1)(g) of the rules is repealed and the following substituted:

(g) a judge permits.

8. Subrule F22.01(2) of the rules is repealed and the following substituted:

(2) A registry clerk must, within two business days of receiving proof of service of the Originating Application or Originating Application for Variation or the filing of the Response, forward a copy of the pleadings, along with the most current addresses and telephone numbers for the parties and their lawyers, if known, to a Family Justice Services office.

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**NEWFOUNDLAND AND LABRADOR
REGULATION 90/17**

*Meeting of the Householders of the Local Service District of Burnt
Point-Gull Island-Northern Bay Order*
under the
Local Service District Regulations
and the
Municipalities Act, 1999

(Filed October 18, 2017)

Under the authority of section 40 of the *Local Service District Regulations* and the *Municipalities Act, 1999*, I make the following Order.

Dated at St. John's, October 18, 2017.

Eddie Joyce
Minister of Municipal Affairs and Environment

ORDER

Analysis

1. Short title
2. Meeting ordered
3. Appointment

Short title

1. This Order may be cited as the *Meeting of the Householders of the Local Service District of Burnt Point-Gull Island-Northern Bay Order*.

Meeting ordered

2. It is ordered that a meeting of the householders of the Local Service District of Burnt Point-Gull Island-Northern Bay be held on

*Meeting of the Householders of the Local Service
District of Burnt Point-Gull Island-Northern Bay
Order*

90/17

November 6, 2017 for the purpose of electing a new Local Service District Committee.

Appointment

3. Ms. Trina Keough-Hackett, Municipal Affairs Analyst, is appointed to conduct the meeting and election of committee members.

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NEWFOUNDLAND AND LABRADOR REGULATION 91/17

Pension Benefits Act Regulations (Amendment)
under the
Pensions Benefits Act, 1997
(O.C. 2017-313)

(Filed October 18, 2017)

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

Dated at St. John's, October 18, 2017.

Ann Marie Hann
Clerk of the Executive Council

REGULATIONS

Analysis

- | | |
|---|-----------------|
| 1. S.42.2 Amdt.
Municipalities pension plan
exemption | 2. Commencement |
|---|-----------------|

NLR 114/96
as amended

1. Subsection 42.2(1) of the *Pension Benefits Act Regulations* is repealed and the following substituted:

Municipalities
pension plan
exemption

42.2 (1) The Newfoundland and Labrador Municipal Employees Benefits Inc. Pension Plan shall be exempt from the requirement of

paragraph 12(3)(d) for the period December 31, 2015 to December 31, 2020 in respect of the solvency deficiency of the plan.

Commencement

2. These regulations are considered to have come into force on December 31, 2015.

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PART II

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Judicature Act			
Rules of Supreme Court, 1986 (Amendment)	NLR 89/17	Rule 4.02 Amdt. Rule 39B.01 Amdt. Rule 39B.03A Added Rule 46.30 Added Rule 58.03 Amdt. Rule 58.13 Amdt. Rule F16.02 Amdt. Rule F22.01 Amdt.	Oct 20/17 p. 1305
Municipalities Act, 1999			
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Pension Benefits Act, 1997			
Pension Benefits Act Regulations (Amendment)	NLR 91/17	Amends NLR 114/96 S.42.2 Amdt.	Oct 20/17 p. 1311

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