Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: MAE/4/2018]

On January 22, 2018, the Department of Municipal Affairs and Environment received your request for access to the following records/information:

“All information pertaining to an appeal submitted by Fraser Paul in December 2017 against the Town of Bay Bulls. Also all information that will be submitted at a later date by the Town of Bay Bulls pertaining to this appeal.”

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Municipal Affairs and Environment to provide access to some of the requested information.

However, some of the information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act, 2015 (the Act):

“30(2): The head of a public body shall refuse to disclose to an applicant information that is subject to solicitor and client privilege or litigation privilege of a person other than a public body.

40(1): The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party’s personal privacy.”

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed. Please note that the following pages are removed as they are fully redacted in accordance with the Act as listed below:

- Pages 42-43, 89-92, 109-112, 118-119, 136, and 153-157 are redacted due to section 30.2

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of
the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7183 or by e-mail at lisas@gov.nl.ca.

Sincerely,

LISA SULLIVAN
ATIPP Coordinator
Enclosures
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45(2).
December 28, 2017

Mr. Robert Cotter  
Secretary of Regional Appeals  
c/o Department of Municipal Affairs & Environment  
Government of Newfoundland and Labrador  
P.O. Box 8700  
St. John's, NL  
A1B 4J6

Dear Sir:

RE: Town of Bay Bulls

I have attached a letter of rejection dated December 19, 2017 along with a cheque for the appeal fee of $230.00.

The grounds for the appeal is that my application was the first application and, if the policy of "first come, first serve", is the actual policy then my application was first.

I have attached a chronological listing with attachments of my application and approvals from the Town of Bay Bulls.

The process of applying for a subdivision approval from the Town of Bay Bulls goes back to 2012. On December 10, 2012, the Town held a public meeting. On December 12, 2012 I was advised that my application was deferred and requested proper mapping showing the land applied for.

Another public meeting was held on March 11, 2013. My application was again deferred specifying that Council's consultation with other developers who have applied for land in that area (but not the land that I applied for).

Another public meeting was held on May 13, 2013 and Council wrote to me on May 14, 2013 saying that the Town supports my development, and requiring me to submit a Crown Lands Application to the Town for municipal approval and that Council would only accept a 50 lot subdivision.

On May 24, 2013 I wrote to Council specifying that I wanted to co-operate with Council on development of residential building lots and my intention was to accept an application for a 50 lot subdivision.

On June 13, 2013 the Town clerk signed the municipal recommendation for Crown Lands and ticked the "approved" section of the application.

On June 17, 2013 I submitted the application for Crown Lands.
On June 27, 2013 I received a rejection letter from Crown Lands signed by Amanda Humby.

On July 2, 2013 I wrote to Gary Myler discussing the private land issue.

On August 25, 2014 I wrote to the Town with attachments.

On September 15, 2014 the Town signed a second Municipal Recommendations Form specifying that the application is approved but does not include private land claim as discussed in the July 2, 2013 correspondence.

On December 18, 2014 the Town Clerk, Janet O’Brien, signed a third Municipal Recommendations Form, again ticking the “approved” application section of the form. There are actually two (2) forms signed on December 18, 2014.


On March 18, 2015 I received a letter from Crown Lands acknowledging the application.

On April 24, 2015 I received a letter from O’Brien White concerning an application by EMA Enterprises Limited and the Town of Bay Bulls.

On June 16, 2015 Crown Lands wrote to me refusing my application and stating that I needed to submit a new Municipal Recommendation form.

I submitted a new Municipal Recommendations Form to the Town on June 18, 2015 but it was never signed.

On July 8, 2015 I wrote to the Council on my application.

On December 16, 2015 the Town Clerk, Janet O’Brien, signed the Municipal Recommendations Form with a comment “Deferred Due to Council not having a Quorum”.

On December 17, 2015 I received an email from Amanda Humby specifying items required by Crown Lands.

On February 10, 2015 the assistant town clerk signed a Municipal Recommendations Form dated December 18, 2014 submitted by EMA Enterprises Limited. A “Schedule A” was attached which refers to a Crown Lands direction on December 18, 2014 and EMA Enterprises Limited submitted its application on December 18, 2014 and receives approval on February 10, 2015.
The form specifies on Page 2 "There is a previous Crown Land application approved December 18, 2014 for the same area". See Schedule A attached.

Schedule A says:

The Town considered both applications and approved the Municipal Recommendations Form submitted by the second applicant "which is me) and on September 15, 2014 my application was re-approved.

On December 18, 2014 a Town councillor received a telephone call from Crown Lands... The Town followed the direction of Crown Lands and completed a new Municipal Recommendations Form which was forwarded to Crown Lands.

On December 18, 2014 the Municipal Recommendations Form was received from the applicant (EMA Enterprises Limited).

Gary Myler stated to me at Crown Lands office that I was not entitled to the Crown Lands... 

On January 27, 2016 I complete the application for Crown Lands.

On January 13, 2016 the Municipal Recommendation form was signed by Sandra Cahill along with "Schedule A".

On January 14, 2016 the Town wrote to me saying that I have not submitted a subdivision development plan...

On February 3, 2016 I wrote to the Town with the lot layout plan for 39 lots and Green Space including a financial contribution to build a park.

A copy of the Public Consultation Notice for the Municipal Amendment is attached for May 16 to May 24, 2016 along with a copy of the Resolution.
On August 1, 2017 EMA submitted to the Town a subdivision Development Plan in concept only. It does not meet the details submitted by me. There is no Crown Lands Application attached, no Municipal Recommendations Form.

I have attached a copy of the October 10, 2017 minutes that reject my application and accept EMA's application.

I have also attached a copy of the “agenda” for the meeting and neither mine or EMA's application is on the agenda.

I have attached a copy of the October 2017 Development Regulation Amendment.

On December 1, 2017 I wrote to the Town objecting to the approval by Council of EMA's application.

On December 19, 2017 I was informed by Council of my rejection on the basis of first come, first served. My application was in first.

I have also attached the appeal summary form.

Yours very truly,

Fraser Paul

Attachments
APPEAL SUMMARY FORM

- Your appeal and fee must be filed with the Regional Appeal Board (Attention: Robert Cotter) at the address below within the 14 day appeal period.
- The following information is required. With this form, you must submit:
  - a copy or summary of the decision being appealed
  - statement outlining the grounds for your appeal
  - appeal fee $200.00 plus HST (total $230.00)
- In providing the documentation, please check the items indicating that they are submitted with this appeal form.

All information submitted will become part of a public appeal process.

1. (Please check one of the following) Did you,
   - ☐ submit a development or building application to the Authority.
   - ☐ receive an Order.
   - ☐ Or, are you
     - ☐ an interested third party.

2. I am appealing a decision made under (please check one)
   - ☐ Town of __________ Municipal Plan and Development Regulations.
   - ☐ Interim Development Regulations
   - ☐ Local Area Plan
   - ☐ Protected Area Plan
   - ☐ Protected Road Zoning Regulations
   - ☐ S. 194 or 404 of the Municipalities Act
   - ☐ S. 240 of the City of Mount Pearl / Corner Brook Acts

3. What decision are you appealing? (please check one)
   - ☐ Approval
   - ☐ Refusal
   - ☐ Order
   - ☐ Conditions of an Approval

4. What is the street address of the subject property/development? ________ Southern Shore Highway

5. When did the Authority make its decision? ________________ Day Month Year

6. When did you receive notification of this decision? ________________ Day Month Year

7. Please include any documentation from the authority related to the appeal.

Name: Fraser Paul
Telephone: [Redacted]
Fax: [Redacted]
E-Mail: [Redacted]
Mailing Address: P.O. Box 82
Ferryland, NL
Postal Code: A0A 2H0

I certify that the information provided above is true to the best of my knowledge and belief.

Name: Fraser Paul [Redacted]
(Please Print)
Signature: [Redacted]
Date: 28/12/2017 Day Month Year

This information is being collected for the purposes of determining and administering an appeal in accordance with Section 42(8) of the Urban and Rural Planning Act, 2000 and the Development Regulations (CNLR 3/01).

This information will be managed in compliance with the Access to Information and Protection of Privacy Act.

P.O. Box 8700, St. John's, NL, Canada A1B 4X6 Tel: 709-729-3090 Fax: 709-729-4475
REGIONAL APPEAL BOARD
Regional Appeal Boards are established under the Urban and Rural Planning Act to hear appeals arising from a decision:
• made under a town's Municipal Plan and Development Regulations;
• to issue an Order under Section 102 of the Urban and Rural Planning Act;
• to issue an Order under Section 404 of the Municipalities Act and Section 240 of the City of Mount Pearl and Corner Brook Acts;
• to refuse to issue a permit under Section 194 of the Municipalities Act; and
• made under Regulations pursuant to the Urban and Rural Planning Act, 2000 (including the Benton, Butterpot-Witless Bay Line, Conne River, Gander River, Highway Signage, Interim Development Control, Marble Mountain, Occupancy and Maintenance, and Protected Road Zoning Regulations).

REGIONAL APPEAL BOARDS HAVE NO JURISDICTION TO HEAR MATTERS RESULTING FROM:
• Council decisions regarding proposed amendments (re-zoning) to the Municipal Plan and Development Regulations.
• Council recommendations for the acquisition of Crown Land;
• Taxation or property assessment; and
• Municipal operations (snow clearing, garbage collection, water and sewer services, etc.).

HOW TO FILE AN APPEAL
Deadline:
An appeal must be filed within 14 calendar days of the person who made the original application has received written notification of the decision being appealed. In the case of an Order, the appeal must be filed within 14 calendar days of it being served or posted. Where an appeal of a decision and the required fee is not received by the Board within this time limit, the right to appeal that decision is considered to have been forfeited.

Fee:
An appeal fee of $200 and HST ($230 total) must accompany this form in order for your appeal to be registered. Cheques and money orders must be made payable to the Newfoundland Exchequer. You may pay using credit card by calling the Central Cashier's office at (709) 729-4071 or (709) 729-3042. If your appeal is successful, the fee will be refunded.

You must include the following information with your appeal:
A written statement outlining the grounds for your appeal. A copy of the decision or Order that you are appealing. If you do not have that information please provide a summary of the decision being appealed.

Where to file:
The completed appeal form can be delivered or mailed to the Secretary of the Regional Appeal Board at the Department of Municipal Affairs and Environment, 4th Floor, West Block, Confederation Building P.O. Box 8700, St. John's, NL A1B 4J6. The secretary of the Regional Appeal Board can be contacted by telephone at (709) 729-3090 or by fax at (709) 729-4475.

APPEAL HEARING AND DECISION
A notice that your appeal has been registered will appear in your local newspaper. All development related to the appeal must stop until the Board makes its decision. You will be advised, in writing, of the time, date, and place of the Hearing. You, or a representative, may appear before the Board at the Hearing concerning the matter under appeal. The Authority or any other person affected will also be given an opportunity to appear before the Board at the Hearing to present submissions concerning the matter under appeal. You will be notified, in writing, of the decision of the Board. The decision of the Board is final but may, on a question of jurisdiction or law, be appealed to the Trial Division (Supreme Court of Newfoundland and Labrador) within 10 days of the appellant receiving the decision.

This information is being collected for the purposes of determining and administering an appeal in accordance with Section 42(8) of the Urban and Rural Planning Act, 2000 and the Development Regulations (CNLRR 3/01).

This information will be managed in compliance with the Access to Information and Protection of Privacy Act.
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<td>&quot;First come first serve&quot;</td>
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**APPORVED BY:**

**SIGNATURE:**
# PAULS HARDWARE & BUILDING SUPPLIES

**HIGHWAY 10**  
**FERRYLAND, NL**

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<td>Applications 39 lots to Town</td>
<td>2016-502</td>
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<td></td>
<td>1 Concept Drawing as per Owner's Request</td>
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<tr>
<td></td>
<td>2 Attached office &amp; Allewane Pk-1</td>
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<td></td>
<td>3 Green space &amp; applicant expense</td>
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<td></td>
<td>4 Paid for rezoning to proceed</td>
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Feb 3, 2017: Letter from Council to Town.
May 24, 2017: Public Consultation Town of Ray Bella.
May to July 2017: Town invited by MA.
Aug 1, 2017: EMA submitted new application.

- No Concept Plan
- No Owner's Application
- No MOR Town
- Never makes agenda (Oct 10, 2017)

- Oct 10, 2017: DRA #4 2016-502 Rejected
- Oct 10, 2017: EMA 2017-414 Application Accepted
- Oct 10, 2017: DRA #5 Accepted

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<tr>
<th>DATE</th>
<th>DESCRIPTIO</th>
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| Dec 17-2015 | Document
| May 2017 | Letter to Town & MA, Regard Appeals.

**Robert Colter**

**APPROVED BY:**

**SIGNATURE:**
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<td>Reg Crown heds</td>
<td>147.785</td>
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<td>Emr takes Town to Court</td>
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<td>Advised to Resident application</td>
<td>70% RSA 2015-50</td>
<td>30% RES 2015-50</td>
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<td>Resubmitted application</td>
<td>2015 508</td>
<td>2015 502</td>
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<td>The only applicatn w/ Concept Plan as per Crown heds</td>
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<td>July 15 2015</td>
<td>Lack of Consent by Council</td>
<td>2015 508</td>
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<td>Requirement for Application by Crown heds</td>
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<td>set to Crown hds</td>
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<td></td>
<td>Full Concept Drawing</td>
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<td>Crown hds Applicati M &amp; Form</td>
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<td>All signed by Council</td>
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<td>June 2 2016</td>
<td>Rec at Crown hds</td>
<td>2015-508</td>
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<td>Town investigation by MA</td>
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<td>Dec 2017 Wading on Crown hds to proceed</td>
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<td>Apr 2012</td>
<td>Meeting with planner &amp; الأمن الميداني وكان له دور كبير في تنظيم وتحقيقهم</td>
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<td>500 ft Support Development Application (2013-508)</td>
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<td>May 24 2013</td>
<td>Developer Support to Town</td>
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<td>June 17 2013</td>
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<td>July 2 2013</td>
<td>Letter to Crown Lands</td>
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<td>Sept 12 2014</td>
<td>Application Re-applied to Hills Edwards Gov</td>
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<td>Dec 18 2014</td>
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<tr>
<td>Feb 16 2015</td>
<td>Letter to Town</td>
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APPROVED BY:

SIGNATURE:
December 19, 2017

Paul Enterprises Ltd.
c/o Mr. Fraser Paul
P. O. Box 82
Ferryland, NL
A0A 2H0

Dear Mr. Paul:

I respond to your letter of December 1, 2017 whereby you are objecting to Development Regulation Amendment No. 5 and your inquiry as to why your application for Development Regulations Amendment No. 4 was rejected by Council at the public meeting of October 10, 2017. It was the decision of Council to refuse the Amendment as applications for Crown land are based on a policy of, “first come first serve”. Your application for Crown land and the subsequent required amendment was not the first one received.

Your objection letter for Development Regulation Amendment No. 5 was reviewed at a public meeting of Council. Your comments were noted and subsequently Council adopted Development Regulation Amendment No. 5 at the public meeting of December 14, 2017.

Please note that under the Urban and Rural Planning Act there is no appeal to the Regional Appeal Board on Council’s decision to reject a Development Regulations Amendment.

Yours truly,

Sandra Cahill
Town Clerk
TOWN OF BAY BULLS
PAUL ENTERPRISES LIMITED
P.O. Box 82
Ferryland, NL
A0A 2H0

all redactions due to section 40.1

Via Email to The Town of Bay Bulls @ townofbaybulls@nf.aibn.com
and Via Fax 334-3477

December 1, 2017

Town of Bay Bulls
P.O. Box 708
Bay Bulls, NL
A0A 1C0

I have not been notified of my rejection at the meeting of Council on October 10, 2017.

I have not been notified of the reasons for the rejection.

I object to the approval of the competing application that is up for amendment to the Development Regulation No. 5, 2017.

I visited the Town office this morning and the office was closed for the day for staff training which is

I request an appeal on the following basis:

1. I have not been notified that my application has been rejected.
2. The public consultation process is only 5 days and the Council office was closed on the 5th day.
3. I have previously been approved by Council on four separate occasions.

I formally request an appeal of my rejection.

Regards,

Fraser Paul

cc: Robert Cotter - Secretary to the Eastern Newfoundland Regional Appeal Board

Copy of Public Consultation Notice is attached.
DATE: December 1, 2017  
NUMBER OF COPIES: 3 (including cover)

TO: Robert Cotter  
789-3221

FROM: Mike Powell

REMARKS: Rain Frost Paul

---

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYER OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

TX RESULT REPORT

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Regional Appeal Boards  
c/o Municipal Affairs, Government of Newfoundland Labrador

APPEAL SUMMARY FORM

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   - ☐ receive an Order;
   Or, are you
   - ☐ an interested third party.

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   - ☐ Interim Development Regulations ☐ Protected Area Plan
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   - ☐ S. 240 of the City of Mount Pearl / Corner Brook Acts

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   - ☐ Approval ☐ Refusal
   - ☐ Order ☐ Conditions of an Approval

4. What is the street address of the subject property/development?
   ________________________________

5. When did the Authority make its decision?
   / /  
   Day Month Year

6. When did you receive notification of this decision?
   / /  
   Day Month Year

7. Please include any documentation from the authority related to the appeal.

<table>
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<tr>
<th>Name:</th>
<th>Mailing Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone:</td>
<td>Postal Code:</td>
</tr>
<tr>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>E-Mail:</td>
<td></td>
</tr>
</tbody>
</table>

I certify that the information provided above is true to the best of my knowledge and belief.

Name: ___________________________ Signature: ___________________________ / /  
(Please Print) Day Month Year

This information is being collected for the purposes of determining and administering an appeal in accordance with Section 42(8) of the Urban and Rural Planning Act, 2000 and the Development Regulations (CNLR 3/01).

This information will be managed in compliance with the Access to Information and Protection of Privacy Act.

P.O. Box 8700, St. John's, NL, Canada A1B 4J6 Tel: 709-729-3090 Fax: 709-729-3925
REGIONAL APPEAL BOARD
Regional Appeal Boards are established under the Urban and Rural Planning Act to hear appeals arising from a decision:
• made under a town’s Municipal Plan and Development Regulations;
• to issue an Order under Section 102 of the Urban and Rural Planning Act;
• to issue an Order under Section 404 of the Municipalities Act and Section 240 of the City of Mount Pearl and Corner Brook Acts;
• to refuse to issue a permit under Section 194 of the Municipalities Act; and
• made under Regulations pursuant to the Urban and Rural Planning Act, 2000 (including the Benton, Butterpot-Winless Bay Line, Conne River, Gander River, Highway Signage, Interim Development Control, Marble Mountain, Occupancy and Maintenance, and Protected Road Zoning Regulations).

REGIONAL APPEAL BOARDS HAVE NO JURISDICTION TO HEAR MATTERS RESULTING FROM:
• Council decisions regarding proposed amendments (re-zoning) to the Municipal Plan and Development Regulations.
• Council recommendations for the acquisition of Crown Land.
• Taxation or property assessment; and
• Municipal operations (snow clearing, garbage collection, water and sewer services, etc.).

HOW TO FILE AN APPEAL
Deadline:
An appeal must be filed within 14 calendar days of the person who made the original application has received written notification of the decision being appealed. In the case of an Order, the appeal must be filed within 14 calendar days of it being served or posted. Where an appeal of a decision and the required fee is not received by the Board within this time limit, the right to appeal that decision is considered to have been forfeited.

Fee:
An appeal fee of $200 and HST ($230 total) must accompany this form in order for your appeal to be registered. Cheques and money orders must be made payable to the Newfoundland Exchequer. You may pay using credit card by calling the Central Cashier’s office at (709) 729-4071 or (709) 729-3042. If your appeal is successful, the fee will be refunded.

You must include the following information with your appeal:
A written statement outlining the grounds for your appeal. A copy of the decision or Order that you are appealing. If you do not have that information please provide a summary of the decision being appealed.

Where to file:
The completed appeal form can be delivered or mailed to the Secretary of the Regional Appeal Board at the Department of Municipal Affairs, Howley Building, Higgins Line, P.O. Box 8700, St. John’s, NL A1B 4J6. The secretary of the Regional Appeal Board can be contacted by telephone at (709) 729-3090 or by fax at (709) 729-3923.

APPEAL HEARING AND DECISION
A notice that your appeal has been registered will appear your local newspaper. All development related to the appeal must stop until the Board makes its decision. You will be advised, in writing, of the time, date, and place of the Hearing. You, or a representative, may appear before the Board at the Hearing concerning the matter under appeal. The Authority or any other person affected will also be given an opportunity to appear before the Board at the Hearing to present submissions concerning the matter under appeal. You will be notified, in writing, of the decision of the Board. The decision of the Board is final but may, on a question of jurisdiction or law, be appealed to the Trial Division (Supreme Court of Newfoundland and Labrador) within 10 days of the appellant receiving the decision.

This information is being collected for the purposes of determining and administering an appeal in accordance with Section 42(8) of the Urban and Rural Planning Act, 2000 and the Development Regulations (CNLR 3/01).
This information will be managed in compliance with the Access to Information and Protection of Privacy Act.
Appeal

42. (1) A person or an association of persons aggrieved of a decision that, under the regulations, may be appealed, may appeal that decision to the appropriate board where the decision is with respect to:

(a) an application to undertake a development;

(b) a revocation of an approval or a permit to undertake a development;

(c) the issuance of a stop work order; and

(d) a decision permitted under this or another Act to be appealed to the board. This looks general and may apply to you, if you had been given a written decision by Council. If you were not notified in writing or otherwise, then in my opinion, they may be responsible for you losing your right to appeal a decision of council because of improper, or lack of a basic obligatory procedure from a Council.

(2) A decision of a council, regional authority or authorized administrator to adopt, approve or proceed with a plan, scheme, development regulations and amendments and revisions of them is final and not subject to an appeal.

19. Deferment of Application
(1) The Authority may, with the written agreement of the applicant, defer consideration of an application.

(2) Applications properly submitted in accordance with these Regulations which have not been determined by the Authority and on which a decision has not been communicated to the applicant within eight weeks of the receipt thereof by the Authority, and on which consideration has not been deferred in accordance with Regulation 18(1), shall be deemed to be refused. This is good info to know, however, your application or request was not deferred from what I understand.

22. Reasons for Refusing Permit
The Authority shall, when refusing to issue a permit or attaching conditions to a permit, state the reasons for so doing. Professionally speaking, I would think that Council is obligated to state in writing reasons for not considering any individual request made in written format by an individual, and most especially if it relates to an application or an amendment to their Town Plan. Although an actual amendment commenced by the Town cannot be appealed, a Council’s reason for refusing your application or request for this amendment might be.

23. Notice of Right to Appeal
Where the Authority makes a decision that may be appealed under section 42 of the Act, (Urban & Rural Planning Act) the Authority shall, in writing, at the time of making that decision, notify the person to whom the decision applies of the:

(a) person’s right to appeal the decision to the board;

(b) time by which an appeal is to be made;

(c) right of other interested persons to appeal the decision; and
(d) manner of making an appeal and the address for the filing of the appeal.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
August 1st, 2017

EMA Enterprises Limited


Witless Bay, NL
A0A 4K0

Town of Bay Bulls
PO Box 70
Bay Bulls, NL
A0A 1C0

Good Morning:

Please find the following documents attached as an application for a residential subdivision in an RSA zone to go on the agenda for the next meeting.
- Subdivision Development Plan (Concept Plan)
- Google Map
- Preliminary Application to Develop Land

We request that the Town of Bay Bulls request, on our behalf, that Crown Land Department put a hold (freeze) on this parcel of Crown Land until the land rezoning amendment is completed.

We request to have the Town Planner, Reg Garland, review our application and development plan to ensure compliance with MP and DR.

We request to have the necessary amendment done to the MP and DR to rezone the land from RSA to Residential to accommodate the proposed subdivision; with us incurring all costs associated with the rezoning amendment.

We also request that the Town of Bay Bulls accept no other applications for this parcel of land.

Regards,

EMA Enterprises Limited


Ernest Dunn
President
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
August 1st, 2017

EMA Enterprises Limited
PO Box 37
51 Dunns Lane
Witless Bay, NL
A0A 4K0

Town of Bay Bulls
PO Box 70
Bay Bulls, NL
A0A 1C0

Good Morning:

Please find the following documents attached as an application for a residential subdivision in an RSA zone to go on the agenda for the next meeting.

- Subdivision Development Plan (Concept Plan)
- Google Map
- Preliminary Application to Develop Land

We request that the Town of Bay Bulls request, on our behalf, that Crown Land Department put a hold (freeze) on this parcel of Crown Land until the land rezoning amendment is completed.

We request to have the Town Planner, Reg Garland, review our application and development plan to ensure compliance with MP and DR.

We request to have the necessary amendment done to the MP and DR to rezone the land from RSA to Residential to accommodate the proposed subdivision; with us incurring all costs associated with the rezoning amendment.

We also request that the Town of Bay Bulls accept no other applications for this parcel of land.

Regards,

EMA Enterprises Limited

Ernest Dunn
President
This Application was Deferred Pending that 75% of the Subdivision (Model) is Being Developed. Entirely.

Signed: [Signature]
Date: July 5, 2010

INSTRUCTIONS

A. APPLICANT

1. THIS IS NOT A CROWN LANDS APPLICATION FORM.
2. Under the provisions of the Crown Land Act, applications must be processed before the Department can accept you Crown Lands Application Forms.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Regional Lands Office in the area you wish to locate.
5. When the Regional Lands Office has completed its recommendation you may submit your application along with this approval form to the Department.
6. This form provides Council's recommendation only. A final approval or rejection of your application is the responsibility of the Department and no occupation or development of the site is permitted unless a formal title document has been issued by the Department.

B. MUNICIPAL COUNCIL

1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. The form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposal development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form; when, in the opinion of the Department, the proposed development has not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

GOVERNMENT SERVICE CENTRES/REGIONAL LANDS OFFICES

[Address and contact information for various regional areas listed]
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraser Paul</td>
<td>May 20 2013</td>
</tr>
</tbody>
</table>

Mailing Address:

<table>
<thead>
<tr>
<th>CITY/TOWN</th>
<th>PROVINCE</th>
<th>POSTAL CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>L'Anse aux Meadows</td>
<td>NL</td>
<td>A1B 1C3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LAND TO BE USED FOR</th>
<th>Dimensions of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residences</td>
<td>Attachment Drawing</td>
</tr>
</tbody>
</table>

LOCATION OF LAND:

<table>
<thead>
<tr>
<th>SS Highway</th>
</tr>
</thead>
</table>

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

Does your community have:

- [ ] An approved municipal plan
- [ ] Concept plan
- [ ] Neither

According to the development regulations the area applied for is zoned as:

- [ ] Permitted use
- [ ] Discretionary use
- [ ] A use not included in the development regulations

Is the proposed use as follows:

- [ ] Yes
- [ ] No

Does the proposed use conform to the standards and conditions set out in the development regulations?

- [ ] Yes
- [ ] No

Describe the land use in the surrounding area:

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

North Side:

South Side:

If the proposed use will conflict with existing land use in the general area, please explain:

Indicate which of the following municipal services are available at the site:

- [ ] Water and Sewer
- [ ] Water only
- [ ] Sewer only
- [ ] No services

Describe type and condition of the road to the site:

- [ ] Yes
- [ ] No

By whom

Is the road presently maintained year round?

- [ ] Yes
- [ ] No

Council, Dept. of Transp. and Works

If road extension or improvements will be needed if the application is approved:

- [ ] Yes
- [ ] No

In the opinion of the Council:

This land applied for is:

- [ ] Crown
- [ ] Private
- [ ] Ownership unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details.

Continued on page 2
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Councillor in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown-Tilt, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8700
St. John’s, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-0726

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard, Fraser Mall, P.O. Box 2222
Gander, NL A1V 2N9
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Notion Building, P.O. Box 2006
1 Riverdrive Drive
Corner Brook, NL A2H 6J8
Telephone: (709) 637-2392
Facsimile: (709) 637-2995

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building, P.O. Box 2041, Stn. “B”
13 Churchill Street
Happy Valley-Goose Bay, NL
A0H 1A0
Telephone: (709) 896-2488
Facsimile: (709) 896-8466
May 24, 2013

Town of Bay Bulls  
Cemetery Lane West  
P.O. Box 70  
Bay Bulls, NL  
A0A 1C0

Dear Sir/Madam:

RE: Application for Crown Land

Our Company desires to co-operate with Council on the development of residential building lots.

As part of our application we assert to Council that, of the 15 hectares, we intend to develop 50 building lots and to designate a portion of the land as green space including a children’s play area with playground equipment.

We make this offer in the spirit of co-operation with Council on this and future applications with the Town of Bay Bulls.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

PAUL ENTERPRISES LIMITED

Fraser Paul
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
February 3, 2017

Fraser Paul
P.O. Box 82
Ferryland, NL A0A 2H0

Dear Mr. Paul,

The Town of Bay Bulls wishes to inform you that at the public meeting of January 9, 2017, council’s motion to go with option one (1) of the three (3) recommendations from the town planner was defeated. Option 2 & 3 were not discussed.

1. In considering the filed objection, Council may decide that the draft Amendment do not require any further any change and can be adopted by Council and forwarded to Municipal Affairs for Registration.
2. Council may decide that the draft Amendment may require some changes and are referred back to the Planner to make changes, or
3. Based on the filed objection, Council may decide that the draft Amendment may be rejected entirely and the amendment process halted.

Yours truly,

Sandra Cahill
Sandra Cahill
Town Clerk
Town of Bay Bulls
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
February 3, 2016

Town of Bay Bulls
P.O. Box 70
Bay Bulls, NL
A0A 1C0

Attention: Mayor and Councillors

Dear Sirs/Madam:


If you have any questions regarding the enclosed, please do not hesitate to contact the undersigned at [contact information redacted].

Yours very truly,

Fraser Paul

Enclosure
**Newfoundland Labrador**

**Government of Newfoundland and Labrador**
**Department of Municipal and Intergovernmental Affairs**

**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**THIS FORM IS MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE APPROPRIATE REGIONAL OFFICE.**
**THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANYED BY MAPPING TO SCALE, SIGNED BY A PERSON AUTHORIZED TO ACT ON BEHALF OF THE MUNICIPALITY.**

**TO BE COMPLETED BY APPLICANT - PART A**

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraser Paul</td>
<td>Feb 3 2016</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAILING ADDRESS</th>
<th>PROVINCE</th>
<th>POSTAL CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 82</td>
<td>NL</td>
<td>A0A 2H0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CITY/TOWN</th>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferryland</td>
<td>SS Hwy man Rd</td>
<td>See Attached</td>
</tr>
</tbody>
</table>

**TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B**

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [x] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

**IS THE PROPOSED USE A:**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [x] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [ ] YES
- [ ] NO

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [ ] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

**NORTH SIDE**

- [ ] EAST SIDE

**SOUTH SIDE**

- [ ] WEST SIDE

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

**INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

**IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND?**

- [ ] YES
- [ ] NO

**BY WHOM**

- [ ] COUNCIL
- [ ] DEPT. OF TRANSP. AND WORKS
- [ ] APPLICANT

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?**

- [ ] YES
- [ ] NO

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [ ] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.**

**CONTINUED ON PAGE 2**
APPLICATION IS
☐ APPROVED ☐ REFUSED (GIVE REASONS) ☐ APPROVED SUBJECT TO THE ☐ DEFERRED (GIVE REASONS)
FOLLOWING CONDITIONS

COMMENTS


SIGNED ON BEHALF OF COUNCIL


TITLE


INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been delivered by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council of the Town or Community in which the Crown lands you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon delivery of a Crown Title, you are required to notify the Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. Attach mapping to scale outlining the lands being applied for. Sign and date the mapping.
3. This form must be completed for all requests for Crown lands within your Municipal planning area or Municipal boundary.
4. If you have any questions on the proposed development, please contact the applicant directly.
5. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will process with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Municipal and Intergovernmental Affairs
Eastern Regional Lands Office
Howley Building, Higginson Line
P.O. Box 8700
St. John's, NL A1B 4S6
Telephone: (709) 729-2054
Facsimile: (709) 729-0726

Department of Municipal and Intergovernmental Affairs
Central Regional Lands Office
230 Airport Boulevard, Fraser Mall, P.O. Box 2222 Gander,
NL A1V 2N9 Telephone: (709) 256-1400 Facsimile: (709) 256-1995

Department of Municipal and Intergovernmental Affairs
Western Regional Lands Office
Lower Level, Sir Richard Squires Building
P.O. Box 2006
Corner Brook, NL A2H 6S9
Telephone: (709) 637-2292 Facsimile: (709) 637-8032

Department of Municipal and Intergovernmental Affairs
Labrador Regional Lands Office
2 Tenth Street
P.O. Box 3014, Stn. "A" Happy Valley-Goose Bay, NL A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. ____________________ RECEIPT NO. ____________________

FILE NO. ____________________ AMOUNT ____________________ DATE __________

DATE REGISTERED ____________________ INDICATED ON PLAN NO. __________

INITIAL ____________________ TOPO NO. ____________________ INITIAL __________

APPLICATION INFORMATION

SURN A ME  Paul

GIVEN NAME  Froser

MIDDLE NAME

AGE

MAILING ADDRESS  PO Box 82

CITY/TOWN  Frenchman's Bay

PROVINCE  NL

POSTAL CODE  A0A 2H0

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? [ ] YES [ ] NO

ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS? [ ] YES [ ] NO

HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? [ ] YES [ ] NO

IF YES, SPECIFY TITLE NO(s). ____________________

PROPOSED TENURE AND USE

TYPE OF APPLICATION  [ ] LEASE  [ ] GRANT  [ ] LICENCE TO OCCUPY

LAND USE  [ ] RESIDENCE  [ ] COTTAGE  [ ] AQUACULTURE  [ ] AGRICULTURE (provide details below)

[ ] COMMERCIAL (provide detailed description below)  [ ] OTHER (provide details below)

Residential  Subdivision

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS: LENGTH __________ WIDTH __________

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

[ ] WELL  [ ] SEPTIC  [ ] MUNICIPAL WATER  [ ] MUNICIPAL SEWER  [ ] OTHER (provide details below)
**LAND DESCRIPTION**

1. **THE LAND IS SITUATED AT**
   Southern Shore Highway

2. **IN THE ELECTORAL DISTRICT OF**

3. **IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES?**
   - [ ] YES
   - [ ] NO
   **IF YES, YOU MUST ENCLOSE A MUNICIPAL RECOMMENDATION FORM**
   **NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES**

4. **APPROXIMATE DIMENSIONS OF THE LAND**
   - **FRONTAGE:** 900 metres
   - **NAME OF WATERBODY (if applicable):** Long Pond

5. **DISTANCE TO CLOSEST WATERBODY**
   - **metres:**
   - **NAME OF WATERBODY (if applicable):**

6. **IS THE SITE ACCESSIBLE BY ROAD?**
   - [ ] YES
   - [ ] NO
   **IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS?**
   - [ ] YES
   - [ ] NO
   **IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD?**
   - **metres:**

7. **FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION**
   - [ ] WALKING
   - [ ] A.T.V.
   - [ ] BOAT
   - [ ] SNOWMOBILE
   - [ ] AIRCRAFT

8. **FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.**

9. **IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING?**
   - [ ] YES
   - [ ] NO

10. **IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

11. **ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.?**
    - [ ] YES
    - [ ] NO

12. **IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND**

---

**DESCRIPTION OF LAND**

See Attached

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

**BOUNDED ON NORTH BY**

**BOUNDED ON SOUTH BY**

**BOUNDED ON EAST BY**

**BOUNDED ON WEST BY**

**PLEASE NOTE:** IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, Fraser Paul, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 2, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At St. John's
this ______ day of ____________ 20_____

Official Administering Oath

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
### FOR DEPARTMENT USE ONLY

#### SUMMARY OF AGENCY REFERRALS

<table>
<thead>
<tr>
<th></th>
<th>Approved</th>
<th>Refused</th>
<th>Comments Attached</th>
<th>Date Sent</th>
<th>Date Received</th>
</tr>
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<tr>
<td>Government Service Centre</td>
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<td>Urban and Rural Planning Division</td>
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<td>Municipal Assessment Agency</td>
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</tr>
<tr>
<td>Dept. of Fisheries and Aquaculture</td>
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<td>Other</td>
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<tr>
<td>Other</td>
<td></td>
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Officers Comments:

__________________________________________________________________________

Date ____________ Lands Management/Lands Officer  

**Recommendation of Regional Office:**

- [ ] Approved (Complete section below)
- [ ] Refused (Give reason)

__________________________________________________________________________

Date ____________ Regional/lands Manager

This section to be completed by Regional Office when approval is recommended.

Area approved __________ Frontage __________ Consideration/Rental __________ Back/Rental __________

- [ ] Lease
- [ ] Grant
- [ ] Licence
- [ ] Other
- [ ] Type __________

Cabinet approval required [ ] Yes [ ] No

Special instructions to surveyor (If any):

__________________________________________________________________________

**Departmental decision:**

- [ ] Approved
- [ ] Refused
- [ ] Deferred
- [ ] To Cabinet

Special instructions:

__________________________________________________________________________

Date ____________ Director of Lands Management
Re-Zoning of land on SS Hwy to RES.

<table>
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<tr>
<th>Invoice Description</th>
<th>Balance Owing</th>
<th>Payment Amount</th>
<th>Discount/ Adjustment</th>
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<tr>
<td>2016 Misc - Principal</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Pay Code: Cheque: 5000.00 | Issued By [Name]  

Tendered Amount: $5,000.00  
Change: $0.00
All Redactions on this page are due to section 40.1 of ATIPP, 2015
January 15th, 2016

EMA Enterprises Limited
PO Box 37
51 Dunns Lane
Witless Bay, NL
A0A 4K0

Town of Bay Bulls
PO Box 70
Bay Bulls, NL
A0A 1C0

Good Afternoon:

Attached is Municipal Recommendation Form for Crown Land Applications Within Municipal and Planning Area Boundaries to go on the agenda for the next meeting. The application is for a residential subdivision in an RSA zone. We will undertake a detail survey of the area to ensure that all private land will be excluded from this application. Prior to submitting a Subdivision Development Plan for the area, we are requesting to meet with council, and whomever the town deems necessary, for advice and guidance to ensure that our plan will meet the requirements of the MP and DR. At this time, we request to have the necessary amendment done to the MP and DR to rezone the land from RSA to Residential to accommodate the proposed subdivision upon receipt of a satisfactory Development Plan. We also request that the Town of Bay Bulls use their authority to request, on our behalf, that Crown Lands Department put a hold on this parcel of Crown Land until the Subdivision Concept Plan is accepted by council and land rezoning amendment is completed. We are also request that the town of Bay Bulls accept no other applications for this parcel of land. We are willing to pay all costs associated with having the above mentioned items completed. Finally, we wish to advise council add me as delegation at the next meeting to discuss this application.

Regards,

EMA Enterprises Limited

Ernest Dunn
President

Town of Bay Bulls
P.O. Box 70
Bay Bulls, NL
A0A 1C0

Received
Friday January 15, 2016

O’Brien
Town Clerk
**Newfoundland Labrador**

**Government of Newfoundland and Labrador**
**Department of Municipal Affairs**

**Municipal Recommendation Form for Crown Lands Applications Within Municipal and Planning Area Boundaries**

*This form must be submitted with your Crown Lands application to the appropriate regional office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.*

**To be completed by applicant - Part A**

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>EMA Enterprises Limited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
<td>P.O. Box 31</td>
</tr>
<tr>
<td>City/Town</td>
<td>Wintee Bay</td>
</tr>
<tr>
<td>Province</td>
<td>NL</td>
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<tr>
<td>Postal Code</td>
<td>A0B 4K0</td>
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<tr>
<td>Home Telephone</td>
<td></td>
</tr>
<tr>
<td>Business Telephone</td>
<td>334-2910</td>
</tr>
<tr>
<td>Facsimile</td>
<td>334-2919</td>
</tr>
</tbody>
</table>

**To be completed by municipal council - Part B**

**Does your community have**

- [ ] An approved municipal plan
- [ ] Concept plan
- [ ] Neither

**According to the Development Regulations the area applied for is zoned as:**

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other: __________

**Is the proposed use a**

- [ ] Permitted use
- [ ] Discretionary use
- [ ] A use not included in the Development Regulations (Attach copy of zoning map showing location of site)

**Does the proposed use conform to the standards and conditions set out in the Development Regulations?**

- [ ] Yes
- [ ] No

**Describe the land use in the surrounding area**

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other: __________

**North Side:**__________  **East Side:**__________  **South Side:**__________  **West Side:**__________

**If the proposed use will conflict with existing land use in the general area, please explain**

________________________

**Indicate which of the following municipal services are available at the site**

- [ ] Water and sewer
- [ ] Water only
- [ ] Sewer only
- [ ] No services

**Describe type and condition of the road to the site**

- [ ] Is the road presently maintained year round  [ ] Yes  [ ] No
- [ ] By whom:__________  **Council**  **Dept. of Transp. and Works**  **Applicant**

**Will road extension or improvements be needed if the application is approved?**

- [ ] Yes
- [ ] No

**In the opinion of the Council, the land applied for is**

- [ ] Crown
- [ ] Private
- [ ] Ownership unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details.

________________________

Continued on page 2
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
January 15th, 2016

Dawn Developers
PO Box 62
Cape Broyle, NL
A0A 1P0

Town of Bay Bulls
PO Box 70
Bay Bulls, NL
A0A 1C0

Good Afternoon:

Attached is Municipal Recommendation Form for Crown Land Applications Within Municipal and Planning Area Boundaries to go on the agenda for the next meeting. The application is for a residential subdivision in an RSA zone. We will undertake a detail survey of the area to ensure that all private land will be excluded from this application. Prior to submitting a Subdivision Development Plan for the area, we are requesting to meet with council, and whomever the town deems necessary, for advice and guidance to ensure that our plan will meet the requirements of the MP and DR. Access to this proposed subdivision has been granted from EMA from Dunn Drive. At this time, we request to have the necessary amendment done to the MP and DR to rezone the land from RSA to Residential to accommodate the proposed subdivision upon receipt of a satisfactory Development Plan. We also request that the Town of Bay Bulls use their authority to request, on our behalf, that Crown Lands Department put a hold on this parcel of Crown Land until the Subdivision Concept Plan is accepted by council and land rezoning amendment is completed. We are also request that the town of Bay Bulls accept no other applications for this parcel of land. We are willing to pay all costs associated with having the above mentioned items completed. Finally, we wish to advise council add me as delegation at the next meeting to discuss this application.

Regards,

DAWN Developers

[Signature]
Martina Aylward

Town of Bay Bulls
P.O. Box 70
Bay Bulls, NL
A0A 1C0

[Signature]
Janet O'Brien
Town Clerk
**MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

This form must be submitted with your Crown Lands Application to the appropriate Regional Office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.

### TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
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<tr>
<td>Dawn Developers</td>
<td>11/5/2010</td>
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<table>
<thead>
<tr>
<th>MAILING ADDRESS</th>
<th>PO Box 67</th>
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<tr>
<td>CITY/TOWN</td>
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<td>694-9346</td>
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<td>FACSIMILE</td>
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<table>
<thead>
<tr>
<th>LAND TO BE USED FOR</th>
<th>Residential Subdivision (Max 50 lots/phase)</th>
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</table>

| LOCATION OF LAND | SE 1/2 Sec 11 Form 3
<table>
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<tr>
<th></th>
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<tbody>
<tr>
<td>DIMENSIONS OF LAND</td>
<td>See attached</td>
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<tr>
<td>FRONTAGE</td>
<td></td>
</tr>
<tr>
<td>DEPTH</td>
<td></td>
</tr>
</tbody>
</table>

### TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

**DOES YOUR COMMUNITY HAVE**

- [ ] An approved Municipal Plan
- [ ] Concept Plan
- [ ] Neither

According to the Development Regulations the area applied for is zoned as:

- [ ] A Use Not Included in the Development Regulations

**IS THE PROPOSED USE A:**

- [ ] Permitted Use
- [ ] Discretionary Use
- [ ] A Use Not Included in the Development Regulations

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [ ] Yes
- [ ] No

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other: __________

**NORTH SIDE:** ________________________________

**EAST SIDE:** ________________________________

**SOUTH SIDE:** ________________________________

**WEST SIDE:** ________________________________

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

__________________________________________________________________________

Indicate which of the following Municipal Services are available at the site:

- [ ] Water and Sewer
- [ ] Water Only
- [ ] Sewer Only
- [ ] No Services

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

**IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND?**

- [ ] Yes
- [ ] No

**BY WHOM?**

- [ ] Council
- [ ] Dept. of Transp. and Works
- [ ] Applicant

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?**

- [ ] Yes
- [ ] No

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [ ] Crown
- [ ] Private
- [ ] Ownership Unclear

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.**

__________________________________________________________________________

CONTINUED ON PAGE 2
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January 15th, 2016

All Redactions on this page are due to section 40.1 of ATIPP, 2015

Town of Bay Bulls
PO Box 70
Bay Bulls, NL
A0A 1C0

Good Afternoon:

Attached a is Municipal Recommendation Form for Crown Land Applications Within Municipal and Planning Area Boundaries to go on the agenda for the next meeting. The application is for a residential subdivision in an RSA zone. We will undertake a detail survey of the area to ensure that all private land will be excluded from this application. Prior to submitting a Subdivision Development Plan for the area, we are requesting to meet with council, and whomever the town deems necessary, for advice and guidance to ensure that our plan will meet the requirements of the MP and DR. Access to this proposed subdivision has been granted from EMA from Dunn Drive. At this time, we request to have the necessary amendment done to the MP and DR to rezone the land from RSA to Residential to accommodate the proposed subdivision upon receipt of a satisfactory Development Plan. We also request that the Town of Bay Bulls use their authority to request, on our behalf, that Crown Lands Department put a hold on this parcel of Crown Land until the Subdivision Concept Plan is accepted by council and land rezoning amendment is completed. We are also request that the town of Bay Bulls accept no other applications for this parcel of land. We are willing to pay all costs associated with having the above mentioned items completed. Finally, we wish to advise council add me as delegation at the next meeting to discuss this application.

Regards,

[Signature]

Town of Bay Bulls
P.O. Box 70
Bay Bulls, NL
A0A 1C0

Received Time 3:59 pm
Friday January 15/16

[Signature]
Town Clerk
**Newfoundland Labrador**

**MUNICIPAL RECOMMENDATION FORM FOR CROWN LANDS APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE APPROPRIATE REGIONAL OFFICE. THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANIED BY MAPPING TO SCALE, SIGNED BY A PERSON AUTHORIZED TO ACT ON BEHALF OF THE MUNICIPALITY.**

### TO BE COMPLETED BY APPLICANT - PART A

<table>
<thead>
<tr>
<th>Name of Applicant</th>
<th>Date of Application</th>
<th>Mailing Address</th>
<th>City/Town</th>
<th>Province</th>
<th>Postal Code</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1/15/2010</td>
<td></td>
<td></td>
<td>NL</td>
<td>A0B 4K0</td>
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</table>

**Land to be used for:** Residential Subdivision

**Location of Land:** East & North End Subdivision

**Dimensions of Land:** See attached plan

### TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

**Does your community have:**

- [ ] An approved municipal plan
- [ ] Concept plan
- [ ] Neither

**According to the development regulations the area applied for is zoned as:**

**Is the proposed use a:**

- [ ] Permitted use
- [ ] Discretionary use
- [ ] A use not included in the development regulations (attach copy of zoning map showing location of site)

**Does the proposed use conform to the standards and conditions set out in the development regulations?**

- [ ] Yes
- [ ] No

**Describe the land use in the surrounding area:**

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

**North Side**

**South Side**

**East Side**

**West Side**

**If the proposed use will conflict with existing land use in the general area, please explain:**

**Indicate which of the following municipal services are available at the site:**

- [ ] Water and sewer
- [ ] Water only
- [ ] Sewer only
- [ ] No services

**Describe type and condition of the road to the site:**

**Is the road presently maintained year round:**

- [ ] Yes
- [ ] No

**By whom**

- [ ] Council
- [ ] Dept. of Transp. and Works
- [ ] Applicant

**Will road extension or improvements be needed if the application is approved?**

- [ ] Yes
- [ ] No

**In the opinion of the council, the land applied for is:**

- [ ] Crown
- [ ] Private
- [ ] Ownership unclear

**If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details:**

**Continued on Page 2**
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Lands Branch  
Eastern Regional Lands Office

June 2, 2016  

Fraser Paul  
P.O. Box 82  
Ferryland NL  
A0A 2H0

Dear Sir:

RE: APPLICATION NO.: 149684  
TYPE: Grant  
PURPOSE: Commercial (Residential Subdivision)  
LOCATION: Bay Bulls

This will acknowledge receipt of the above referenced application for a Crown title. The application has now been registered and via a copy of this letter, the Department and/or agencies on the attached schedule have been asked to forward their comments and recommendations on your application to the Regional Lands Office.

Your application will be reviewed and a final decision will be made when the recommendations have been received from these Departments and/or agencies.

To assist inspectors in locating the area applied for and to avoid delays in processing your application it is advisable to place your name and application number on the site. Your application is being processed for the site indicated on the attached map.

Please note that the land is not to be occupied until you receive a fully executed title document. If you require any additional information concerning the processing of this application please contact the Regional Lands Office at the address below.

Yours truly,

Lands Officer  
Attachment(s)
SCHEDULE OF REFERRAL AGENCIES

LAND MANAGEMENT OFFICER (AVALON SOUTH)
Department of Municipal Affairs
709-729-2654

STAN BLACKMORE, GSC
SERVICE NL
709-729-3699

DISTRICT MANAGER, FORESTY DIVISION
FORESTRY & AGRIFOODS AGENCY
709-729-4180

Dept. of Municipal Affairs

709-729-3090

SUSAN GEORGE, WATER RESOURCES, MGMT DIV.
DEPT OF ENVIRONMENT & CONSERVATION
709-729-2563

Provincial Archaeology Office
Martha Drake
709-729-2462
February 16, 2016

Ms. Janet O'Brien
Town Clerk
Town of Bay Bulls
p. o. Box 70
Bay Bulls, NL
A0A 1C0

Dear Ms. O'Brien:

**RE: Planning Advice – Fraser Paul, East of Southern Shore Highway**

I respond to your request to review a letter of application for a development proposal submitted by Mr. Fraser Paul for a residential subdivision east of the Southern Shore Highway.

**Background**

Mr. Fraser Paul of Ferryland has submitted a Crown Land Municipal Recommendation form seeking the Town's approval to acquire Crown land to develop approximately 39 residential lots on Crown land east of the Southern Shore Highway.

In his letter of application, dated February 3, 2016, Mr. Paul requests the Town approve a Crown Lands Municipal Recommendation form to acquire Crown land to develop approximately 39 residential lots. There is no request initiate a freeze of the Crown land and secondly there is no application or request for a Development Regulations Amendment to re-zone the land from Residential Subdivision Area (RSA) to Residential (Res). It is unclear if Mr. Paul was aware that a Development Regulations Amendment was required.

Further, it appears that Mr. Paul's application seriously overlaps land applied for by Mr. Ernest Dunn of EMA Enterprises Limited. Mr. Paul’s application dated February 3, 2016, was accepted after Mr. Ernest Dunn of EMA Enterprises Limited dated January 15, 2016.

---

8 Massey Crescent, Mount Pearl, NL, A1N 2H2. Telephone/ Facsimile (709) 364-3212 or
RECOMMENDATION

While Mr. Paul has submitted a conceptual subdivision design that may merit conformity to the Bay Bulls Municipal Plan and Development Regulations, his application was accepted after the application by Mr. Ernest Dunn of EMA Enterprises Limited.

I have stated in other correspondence that the Town should not accept or consider any other applications for the same parcel of land. In my opinion the application of Mr. Fraser Paul of Ferryland be rejected and provided no further consideration pending a final determination of the application by Mr. Ernest Dunn of EMA Enterprises Limited.

Trusting this information meets with your approval. I am available should you require further information or clarification.

Sincerely,

Reginald Garland, MCIP
Plan-Tech Environment Ltd.
January 14, 2016

Fraser Paul  
P.O. Box 82  
Ferryland, NL A0A 2H0

Dear Mr. Paul,

We write in response to your letter dated July 8, 2015, and the two (2) Municipal Recommendations Form dated June 18, 2015 which were submitted to the Town of Bay Bulls (the “Town”) in respect of a Crown Grant of the subject properties (one currently being zoned Residential, the other Residential Subdivision Area (“RSA”)).

We include herewith the approved Municipal Recommendation Form in respect of the parcel currently zoned Residential.

In respect of the parcel zoned RSA, as noted in your letter, Crown Lands indicated by letter dated June 16, 2015 that it had been advised by the Land Use Planning section that the RSA zone does not permit development until a comprehensive plan is approved by council, and the zoning amended. Accordingly, your application was refused.

In your letter, you note your attempts to have the subject property rezoned as Residential. In that regard, we note that the Town’s Municipal Plan 2014-2024 and Development Regulations require that a Subdivision Development Plan be developed and considered prior to a rezoning of RSA land. We note, in particular, that Section 12 of the Town’s Municipal Plan 2014-2024 requires that a subdivision plan be detailed and address all needs pertinent to development of a site, including, but not limited to the following:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- Conformity to an area concept plan as approved by Council, which accounts for the development of lands abutting the site;
A description of the subject lands;

Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;

Access to the site from existing roads and internal road layout;

Demonstration of the long-term viability of on-site servicing system through soil analysis and other appropriate site evaluation. Council may require a site assessment as part of a Subdivision Development Plan which shall accurately depict the conditions of the proposed subdivision site;

Phasing scheme;

Provision for lotting;

Provision for 10% recreation lands or alternative measures if requested by Council;

Adherence to the Town's engineering and development standards for streets designs, grades, storm drainage, building line setback, access, landscaping, buffers, development standards for each lot, etc.

The Subdivision Development Plan must be advertised with a local newspaper and placed on public display by the Town for five (5) business days. The public may provide comments on the Development Plan, which are to be considered by the Town council. A Development Regulations Amendment for rezoning must then be prepared.

To date, you have not submitted a Subdivision Development Plan which meets the foregoing requirements, and therefore the Town is not currently in a position to consider a rezoning of the portion of the subject property that is currently zoned RSA.

We trust this is satisfactory,

Yours truly,

Sandra Cahill
Assistant Town Clerk
Town of Bay Bulls
Newfoundland Labrador
Municipal and Intergovernmental Affairs

APPLICATION FOR CROWN LANDS

FOR DEPARTMENT USE ONLY

APPLICATION NO. ______________ RECEIPT NO. ______________
FILE NO. ______________ AMOUNT ______________ DATE ______________
DATE REGISTERED ______________ INDICATED ON PLAN NO. ______________
INITIAL ______________ TOPO NO. ______________ INITIAL ______________

APPLICATION INFORMATION

SURNAME JONES
GIVENNAME ELLA
MIDDLENAME MARY
AGE 50

MAILING ADDRESS BOX 82
P.O. BOX 82 FELDAVLAND N.L.

CITY TOWN FELDAVLAND
PROVINCE N.L.

POSTALCODE A1C 9H0

BUSINESS TELEPHONE

ARE YOU A RESIDENT OF NEWFOUNDLAND AND LABRADOR? YES _____________ NO ______________

HAVE YOU OR YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? YES _____________ NO ______________

PROPOSED TENURE AND USE

TYPE OF APPLICATION

LEASE _____________ GRANT _____________ LICENCE TO OCCUPY _____________

LAND USE

RESIDENCE _____________ COTTAGE _____________ AQUACULTURE _____________ AGRICULTURE (provide details below) _____________

COMMERCIAL (provide detailed description below) _____________ OTHER (provide details below) _____________

RESIDENTIAL SUBDIVISION

DESCRIBE BUILDINGS TO BE ERECTED (if applicable)

DIMENSIONS LENGTH WIDTH

PROPOSED WATER AND SEWAGE FACILITIES (if applicable)

WELL _____________ SEPTIC _____________ MUNICIPAL WATER _____________ MUNICIPAL SEWER _____________ OTHER (provide details below) _____________

CROWN LANDS APPLICATION FORM

Newfoundland and Labrador Department of Municipal Affairs

CLW00160340
LAND DESCRIPTION

1. THE LAND IS SITUATED AT

SOUTHERN SHORE HIGHWAY

IN THE ELECTORAL DISTRICT OF

2. IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☐ YES ☐ NO

[CLAY ATTACHED]

IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

3. APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE 500 metros 

DEPTCH

NAME OF WATERBODY (if applicable) LOW POND

4. DISTANCE TO CLOSEST WATERBODY 500 metros

5. IS THE SITE ACCESSIBLE BY ROAD? ☑ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☐ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? 

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION ☐ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☐ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

6. IS THE SITE PRESENTLY OCCUPIED? ☐ YES ☑ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

7. ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☐ YES ☑ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, Fraser, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 2, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At St. John's
this 21st day of January 2016

Official Administering Oath

Amanda

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.) must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
<table>
<thead>
<tr>
<th>Summary of Agency Referrals</th>
<th></th>
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<tbody>
<tr>
<td>Government Service Centre</td>
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<tr>
<td>Mines Branch</td>
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<tr>
<td>Transportation Branch</td>
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<td>Urban and Rural Planning Division</td>
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<tr>
<td>Municipal Assessment Agency</td>
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<tr>
<td>Environmental Assessment Division</td>
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<td>Water Resources Division</td>
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<tr>
<td>Dept. of Fisheries and Aquaculture</td>
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<tr>
<td>Agriculture Branch</td>
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<tr>
<td>Forestry Branch</td>
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<tr>
<td>Wildlife Division</td>
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<td>Parks Division</td>
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<tr>
<td>Municipal Authority</td>
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<tr>
<td>Fisheries and Oceans (Federal)</td>
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<tr>
<td>Tourism Development Division</td>
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<tr>
<td>Other</td>
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<tr>
<td>Other</td>
<td></td>
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</tr>
</tbody>
</table>

Officers Comments:

Date

Recommendation of Regional Office:

Approved (Complete section below)  Refused (Give reason)

Date

This section to be completed by Regional Office when approval is recommended.

Area approved  Frontage  Consideration Rental  Back/Rental

Lease  Grant  Licence  Other  Type

Cabinet approval required  Yes  No

Special instructions to surveyor (if any):

Departmental decision:

Approved  Refused  Deferred  To Cabinet

Special Instructions:

Date

Director of Lands Management
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

THIS FORM MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE APPROPRIATE REGIONAL OFFICE.
THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANIED BY MAPPING TO SCALE, SIGNED BY A PERSON
AUTHORIZED TO ACT ON BEHALF OF THE MUNICIPALITY.

TO BE COMPLETED BY APPLICANT – PART A

NAME OF APPLICANT
Praksa Paul

MAILING ADDRESS
P.O. Box 82

CITY/TOWN
Ferryland

LOCATION OF LAND
S.S. Hwy

TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

DATE OF APPLICATION
June 18, 2015

PROVINCE

POSTAL CODE

FASSIMILE

LOCATION OF LAND
Residential

DIMENSIONS OF LAND
See Attached

DOES YOUR COMMUNITY HAVE
☐ AN APPROVED MUNICIPAL PLAN  ☐ CONCEPT PLAN  ☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:
Residential

IS THE PROPOSED USE A:
☐ PERMITTED USE  ☐ DISCRETIONARY USE  ☐ A USE NOT INCLUDED IN THE
DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND
CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?
☐ YES  ☐ NO

DESCRIBE THE LAND USE
IN THE SURROUNDING AREA
☐ RESIDENTIAL  ☐ COMMERCIAL  ☐ AGRICULTURE  ☐ UNUSED  ☐ OTHER

NORTH SIDE
S.S. Hwy Farm

EAST SIDE
Res

SOUTH SIDE
S.S. Hwy

WEST SIDE
S.S. Hwy Farm

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE
☐ WATER AND SEWER  ☐ WATER ONLY  ☐ SEWER ONLY  ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND
☐ YES  ☐ NO

BY WHOM
COUNCIL  DEPT. OF TRANSP. AND WORKS  APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED
☐ YES  ☐ NO

WILL NEED TO CONSTRUCT THROUGH Subdivision

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS
☐ CROWN  ☐ PRIVATE  ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED,
PLEASE GIVE DETAILS.

Known to be a private land claim in the area

CONTINUED ON PAGE 2
APPLICATION IS [X] APPROVED  [ ] REFUSED (GIVE REASONS)  [ ] APPROVED SUBJECT TO THE FOLLOWING CONDITIONS

COMMENTS

Please see enclosed "Schedule A"

Sandra Callie

SIGNED

Assistant Town Clerk

DATE

January 13, 2016

INSTRUCTIONS

A. APPLICANT:

1. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.

2. Complete part A of this form and include an accurate sketch of the area requested or attach a map.

3. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.

4. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.

5. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

6. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:

1. Please complete this form and return it to the applicant. A copy may be taken for your records.

2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.

3. If you have any questions on the proposed development, please contact the applicant directly.

4. Questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.

5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Nigglis Line
P.O. Box 8700
St. John's, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-0726

Department of Environment and Conservation
Central Regional Lands Office
230 Airport Boulevard,
Placentia, P.O. Box 2222
Gander, N.L. A1V 2X7
Telephone: (709) 256-1400
Facsimile: (709) 256-1095

Department of Environment and Conservation
Western Regional Lands Office
The Nation Building,
P.O. Box 2066
1 Riverside Drive,
Corner Brook, NL A2H 6Z8
Telephone: (709) 637-5555
Facsimile: (709) 637-2395

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building,
P.O. Box 3014, Stn. "B"
13 Churchill Street
Happy Valley-Goose Bay, NL A8P 1E0
Telephone: (709) 896-1488
Facsimile: (709) 896-9566
Schedule "A" to Municipal Recommendation Form

Dating back to 2013, the Town has received multiple Municipal Recommendation Forms in respect of the property subject to this application, as well as neighboring property which is zoned Residential Subdivision Area.

EMA Enterprises Limited had originally applied for entire property (both parcels), and a subsequent application was received from the applicant herein, Mr. Fraser Paul (the "Applicant"). The Town considered them both and approved the Municipal Recommendation Form submitted by the Applicant. However, that motion was rescinded due to the pending rezoning of a portion of the property, adjacent to the property applied for herein. On September 15, 2014, the Municipal Recommendation Form of the within applicant was reapproved. However, the Town of Bay Bulls Municipal Plan and Development Regulations, 2014-2024, were not registered with the Minister of Municipal and Intergovernmental Affairs until December 12, 2014. On December 18, 2014, a Town Councillor received a telephone call from Crown Lands indicating that the September 15, 2014 Municipal Recommendation Form should be completed and approved by the Town indicating the new zoning, and submitted to Crown Lands. The Town followed the direction of Crown Lands and completed and approved a new Municipal Recommendation Form, which was forwarded to Crown Lands. On December 18, 2014, an additional Municipal Recommendation Form was received from EMA Enterprises Limited, which was approved by the Town on February 9, 2015. However, it referred to the entirety of the property as being zoned Residential. On March 15, 2015, the Applicant registered an approved Municipal Recommendation Form with Crown Lands for the entirety of the property, which Crown Lands refused by letter to the Applicant dated June 16, 2015, due to a portion of the land being zoned RSA. Following the delivery of the June 16, 2015 letter by Crown Lands to the Applicant, the Town received two separate Municipal Recommendation Forms from the Applicant, within application in respect of the subject property (zoned Residential), as well as a separate Municipal Recommendation Form for the neighboring parcel (zoned RSA).

The Town also notes that EMA Enterprises Limited has commenced an action against the Town at the Supreme Court of Newfoundland and Labrador, Trial Division, in respect of the competing applications of EMA Enterprises Limited and the Applicant.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
INTERIM RECEIPT

REG: 01-27-2016 12:12
PETER 000009

1 APP FEE $113.00
1 CASH $113.00

DOLLARS 113.00

INVOICE NO. ___________________ CUSTOMER NO. ___________________

H.S.T.$ 13.00 TOTAL $113.00

CHEQUE / CASH MO CC ___________________

Jan 27 2016

(Handwritten amount: 113.00)
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

This form must be submitted with your crown lands application to the appropriate regional office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.

**TO BE COMPLETED BY APPLICANT - PART A**

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
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<tbody>
<tr>
<td>Emu Enterprises Limited</td>
<td>December 19, 2014</td>
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<tr>
<th>MAILING ADDRESS</th>
<th>PROVINCE</th>
<th>POSTAL CODE</th>
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</thead>
<tbody>
<tr>
<td>P.O. Box 37</td>
<td>NL</td>
<td>A0A 4K0</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>CITY/TOWN</th>
<th>BUSINESS TELEPHONE</th>
<th>FACSIMILE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wissess Bay</td>
<td>334-2910</td>
<td>334-2919</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HOME TELEPHONE</th>
<th>LAND TO BE USED FOR</th>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
</tr>
</thead>
<tbody>
<tr>
<td>—</td>
<td>Residential Subdivision (50 lots)</td>
<td>Main Road Southern Shore Highway/Burnt Knife</td>
<td>sees a Heritage</td>
</tr>
</tbody>
</table>

**TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B**

<table>
<thead>
<tr>
<th>DOES YOUR COMMUNITY HAVE</th>
<th>AN APPROVED MUNICIPAL PLAN</th>
<th>CONCEPT PLAN</th>
<th>NEITHER</th>
</tr>
</thead>
<tbody>
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<thead>
<tr>
<th>ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IS THE PROPOSED USE A</th>
<th>PERMITTED USE</th>
<th>DISCRETIONARY USE</th>
<th>A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>(ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?</th>
<th>☑ YES</th>
<th>☐ NO</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>DESCRIBE THE LAND USE IN THE SURROUNDING AREA</th>
<th>☑ RESIDENTIAL</th>
<th>☐ COMMERCIAL</th>
<th>☑ AGRICULTURE</th>
<th>☐ UNUSED</th>
<th>☐ OTHER M.D.</th>
</tr>
</thead>
</table>

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<thead>
<tr>
<th>NORTH SIDE</th>
<th>EAST SIDE</th>
<th>SOUTH SIDE</th>
<th>WEST SIDE</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN</th>
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<tbody>
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<table>
<thead>
<tr>
<th>INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE</th>
<th>☐ WATER AND SEWER</th>
<th>☐ WATER ONLY</th>
<th>☐ SEWER ONLY</th>
<th>☑ NO SERVICES</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE</th>
<th>Southern Shore Hwy</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND</th>
<th>☑ YES</th>
<th>☐ NO</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>BY WHOM</th>
<th>☑ COUNCIL</th>
<th>☐ DEPT. OF TRANSP. AND WORKS</th>
<th>☐ APPLICANT</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED</th>
<th>☑ YES</th>
<th>☐ NO</th>
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</table>

<table>
<thead>
<tr>
<th>IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS</th>
<th>☐ CROWN</th>
<th>☐ PRIVATE</th>
<th>☑ OWNERSHIP UNCLEAR</th>
</tr>
</thead>
</table>

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<tr>
<th>IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.</th>
<th>☑ Land Claim in the same Area</th>
</tr>
</thead>
</table>

<table>
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<tr>
<th>ALSO, private residents land is possibly included in Applicant Survey.</th>
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CONTINUED ON PAGE 2
There is a previous Crown Land application approved Dec 18, 2014 for the same area. Also, see Schedule "A" attached.

Signed on behalf of Council

Assistant Town Clerk

INSTRUCTIONS

A. APPLICANT:
1. This is not a Crown Lands application form.
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupancy or development of the site is permitted until a formal title document has been delivered by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form with map to the office of the Council of the Town or Community in which the Crown lands you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon delivery of a Crown Title, you are required to notify the Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. Attach mapping to scale outlining the lands being applied for. Sign and date the mapping.
3. This form must be completed for all requests for Crown lands within your Municipal planning area or Municipal boundary.
4. If you have any questions on the proposed development, please contact the applicant directly.
5. Questions pertaining to the processing of applications may be made to the nearest Regional Land Office.
6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

<table>
<thead>
<tr>
<th>Department of Municipal and Intergovernmental Affairs</th>
<th>Department of Municipal and Intergovernmental Affairs</th>
<th>Department of Municipal and Intergovernmental Affairs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Regional Land Office</td>
<td>Central Regional Land Office</td>
<td>Labrador Regional Land Office</td>
</tr>
<tr>
<td>Howley Building, St. John's, P.O. Box 1406</td>
<td>230 Airport Boulevard, Tracadie</td>
<td>2 Tenth Street</td>
</tr>
<tr>
<td>Telephone: (709) 729-2654</td>
<td>255-1400 Fax: (709) 255-1098</td>
<td>P.O. Box 3014, Stn. &quot;A&quot;, Happy Valley-Goose Bay, NL A0P 1E0</td>
</tr>
<tr>
<td>Facsimile: (709) 729-0726</td>
<td></td>
<td>Telephone: (709) 886-2488</td>
</tr>
</tbody>
</table>

FEB 10, 2015
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
SCHEDULE A

Dating back to 2013, the Town has received multiple Municipal Recommendation Forms in respect of the property subject to this application. The applicant herein had originally applied for the property, and a subsequent application was received from another party. The Town considered them both and approved the Municipal Recommendation Form submitted by the second applicant. However, at the time of the Town’s approval, Crown Lands was not accepting Crown Land applications in respect of the subject property due to its pending re-zoning. On September 15, 2014, the Municipal Recommendation Form of the second applicant was reapproved. However, the Town of Bay Bulls Municipal Plan and Development Regulations, 2014-2024, were not registered with the Minister of Municipal and Intergovernmental Affairs until December 12, 2014. On December 18, 2014, a Town Councillor received a telephone call from Crown Lands indicating that the September 15, 2014 Municipal Recommendation Form should be completed and approved by the Town indicating the new zoning, and submitted to Crown Lands. The Town followed the direction of Crown Lands and completed and approved a new Municipal Recommendation Form, which was forwarded to Crown Lands. On December 18, 2014, the within Municipal Recommendation Form was received from the applicant.
Good Morning Fraser;

As per your request, here is a list of things required by the Crown:

1. Newly completed Municipal Recommendation form along with a map signed and dated by mayor or town manager confirming the area being applied for (If the area is being re-zoned, the Crown will not accept an application until the re-zoning is finalized);
2. Completed Application for Crown Land;
3. Location Map;
4. Detailed Site Plan (showing dimensions of land being applied for, access roads, size of lots, etc.);
5. If the application is made in a company name, a copy of the certificate of incorporation from the Registry of Deeds and Companies is also required to be included with the application;
6. $113.00 application fee.

Kind Regards,

Amanda Humby – Land Management Officer
Department of Municipal and Intergovernmental Affairs
Land Management Division
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL
A1B 4J6

“This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain
**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**TO BE COMPLETED BY APPLICANT – PART A**

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraser Paul</td>
<td>June 18 2015</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>Province</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 82</td>
<td>NL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City/Town</th>
<th>Postal Code</th>
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</thead>
<tbody>
<tr>
<td>Ferryland</td>
<td>NL-2A 2AD</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land to be Used for</th>
<th>Dimensions of Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>See Attached</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Location of Land</th>
<th>Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS Hwy</td>
<td></td>
</tr>
</tbody>
</table>

**TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B**

DOES YOUR COMMUNITY HAVE
- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

ACCORDING TO THE DEVELPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS: Residential

IS THE PROPOSED USE A:
- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

(ASSOCIATE COPY OF ZONING MAP SHOWING LOCATION OF SITE)

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?  [ ] YES  [ ] NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA
- [ ] RESIDENTIAL
- [ ] COMMERCIAL
- [ ] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

NORTH SIDE: J & C Seed Farm  EAST SIDE: Res

SOUTH SIDE: SS Highway  WEST SIDE: J & C Seed Farm

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE
- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

SS Highway

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND?  [ ] YES  [ ] NO

BY WHOM  [ ] COUNCIL  [ ] DEPT. OF TRANSP. AND WORKS  [ ] APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?  [ ] YES  [ ] NO

[ ] WILL NEED TO CONSTRUCT THROUGH SUBDIVISION

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS
- [ ] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
APPLICATION IS
☑ APPROVED ☐ REFUSED (GIVE REASONS) ☐ APPROVED SUBJECT TO THE
☐ DEFERRED (GIVE REASONS) FOLLOWING CONDITIONS

COMMENTS

Deferred Due to Council NOT HAVING a Quorum

Signed

Debra Burke

Date

Dec 16, 2015

Title

Carrie Clark

INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon issuance of a Crown Title, you are required to notify the Municipal Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applicants may be made to the nearest Regional Land Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form has not been processed by Council in a timely manner. In such cases, the Regional Land Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Environment and Conservation
Central Regional Lands Office
237 Airport Boulevard
Frasier Mall, P.O. Box 2232
Corner Brook, NL A2H 6J8
Telephone: (709) 967-1282
Facsimile: (709) 967-1282

Department of Environment and Conservation
Western Regional Lands Office
The Norton Building
P.O. Box 2006
J Riverose Drive
Corner Brook, NL A2H 6J8
Telephone: (709) 967-1292
Facsimile: (709) 967-2292

Department of Environment and Conservation
Labrador Regional Lands Office
The Thomas Building
P.O. Box 5014, Stn. "B"
13 Churchill Street
Happy Valley-Goose Bay, NL
A0P 1E0
Telephone: (709) 896-2488
Facsimile: (709) 896-9566
08-July-2015

Via Email: 

All Redactions on this page are due to section 40.1 of ATIPP, 2015

...hotmail.com
townofbaybulls@nf.aibn.com

The Mayor and Councillors
Town of Bay Bulls

Dear Mayor and Council,

I write to yourself and council in regard to the land designation/zoning issues between myself and the town of Bay Bulls over the past number of months.

Synopsis

The initial Municipal Recommendation Form for Crown Land Applications within Municipal and Planning Area Boundaries Application was presented before council and approved on 18-Dec-2014.

Following this approval from the town I proceeded to submit the required applications to the appropriate government agencies. On 16-June-2015 I was informed that my application was refused due to approximately 70% of the land contained in the submission being zoned Residential Subdivision Area (RSA) which is not an appropriate land use zone.

Between the submission and rejection of my application Land Use and Planning placed the file on hold and contacted the town of Bay Bulls with a request to rectify the issue of RSA vs. Residential within 30 days. When this concern was addressed by council the motion to rezone the appropriate land was not passed. During this motion 2 councilors participated in the proceedings and voted while a conflict of interest was clearly evident. This prompted my letter to you 14-April-15. (see attached).

On 18-June-2015 I submitted two applications to the town of Bay Bulls (received 10:50am 18-June-2015). The first submission was related to approximately 30% of the initial application which was correctly zoned residential.
The second submission pertains to the remaining land encompassed in the initial application which was found to be zoned RSA and not residential. My application requests that this portion be rezoned residential.

Moving Forward

As the initial application on 18-Dec-2014 was clearly intended to be fully residential, and was approved, I

Regards,

Fraser Paul
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**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**TO BE COMPLETED BY APPLICANT – PART A**

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>DATE OF APPLICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fraser Paul</td>
<td>June 18, 2015</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAILING ADDRESS</th>
</tr>
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<tbody>
<tr>
<td>PO Box 82, Ferryland</td>
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</table>

<table>
<thead>
<tr>
<th>HOME TELEPHONE</th>
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<tbody>
<tr>
<td>902-932-9110</td>
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<table>
<thead>
<tr>
<th>LAND TO BE USED FOR</th>
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<tbody>
<tr>
<td>Residential</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>LOCATION OF LAND</th>
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<tbody>
<tr>
<td>SS Hwy</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>DIMENSIONS OF LAND</th>
</tr>
</thead>
<tbody>
<tr>
<td>See Attached</td>
</tr>
</tbody>
</table>

**TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B**

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:** Residential

**IS THE PROPOSED USE A:**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [ ] Yes
- [ ] No

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

<table>
<thead>
<tr>
<th>NORTH SIDE</th>
<th>EAST SIDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>S4c Sad Farm</td>
<td>Res</td>
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</table>

<table>
<thead>
<tr>
<th>SOUTH SIDE</th>
<th>WEST SIDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS Highway</td>
<td>S4c Sad Farm</td>
</tr>
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**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

**INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

SS Highway

<table>
<thead>
<tr>
<th>MAINTAINED YEAR ROUND</th>
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<td>[ ] Yes</td>
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<tr>
<td>BY WHOM</td>
<td>DEPT. OF TRANSP. AND WORKS</td>
</tr>
<tr>
<td>COUNCIL</td>
<td>APPLICANT</td>
</tr>
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</table>

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED**

- [ ] Yes
- [ ] No

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [ ] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.**

**CONTINUED ON PAGE 2**
<table>
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<td>☐ APPROVED SUBJECT TO THE</td>
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<th>Date</th>
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</table>

<table>
<thead>
<tr>
<th>Title</th>
</tr>
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<tbody>
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</tr>
</tbody>
</table>

**Instructions**

A. Applicant

1. This is not a Crown Lands Application Form
2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been delivered by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council of the Town or Community in which the Crown lands you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon delivery of a Crown Title, you are required to notify the Council.

B. Municipal Council

1. Please complete this form and return it to the applicant. A copy may be kept for your records.
2. Attach mapping in scale outlining the lands being applied for. Sign and date the mapping.
3. This form must be completed for all requests for Crown lands within your Municipal planning area or Municipal boundaries.
4. If you have any questions on the proposed development, please contact the applicant directly.
5. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
6. The Department reserves the right to accept an application without an approved Municipal Recommendation. In the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals at the normal manner, including a referral to the Municipality.

**Regional Lands Offices**

<table>
<thead>
<tr>
<th>Department of Municipal and Intergovernmental Affairs</th>
<th>Department of Municipal and Intergovernmental Affairs</th>
<th>Department of Municipal and Intergovernmental Affairs</th>
<th>Department of Municipal and Intergovernmental Affairs</th>
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</thead>
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<tr>
<td>Eastern Regional Lands Office</td>
<td>Central Regional Lands Office</td>
<td>Western Regional Lands Office</td>
<td>Labrador Regional Lands Office</td>
</tr>
<tr>
<td>Hawley Building, Higgins Line</td>
<td>230 Airport Boulevard, Fraser</td>
<td>Office Lower Level, Sir Richard Squires Building</td>
<td>2 Tenth Street</td>
</tr>
<tr>
<td>P.O. Box 8700</td>
<td>Mall, P.O. Box 2222, Gamler</td>
<td>P.O. Box 2006</td>
<td>2 Pleasent Street</td>
</tr>
<tr>
<td>St. John’s, NL A1B 4N6</td>
<td>N.L. A1S 2V9, Telephone: (709)</td>
<td>Corner Brook, NL A21 6A8</td>
<td>P.O. Box 504</td>
</tr>
<tr>
<td>Telephone: (709) 729-2654</td>
<td>256-1480 Faksimile: (709)</td>
<td>Telephone: (709) 637-2392</td>
<td>Telephone: (709) 896-2488</td>
</tr>
<tr>
<td>Facsimile: (709) 729-0726</td>
<td>256-1095</td>
<td>Facsimile: (709) 637-8032</td>
<td>Facsimile: (709) 896-9566</td>
</tr>
</tbody>
</table>
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS**

**WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

**THIS FORM IS MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE APPROPRIATE REGIONAL OFFICE.**

**THIS FORM MUST BE RETURNED FULLY COMPLETED AND ACCOMPANIED BY MAPPING TO SCALE, SIGNED BY A PERSON AUTHORIZED TO ACT ON BEHALF OF THE MUNICIPALITY.**

### TO BE COMPLETED BY APPLICANT – PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
<th>PAUL FROSEY</th>
<th>DATE OF APPLICATION</th>
<th>JUNE 15, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAILING ADDRESS</td>
<td>PO BOX 82</td>
<td>CITY/TOWN</td>
<td>PERRYLAND</td>
</tr>
<tr>
<td>PROVINCE</td>
<td>NL</td>
<td>POSTAL CODE</td>
<td>A0A 2HT</td>
</tr>
<tr>
<td>PHONE</td>
<td></td>
<td>LOCATION OF LAND</td>
<td>SS HWY</td>
</tr>
<tr>
<td>LAND TO BE USED FOR</td>
<td></td>
<td>DIMENSIONS OF LAND</td>
<td></td>
</tr>
</tbody>
</table>

### TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:**

- [x] RESIDENTIAL
- [ ] SUBDIVISION AREA

**IS THE PROPOSED USE A:**

- [x] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [x] YES
- [ ] NO

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [x] RESIDENTIAL
- [ ] COMMERCIAL
- [x] AGRICULTURE
- [ ] UNUSED
- [ ] OTHER

**NORTH SIDE**

- [x] TELC SOAB FORM

**EAST SIDE**

- [x] RESIDENTIAL

**SOUTH SIDE**

- [x] SS HWY

**WEST SIDE**

- [x] TELC SOAB FORM

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [ ] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

- SS HWY

**IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND?**

- [x] YES
- [ ] NO

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICANT IS APPROVED?**

- [x] YES
- [ ] NO

**IF THE LAND IS CROWN, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS.**

**CONTINUED ON PAGE 2**
INSTRUCTIONS

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM.
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been delivered by the Department.
3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form and map to the office of the Council of the Town or Community in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
7. Upon delivery of a Crown Title, you are required to notify the Council.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. Attach mapping to scale outlining the lands being applied for. Sign and date the mapping.
3. This form must be completed for all requests for Crown lands within your Municipal planning area or Municipal boundary.
4. If you have any questions on the proposed development, please contact the applicant directly.
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6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Municipal and Intergovernmental Affairs
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Telephone: (709) 729-2654
Facsimile: (709) 729-0726

Department of Municipal and Intergovernmental Affairs
Central Regional Lands Office
230 Airport Boulevard, Fraser Mall, P.O. Box 2222, Gander, NL A1V 2N9
Telephone: (709) 286-1400 Facsimile: (709) 286-1058

Department of Municipal and Intergovernmental Affairs
Western Regional Lands Office Lower Level, Sir Richard Squires Building, P.O. Box 2006
Corner Brook, NL A2H 6J8
Telephone: (709) 637-2392 Facsimile: (709) 637-8032

Department of Municipal and Intergovernmental Affairs
Labrador Regional Lands Office
2 Teet Road
P.O. Box 3014, Ste. A B, Happy Valley-Goose Bay, NL A0P 1E0
Telephone: (709) 896-2488 Facsimile: (709) 896-3566
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
June 16, 2015

Mr. Fraser Paul
P.O. Box 82
Ferryland, NL
A0A 2H0

Dear Mr. Paul:

RE: Application No: 147785
Type: Grant
Purpose: Commercial
Location: Bay Bulls

Your application, as noted above, was registered at the Crown Lands Administration Division on March 18, 2015 and sent out for referrals on April 17, 2015. One referral was to the Land Use Planning Section of this Department.

On May 6, 2015, Land Use Planning advised that approximately 70% of the land contained within the application is zoned Residential Subdivision Area (RSA) by the Bay Bulls Development Regulations. The Town of Bay Bulls RSA zoning does not allow development until a comprehensive plan is prepared to council’s satisfaction; and the zoning is amended to create an appropriate land use zone, development standards, and conditions for the area.

According to Lands Branch policy, when a refusal is received from the Land Use Planning Section indicating that the application is contrary to a Municipal Plan or regulations, then the referral process is stopped and the application must be refused.

For the above reasons, your Crown lands application, No. 147785, is refused and your file closed.

If, at future date, you wish to re-apply for this land, you will be required to submit a new Municipal Recommendation Form approved by the Town of Bay Bulls and a new Crown lands application with the applicable application fee.
If you require any additional information concerning this application we suggest you contact Corrie Davis, Manager of land Use Planning, Department of Municipal and intergovernmental Affairs (email: corriedavis@gov.nl.ca, tel. (709) 729-5409).
Yours truly,

STEVE BARNABLE
Regional Lands Manager

cc: Town of Bay Bulls
    EMA enterprises Ltd c/o O'Brien White
    Herb Edwards, Solicitor, Department of Justice and Public Safety
    Corrie Davis, Manager, Land Use Planning
IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (GENERAL)

BETWEEN:
EMA ENTERPRISES LIMITED

AND:
THE TOWN OF BAY BULLS

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BETWEEN:

EMA ENTERPRISES LIMITED

APPLICANT

AND:

THE TOWN OF BAY BULLS

RESPONDENT

ORIGINATING APPLICATION

(INTER PARTES)

TO THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR OR ONE OF THE JUDGES THEREOF:

The application of EMA Enterprises Limited, the Applicant herein, says:

1. The Applicant is a body corporate, duly created and existing pursuant to the laws of Newfoundland and Labrador, with its registered head office located at Dunns Lane, Witless Bay, Newfoundland and Labrador, A0A 4K0. (hereinafter referred to as the “Applicant” or “EMA”, as applicable)

2. The Respondent, the Town of Bay Bulls (the “Town”), is a municipality incorporated pursuant to the Municipalities Act, 1999, SNL1999 Chapter M-24, (the “Act”).

3. The Applicant is a land developer and had developed a significant sub-division in the Town of Bay Bulls containing one hundred and fourteen (114) lots.

4. The Applicant, in pursuance of its business and in conjunction with its Bay Bulls development plan, had identified a block of Crown Land within that municipality (the “subject land”), which it wished to acquire and prepared an application for same.

5. A prerequisite for such an application is that there must be attached thereto a “Municipal Recommendation Form” (the “form”) duly executed by the municipality in which the subject land
is located. An application cannot be considered without the aforesaid attachment. The “form” is
an official form of the Department of Municipal and Intergovernmental Affairs and provides inter
alia as follows:

"THIS FORM IS MUST BE SUBMITTED WITH YOUR CROWN LANDS APPLICATION TO THE
APPROPRIATE REGIONAL OFFICE. THIS FORM MUST BE RETURNED FULLY COMPLETED
AND ACCOMPANIED BY MAPPING TO SCALE SIGNED BY A PERSON AUTHORIZED TO
ACT ON BEHALF OF THE MUNICIPALITY."

6. In furtherance of its intended application, on November 8, 2012, EMA presented the Town with the
aforesaid “form” and proposed development, which the Town filed but refused to execute.

7. On March 5, 2013, one Fraser Paul ("Paul") submitted a proposal for a sixty-five (65) lot
development on the same property, the “subject land”, to the Town. He did not submit to the Town
the requisite “form” for execution.

8. On May 14, 2013, the Town wrote to EMA indicating its support of the proposed development on
the subject land but only for fifty (50) lots and required that they re-submit an amended “form”.

9. On the same day, May 14, 2013, EMA re-submitted the “form” amended as requested. The
amendment reflected the reduction in lots to fifty (50) from the proposed sixty-five (65) on the
subject land.

10. On the same date, May 14, 2013, the Town wrote Paul also indicating its support for his
development for the same property, again for only fifty (50) lots and the need for him to submit a
“form” as he had not submitted one on his original proposal.

11. On May 21, 2013, the Town received, for the first time, a “form” submitted by Paul to develop a
fifty (50) lot subdivision on the subject land.

12. The Town policy in its normal operation vis-à-vis Municipal Recommendation Forms was to approve
on a first come first serve basis and it is submitted that this is the only fair way to treat of same.
In the present case the Town did not follow their policy and previous operation practice but for reasons best known to itself held the "form" submitted by EMA on May 14, 2013, in abeyance and again refused to execute same.

While still holding the EMA submitted "form" and refusing to deal with it, the Town processed the "form" presented by Paul on June 13, 2013, 30 days after the second "form" submission of EMA, and some 7 months after the initial "form" submission of EMA, in direct violation of their policy and normal procedure and contrary to natural justice.

On June 17, 2013, Paul armed with his endorsed "form" made an "application" to Crown Lands for a grant in relation to the subject land, the very same land that EMA hoped to acquire and this was known by the Town as early as 2010.

The Town by its action deliberately prevented EMA from making application for the subject land in a timely manner although being first in line with the Town and, thereby, enabling Paul to jump ahead of EMA in the queue at Crown Lands. This was a clear breach of the Town's duty of procedural fairness.

On November 12, 2014, EMA through counsel questioned the Town's legal propriety in endorsing Paul's "form" and asked for an explanation as to why they did not follow their own procedure in favouring Paul. No such explanation was ever given.

Crown Lands has a first come first serve basis in its normal operation with regard to Crown Grants. Therefore, it is obvious that EMA was disadvantaged by action of the Town. No reason has ever been given by the Town as to why they ignored the "form" presented to them 30 days, and seven months, before Paul's by EMA.

In the normal course of events, if the Town had proceeded fairly, EMA would be first in line for the expected Crown Grant and as Crown works on a first come first serve basis would have received same. On receipt of the grant they would have applied for a sub-division permit. EMA had already developed one hundred and fourteen (114) lots on property adjacent to the subject land. The subject land was zoned for such a development and was within the approved Municipal Plan and
Development Regulation for the Town of Bay Bulls and, therefore, it is likely it would have received such a permit.

20. The Town of Bay Bulls knew or ought to have known that from June 20, 2010, EMA was intending to seek the subject land for development. On that date, EMA presented the Town with the "form" and the Town deferred until further completion of the ongoing development of EMA on adjacent property. They, therefore, knew when they made the operational decision to endorse Paul's "form" and ignore EMA's they were directly and adversely affecting them.

21. The Applicant states that the Town of Bay Bulls breached its duty of procedural fairness in favouring the applicant, Paul, by endorsing his Municipal Recommendation Form 30 days after receipt of the Municipal Recommendation Form from the Applicant. The Applicant further submits that the Town of Bay Bulls may have provided subsequent improvident approvals to Paul, to the detriment of the Applicant. The Town of Bay Bulls actions effectively blocked the Applicant from applying for a Crown Grant.

22. When the Provincial Government conferred what amounted to Veto power vis-à-vis crown grants within municipalities, it was obviously meant to be used judicially. They did not confer whimsical powers.

Damages

23. As a result of the Respondent's breach of its duty of procedural fairness, the Applicant has suffered damages more particularly set out:
   a) Cost of preparing for application and development— in an amount to be determined;
   b) Loss of profit.

24. The Applicant therefore claims against the Respondent:
   a) A declaration that the Respondent has acted beyond its authority in favouring one Fraser Paul over it;
   b) An order of certiorari quashing the Respondent's endorsement of any and all Municipal Recommendation Forms presented by Fraser Paul (in relation to the subject lands);
c) In the alternative to (b), a finding of negligence against the Respondent and/or breach of its duty of fairness;

d) General damages, including of loss of profit and/or loss of chance of opportunity;

e) Punitive and/or Exemplary damages;

f) Costs including HST on client/solicitor basis in all proceedings including Discoveries;

g) Judgment Interest pursuant to the Judgment Interest Act, R.S.N.L. 1990, c.J-2;

h) Such further and equitable relief as this Honourable Court deems just and equitable.

DATED AT St. John’s, in the Province of Newfoundland and Labrador, this 23rd day of April, 2015.

Daniel Bennett
O’BRIEN ANTHONY WHITE
(Solicitor for the Applicant)

WHOSE ADDRESS FOR SERVICE IS:
53 Bond Street, Suite 100
St. John’s, NL
A1C 1S9

TO:
The Respondent
The Town of Bay Bulls
c/o Stewart McKelvey
Suite 1100, Cabot Place
100 New Gower Street
St. John’s, NL A1C 6K3

TO:
Interested Party
c/o Herbert F. Edwards
Department of Justice and Public Safety
Confederation Building
St. John’s, NL
A1B 4J6

TO:
Interested Party
c/o Andrew Pike
Department of Municipal and Intergovernmental Affairs
P.O. Box 8700
Howley Building, Higgins Line
St. John's, NL
A1B 4J6

TO: Interested Party
Fraser Paul
P.O. Box 82
Ferryland, NL
AOA 2H0

AND TO: Supreme Court of NL
Court Registry
PO Box 937, Stn. C
St. John's, NL A1C 5M3

ISSUED AT St. John's, in the Province of Newfoundland and Labrador, this 23rd day of April, 2015.

[Signature]
REGISTRAR/CLERK
2015 01G

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (GENERAL)

BETWEEN:

EMA ENTERPRISES LIMITED

APPLICANT

AND:

THE TOWN OF BAY BULLS

RESPONDENT

AFFIDAVIT

I, Daniel Bennett, Solicitor, of the City of St. John's, in the Province of Newfoundland and Labrador, make oath and say as follows:

1. I have read and I understand the foregoing application.

2. I am the Solicitor for the Applicant and have full knowledge of the facts therein.

3. The said facts are true and correct to the best of my knowledge and belief.

SWORN TO at St. John’s, in the Province of Newfoundland and Labrador, this 23 day of April, 2015, before me;

CHRISTINA SWEETLAND
A Commissioner for Oaths in and for the Province of Newfoundland and Labrador. My commission expires on December 31, 2018.

DANIEL BENNETT
2015 016 2229

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (GENERAL)

BETWEEN:

EMA ENTERPRISES LIMITED

APPLICANT

AND:

THE TOWN OF BAY BULLS

RESPONDENT

NOTICE TO RESPONDENT

You are hereby notified that the foregoing application will be made to the Judge presiding in the chambers at the Court House at St. John's, Newfoundland and Labrador, on Tuesday, the 19th day of May, A.D. 2015, at 10:00 o'clock in the forenoon or so thereafter as the Application can be heard.

AND FURTHER TAKE NOTICE that on the hearing of the application, the Judge may make an order in favour of the Applicant in your absence and without further notice unless you or your solicitor

(a) cause to be delivered to the Applicant or the Applicant's solicitor at the address named herein for service, not later than two clear days before the hearing of the application, a true copy of any affidavit or other material that you or your solicitor intend to read on the hearing of the application, and

(b) appear on the hearing of the application at the time and place appointed for the hearing.

TO:
The Respondent
The Town of Bay Bulls
c/o Stewart McKelvey
Suite 1100, Cabot Place
100 New Gower Street
St. John's, NL A1C 6K3
TO: Interested Party
c/o Herbert F. Edwards
Department of Justice and Public Safety
Confederation Building
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TO: Interested Party
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TO: Interested Party
Fraser Paul
P.O. Box 82
Ferryland, NL
A0A 2H0
2015 01G

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (GENERAL)

BETWEEN:
EMA ENTERPRISES LIMITED
APPLICANT

AND:
THE TOWN OF BAY BULLS
RESPONDENT

Copy of Rule 54.08, of the Rules of the Supreme Court, 1986, under the Judicature Act

Return of lower court

54.08. (1) Upon receiving an originating application so endorsed, the judge, justice or justices, officer, clerk or tribunal, shall return forthwith to the Court the order, warrant, decision or reasons for judgment, together with the process commencing the proceeding, the evidence and all exhibits filed, if any, and all other things in the proceeding, together with the originating application served upon him or her, with a certificate endorsed thereon in the following form:

"Pursuant to the accompanying notice I herewith return to this Honourable Court the following papers and documents, that is to say,

(i) the order or decision (or as the case may be) and the reasons therefore,

(ii) the process commencing the proceeding and the warrant issued thereon,

(iii) the evidence taken at the hearing and all exhibits filed, and

(iv) all other papers or documents in the proceeding,

and I hereby certify to this Honourable Court that I have truly set forth all the papers and documents in my custody and power in the proceeding set forth in the originating application."

(2) If the papers and documents, or any of them, are not in the possession of the person required to transmit them, that person shall in lieu of or in addition to the certificate, so state and explain the circumstances.

(3) When the papers and documents have not been received by the Court as provided in rule 54.08(1), the Registrar shall return a certificate of the fact to the Court.

(4) The return and certificate prescribed in rule 54.08(1) or rule 54.08(2) shall have the same effect as a return to a writ of certiorari had heretofore.

(5) The Court may dispense with the return of the evidence or exhibits or any part thereof.

(6) A copy of this rule 54.08 shall appear upon or be annexed to the originating application served upon the judge, justice or justices, clerk, officer or tribunal from whom the return is required.
IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION (GENERAL)

BETWEEN:
EMA ENTERPRISES LIMITED

AND:
THE TOWN OF BAY BULLS

APPLICANT

RESPONDENT

AFFIDAVIT OF SERVICE

I, ______________________ of ______________________, make oath and say as follows:

(Personal Service)

1. On ______________________ at ______________________, I served (identify person served) with the ______________________ by leaving a copy with him (or her) at ______________________. (Where the rules provide for personal service on a corporation, etc. by leaving a copy of the document with another person, substitute: by leaving a copy with ______________________ at ______________________.)

2. I was able to identify the person by means of ______________________

(Service by leaving a copy with an adult person in the same household as an alternative to personal service)

1. I served ______________________ with the ______________________ by leaving a copy on ______________________ at ______________________ a.m./p.m. with a person ______________________ who appeared to be an adult member of the same household in which he/she is residing, at ______________________ and by sending a copy by regular letter mail (or registered or certified mail) on ______________________ to ______________________ at the same address.

2. I ascertained that the person was an adult member of the household by means of ______________________.

3. Before serving the documents in this way, I made an unsuccessful attempt to serve ______________________ personally at the same address on ______________________, and again on ______________________.

(Service by registered mail as an alternate to personal service)

1. On ______________________ I sent to ______________________ by registered mail
with Canada Post Corporation item # _______ attached to the envelope, a copy of the (identify documents served).

2. Attached is the confirmation of delivery receipt obtained from Canada Post Corporation for item # _______ showing the envelope was delivered to _______________________.

3. The item # on the confirmation of delivery receipt is identical to the item number on the registered mail receipt obtained from Canada Post Corporation for the envelope sent to _______________________.

(Service by certified mail as an alternative to personal service)
1. On __________________, I sent to __________________ by certified mail a copy of the ________________

2. I received the attached receipt card from Canada Post Corporation which indicates the documents were received on __________________ and which bears a signature that purports to be the signature of ___________________.

(Service by regular lettermail as an alternative to personal service)
1. On __________________, I sent to the (identify person served) by regular letter mail a copy of the ________________ together with an acknowledgment of receipt form.

2. On __________________, I received the attached acknowledgment of receipt form bearing a signature that purports to be the signature of ___________________.

SWORN TO at the City of St. John’s, in the Province of Newfoundland & Labrador on this _____ day of ________________ 2015 before me:
Lands Branch
Eastern Regional Lands Office

MAR 18, 2015

FRASER PAUL
P.O. Box 82
Ferryland NL
A0A 2H0

Dear Sir/Madam:

RE: APPLICATION NO.: 147785
TYPE: Grant
PURPOSE: Commercial
LOCATION: Bay Bulls

This will acknowledge receipt of the above referenced application for a Crown title. The application has now been registered and via a copy of this letter, the Department and/or agencies on the attached schedule have been asked to forward their comments and recommendations on your application to the Regional Lands Office.

Your application will be reviewed and a final decision will be made when the recommendations have been received from these Departments and/or agencies.

To assist inspectors in locating the area applied for and to avoid delays in processing your application it is advisable to place your name and application number on the site. Your application is being processed for the site indicated on the attached map.

Please note that the land is not to be occupied until you receive a fully executed title document. If you require any additional information concerning the processing of this application please contact the Regional Lands Office at the address below.

Yours truly,

LANDS OFFICER
Attachment(s)
## SCHEDULE OF REFERRAL AGENCIES

<table>
<thead>
<tr>
<th>Name:</th>
<th>Phone Number:</th>
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<tbody>
<tr>
<td>Dept. of Environment and Conservation</td>
<td>709-729-1385</td>
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<tr>
<td>Joe Connors Lands Branch</td>
<td></td>
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<tr>
<td>Dept. of Transportation &amp; Works</td>
<td>709-729-2382</td>
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<tr>
<td>Garry Spencer Regional Director</td>
<td></td>
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<td>Service NL</td>
<td>709-729-3699</td>
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<td>Stan Blackmore</td>
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<tr>
<td>Dept. of Natural Resources</td>
<td>709-729-4180</td>
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<tr>
<td>District Manager Forestry Branch</td>
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<tr>
<td>Dept. of Municipal &amp; Intergov. Affairs</td>
<td>709-729-3090</td>
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<tr>
<td>Dept. of Natural Resources</td>
<td>709-729-6408</td>
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<td>Matthew Snow</td>
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<tr>
<td>Dept. of Environment &amp; Conservation</td>
<td>709-729-4211</td>
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<td>Environment Assessment Division</td>
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<td>Dept. of Environment &amp; Conservation</td>
<td>709-729-2563</td>
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<tr>
<td>Provincial Archaeology Office</td>
<td>709-729-2462</td>
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<td>Martha Drake</td>
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GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
DEPT. OF ENVIRONMENT AND CONSERVATION

INTERIM RECEIPT

DIVISION: Lands
RECEIVED FROM: Fraser Paul
THE SUM OF: One hundred and thirteen 100
IN PAYMENT OF: Crown lands Application fee (14)

INVOICE NO. ___________ CUSTOMER NO. ___________
H.S.T. $ 13.00 TOTAL $ 113.00
CHEQUE [X] CASH [ ] MO [ ] CC [ ]

Amanda Heeney
APPLICATION INFORMATION

SURNAME: Paul
GIVEN NAME: Fraser
MAILING ADDRESS: P.O. Box 82, Ferryland, NL A0A 2H0
AGE:

CITY/TOWN: Ferryland
PROVINCE: NL
POSTAL CODE: A0A 2H0

ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR? ☑ Yes ☐ No
ARE YOU AN EMPLOYEE OF THE DEPARTMENT OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS? ☑ Yes ☐ No

HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR, OR RECEIVED LAND FROM THE CROWN? ☑ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

PROPOSED TENURE AND USE

TYPE OF APPLICATION: ☑ Lease ☐ Grant ☐ Licence to Occupy

LAND USE: ☐ Residence ☐ Cottage ☐ Aquaculture ☐ Agriculture (provide details below)
☐ Commercial (provide detailed description below) ☐ Other (provide details below):
Residential Subdivision

DESCRIBE BUILDINGS TO BE ERECTED (if applicable):

DIMENSIONS: LENGTH __________ WIDTH __________

PROPOSED WATER AND SEWAGE FACILITIES (if applicable):
☐ Well ☑ Septic ☐ Municipal Water ☐ Municipal Sewer ☐ Other (provide details below)

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

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IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):

☐ Yes ☐ No

IF YES, SPECIFY TITLE NO(S):
LAND DESCRIPTION

1. THE LAND IS SITUATED AT:

Southern Shore Highway

2. IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? ☒ YES ☐ NO

IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM ATTACHED

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL, REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

3. APPROXIMATE DIMENSIONS OF THE LAND

FRONTAGE ATTACHED metres

NAME OF WATERBODY (if applicable)

4. DISTANCE TO CLOSEST WATERBODY

1000 metres

LONG LAND

5. IS THE SITE ACCESSIBLE BY ROAD? ☒ YES ☐ NO

IF NO, WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? ☒ YES ☐ NO

IF YES, WHAT WILL BE THE APPROXIMATE LENGTH OF THE ROAD? metres

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION

☐ WALKING ☐ A.T.V. ☐ BOAT ☐ SNOWMOBILE ☒ AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

6. IS THE SITE PRESENTLY OCCUPIED? FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? ☒ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

7. ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE, SUCH AS FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC.? ☒ YES ☐ NO

IF YES, STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUNDED ON NORTH BY

BOUNDED ON SOUTH BY

BOUNDED ON EAST BY

BOUNDED ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME, FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL, IF APPLICABLE, MUST ALSO BE ATTACHED. ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, Fraser Paul, do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 2, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT, UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF MUNICIPAL AND INTERGOVERNMENTAL AFFAIRS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At St. John's
this 12th day of January 2015

Official Administering Oath

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00 plus H.S.T.)
must accompany this application.
Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atipoffice@gov.nl.ca.
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT – PART A

<table>
<thead>
<tr>
<th>NAME OF APPLICANT</th>
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<tbody>
<tr>
<td>Fraser Paul</td>
<td>Dec. 18 / 14</td>
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<td>PO Box 82</td>
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**LAND TO BE USED FOR**: Residential

<table>
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<tr>
<th>LOCATION OF LAND</th>
<th>DIMENSIONS OF LAND</th>
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<tr>
<td>95 Hwy</td>
<td>See Attached</td>
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TO BE COMPLETED BY MUNICIPAL COUNCIL – PART B

**DOES YOUR COMMUNITY HAVE**

- [ ] AN APPROVED MUNICIPAL PLAN
- [ ] CONCEPT PLAN
- [ ] NEITHER

**ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS** Residential

**IS THE PROPOSED USE A**

- [ ] PERMITTED USE
- [ ] DISCRETIONARY USE
- [ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS (ATTACH COPY OF ZONING MAP SHOWING LOCATION OF SITE)

**DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?**

- [x] YES
- [ ] NO

**DESCRIBE THE LAND USE IN THE SURROUNDING AREA**

- [x] RESIDENTIAL
- [ ] COMMERCIAL
- [x] AGRICULTURE
- [ ] LNUSED
- [ ] OTHER

**NORTH SIDE**: JC Sod Farm  
**EAST SIDE**: Residential  
**SOUTH SIDE**: S.S. Highway  
**WEST SIDE**: JC Sod Farm

**IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN**

**INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE**

- [ ] WATER AND SEWER
- [ ] WATER ONLY
- [ ] SEWER ONLY
- [x] NO SERVICES

**DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE**

- [ ] Southern Shore Highway

**IS THE ROAD PRESENTLY**

- [x] MAINTAINED YEAR ROUND
- [ ] NO

**WILL ROAD EXTENSION OR IMPROVEMENTS BE NEEDED IF THE APPLICATION IS APPROVED?**

- [ ] YES
- [ ] NO

**IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS**

- [x] CROWN
- [ ] PRIVATE
- [ ] OWNERSHIP UNCLEAR

**IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW**

**ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS**

CONTINUED ON PAGE 2
The Town of Bay Bulls will take Per Road when developed & approved by Town Engineer & Develop to the Town Standards.

Signed on behalf of Council:

[Signature]

[Date]: December 18, 2014

Title:

[Title]

INSTRUCTIONS

A. APPLICANT

1. THIS IS NOT A CROWN LANDS APPLICATION FORM

2. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of the Department and no occupation or development of the site is permitted until a formal title document has been delivered by the Department.

3. Complete Part A of this form and include an accurate sketch of the area requested or attach a map.

4. Submit this form and map to the office of the Council of the Town or Community in which the Crown lands you would like to obtain is located.

5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Land Office.

6. This form provides Council’s recommendation only. Final approval decision on your application is the responsibility of the Department.

7. Upon delivery of a Crown Title, you are required to notify the Council.

B. MUNICIPAL COUNCIL

1. Please complete this form and return it to the applicant. A copy may be taken for your records.

2. Attach mapping to scale outlining the lands being applied for. Sign and date the mapping.

3. This form must be completed for all requests for Crown lands within your Municipal planning area or Municipal boundary.

4. If you have any questions on the proposed development, please contact the applicant directly.

5. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.

6. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, where, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

Department of Municipal and Intergovernmental Affairs
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL A1B 4J6
Telephone: (709) 729-2954
Facsimile: (709) 724-0716

Department of Municipal and Intergovernmental Affairs
Central Regional Lands Office
230 Airport Boulevard, Fraser Mall, P.O. Box 2222 Gander, NL A1V 2N9 Telephone: (709) 256-1400 Facsimile: (709) 256-1065

Department of Municipal and Intergovernmental Affairs
Western Regional Lands Office Lower Level, Sir Richard Squires Building
P.O. Box 2006 Corner Brook, NL A2H 6J8 Telephone: (709) 637-2392 Facsimile: (709) 637-8032

Department of Municipal and Intergovernmental Affairs
Labrador Regional Lands Office
2 Tenth Street
P.O. Box 3014, Stn. "B" Happy Valley-Goose Bay, NL A0P 1E0 Telephone: (709) 896-2483 Facsimile: (709) 896-9266
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
**Newfoundland Labrador**

**MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES**

This form is must be submitted with your crown lands application to the appropriate regional office. This form must be returned fully completed and accompanied by mapping to scale, signed by a person authorized to act on behalf of the municipality.

<table>
<thead>
<tr>
<th><strong>TO BE COMPLETED BY APPLICANT - PART A</strong></th>
<th><strong>DATE OF APPLICATION</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NAME OF APPLICANT</strong></td>
<td><strong>Dec. 18 / 14</strong></td>
</tr>
<tr>
<td><strong>FRASER PAUL</strong></td>
<td></td>
</tr>
<tr>
<td><strong>MAILING ADDRESS</strong></td>
<td></td>
</tr>
<tr>
<td><strong>PO Box 82</strong></td>
<td></td>
</tr>
<tr>
<td><strong>CITY/TOWN</strong></td>
<td><strong>Residential</strong></td>
</tr>
<tr>
<td><strong>Nascent</strong></td>
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<td><strong>PROVINCE</strong></td>
<td><strong>NL</strong></td>
</tr>
<tr>
<td><strong>POSTAL CODE</strong></td>
<td><strong>A0A 2H0</strong></td>
</tr>
</tbody>
</table>

**LAND TO BE USED FOR:** Residential

**LOCATION OF LAND:** S.S. Hwy

**DIMENSIONS OF LAND:** See Attached

<table>
<thead>
<tr>
<th><strong>TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DOES YOUR COMMUNITY HAVE:</strong></td>
</tr>
<tr>
<td>[ ] AN APPROVED MUNICIPAL PLAN</td>
</tr>
<tr>
<td>[ ] CONCEPT PLAN</td>
</tr>
<tr>
<td>[ ] NEITHER</td>
</tr>
</tbody>
</table>

According to the development regulations, the area applied for is zoned as: Residential

Is the proposed use a: [ ] Permitted Use [ ] Discretionary Use [ ] A use not included in the development regulations (attach copy of zoning map showing location of site)

Does the proposed use conform to the standards and conditions set out in the development regulations? [ ] Yes [ ] No

Describe the land use in the surrounding area:

- [ ] Residential
- [ ] Commercial
- [ ] Agriculture
- [ ] Unused
- [ ] Other

North Side: J & C Soal Farm  East Side: Residential

South Side: S.S. Highway  West Side: J & C Soal Farm

If the proposed use will conflict with existing land use in the general area, please explain:

Indicate which of the following municipal services are available at the site:

- [ ] Water and Sewer
- [ ] Water Only
- [ ] Sewer Only
- [ ] No Services

Describe type and condition of the road to the site:

Southern Shore Highway

Is the road presently maintained year round? [ ] Yes [ ] No

[ ] Council  [ ] Dept of Transp and Works  [ ] Applicant

Will road extension or improvements be needed if the application is approved? [ ] Yes [ ] No

In the opinion of the council, the land applied for is: [ ] Crown  [ ] Private  [ ] Ownership unclear

If private or ownership unclear, explain in comments below. Additionally, if site is presently occupied, please give details:

CONTINUED ON PAGE 2
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
CROWN LAND APPLICATION FEE
$100.00

MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

all redactions on this page are due to s.40.1

TO BE COMPLETED BY APPLICANT:

NAME OF APPLICANT

MAILING ADDRESS

CITY/TOWN

PROVINCE

POSTAL CODE

LAND TO BE USED FOR

LOCATION OF LAND

DIMENSIONS OF LAND

FRONTAGE

DEPTH

TO BE COMPLETED BY MUNICIPAL COUNCIL:

DOES YOUR COMMUNITY HAVE

[ ] AN APPROVED MUNICIPAL PLAN

[ ] CONCEPT PLAN

[ ] NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE

[ ] PERMITTED USE

[ ] DISCRETIONARY USE

[ ] A USE NOT INCLUDED IN THE DEVELOPMENT REGULATIONS

(a) USE CONFORM TO THE STANDARDS AND CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS?

[ ] YES

[ ] NO

DESCRIBE THE LAND USE IN THE SURROUNDING AREA

[ ] RESIDENTIAL

[ ] COMMERCIAL

[ ] AGRICULTURE

[ ] UNUSED

[ ] OTHER

NORTH SIDE

EAST SIDE

SOUTH SIDE

WEST SIDE

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL SERVICES ARE AVAILABLE AT THE SITE

[ ] WATER & SEWER

[ ] WATER ONLY

[ ] SEWER ONLY

[ ] NO SERVICES

DESCRIBE THE CONDITION OF THE ROAD TO THE SITE

[ ] PROVINCIAL HIGHWAY

IS THE ROAD PRESENTLY MAINTAINED YEAR ROUND

[ ] YES

[ ] NO

BY WHOM

[ ] COUNCIL

[ ] TRANSPORTATION

[ ] APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS BE NECESSARY IF THE APPLICATION IS APPROVED

[ ] YES

[ ] NO

IN THE OPINION OF THE COUNCIL, THE LAND APPLIED FOR IS

[ ] CROWN

[ ] PRIVATE

[ ] OWNERSHIP UNCLEAR

[ ] IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW

IF SITE IS PRESENTLY OCCUPIED, PLEASE GIVE DETAILS

CONTINUED ON PAGE 2
Application is approved but does not include private land claim.

Sandra Cahill
Signed
Sept 15, 2014
Assistant Town Clerk

INSTRUCTIONS:

A. APPLICANT:
1. THIS IS NOT A CROWN LANDS APPLICATION FORM
2. Under the processing Crown Land applications within Municipalities, this form must be completed before the Department can accept you Crown Lands Application Form.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in which the Crown land you would like to obtain is located.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Government Service Centre or Regional Lands Office.
6. This form provides Council's recommendation only. Final approval or rejection of your application is the responsibility of this Department and no occupation or development of the site is permitted until a formal title document has been issued by the Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. The form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. Questions pertaining to the processing of applications may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

GOVERNMENT SERVICE CENTRES/REGIONAL LANDS OFFICES:

- Government Services and Lands
  - Government Service Centre
    - 5 Meets Place, P.O. Box 8700
    - St. John's, NF A1C 4K6
    - Telephone: (709) 729-3639
    - Facsimile: (709) 729-2271

- Government Services and Lands
  - Government Service Centre
    - McDarby Complex, P.O. Box 222
    - Grand Falls-Windsor, NF A2E 1X0
    - Telephone: (709) 256-1420
    - Facsimile: (709) 256-1438

- Government Services and Lands
  - Government Service Centre
    - The Fren Building, P.O. Box 2003
    - Corner Brook, NF A2H 6E8
    - Telephone: (709) 637-2387
    - Facsimile: (709) 637-2905

- Government Services and Lands
  - Government Service Centre
    - The Thomas Building, P.O. Box 7014, Stn. "B"
    - 13 Churchill Street
    - Happy Valley-Goose Bay, Labrador A0P 1E0
    - Telephone: (709) 895-4343
    - Facsimile: (709) 895-4343

- Government Services and Lands
  - Government Service Centre
    - The Fren Building, P.O. Box 2003
    - Corner Brook, NF A2H 6E8
    - Telephone: (709) 637-2387
    - Facsimile: (709) 637-2905

- Government Services and Lands
  - Government Service Centre
    - 2 Main Street, P.O. Box 1143
    - Grand Falls-Windsor, NF A2E 1X0
    - Telephone: (709) 469-2307
    - Facsimile: (709) 469-2307

- Government Services and Lands
  - Government Service Centre
    - 2 Main Street, P.O. Box 1143
    - Grand Falls-Windsor, NF A2E 1X0
    - Telephone: (709) 469-2307
    - Facsimile: (709) 469-2307
August 25, 2014

Town Council of Bay Bulls
Cemetery Lane West
P.O. Box 70
Bay Bulls, NL
A0A 1C0

Dear Sir/Madam:

RE: Crown Land Application
Residential Sub-Division

I request Council to review and extend the application on file agreed to and signed by Sandra Cahill on June 13, 2013.

I have attached a revised drawing of the land in question and a copy of our letters with attachments dated June 17, 2013 and July 2, 2013.

Yours truly,

Fraser Paul
Mr. Fraser Paul  
Box 82  
Ferryland, NL  
A0A 2H0

July 2, 2013

Gary Myler  
Environment and Conservation  
Crown Lands  
Government of Newfoundland and Labrador

Dear Mr. Myler:

RE: Application for Residential Subdivision  
Southern Shore Highway  
Bay Bulls, NL

As a follow-up to my letter to you of June 17, 2013,

I have attached a revised drawing that includes the potential claim.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

PAUL ENTERPRISES LIMITED

Fraser Paul

cc: Town Council of Bay Bulls
Dear FRASER PAUL:

This is with reference to your recent application for Crown title situated at Bay Bulls.

A review indicates your application cannot be accepted for the following reason(s):

*The Municipal Recommendation form submitted with your application was not fully completed and did not indicate that the site applied for is properly zoned for residential development.*

Enclosed please find all information you provided to this Department. A refund of the $113.00 application fee has been requested and will be sent to you directly from our Accounts Division.

If you have any further questions please contact this office at the address listed below.

Yours truly,

[Signature]

LANDS OFFICER

Attachment(s)
June 17, 2013

Department of Environment and Conservation
Eastern Regional Lands Office
Howley Building, Higgins Line
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Sir/Madam:

RE: Fraser Paul
Application for Residential Subdivision
Southern Shore Highway
Bay Bulls, NL

Attached please find the following:

1. Application fee of $100.00 plus HST, total $113.00.
2. June 17, 2013 letter to Mr. Gary Myler.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

POWER BOLAND
Chartered Accountants

Michael F. Power, C.A.
MFP/gmh
Enclosures
**NEWFOUNDLAND LABRADOR**  
Environment and Conservation

**APPLICATION FOR CROWN LANDS**

**FOR DEPARTMENT USE ONLY**

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<th>RECEIPT NO.</th>
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**APPLICATION INFORMATION**

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<tr>
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<th>GIVEN NAME</th>
<th>MIDDLE NAME</th>
<th>AGE</th>
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<tbody>
<tr>
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<td>F. N.</td>
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<td>82, MARSH</td>
<td>NEWLAND</td>
<td>NL</td>
<td>A0A 2H0</td>
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**ARE YOU A RESIDENT OF THE PROVINCE OF NEWFOUNDLAND AND LABRADOR?**

[ ] Yes  [ ] No

**OF ENVIRONMENT AND CONSERVATION?**

[ ] Yes  [ ] No

**HAVE YOU, YOUR SPOUSE, OR ANY DEPENDENT CHILDREN EVER APPLIED FOR OR RECEIVED LAND FROM THE CROWN?**

[ ] Yes  [ ] No

**PROPOSED TENURE AND USE**

**TYPE OF APPLICATION**

[ ] Lease  [x] Grant  [ ] Licence to Occupy

**LAND USE**

[ ] Residence  [ ] Cottage  [ ] Aquaculture  [ ] Agriculture

**COMMERCIAL**

Provide detailed description and information on other uses if applicable.

[ ] Residential Subdivision

**DESCRIPTIVE BUILDINGS TO BE ERECTED (if applicable)**

**DIMENSIONS**

<table>
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<th>SEPTIC</th>
<th>MUNICIPAL WATER</th>
<th>MUNICIPAL SEWER</th>
<th>OTHER</th>
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<td></td>
<td></td>
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</tbody>
</table>

Provide details below.
LAND DESCRIPTION

THE LAND IS SITUATED AT

IN THE ELECTORAL DISTRICT OF

IS THE LAND APPLIED FOR LOCATED WITHIN MUNICIPAL BOUNDARIES? X YES NO

IF YES, YOU MUST ENCLOSURE A MUNICIPAL RECOMMENDATION FORM

NOTE: THIS FORM IS AVAILABLE FROM THE MUNICIPAL COUNCIL.
REGIONAL LANDS OFFICE, & GOVERNMENT SERVICE CENTRES

APPROXIMATE DIMENSIONS OF THE LAND

DISTANCE TO CLOSEST WATERBODY

IS THE SITE ACCESSIBLE BY ROAD? X YES NO

IF NO WILL THE SITE REQUIRE NEW ROAD CONSTRUCTION FOR ACCESS? X YES NO

TOTAL APPROXIMATE LENGTH OF ROAD

FOR SITES WITHOUT ROAD ACCESS, PLEASE INDICATE METHOD OF TRANSPORTATION WALKING A VEHICLE BOAT DRUMBOAT AIRCRAFT

FOR SITES WITHOUT ROAD ACCESS, LOCATION OF ACCESS ROUTE MUST BE INDICATED ON THE MAP ATTACHED TO THE APPLICATION AND ACCESS BY A V.T.V. MUST BE IN ACCORDANCE WITH A.T.V. REGULATIONS.

IS THE SITE PRESENTLY OCCUPIED: FENCES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING? X YES NO

IF YES STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

ARE YOU AWARE OF ANY EVIDENCE OF PREVIOUS LAND USE SUCH AS EVICES, BUILDINGS, SIGNS, CLEARING, LOCAL UNDERSTANDING, ETC? X YES NO

IF YES STATE YEAR OCCUPATION COMMENCED, AREA OCCUPIED AND NAME OF PERSON WHO DEVELOPED OR OCCUPIED THE LAND

DESCRIPTION OF LAND

Please Note: When your application is accepted by this Department you are required to identify the site in the field by clearly marking your corner posts. If there is a discrepancy between the area marked in the field and the area indicated on the map, the latter shall prevail.

Sketch the land applied for showing distance to prominent nearby features such as buildings, fences, road intersections. Map must also be attached.

BOUND ON NORTH BY

BOUND ON SOUTH BY

BOUND ON EAST BY

BOUND ON WEST BY

PLEASE NOTE: IT IS THE POLICY OF THE CROWN LANDS DIVISION TO ACCEPT APPLICATIONS ON A FIRST COME FIRST SERVE BASIS. APPLICATIONS MUST BE FULLY COMPLETED, WITH A MAP SHOWING THE EXACT LOCATIONS OF THE LAND APPLIED FOR TOGETHER WITH THE APPLICATION FEE. THE APPROVED MUNICIPAL RECOMMENDATION FORM FROM COUNCIL IF APPLICABLE MUST ALSO BE ATTACHED ONLY THEN WILL THE APPLICATION BE ACCEPTED AND DEEMED REGISTERABLE BY THIS DEPARTMENT.
AFFIDAVIT OF APPLICANT (to be read carefully)

I, [Name], do hereby make oath and declare as follows:

(a) The information contained in this application is true and correct to the best of my knowledge and belief.
(b) I have inspected the land applied for and have found no evidence of occupation (with the exception of No. 6 and/or No. 7 on page 1, where applicable).
(c) I am not aware of any adverse claim to the land applied for by any person(s).
(d) I recognize and accept that I am solely responsible for correctly identifying the parcel of land that is the subject of this application.
(e) I fully understand that acceptance of this application by the Department does not give me any rights or privileges in relation to the land under application.
(f) I FULLY UNDERSTAND THAT THE LAND IS NOT TO BE OCCUPIED UNTIL I RECEIVE A FULLY EXECUTED TITLE DOCUMENT.
(g) I FULLY UNDERSTAND THAT UNDER SECTION 14 OF THE LANDS ACT, THE MINISTER OF GOVERNMENT SERVICES AND LANDS MAY CANCEL OR REFUSE THIS APPLICATION AT HIS OR HER DISCRETION AT ANY TIME PRIOR TO THE DELIVERY OF A FULLY EXECUTED TITLE DOCUMENT.

Sworn before me
At [Location]
this [Date] day of [Month], 2013

Official Administering Oath

Applicant's Signature

NOTE: A non-refundable processing fee of ONE HUNDRED DOLLARS ($100.00) plus H.S.T. must accompany this application.

Cheques or money orders are to be made payable to the NEWFOUNDLAND EXCHEQUER ACCOUNT.
Potential copyright material

If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
MUNICIPAL RECOMMENDATION FORM FOR CROWN LAND APPLICATIONS
WITHIN MUNICIPAL AND PLANNING AREA BOUNDARIES

TO BE COMPLETED BY APPLICANT - PART A

NAME OF APPLICANT

MAILING ADDRESS

CITY/TOWN

LOCATION OF LAND

TO BE COMPLETED BY MUNICIPAL COUNCIL - PART B

DOES YOUR COMMUNITY HAVE

☐ AN APPROVED MUNICIPAL PLAN

☐ CONCEPT PLAN

☐ NEITHER

ACCORDING TO THE DEVELOPMENT REGULATIONS THE AREA APPLIED FOR IS ZONED AS:

IS THE PROPOSED USE A:

☐ PERMITTED USE

☐ DISCRETIONARY USE

☐ A USE NOT INCLUDED IN THE

DEVELOPMENT REGULATIONS

ATTACH COPY OF ZONING MAP

SHOWING LOCATION OF SITE

DOES THE PROPOSED USE CONFORM TO THE STANDARDS AND

CONDITIONS SET OUT IN THE DEVELOPMENT REGULATIONS? ☐ YES ☐ NO

DESCRIBE THE LAND USE

IN THE SURROUNDING AREA

☐ RESIDENTIAL ☐ COMMERCIAL ☐ AGRICULTURE ☐ UNUSHD ☐ OTHER

NORTH SIDE ___________________ EAST SIDE ___________________

SOUTH SIDE ___________________ WEST SIDE ___________________

IF THE PROPOSED USE WILL CONFLICT WITH EXISTING LAND USE IN THE GENERAL AREA, PLEASE EXPLAIN

INDICATE WHICH OF THE FOLLOWING MUNICIPAL

SERVICES ARE AVAILABLE AT THE SITE

☐ WATER AND SEWER ☐ WATER ONLY ☐ SEWER ONLY ☐ NO SERVICES

DESCRIBE TYPE AND CONDITION OF THE ROAD TO THE SITE

S.S. HwY

IS THE ROAD PRESENTLY

MAINTAINED YEAR ROUND ☐ YES ☐ NO

☐ COUNCIL ☐ DEPT. OF TRANSP. AND WORKS ☐ APPLICANT

WILL ROAD EXTENSION OR IMPROVEMENTS

BE NEEDED IF THE APPLICATION IS APPROVED ☐ YES ☐ NO

IN THE OPINION OF THE COUNCIL,

THE LAND APPLIED FOR IS

☐ CROWN ☐ PRIVATE ☐ OWNERSHIP UNCLEAR

IF PRIVATE OR OWNERSHIP UNCLEAR, EXPLAIN IN COMMENTS BELOW. ADDITIONALLY, IF SITE IS PRESENTLY OCCUPIED,

PLEASE GIVE DETAILS.

CONTINUED ON PAGE 2
INSTRUCTIONS

A. APPLICANT:
1. This is not a Crown Lands Application Form.
2. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.
3. Complete part A of this form and include an accurate sketch of the area requested or attach a map.
4. Submit this form to the office of the Council in the Municipal planning area.
5. When the Council has completed its recommendation you may submit your application along with this approval form to the appropriate Regional Land Office.
6. This form provides Council's recommendation only. Final approval decision on your application is the responsibility of this Department.

B. MUNICIPAL COUNCIL:
1. Please complete this form and return it to the applicant. A copy may be taken for your records.
2. This form must be completed for all requests for Crown land within your Municipal planning area boundary.
3. If you have any questions on the proposed development, please contact the applicant directly.
4. For questions pertaining to the processing of applicants may be made to the nearest Regional Lands Office.
5. The Department reserves the right to accept an application without an approved Municipal Recommendation Form, when, in the opinion of the Department, the Recommendation Form had not been processed by Council in a timely manner. In such cases, the Regional Lands Office will proceed with referrals in the normal manner, including a referral to the Municipality.

REGIONAL LANDS OFFICES

- Department of Environment and Conservation, Eastern Regional Lands Office, Howley Building, St. John's, NL, A1B 4J6
  - Telephone: (709) 729-2631
  - Facsimile: (709) 729-0726

- Department of Environment and Conservation, Central Regional Lands Office, 230 Airport Boulevard, Goose Bay, Labrador, NL, A1G 2N9
  - Telephone: (709) 226-1470
  - Facsimile: (709) 226-6571

- Department of Environment and Conservation, Western Regional Lands Office, The Towne Building, P.O. Box 1396, St. John's, NL, A1B 4J6
  - Telephone: (709) 637-2392
  - Facsimile: (709) 637-2903

- Department of Environment and Conservation, Labrador Regional Lands Office, The Thomas Building, P.O. Box 3014, St. "B", Churchill Street, Happy Valley-Goose Bay, NL, A1Y 2E9
  - Telephone: (709) 896-2488
  - Facsimile: (709) 896-9266
May 24, 2013

Town of Bay Bulls
Cemetery Lane West
P.O. Box 70
Bay Bulls, NL
A0A 1C0

Dear Sir/Madam:

RE: Application for Crown Land

Our Company desires to co-operate with Council on the development of residential building lots.

As part of our application we assert to Council that, of the 15 hectares, we intend to develop 50 building lots and to designate a portion of the land as green space including a children's play area with playground equipment.

We make this offer in the spirit of co-operation with Council on this and future applications with the Town of Bay Bulls.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

PAUL ENTERPRISES LIMITED

Fraser Paul
May 14, 2013

Fraser Paul  
P.O. Box 82  
Ferryland, NL A0A 2H0

Dear Mr. Paul:

Your proposed site development for crown land for a subdivision on the Southern Shore Highway in Bay Bulls was reviewed at the public meeting of council held May 13, 2013.

The Town supports your development; however you are required to submit a crown land application to the Town for municipal approval. Please note the Town will only approve land enough to accommodate a fifty (50) lot development per phase subdivision.

We trust you will find the above in order, however should you have any questions please contact the undersigned.

Yours truly,

Sandra Cahill  
Assistant Town Clerk  
TOWN OF BAY BULLS
March 14, 2013

Fraser Paul  
c/o Power Boland Chartered Accountants  
Suite 101, Regatta Plaza 11  
St. John’s, NL A1A 1W7

Dear Mr. Paul:

RE: Crown Land Application Southern Shore Hwy, Town of Bay Bulls

Your request for crown land to develop a 65 lot subdivision on the Southern Shore Highway, Bay Bulls was reviewed at a public meeting of Council held March 11, 2013. Please be advised that your request was deferred at that time for council’s consultation with other developers who have already applied for land in that area.

We trust you find the above in order, however if you have any questions please call the town office.

Yours truly,

Sandra Cahill  
Assistant Town Clerk

Mayor & Council  
TOWN OF BAY BULLS
December 11, 2012

Fraser Paul  
C/o Power Boland Chartered Accountants  
Suite 101, Regatta Plaza 11  
St. John’s, NL A1A 1W7

Dear Mr. Paul:

RE: Crown Land Application 2012-504

Your application for crown land at 62 -100 Southern Shore Highway to develop a residential subdivision was reviewed at the public meeting of council held December 10/12. Pleased be advised that your application was deferred at that time for proper mapping showing the amount of land applied for.

Council will re-table your application when this information is received.

Yours truly,

Sandra Cahill  
Assistant Town Clerk  
For/
Mayor & Council  
TOWN OF BAY BULLS