

EC2004-179**PROVINCE OF PRINCE EDWARD ISLAND
ESTIMATE OF EXPENDITURE
FISCAL YEAR 2004-2005**

This Council in Committee, having under consideration the Estimates of Expenditure required to carry on the Public Services of the Province for the fiscal year ending 31 March 2005, and amounting in all to the sum of one billion, seventy-five million, eight hundred and fifty-two thousand and seven hundred dollars (\$1,075,852,700), which amount includes the sum of twenty-six million, two hundred and fifty thousand dollars (\$26,250,000) for Capital Expenditures, together with a sum sufficient for similar expenditure to carry on the public service of the province from the expiration of the fiscal year ending 31 March 2005 up to and until the final passage of the Estimates for the year ending 31 March 2006, it was and is hereby recommended that the Estimates be approved by His Honour, the Administrator of the Province of Prince Edward Island, and be presented to the Legislative Assembly during the present session thereof.

EC2004-180**APPRENTICESHIP AND TRADES QUALIFICATION ACT
REGULATIONS
AMENDMENT**

Pursuant to section 10 of the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.1, Council made the following regulations:

1. Section 5 of the *Apprenticeship and Trades Qualification Act Regulations (EC712/95)* is amended by the addition of the words “construction electrician,” after the words “automotive service technician,”.

2. These regulations come into force on June 30, 2004.

EXPLANATORY NOTES

The amendment adds to the regulations construction electrician as a certified trade.

EC2004-181

EXECUTIVE COUNCIL ACT
 ATTORNEY GENERAL
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (RE: CHILD CENTERED FAMILY JUSTICE FUND
 PROJECT FUNDING AGREEMENT)
 WITH THE
 GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Attorney General to enter into an agreement with the Government of Canada, as represented by the Minister of Justice and the Attorney General, to set out the terms and conditions of cost-shared funding in fiscal year 2003/04 for certain family justice activities, such as more particularly described in the draft agreement.

EC2004-182

EXECUTIVE COUNCIL ACT
 PREMIER
 AND
 MINISTER OF COMMUNITY AND CULTURAL AFFAIRS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA STRATEGIC INFRASTRUCTURE FUND
 CANADA-PRINCE EDWARD ISLAND-STRATFORD
 MUNICIPAL WATER AND SEWER SYSTEM
 2003-2004 TO 2007-2008)
 WITH THE
 GOVERNMENT OF CANADA
 AND THE
 TOWN OF STRATFORD

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier and the Minister of Community and Cultural Affairs to enter into an agreement with the Government of Canada as represented by the Minister of State (Infrastructure) on behalf of the Minister of the Environment, and the Town of Stratford, to set out terms and conditions of funding under the Canada Strategic Infrastructure Program to expand the municipal water and sewer system and upgrade the existing primary sewage treatment plant in the Town of Stratford, such as more particularly described in the draft agreement.

EC2004-183

HIGHWAY TRAFFIC ACT
 FARM TRUCK REGISTRATION REGULATIONS
 AMENDMENT

Pursuant to section 31 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

1. Section 1 of the *Highway Traffic Act* Farm Truck Registration Regulations (EC356/74) is amended

(a) in clause (a), by the deletion of the word “fifty” wherever it occurs and the substitution of the words “twenty-five”; and

(b) in clause (c), by the deletion of the word “1500” and the substitution of the word “4,500”.

2. Subsection 7(2) of the regulations is amended by the deletion of the words “and is liable on summary conviction to a fine not exceeding one hundred dollars but not being less than ten dollars and in default of payment thereof to a maximum of thirty days imprisonment” and the substitution of the words “and is liable on summary conviction to a fine of not less than \$500 and not more than \$1,000 and in default of payment is liable to imprisonment for a term of not more than 30 days, or to both”.

3. These regulations come into force on April 10, 2004.

EXPLANATORY NOTES

SECTION 1 amends the required percentage of working time that a *bona fide* farmer has to spend on his or her farm and amends the minimum weight rating of a farm truck.

SECTION 2 updates the penalty section.

SECTION 3 provides for the commencement of these regulations.

EC2004-184

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
TOM BANNING AND LORI BANNING
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Tom Banning and Lori Banning, both of Plymouth, Massachusetts to acquire a land holding of approximately twelve decimal seven (12.7) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Ivan Maynard and Mary Maynard, both of Hamilton, Ontario PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-185

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RAYMOND DHILLON
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Raymond Dhillon of Victoria, British Columbia to acquire a land holding of approximately ninety (90) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Lloyd Bernard of Desable, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Raymond Dhillon and on all successors in title.

EC2004-186

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 COLIN KAY
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Colin Kay of Etobicoke, Ontario to acquire a land holding of approximately fifteen (15) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Roderick J. MacNeill of Stratford, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-187

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JOHN KLAUCK, TIMOTHY KLAUCK, AND BRIAN CURTNER
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to John Klauck of Port Colborne, Ontario; and Timothy Klauck and Brian Curtner, both of Toronto, Ontario to acquire an interest in a land holding of approximately zero decimal six nine (0.69) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from Paul MacDonald of East Wiltshire, Prince Edward Island.

EC2004-188

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 JOHN KLAUCK, TIMOTHY KLAUCK, AND BRIAN CURTNER
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to John Klauck of Port Colborne, Ontario; and Timothy Klauck and Brian Curtner, both of Toronto, Ontario to acquire an interest in a land holding of approximately fifty-one decimal two two (51.22) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from Strathgartney Golf Inc. of East Wiltshire, Prince Edward Island.

EC2004-189

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 REGAN TOEWS
 (APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Regan Toews of Lloydminster, Alberta to acquire a land holding of approximately eighty (80) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Leonard D. Lutz and Todd Lutz, both of Mount Stewart; Kenneth B. Lutz and Wilma E. P. Lutz, both of Bangor; Linda M. Ronaghan and Heather Bradley, both of Morell; and Anthony J. Lutz of Peakes Road; all of Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-190

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 THE COLLEGE OF PIPING AND
 CELTIC PERFORMING ARTS OF CANADA INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to The College of Piping and Celtic Performing Arts of Canada Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately six (6) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Paul Read and Gayle Read, both of Summerside, Prince Edward Island.

EC2004-191

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 THE COLLEGE OF PIPING AND
 CELTIC PERFORMING ARTS OF CANADA INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to The College of Piping and Celtic Performing Arts of Canada Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately zero decimal one three (0.13) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island.

EC2004-192

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEWIS BROS. INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lewis Bros. Inc. of York, Prince Edward Island to acquire a land holding of approximately one hundred and sixty-five decimal five (165.5) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from James Brewer Lewis of York, Prince Edward Island.

EC2004-193

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEWIS BROS. INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lewis Bros. Inc. of York, Prince Edward Island to acquire a land holding of approximately ninety-seven (97) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from James Brewer Lewis and Scott Chadbourne Lewis, both of York, Prince Edward Island.

EC2004-194

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEWIS BROS. INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Lewis Bros. Inc. of York, Prince Edward Island to acquire a land holding of approximately two hundred and forty-nine decimal nine (249.9) acres of land in Lots 33 and 34, Queens County, Province of Prince Edward Island, being acquired from Scott Chadbourne Lewis of York, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-195

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately zero decimal eight six (0.86) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from Kendall Docherty of Mount Mellick, Prince Edward Island.

EC2004-196

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MCINNIS GROUP (1993) LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to McInnis Group (1993) Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately three decimal six eight (3.68) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from Thunder Resources Inc. of Summerside, Prince Edward Island.

EC2004-197

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MCINNIS GROUP (1993) LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to McInnis Group (1993) Ltd. of Summerside, Prince Edward Island to acquire a land holding of approximately one decimal nine six (1.96) acres of land in Lot 25, Prince County, Province of Prince Edward Island, being acquired from Virginia Lecky of Summerside, Prince Edward Island.

EC2004-198

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NVS INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to NVS Inc. of Souris, Prince Edward Island to acquire a land holding of approximately six decimal one seven (6.17) acres of land in Lot 45, Kings County, Province of Prince Edward Island, being acquired from Norman Levenberg and Sulochana Perry, both of Midlothain, Virginia.

EC2004-199

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SELKIRK ENTERPRISES LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Selkirk Enterprises Ltd. of Eldon, Prince Edward Island to acquire a land holding of approximately thirty-eight decimal eight seven (38.87) acres of land in Lot 57, Queens County, Province of Prince Edward Island, being acquired from Gerald MacRae and Jean MacRae, both of South Pinette, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Selkirk Enterprises Ltd. and on all successors in title.

EC2004-200

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
STRATHGARTNEY HIGHLANDS GOLF INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Strathgartney Highlands Golf Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal six nine (0.69) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from Paul MacDonald of East Wiltshire, Prince Edward Island.

Further, Council noted that the said land holding, being part of Provincial Property No. 402891, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2004-201

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 STRATHGARTNEY HIGHLANDS GOLF INC.
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Strathgartney Highlands Golf Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifty-one decimal two two (51.22) acres of land in Lot 30, Queens County, Province of Prince Edward Island, being acquired from Strathgartney Golf Inc. of East Wiltshire, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 878579, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act, such identification not to prevent continued operation of a golf course or driving range on the property. Identification continues to apply.

EC2004-202

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WESTECH AGRICULTURE LTD.
 (TO RESCIND)

Council, having under consideration Order-in-Council EC2004-42 of 20 January 2004, rescinded the said Order forthwith, thus rescinding permission for Westech Agriculture Ltd. to acquire a land holding of approximately one hundred and seventeen decimal five (117.5) acres of land in Lot 2, Prince County, from Nora G. Dorgan of Tignish, Prince Edward Island.

EC2004-203

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WESTECH AGRICULTURE LTD.
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Westech Agriculture Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately sixty-seven decimal five (67.5) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Nora G. Dorgan of Tignish, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-204

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WESTECH AGRICULTURE LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Westech Agriculture Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Nora G. Dorgan of Tignish, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Westech Agriculture Ltd. and on all successors in title.

EC2004-205

**REAL PROPERTY TAX ACT
REGULATIONS
AMENDMENT**

Pursuant to section 43 of the *Real Property Tax Act* R.S.P.E.I. 1988, Cap. R-5, Council made the following regulations:

1. The *Real Property Tax Act* Regulations (EC512/72) are amended by the addition of the following after section 24:

24.1 Where a person is eligible under section 5.1 of the Act to receive a tax credit in respect of a residential property for a calendar year, the amount of the tax credit is the amount determined by the formula

$$[A - B] \times [(C/D) \times ((1.50 - E)/100)]$$

where

- A is the assessed value of the residential property for the calendar year for which the credit is calculated;
- B is the sum of
 - (a) the value obtained by adjusting the assessed value of the residential property as of December 31, 2002 with the annual percentage increase in the All-Items Consumer Price Index for Prince Edward Island for the calendar year 2002 and for every subsequent calendar year until the calendar year immediately preceding the calendar year for which the credit is calculated; and
 - (b) the value obtained by adjusting the assessed value of any improvements made to the residential property after December 31, 2002 with the percentage increase in the All-Items Consumer Price Index for the Prince Edward Island for every calendar year after the calendar year in which the improvement was made until the calendar year immediately preceding the calendar year for which the credit is calculated;
- C is the number of days during the calendar year for which the credit is calculated that the residential property was owned by the person;
- D is the number of days in the calendar year for which the credit is calculated; and
- E is the amount of the tax credit per \$100 of assessment that the person is eligible to receive under section 5 in respect of the residential property.

Tax credit,
residential property

2. These regulations are deemed to have come into force on January 1, 2003.

EXPLANATORY NOTES

These regulations provide for the determination of the amount of the tax credit that the owner of a residential property may be eligible to receive under section 5.1 of the Act. This tax credit will provide a Consumer Price Index based limit on the tax increases that eligible residential property owners will experience due to increases in assessed property values.

EC2004-206

**ROADS ACT
HIGHWAY ACCESS REGULATIONS
AMENDMENT**

Pursuant to subsection 29(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15, Council made the following regulations:

1. Schedule D, SEASONAL HIGHWAYS, of the *Roads Act Highway Access Regulations (EC580/95)* is amended by the addition of the following after subsection 1(428):

(428.1) **Old North Shore Road RI23300:** The Old North Shore Road in the settlement of Goose River commencing at the intersection of the McAskill River Road (RI23080) thence in an easterly direction for a distance of approximately 200 metres.

2. These regulations come into force on April 10, 2004.

EXPLANATORY NOTES

This amendment will reclassify 0.2 km of the unpaved portion of the Old North Shore Road in the settlement of Goose River as a seasonal highway, enabling the Department of Transportation and Public Works to provide seasonal maintenance.

EC2004-207

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule II of the *Summary Proceedings Act Ticket Regulations (EC321/01)* is amended by the addition of the following in the appropriate columns after the table entitled “Highway Traffic Act Commercial Vehicle (Configurations) Regulations (EC367/93)”:

**HIGHWAY TRAFFIC ACT
FARM TRUCK REGISTRATION REGULATIONS
(EC356/74)**

16 Making a false statement in an application or affidavit or failing to comply with the regulations	7(2)	\$500
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2. These regulations come into force on April 10, 2004.

EXPLANATORY NOTES

The amendment adds an offence provision in the *Summary Proceedings Act Ticket Regulations* for the *Highway Traffic Act Farm Truck Registration Regulations*.