

EC2008-771

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
CHARLOTTETOWN AREA DEVELOPMENT CORPORATION
AUTHORIZATION

Pursuant to subsection 2(3) of the *Island Investment Development Act* Financial Assistance Regulations (EC2005-686), Council authorized Island Investment Development Inc. to advance a term loan in the amount of five hundred thousand dollars (\$500,000.00) to the Charlottetown Area Development Corporation, on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2008-772

LENDING AGENCY ACT
REGULATIONS
GORRILL PRODUCE LTD.
AUTHORIZATION

Pursuant to subsection 2(2) of the Lending Agency Act Regulations (EC1999-406) Council authorized the Agency to advance a short term loan in the amount of one hundred and eighty-five thousand dollars (\$185,000.00) to Gorrill Produce Ltd. on terms and conditions acceptable to the Board of Directors of the P.E.I. Lending Agency.

EC2008-773

**RENEWABLE ENERGY ACT
DEVELOPMENT PERMIT REGULATIONS**

Pursuant to subsection 9(1) of the *Renewable Energy Act* R.S.P.E.I. 1988, Cap. R-12.1, Council made the following regulations:

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| 1. In these regulations, | Definitions |
| (a) "Act" means the <i>Renewable Energy Act</i> R.S.P.E.I. 1988, Cap. R-12.1; | Act |
| (b) "development permit" means a development permit issued under subsection 3(2); | development permit |
| (c) "land surveyor" means a land surveyor as defined in the <i>Land Surveyors Act</i> R.S.P.E.I. 1988, Cap. L-3.1; | land surveyor |
| (d) "large capacity renewable energy generation facility" means a renewable energy generation facility that | large capacity
renewable energy
generation facility |
| (i) uses the wind to generate electric energy, and | |
| (ii) has a name plate capacity equal to or greater than 1 megawatt. | |
| 2. (1) No person shall construct a large capacity renewable energy generation facility, or cause a large capacity renewable energy generation facility to be constructed, unless a development permit has first been issued by the Minister that authorizes the construction of the large capacity renewable energy generation facility. | Construction of
large capacity
renewable energy
generation facility,
restriction |
| (2) No person shall construct a large capacity renewable energy generation facility, or cause a large capacity renewable energy generation facility to be constructed, except in accordance with | <i>Idem</i> |

- (a) any conditions imposed by the Minister on the development permit authorizing the construction of the large capacity renewable energy generation facility; and
- (b) the survey, plans, specifications, documents or any other information supplied to the Minister under clause 3(1)(b) in respect of the application for the development permit authorizing the construction of the large capacity renewable energy generation facility.
- 3. (1)** An application for a development permit shall be made to the Minister, on a form approved by the Minister, and shall be accompanied by
- Application for
development permit
- (a) a copy of a survey, certified by a land surveyor, of the lot or parcel of land on which the large capacity renewable energy generation facility is to be constructed that shows the proposed location of the large capacity renewable energy generation facility; and
- (b) any plans, specifications, documents or other information relating to the large capacity renewable energy generation facility that the Minister considers necessary.
- (2) The Minister may, on receipt of an application for a development permit made in accordance with subsection (1), issue a development permit to the applicant where the Minister is satisfied that it is in the public interest to do so.
- Issuance of
development permit
- (3) The Minister may, on issuing a development permit, impose such conditions on the development permit as the Minister considers appropriate.
- Conditions
- (4) Subject to subsections (5) and (6), a development permit expires on the earlier of
- Expiry
- (a) the day on which the construction of the large capacity renewable energy generation facility in respect of which the development permit was issued is completed; or
- (b) the day that is 24 months after the date on which the development permit was issued.
- (5) The Minister may, before a development permit expires, amend the development permit to extend its expiration date beyond the day referred to in clause (4)(b), if the construction of the large capacity renewable energy generation facility in respect of which the permit was issued has not been completed and the Minister considers it appropriate to extend the development permit.
- Extension
- (6) The Minister may revoke or amend a development permit where the holder of the development permit has contravened a provision of the Act, a provision of these regulations or a provision of any other regulations made under the Act.
- Revocation or
amendment
- 4.** These regulations come into force on December 27, 2008.
- Commencement

EXPLANATORY NOTES

SECTION 1 provides definitions for terms used in these regulations.

SECTION 2 requires a person to obtain a development permit from the Minister prior to constructing a large capacity renewable energy generation facility.

This section also requires a person who is issued a development permit to construct a facility to comply with any conditions imposed on the development permit issued by the Minister and to construct the facility in accordance with the plans, specifications, documents or any other information supplied to the Minister in respect of the application for the development permit.

SECTION 3 indicates that an application for a development permit shall be made to the Minister, on an approved form, and be accompanied by a copy of a certified survey of the land on which the large capacity renewable energy generation facility is to be constructed and any additional information considered necessary by the Minister.

This section also authorizes the Minister to issue a development permit where the Minister is satisfied it is in the public interest to do so. In addition, this section provides for the imposition of conditions on a permit and for the expiry and revocation of a permit.

SECTION 4 provides for the commencement of these regulations.

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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 C-2, Local (Class 2) Highways, of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection 1(330):

(330.1) **Woodside Road RI12006:** The paved portion of Woodside Road (formerly Frizzell Road) commencing at the intersection of Route 6 in the settlement of Margate for a distance of 1.35 km.

2. Schedule D, Seasonal Highways, of the regulations is amended

(a) by the revocation of subsection 1(244); and

(b) by the addition of the following after subsection 1(577):

(577.1) **Woodside Road RI12006:** The Woodside Road (formerly Frizzell Road) in the settlement of Margate commencing at a point 1.35 km from the intersection of Route 6, to the shore, a distance of 0.99 km.

3. These regulations come into force on December 27, 2008.

EXPLANATORY NOTES

SECTIONS 1 and 2 amend the lengths of the local (class 2) highway and seasonal highway of the Woodside Road (formerly the Frizzell Road) RI12006. The amendment also corrects the description of the highway in the settlement of Margate.

SECTION 3 provides for the commencement of these regulations.

EC2008-775

**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 C-3, Local (Class 3) Highways, of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after subsection 432:

(432.1) **Shaws Wharf Road RI22092:** Shaws Wharf Road commencing at the intersection of Route 9, West River Road, in the settlement of St. Catherines for a distance of 0.41 km.

2. These regulations come into force on December 27, 2008.

EXPLANATORY NOTES

SECTION 1 classifies 0.41 km of the unpaved portion of the Shaws Wharf Road in the settlement of St. Catherines to Local (Class 3) Highway.

SECTION 2 provides for the commencement of these regulations.