

EC2009-434

EMERGENCY MEASURES ACT
 MINISTER OF COMMUNITIES, CULTURAL AFFAIRS AND LABOUR
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADIAN COUNCIL OF
 EMERGENCY MANAGEMENT ORGANIZATIONS
 MEMORANDUM OF UNDERSTANDING
 INTERJURISDICTIONAL EMERGENCY MANAGEMENT ASSISTANCE)
 WITH
 THE PROVINCES AND THE TERRITORIES

Pursuant to subsection 5(a) of the *Emergency Measures Act* R.S.P.E.I. 1988, Cap. E-6.1, Council authorized the Minister of Communities, Cultural Affairs and Labour to enter into an inter-jurisdictional agreement with participating Provinces and Territories, as represented by their Ministers Responsible for Emergency Management, to establish a framework among members of the Canadian Council of Emergency Management Organizations to enable cooperation and facilitate emergency management assistance before, during or after a significant emergency or disaster event, such as more particularly described in the draft agreement.

EC2009-435

EXECUTIVE COUNCIL ACT
 MINISTER OF COMMUNITIES, CULTURAL AFFAIRS AND LABOUR
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CANADA-PRINCE EDWARD ISLAND
 PROVINCIAL-TERRITORIAL BASE FUNDING AGREEMENT
 BUILDING CANADA PLAN
 AMENDED AND RESTATED AGREEMENT
 2007/2008 – 2016/2017)
 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 Minister of Communities, Cultural Affairs and Labour to enter into an agreement with the Government of Canada, as represented by the Minister of Transport, Infrastructure and Communities, to amend and restate the Canada-Prince Edward Island Provincial-Territorial Base Funding Agreement Building Canada Plan dated September 5, 2008, to accelerate funding for eligible public infrastructure initiatives in the Province, such as more particularly described in the draft agreement.

EC2009-436

EXECUTIVE COUNCIL ACT
 MINISTER OF ENVIRONMENT, ENERGY AND FORESTRY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (CONTRIBUTION AGREEMENT
 RE REGIONAL ADAPTATION COLLABORATIVES (RAC) PROGRAM)
 WITH
 NATURAL RESOURCES CANADA
 AND
 THE PROVINCES OF NOVA SCOTIA
 NEW BRUNSWICK
 AND
 NEWFOUNDLAND AND LABRADOR

Pursuant to clauses 10(a) and (b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Environment, Energy and Forestry to enter into an agreement with Natural Resources Canada and with the Provinces of Nova Scotia, New Brunswick, and Newfoundland and Labrador, as represented by their respective Ministers Responsible for the Environment, to set out terms and conditions of funding the Atlantic Regional Adaptation Solutions Program to provide a collaborative approach in adapting to climate change impacts in the Atlantic Provinces, such as more particularly described in the draft agreement.

EC2009-437

EXECUTIVE COUNCIL ACT
 PREMIER
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF UNDERSTANDING
 RE ACQUISITION AND DEVELOPMENT OF LAND
 AT CHARLOTTETOWN, PRINCE EDWARD ISLAND)
 WITH
 THE CHARLOTTETOWN AREA DEVELOPMENT CORPORATION
 AND
 THE MI'KMAQ CONFEDERACY OF PRINCE EDWARD ISLAND

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Premier to enter into a Memorandum of Understanding with the Charlottetown Area Development Corporation and the Mi'kmaq Confederacy of Prince Edward Island setting out general terms and conditions of an agreement in principal regarding acquisition and development of lands located at Queen Street, in the City of Charlottetown, such as more particularly described in the draft agreement.

EC2009-438

FINANCIAL ADMINISTRATION ACT
 CERTAIN ACCOUNTS RECEIVABLE OF
 DEPARTMENT OF HEALTH
 AUTHORITY TO WRITE-OFF

Pursuant to subsection 26.1(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council authorized the write-off of certain accounts receivable of the Department of Health totalling \$473,118.00 as at 31 March 2009.

Further, Council noted that this amount is fully offset by provisions for doubtful accounts in the Department of Health.

EC2009-439

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2009/10)
DEPARTMENT OF ENVIRONMENT, ENERGY AND FORESTRY

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Capital Fund for the Department of Environment, Energy and Forestry as follows:

Account Class	Account Name	Amount
Capital Projects		
1105-05026	Property Improvements	<u>\$120,000.00</u>

EC2009-440

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
RODD INVESTMENTS LTD.
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 nine million dollars (\$9,000,000.00) to Rodd Investments Ltd., subject to terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

EC2009-441

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
SUMMERSIDE REGIONAL DEVELOPMENT CORPORATION LTD.
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 of up to two million, nine hundred and twenty thousand dollars (\$2,920,000.00) to Summerside Regional Development Corporation, subject to terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

EC2009-442

ISLAND INVESTMENT DEVELOPMENT ACT
FINANCIAL ASSISTANCE REGULATIONS
TESTORI AMERICAS 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 one million, seven hundred and fifty thousand dollars (\$1,750,000.00) and an operating line-of-credit loan in the amount of four million, seventy-two thousand dollars (\$4,072,000.00) to Testori Americas Corporation, subject to terms and conditions acceptable to the Board of Directors of Island Investment Development Inc.

EC2009-443

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LEILA ELZEIN AND TRAVIS SWAIN
(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 Leila Elzein and Travis Swain, both of Edmonton, Alberta to acquire a land holding of approximately twenty-seven (27) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Milton E. Sharam of Murray Harbour, 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.

EC2009-444

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DR. ANDREW KIELLY AND VIRGINIA COOK
(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 Dr. Andrew Kielly and Virginia Cook, both of Swift Current, Saskatchewan to acquire a land holding of approximately sixty (60) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Esther Goldsen of Weston, Connecticut 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.

EC2009-445

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BRENT MCMULLEN AND BARBARA MCMULLEN
(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 Brent McMullen and Barbara McMullen, both of Shubenacadie, Nova Scotia to acquire a land holding of approximately twenty-nine decimal nine five (29.95) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Judith Goodwin, Mary Elizabeth Gillis, Jean Brown and Margaret Anne Tweedie, all of Cornwall, 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.

EC2009-446

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CAROL PENHALE
(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 Carol Penhale of Toronto, Ontario to acquire a land holding of approximately fifty-seven (57) acres of land in Lot 12, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, 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.

EC2009-447

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BARRY WALSH AND HEATHER WALSH
(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 Barry Walsh and Heather Walsh, both of Calgary, Alberta to acquire a land holding of approximately fifty-five (55) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Lloyd Burke of Fortune Bridge, 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.

EC2009-448

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 101322 P.E.I. 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 101322 P.E.I. Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately nineteen (19) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from P.Y.C. Enterprises Limited of Fort Augustus, 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 101322 P.E.I. Inc. and on all successors in title.

EC2009-449

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 A.D. ENTERPRISES 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 A.D. Enterprises Inc. of North Rustico, Prince Edward Island to acquire a land holding of approximately seven decimal four six (7.46) acres of land in Lot 32, Queens County, Province of Prince Edward Island, being acquired from Carleton Gates and Frona Gates, both of Aylesford, Nova Scotia.

EC2009-450

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 D.P. MURPHY 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 D.P. Murphy Inc. of Charlottetown, Prince Edward Island to acquire an interest in a land holding of approximately nine decimal nine two (9.92) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Michael Murphy and Laura Murphy, both of Charlottetown, Prince Edward Island; Ben Murphy of Covehead, Prince Edward Island; and Karen Murphy of North York, Ontario.

EC2009-451

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
EAST POINT POTATO 2009 INCORPORATED
(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 East Point Potato 2009 Incorporated of South Lake, Prince Edward Island to acquire a land holding of approximately two decimal six seven (2.67) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from South Lake Farms Ltd. of Souris, Prince Edward Island.

EC2009-452

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARVYN'S GARDEN 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 Marvyn's Garden Inc. of Souris, Prince Edward Island to acquire a land holding of approximately zero decimal eight four (0.84) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Murray MacDonald and Lance MacDonald, both of Elmira, Prince Edward Island.

EC2009-453

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NATURE CONSERVANCY OF CANADA (PEI) 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 the Nature Conservancy of Canada (PEI) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately sixty (60) acres of land in Lot 1, Prince County, Province of Prince Edward Island, being acquired from William Joseph Arsenault of Pleasant View, 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.

EC2009-454

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PRECISION COMPOSITES 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 Precision Composites Inc. of Bloomfield, Prince Edward Island to acquire a land holding of approximately eight decimal zero nine (8.09) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from Robert Morrissey of Tignish, Prince Edward Island PROVIDED THAT the part of the said real property that has not received subdivision approval, approximately seven decimal four three (7.43) acres, is SUBJECT TO a condition preventing subdivision. The condition preventing subdivision shall be binding on the said Precision Composites Inc. and on all successors in title.

EC2009-455

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROSEWOOD 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 Rosewood Properties Inc. of Bedeque, Prince Edward Island to acquire a land holding of approximately six decimal one eight (6.18) acres of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from Lidstone Realities Ltd. of Central Bedeque, Prince Edward Island.

EC2009-456

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SOUTH SHORE SEAFOOD 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 South Shore Seafood Ltd. of Bloomfield, Prince Edward Island to acquire a land holding of approximately six decimal zero three (6.03) acres of land in Lot 5, Prince County, Province of Prince Edward Island, being acquired from David Dalton of Bloomfield, 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 South Shore Seafood Ltd. and on all successors in title.

EC2009-457

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
VALLEY GROVE ENTERPRISES 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 Valley Grove Enterprises Ltd. of Kelvin Grove, Prince Edward Island to acquire a land holding of approximately zero decimal two eight (0.28) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from Beverley Jane Webster of Kelvin Grove, Prince Edward Island.

EC2009-458

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
W.I.N. HOLDINGS 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 W.I.N. Holdings Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal nine four (0.94) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Donald Smith and Aletha Smith, both of Charlottetown, Prince Edward Island.

EC2009-459

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILLIAMS FAMILY FARMS 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 Williams Family Farms Ltd. of Alberton, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-nine (129) acres of land in Lot 4, Prince County, Province of Prince Edward Island, being acquired from Alton Edward Williams of Alberton, 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.

EC2009-460

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WOOD ISLANDS AND AREA DEVELOPMENT CORPORATION
(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 Wood Islands and Area Development Corporation of Belle River, Prince Edward Island to acquire a land holding of approximately two decimal zero four (2.04) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works of Charlottetown, Prince Edward Island.

EC2009-461

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 916486, LOT 35, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately six decimal four six (6.46) acres of land, being Provincial Property No. 916486 located in Lot 35, Queens County, Prince Edward Island and currently owned by Arthur Corrigan and Sonya (Hooper) Corrigan, both of Donaldston, Prince Edward Island.

Council noted that this amendment will enable subdivision of the parcel into two lots, one lot of approximately three five (3.35) acres and the other of approximately three decimal one one (3.11) acres.

This Order-in-Council comes into force on 25 August 2009.

EC2009-462

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 294330, LOT 22, QUEENS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately seventy-six decimal eight (76.8) acres of land, being Provincial Property No. 294330 located in Lot 22, Queens County, Prince Edward Island and currently owned by MacKenzie Hill Farm Holdings Ltd. of North Wiltshire, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately twenty-five (25) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the new parcel and to the remaining land.

This Order-in-Council comes into force on 25 August 2009.

EC2009-463

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 629279, LOT 18, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately eighteen (18) acres of land, being Provincial Property No. 629279 located in Lot 18, Prince County, Prince Edward Island and currently owned by Souwest River Farms Ltd. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately three (3) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 25 August 2009.

EC2009-464

MENTAL HEALTH ACT
MENTAL HEALTH REVIEW BOARD
APPOINTMENTS

Pursuant to section 27 of the *Mental Health Act* R.S.P.E.I. 1988, Cap. M-6.1 Council made the following appointments:

NAME	TERM OF APPOINTMENT
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as psychiatrist, via subsection 27(3)(b)

Dr. Nadeem Dada	25 August 2009
Charlottetown	to
(reappointed)	25 August 2012

as lay member, via subsection 27(3)(c)

Leah Mayne-Cainey	25 August 2009
Charlottetown	to
(vice Miriam MacLean, resigned)	25 August 2012

as alternate chairperson, via subsection 27(4)

Michael Drake	25 August 2009
Charlottetown	to
(reappointed)	25 August 2012

as alternate psychiatrist, via subsection 27(4)

Dr. Robert Jay	25 August 2009
Stratford	to
(reappointed)	25 August 2012

as alternate lay member, via subsection 27(4)

Lona Murray	25 August 2009
Charlottetown	to
(vice Emmett Bradley, term expired)	25 August 2012

EC2009-465

PUBLIC DEPARTMENTS ACT ACTING MINISTERS APPOINTMENTS

Under authority of subsection 4(2) of the *Public Departments Act*, R.S.P.E.I. 1988, Cap. P-29 the following appointments were made:

Honourable Wesley Sheridan to be Acting Minister of Agriculture from the 24th through 26th of August 2009; Honourable Robert Ghiz to be Acting Minister of Agriculture from the 27th of August through the 1st of September 2009; and Honourable Wesley Sheridan to be Acting Minister of Agriculture from the 2nd of September 2009 and continuing until the return to the office of Honourable George Webster.

EC2009-466

PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS AMENDMENT

Pursuant to sections 8 and 8.1 of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, Council made the following regulations:

1. Section 68 of the *Planning Act* Subdivision and Development Regulations (EC693/00) is revoked and the following substituted:

68. The fees payable for subdivision and development applications are Fees prescribed in Table 12.

TABLE 12 - FEES

Application	Application type	Fee
subdivision approval	one or more lots	\$110 for the first lot plus \$55 for each additional lot*
subdivision approval	application to create vacant land condominium units	\$110 for the first unit plus \$55 for each additional condominium unit
change of use approval	change of use of an existing parcel or of one or more lots or parcels from an approved subdivision plan or subdivision use	\$110
development site evaluation	pre-development permit application to determine site compliance with Part III, C-Development Permits	\$70 per site*

development permit	(1) new building or structure, addition to or relocation of existing building or structure:	per building or structure**
	(a) less than 250 sq. ft. (23.2 sq. m.)	(a) \$30
	(b) 250 sq. ft. (23.2 sq. m.) or greater but less than 10,000 sq. ft. / 929 sq. m.	(b) \$0.11per sq. ft. / 0.09 sq. m.
	(c) 10,000 sq. ft. (929 sq. m.) or greater, where building or structure is other than a non-commercial or non-industrial agricultural building	(c) \$1,100
	(d) non-commercial or non-industrial agricultural building or structure 10,000 sq. ft. (929 sq. m.) or greater	(d) \$500
	(2) change of use of existing building or structure	\$110
	(3) travel trailer as a primary or accessory use on a lot	\$110
	(4) mobile home park or campground	\$220
	(5) wind energy conversion system with a name plate generating capacity of 1-20kw	\$100
	(6) wind energy conversion system with a name plate generating capacity of greater than 20kw but less than 50kw	\$200
	(7) wind energy conversion system with a name plate generating capacity of 50kw or greater but less than 100kw	\$300
	(8) wind energy conversion system with a name plate generating capacity of 100kw or more	\$1,100

* does not include assessment fee for on-site sewage capability

** where the structure has no floor area, the fee is based on the square footage of the structure's footprint

2. These regulations come into force on September 5, 2009.

EXPLANATORY NOTES

SECTION 1 generally increases the fee amounts payable for subdivision and development applications by 10%. But section 1 also decreases the fee amounts payable in respect of applications for development permits for

- wind energy conversion systems with a generating capacity of less than 50kw; and
- non-commercial or non-industrial agricultural buildings of 10,000 sq. ft. or greater.

SECTION 2 provides for the commencement of these regulations.

EC2009-467

SUMMARY PROCEEDINGS ACT TICKET REGULATIONS AMENDMENT

Pursuant to subsection 10(3) of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC58/08) is amended

(a) by renumbering Parts 22 to 51 as Parts 25 to 55 respectively;

(b) by the addition of the following immediately before Part 25, the table entitled “ENVIRONMENTAL PROTECTION ACT Water Well Regulations”:

PART 24

ENVIRONMENTAL PROTECTION ACT
Watercourse and Wetland Protection Regulations
(EC720/08)

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Altering a watercourse or wetland without a license or Watercourse or Wetland Activity Permit or engaging in prohibited activities.....	2(1)	\$3,000 (individual) 10,000 (corporation)
2	Altering a watercourse or wetland without a license or Watercourse or Wetland Activity Permit or causing or permitting the engaging in prohibited activities.....	2(2)	3,000 (individual) 10,000 (corporation)
3	Alteration or disturbance of ground or soil within 15 metres of a watercourse boundary or wetland boundary, or cause or permit the alteration or disturbance of the ground or soil therein without a license or Buffer Zone Activity Permit.....	3(3)	3,000 (individual) 10,000 (corporation)
4	Engaging in unauthorized activities without a license or Buffer Zone Activity Permit.....	3(4)	3,000 (individual) 10,000 (corporation)
5	Failure to notify Department of alteration or activity pursuant to license.....	5(4)	3,000 (individual) 10,000 (corporation)
6	Cultivating a row crop within 200 meters of a watercourse boundary or wetland boundary	7(2)	3,000 (individual) 10,000 (corporation)
7	Cultivating a row crop on land with greater than 9 % slope without management plan for land.....	8(2)	3,000 (individual) 10,000 (corporation)
8	Owner and operator of intensive livestock operation allowing livestock waste to enter a watercourse or wetland.....	10(3)	3,000 (individual) 10,000 (corporation)
9	Constructing or commencing or assisting in, causing or permitting intensive livestock operation within 90 metres of a watercourse boundary or wetland boundary.....	10(6)	3,000 (individual) 10,000 (corporation)
10	Failure or refusal to comply with verbal or emergency field order.....	11(6)	3,000 (individual) 10,000 (corporation)
11	Giving false or misleading information in an application, report, statement or any other document submitted to the Minister.....	12(7)	3,000 (individual) 10,000 (corporation)
12	Impeding, obstructing or knowingly making false or misleading statements to an inspector or officer	12(11)	3,000 (individual) 10,000 (corporation)

(c) by renumbering Parts 7 to 21 as Parts 9 to 23 respectively; and

(d) by the addition of the following immediately before Part 9, the table entitled “COMPANION ANIMAL PROTECTION ACT R.S.P.E.I. 1988, Cap. C-14.1”:

PART 7

BEVERAGE CONTAINERS ACT
R.S.P.E.I. 1988, Cap. B-2.1

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Selling a beverage in a beverage container of a type not approved.....	4(1)	\$1,000 (individual) 2,000 (corporation)
2	Selling a beverage in a beverage container to a retailer by an unregistered distributor.....	9(1)	1,000 (individual) 2,000 (corporation)
3	Failure to pay a deposit for a beverage container.....	10(1)	200 (individual)
4	Registered distributor failing to collect deposits payable.....	10(2)	1,000 (individual) 2,000 (corporation)
5	Registered distributor failing to remit deposits payable.....	10(4)	1,000 (individual) 2,000 (corporation)
6	Distributor selling a beverage in a beverage container without identifying markings.....	12(1)	1,000 (individual) 2,000 (corporation)
7	Retailer selling a beverage in a beverage container without identifying markings.....	12(2)	500 (individual) 1,000 (corporation)
8	Operating a beverage container depot not under the authority of a license.....	13(1)	200 (individual) 1,000 (corporation)
9	Failure to comply with terms of a beverage container depot license.....	13(5)	200 (individual) 1,000 (corporation)
10	Failure to provide records and reports concerning the operation of a beverage container depot	13(15)	200 (individual) 1,000 (corporation)
11	Failure to complete collection report	20(5)(a)	1,000 (individual) 1,000 (corporation)
12	Failure to retain copy of collection report	20(5)(c)	200 (individual) 1,000 (corporation)
13	Failure to submit copy of collection report	20(5)(d)	200 (individual) 1,000 (corporation)
14	Contravening requirements of stop sale order	26(2)	1,000 (individual) 2,000 (corporation)
15	Obstructing an inspector or auditor	29(1)	200 (individual) 1,000 (corporation)

16	Giving false or misleading information to an inspector or auditor.....	29(2)	200 (individual) 1,000 (corporation)
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PART 8

BEVERAGE CONTAINERS ACT
General Regulations
(EC274/08)

Item Number	Column I Offence	Column II Section	Column III Penalty for out of court settlement
1	Failure to keep beverage container depot clean	13(1)(a)	\$200 (individual) 1,000 (corporation)
2	Failure to store empty beverage containers and bulking items indoors	13(1)(d)	200 (individual) 1,000 (corporation)

2. These regulations come into force on September 5, 2009.

EXPLANATORY NOTES

SECTION 1 outlines the ticketable offences in the *Environmental Protection Act* Watercourse and Wetland Protection Regulations, the *Beverage Containers Act* and the *Beverage Containers Act* General Regulations.

SECTION 2 provides for the commencement of these regulations.