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**PART II**  
**REGULATIONS**

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**EC1999-485**

**AGRICULTURAL INSURANCE ACT**  
**REGULATIONS**  
**AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 7 September 1999.)

Pursuant to section 16 of the *Agricultural Insurance Act* R.S.P.E.I. 1988, Cap. A-8.2, Council approved the following regulations made by the Board of the Prince Edward Island Agricultural Insurance Corporation:

**1. Clause 17(2)(c) of the Agricultural Insurance Act Regulations (EC282/94) is amended by the addition of the following:**

(iii) 60%, at the insured's option, for potato crops only.

**2. These regulations are deemed to have come into force on April 1, 1999.**

**EXPLANATORY NOTES**

This regulation permits insured persons to purchase very basic coverage where limited protection is needed.

Certified a true copy,

Lynn E. Ellsworth  
Clerk of the Executive Council

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## EC1999-486

**AGRICULTURAL INSURANCE ACT  
COMMODITY DIVERSIFICATION RISK PROTECTION  
PROGRAM REGULATIONS  
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 7 September 1999.)

Pursuant to section 16 of the *Agricultural Insurance Act* R.S.P.E.I. 1988, Cap. A-8.2, Council approved the following regulations made by the Board of the Prince Edward Island Agricultural Insurance Corporation:

**1. Section 4 of the Agricultural Insurance Act Commodity Diversification Risk Protection Program Regulations (EC299/97) is amended by the addition of the following:**

(b) broccoli.

**2. Part I of Schedule A, of the regulations is revoked and the following substituted:**

**SCHEDULE A**

**PART I**

Broccoli & Cauliflower

1. This Schedule "A" Broccoli & Cauliflower Supplement forms an integral part of the Commodity Diversification Risk Protection Plan and as such contains supplementary information specific to broccoli and cauliflower production risk protection.
2. This broccoli and cauliflower production risk protection plan will only be offered if the Department of Agriculture and Forestry has allocated funds to support the plan as indicated in these regulations.
3. The applicant must demonstrate that the applicant has a contract for the total production from all acres the applicant intends to plant and agrees to utilize the services of a recognized Crop Scouting Agency.
4. To be eligible for insurance under this plan, the crop must be transplanted in the field between
  - (a) May 1 and July 10 for broccoli; and
  - (b) May 15 and July 31 for cauliflower.
5. Only approved varieties qualify for coverage under this program.

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6. Production to count is measured in pounds of leafless head and includes all quantity and grades of product accepted by the processor.
  7. Fresh market cauliflower heads and broccoli heads will be converted to pounds of leafless head by a formula based on actual recovery rates as determined by Island Quality Vegetables Inc. in cooperation with the Corporation.
  8. The probable yield will be calculated as for Crop Insurance, and the benchmarks for 1999 will be set at
    - (a) 8,000 pounds of head of broccoli per acre for approved broccoli varieties;
    - (b) 12,000 pounds of leafless head per acre for the Fremont cauliflower variety;
    - (c) 10,800 pounds of leafless head per acre for other approved cauliflower varieties.
  9. The guarantee will be 70% of the probable yield times the number of eligible acres.
  10. Any shortfall in total production guarantee as a result of an area of crop being destroyed within 30 days of transplanting will be compensated for at 2/3 of the unit price per pound of shortfall.
  11. Producers must receive written approval prior to destroying any crop acres.
  12. Any shortfall in production in addition to the shortfall identified in section 10 will be compensated at the unit price per pound which is:
    - (a) \$0.17 per pound of leafless head for broccoli; and
    - (b) \$0.15 per pound of leafless head for cauliflower.
  13. (1) Subject to section 15, participating producers will pay a premium rate of 8.0% of the maximum insured value.  
(2) The maximum insured value is the guarantee multiplied by the unit price.
  14. The producer premium payment must be submitted as part of the program application and applications must be submitted to the Corporation on or before May 31 of the crop year.
  15. (1) Maximum eligible acres per applicant is limited to 15 acres of broccoli and 15 acres of cauliflower for growers with less than 3 years experience.  
(2) Growers who plant more than the eligible acres will receive protection in proportion to the eligible acres.
  16. The Department of Agriculture and Forestry will contribute premiums equal to those paid by the producer.
  17. (1) Total indemnity payments under the CDRP will be limited to three times the amount of annual premiums collected from producers plus reserves from previous years.

- (2) The Department of Agriculture and Forestry is responsible for any shortfall in the fund up to the limit set out in subsection (1).
18. If indemnities exceed the limit in section 17, payment will be prorated accordingly.
19. Participating producers are required to provide a log on production practices containing the following:
- (a) variety seeded;
  - (b) transplant survival rate;
  - (c) transplanting dates;
  - (d) type and rate of fertilizer applied;
  - (e) date, rate and pesticide applied;
  - (f) date harvest started;
  - (g) date harvest completed;
  - (h) quantity of product marketed.
20. This plan will be reviewed annually and may be renewed for two additional years of operation with appropriate adjustments as deemed necessary.
21. A Proof of Loss form must be submitted to the Corporation within sixty (60) days of the completion of harvest.
22. The appeal provisions set out in the Agricultural Insurance Act Regulations (EC282/94) apply to these regulations with necessary modifications.
- 3. These regulations are deemed to have come into force on April 1, 1999.**

#### EXPLANATORY NOTES

These amendments add broccoli as an eligible crop under the CDRP and allow for fresh as well as processed product to be contracted for under the plan. Other changes update transplanting dates, unit prices and probable yield calculations applicable to cauliflower and broccoli.

Certified a true copy,  
Lynn E. Ellsworth  
Clerk of the Executive Council

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**EC1999-501****PLANNING ACT  
REGULATIONS  
AMENDMENT**

(Approved by His Honour the Lieutenant Governor in Council dated 7 September 1999.)

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

**1. Section 80.10 of the Planning Act Regulations (EC601/77) is amended****(a) by the addition of the following:**

(1.1) In this section “commercial tourist accommodations” include hotels, motels, country inns, Bed & Breakfast establishments, and rental cottages, but do not include campgrounds, or parks for recreational vehicles.

**(b) in subsection (2), by the deletion of the words “September 26, 1999” and the substitution of the words “March 31, 2000”.**

**(c) in subsection (3), by the addition of the following:**

(f) building permits for commercial tourist accommodations, in accordance with the following requirements:

(i) with the exception of signs erected pursuant to the Highway Advertisements Act Regulations (EC141/86), main and accessory buildings, parking lots, sewage disposal systems and all other structures shall not be constructed within 300 feet of the boundary of any public road or highway,

(ii) the total combined ground floor area of all main and accessory buildings shall not exceed 10% of the total area of the lot or parcel of land upon which the buildings are constructed,

(iii) main and accessory buildings shall not exceed 35 feet (10.7 metres) in height,

(iv) minimum roof slope on main and accessory buildings shall be 6:12, and roofing materials shall be either asphalt or cedar shingles,

(v) siding materials on main and accessory buildings shall be wood clapboard or board and batten, cedar shingles, brick, or sandstone quarried in Prince Edward Island.

**(d) by the addition of the following:**

Comprehensive site  
development  
agreement

(3.1) Before issuing a building permit pursuant to clause (3)(f), the Minister may require the developer to enter into a comprehensive site development agreement respecting any or all of the following parameters:

- (a) parking;
- (b) building form, including height, bulk, and exterior materials;
- (c) vehicular movement;
- (d) pedestrian circulation;
- (e) signage;
- (f) utilities, including sewerage, water and storm water management;
- (g) on-site landscaping, including measures to buffer adjacent properties; and
- (h) setback distances from road and property lines.

**2. These regulations come into force on September 7, 1999.****EXPLANATORY NOTES**

These regulations amend section 80.10 of the Planning Act Regulations governing the Greenwich Special Planning Area.

**CLAUSE (a)** adds a definition for “commercial tourist accommodations”.

**CLAUSE (b)** extends the existing moratorium on residential, commercial, and non-resource industrial development in the Greenwich Special Planning Area for six months or, at the discretion of Executive Council, a lesser time. This extension of time is to permit completion of new regulations for the Area.

**CLAUSE (c)** permits the construction of commercial tourist accommodations in the Greenwich Special Planning area.

**CLAUSE (d)** permits the Minister, before issuing a building permit for a commercial tourist accommodation, to require the developer to enter into a comprehensive site development agreement.

Certified a true copy,

Lynn E. Ellsworth  
Clerk of the Executive Council

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**PART II**  
**REGULATIONS INDEX**

Chapter Number	Title	Original Order Reference	Amendment	Authorizing Order and Date	Page
A-8.2	<b>Agricultural Insurance Act</b> Regulations	EC282/94	s.17(2)(c)(iii) [added] [eff] Apr. 1/99	EC1999-485 (07.09.99)	101
A-8.2	Agricultural Insurance Act Commodity Diversification Risk Protection Program Regulations	EC299/97	s.4(b) [added] Sch. A, Part 1 [R&S] [eff] Apr. 1/99	EC1999-486 (07.09.99)	102-104
P-8	<b>Planning Act</b> Regulations	EC601/77	s.80.10(1.1) [added] s.80.10(2) s.80.10(3)(f) [added] s.80.10(3.1) [added] [eff] Sept. 7/99	EC1999-501 (07.09.99)	105-106