

EC2003-405

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KATHRYN CAHIR
(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 Kathryn Cahir of Denver, Colorado to acquire an interest in a land holding of approximately nine decimal nine four (9.94) acres of land in Lot 37, Queens County, and Lot 38, Kings County, Province of Prince Edward Island, being acquired from Patricia Cahir Thoma of Boston, Massachusetts.

EC2003-406

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROBERT G. KEEFE
(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 Robert G. Keefe of South Gillies, Ontario to acquire a land holding of approximately five (5) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Mark Jordan and Michele Cantelo, both of Vancouver, British Columbia 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.

EC2003-407

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROBERT NICHOLAS ROACH, JR.
(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 Robert Nicholas Roach, Jr. of Jamestown, Rhode Island to acquire a land holding of approximately twenty-nine (29) acres of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from Gordon MacKay of Fortune, 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.

EC2003-408

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 901264, LOT 19, 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 twenty-one decimal four seven (21.47) acres of land, being Provincial Property No. 901264 located in Lot 19, Prince County, Prince Edward Island and currently owned by Klondike Farms Ltd. of Wilmot Valley, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately ten (10) acres, SUBJECT TO the following conditions:

- (a) the subdivided land being consolidated with the adjacent Provincial Property #798025; and
- (b) the remaining land being consolidated with the adjacent Provincial Property #780320 and identification for non-development use applying to this consolidated property.

This Order-in-Council comes into force on 5 August 2003.

EC2003-409

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 798025, LOT 19, 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 nineteen decimal four six (19.46) acres of land, being Provincial Property No. 798025 located in Lot 19, Prince County, Prince Edward Island and currently owned by Wilmot Valley Farms Ltd. of Wilmot Valley, Prince Edward Island.

Council noted that this amendment will enable use of the property for a shale pit.

This Order-in-Council comes into force on 5 August 2003.

EC2003-410

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A.J.L. 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 A.J.L. Ltd. of St. Philip, Prince Edward Island to acquire a land holding of approximately ten (10) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Klondike Farms Ltd.. of Wilmot Valley, Prince Edward Island, SUBJECT TO the said land holding being consolidated with the adjacent Provincial Property #798025 AND subject to the corporation taking such steps as may be prescribed by the Department of Fisheries, Aquaculture and Environment to ensure that use of the property as a shale pit poses no environmental threat.

EC2003-411

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A.J.L. 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 A.J.L. Ltd.. of St. Philip, Prince Edward Island to acquire a land holding of approximately nineteen decimal four six (19.46) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Wilmot Valley Farms Ltd.. of Wilmot Valley, Prince Edward Island SUBJECT TO the corporation taking such steps as may be prescribed by the Department of Fisheries, Aquaculture and Environment to ensure that use of the property as a shale pit poses no environmental threat.

EC2003-412

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
A.J.L. 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 A.J.L. Ltd . of St. Philip, Prince Edward Island to acquire a land holding of approximately one decimal eight one (1.81) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from David R. Hogg. of Wilmot Valley, Prince Edward Island.

EC2003-413

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BLACK POND FARMS 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 Black Pond Farms Ltd. of Black Pond, Prince Edward Island to acquire a land holding of approximately twenty-five decimal eight four (25.84) acres of land in Lot 46, Kings County, Province of Prince Edward Island, being acquired from Weston W. Rose of Souris, Prince Edward Island.

EC2003-414

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND COASTAL SERVICES 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 Island Coastal Services Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 62, Queens County, Province of Prince Edward Island, being acquired from Timothy James Ryan of Montague, 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.

EC2003-415

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ISLAND COASTAL SERVICES 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 Island Coastal Services Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and forty-two decimal four seven (142.47) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired pursuant to a Judgment and Order of Sale, from the Supreme Court of Prince Edward Island.

EC2003-416

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ANDERSONS CREEK GOLF CLUB 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 Andersons Creek Golf Club Inc. of Charlottetown, Prince Edward Island, to acquire a land holding of approximately one hundred and forty-two decimal four seven (142.47) acres of land in Lot 22, Queens County, Province of Prince Edward Island, being acquired from Island Coastal Services of Charlottetown, 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 Andersons Creek Golf Club Inc. and on all successors in title.

EC2003-417

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MLTH HOLDINGS INC.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2002-719 of 10 December 2002, rescinded the said Order forthwith, thus rescinding permission for MLTH Holdings Inc. of Hunter River, Prince Edward Island, to acquire approximately fifty-four acres of land in Lot 23, Prince Edward Island, from Allan and Phyllis Weeks, both of Hunter River.

EC2003-418

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MLTH HOLDINGS INC.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2002-721 of 10 December 2002, rescinded the said Order forthwith, thus rescinding permission for MLTH Holdings Inc. of Hunter River, Prince Edward Island, to acquire approximately one hundred and six decimal six (106.6) acres of land in Lots 21 and 22, Prince Edward Island, from Allan and Phyllis Weeks, both of Hunter River.

EC2003-419

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
HAMILTON FARMS INC.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hamilton Farms Inc. of Kensington, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to three hundred and thirty-two (332) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Hamilton Farms Inc. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2003-420

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
OYSTER COVE FARMS LTD.
(APPROVAL)

Pursuant to section 5 and clause 5.3(1)(b) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Oyster Cove Farms Ltd. of Kensington, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to one thousand, six hundred and sixty-six (1,666) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Oyster Cove Farms Ltd. ensures that a sufficient amount of the land leased in each year, is leased from Hamilton Farms Ltd. (in which it, Oyster Cove Farms Ltd. is a shareholder) in order to comply with clause 2(b) of the said Act, and PROVIDED THAT the said Oyster Cove Farms Ltd. files a statement with the Island Regulatory and Appeals Commission within one year of the date of this Order and prior to 31 December in every subsequent year disclosing the parcel number, the acreage and the term of lease for each parcel leased during the reporting period covered by the statement.

EC2003-421

LIQUOR CONTROL ACT
PRINCE EDWARD ISLAND LIQUOR CONTROL COMMISSION
APPOINTMENTS

Pursuant to section 4 of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14 Council made the following appointments:

NAME	TERM OF APPOINTMENT
Gordon Coles	5 August 2003
Dunstaffnage	to
(vice Doug MacEwen, term expired)	5 August 2006

James Dymont Northam (vice Gerard LeClair, term expired)	5 August 2003 to 5 August 2006
George Mansfield Summerside (vice Dana Coulson, term expired)	5 August 2003 to 5 August 2006
Joe Richard Kinkora (vice W.J.R. MacDonald, term expired)	5 August 2003 to 5 August 2006

Further, pursuant to clause 4(d) of the said Act, Council appointed George Mansfield vice-chairperson of the Commission, and pursuant to subsection 5(1), designated Gordon Coles to be chairperson, both for the duration of their terms.

EC2003-422

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. (1) Subsection 18(1) of the *Planning Act* Subdivision and Development Regulations (EC693/00) is revoked and the following substituted:

(1) Subdivisions having preliminary approval for more than 20 lots shall be granted final approval in phases. Phasing

(2) Subsection 18(3) of the regulations is revoked and the following substituted:

(3) Final approval shall not be granted for the second or a subsequent phase of a subdivision until 50% of the lots in the immediately preceding phase of the subdivision have been sold by the developer. 50% of lots must be sold before next phase approved

2. These regulations come into force on August 16, 2003.

EXPLANATORY NOTES

SUBSECTION 1(1) clarifies that large subdivisions are granted final approval in phases.

SUBSECTION 1(2) removes a requirement that 50% of the lots in a preceding phase of a subdivision must have buildings constructed on them before the next phase is approved and replaces it with a requirement that 50% of the lots in the preceding phase be sold to purchasers who are at arm's length from the developer before the next phase is approved.

SECTION 2 provides for the commencement of these regulations.

EC2003-423

**PUBLIC DEPARTMENTS ACT
DEPUTY MINISTER - APPOINTMENT
RORY M. FRANCIS
APPOINTMENT
(TO RESCIND)**

Council, having under consideration Order-in-Council EC2000/439 of 11 July 2000, rescinded the said Order, thus rescinding the appointment of Rory M. Francis as Deputy Minister of Health and Social Services effective 4 August 2003.

EC2003-424

**PUBLIC DEPARTMENTS ACT
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DEPUTY MINISTER - APPOINTMENT
DAVID B. RILEY
(APPROVED)**

Pursuant to subsection 7(1) of the *Public Departments Act* R.S.P.E.I. 1988, Cap. P-29 Council appointed David B. Riley to serve at pleasure as Deputy Minister of Health and Social Services effective 4 August 2003.

EC2003-425

REVENUE TAX ACT

**REGULATIONS
AMENDMENT**

Pursuant to 57 of the *Revenue Tax Act* R.S.P.E.I. 1988, Cap. R-14, Council made the following regulations:

1. Section 16 of the *Revenue Tax Act* Regulations (EC262/60) is amended by the addition of the following after subsection (3):

(4) The Minister may authorize a rebate to a municipality of the tax paid on liquid asphalt by asphalt contractors and included in the contract price billed to the municipality for the supply and installation of asphaltic concrete. Liquid asphalt rebate

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

EXPLANATORY NOTES

SECTION 1 allows a tax rebate to a municipality of tax paid and included in the paving contract price for liquid asphalt.

SECTION 2 provides for the commencement of these regulations.

EC2003-426

ROADS ACT

**HIGHWAY ACCESS REGULATIONS
AMENDMENT**

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

1. Schedule A-3 of the *Roads Act* Highway Access Regulations (EC580/95) is amended by the addition of the following after clause 1(3)(g):

(g.1) in the City of Charlottetown, that segment of highway that lies between Greenwood Drive and Hartz Road;

2. These regulations come into force on August 16, 2003.

EXPLANATORY NOTES

The amendment creates an infilling area on that portion of Route 2, between Greenwood Drive and Hartz Road in the City of Charlottetown.

Lieutenant Governor

President of the Executive Council