

EC2004-364

SOCIAL ASSISTANCE ACT
AND
FINANCIAL ADMINISTRATION ACT
ESTATE OF CLARA GALLANT
WAIVER OF PAYMENT
AND
CANCELLATION OF DEBT

Having under consideration the recommendation of the Minister of Health and Social Services pursuant to clause 6.1(4)(c) of the *Social Assistance Act*, R.S.P.E.I. 1988, Cap. S-4.3, Council authorized the cancellation of debt in the amount of \$40,652.20 owed by the Estate of Clara Gallant in accordance with subsection 26(1) of the of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 as follows:

Outstanding Account for Cost of Subsidized Care	Partial Payment Approved	Balance Cancelled
\$64,652.20	\$24,000.00	\$40,652.20

EC2004-365

AN ACT TO AMEND THE FILMS ACT
DECLARATION RE

Under authority of section 2 of *An Act to Amend the Films Act* Stats. P.E.I. 2004, 1st Session, c. 32 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Films Act*" to come into force effective July 17, 2004.

EC2004-366

**FILMS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 9 of the *Films Act* R.S.P.E.I. 1988, Cap. F-8, Council made the following regulations:

- 1. Sections 1 to 5 of the *Films Act* Regulations (EC675/87) are revoked.**
- 2. Section 9 of the regulations is revoked and the following substituted:**

9. The operator of a video outlet shall not sell, lease, rent, exchange or Restricted films distribute any film that has been classified by the Board
- (a) as "Explicit Material"; or
 - (b) as "Restricted" with a caption of "Graphic Sexual Content",
- to any person under the age of 18 years.

3. These regulations come into force on July 17, 2004.

EXPLANATORY NOTES

The amendments remove requirements relating to the licensing of persons who sell or rent videos to the public and the related requirements on the Minister to provide stickers to licensees. The amendments follow from revisions to the Act to remove the requirement that video outlets be licensed. The amendments also reflect current film classification categories.

EC2004-367

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILLIAM FUGATE AND EMMA FUGATE
(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 William Fugate and Emma Fugate, both of Northampton, Northants, England to acquire a land holding of approximately forty-five (45) acres of land in Lot 36, Queens County, Province of Prince Edward Island, being acquired from Doug Lidstone and Jennifer Lidstone, both 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.

EC2004-368

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DANIEL GASS AND CAROLE HERSAM
(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 Daniel Gass and Carole Hersam, both of Montpelier, Vermont to acquire a land holding of approximately one decimal seven four (1.74) acres of land in Lot 13, Prince County, Province of Prince Edward Island, being acquired from William Mathis of New Providence, New Jersey.

EC2004-369

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
RHONDA LEE LLOYD AND CARL BERNARD LLOYD
(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 Rhonda Lee Lloyd and Carl Bernard Lloyd, both of Montague, Prince Edward Island to acquire a land holding of approximately forty decimal six two (40.62) acres of land in Lot 55, Kings County, Province of Prince Edward Island, being acquired from Morley McGee and Dorothy McGee, both of Dundas, 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.

EC2004-370

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DOUG MACLEAN AND JILL MACLEAN
(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 Doug MacLean and Jill MacLean, both of Worthington, Ohio to acquire a land holding of approximately zero decimal two nine (0.29) acres of land in Lot 27, Prince County, Province of Prince Edward Island, being acquired from Murray MacDonald of Surrey, British Columbia.

EC2004-371

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MICHAEL MAGENNIS
(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 Michael Magennis of Riverview, New Brunswick to acquire a land holding of approximately one hundred and forty-eight decimal zero six (148.06) acres of land in Lot 50, Queens County, Province of Prince Edward Island, being acquired from Kevin Doyle and Trevor Doyle, both of Earnscliffe, 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.

EC2004-372

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROBERT D. REISCHAUER AND CHARLOTTE REISCHAUER
 (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 D. Reischauer and Charlotte Reischauer, both of Bethesda, Maryland to acquire a land holding of approximately ninety-seven decimal five (97.5) acres of land in Lot 59, Kings County, Province of Prince Edward Island, being acquired from Sandra O'Connor 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.

EC2004-373

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 100440 P.E.I. 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 100440 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately zero decimal one three (0.13) acres of land in Lot 28, Prince County, Province of Prince Edward Island, being acquired from Heather Peters of Summerside, Prince Edward Island.

EC2004-374

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 FERME GALLANT LTÉE
 (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 Ferme Gallant Ltée of Wellington, Prince Edward Island to acquire a land holding of approximately eighty-five decimal one seven (85.17) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Zelma Arsenault, Aline Richard and Louise Arsenault, all of Wellington, 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.

EC2004-375

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MLTH 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 MLTH Holdings Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately one hundred and six decimal six (106.6) acres of land in Lots 21 and 22, Queens County, Province of Prince Edward Island, being acquired from Allan Weeks of Hunter River, Prince Edward Island.

EC2004-376

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PAN-AMERICAN TRUST COMPANY
 (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 Pan-American Trust Company of Charlottetown, Prince Edward Island to acquire a land holding of approximately one (1) acre of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Judy Leukert of Charlottetown, Prince Edward Island.

EC2004-377

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PIGCO GENETICS 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 PigCo Genetics Inc. of Morell, Prince Edward Island to acquire a land holding of approximately one hundred and fifty-five decimal two (155.2) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Prince Edward Genetics II of Mount Albion, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 319129, 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.

EC2004-378

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 PIGCO GENETICS 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 PigCo Genetics Inc. of Morell, Prince Edward Island to acquire a land holding of approximately fifty-five (55) acres of land in Lot 40, Kings County, Province of Prince Edward Island, being acquired from Mo Dhaicdh Farms Ltd. of Morell, 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.

EC2004-379

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ROBINSON AGRI-VENTURES LIMITED
 (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 Robinson Agri-Ventures Limited of Kinkora, Prince Edward Island to acquire a land holding of approximately one hundred and forty-three decimal four six (143.46) acres of land in Lot 26, Prince County, Province of Prince Edward Island, being acquired from Brian Albert Robinson and Martha J. Robinson, both of Kinkora, 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.

EC2004-380

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WALLACE PROPERTIES 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 Wallace Properties Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately zero decimal one seven (0.17) acres of land in Lot 3, Prince County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island of Charlottetown, Prince Edward Island.

EC2004-381

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WALLACE PROPERTIES 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 Wallace Properties Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-six decimal eight seven (136.87) acres of land in Lots 3 and 6, Prince County, Province of Prince Edward Island, being acquired from Craig Wallace of Elmsdale, 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.

EC2004-382

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WALLACE PROPERTIES 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 Wallace Properties Ltd. of Elmsdale, Prince Edward Island to acquire a land holding of approximately one hundred and ten decimal six nine (110.69) acres of land in Lots 1 and 6, Prince County, Province of Prince Edward Island, being acquired from Craig Wallace of Elmsdale, Prince Edward Island.

Further, Council noted that part of the said land holding, being Provincial Property No. 595470, 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.

EC2004-383

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 918946, LOT 26, PRINCE COUNTY
 IDENTIFICATION FOR NON-DEVELOPMENT USE
 (CANCELLED)

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use in respect of approximately fourteen (14) acres of land, being Provincial Property No. 918946 located in Lot 26, Prince County, Prince Edward Island and currently owned by Rodney Corcoran of Calgary, Alberta.

This Order-in-Council comes into force on July 6, 2004.

EC2004-384

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 188607, LOT 40, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
(CANCELLED)

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use which may exist in respect of approximately fifty (50) acres of land, being Provincial Property No. 188607 located in Lot 40, Kings County, Prince Edward Island and currently owned by Allison Robbins and Ann Robbins, both of Morell, Prince Edward Island.

This Order-in-Council comes into force on July 6, 2004.

EC2004-385

**PERSONAL PROPERTY SECURITY ACT
REGULATIONS
AMENDMENT**

Pursuant to subsection 71(1) of the *Personal Property Security Act* R.S.P.E.I. 1988, Cap. P-3.1, Council made the following regulations:

1. (1) Subsection 2(1) of the *Personal Property Security Act Regulations* (EC270/98) is amended by the deletion of the words “or a search of the Registry”.

(2) The regulations are amended by the addition of the following after subsection 2(1):

- (1.1) A search of the Registry may be made Searches
 (a) by an authorized registrant; or
 (b) during the term of an agreement referred to in subsection (4), by the person with whom the Registrar has entered into the agreement.

(3) The regulations are amended by the addition of the following after subsection 2(3):

- (4) The Registrar may enter into an agreement with any person that authorizes the person to conduct one or more searches of the Registry in such manner and on such terms and conditions as the Registrar considers advisable. Agreement authorizing searches

2. These regulations come into force on July 17, 2004.

EXPLANATORY NOTES

SECTION 1 allows the Registrar to enter into an agreement with individuals who wish to conduct searches of the registry on a casual basis to search for security interests after that individual agrees to the terms that will apply to such searches.

SECTION 2 provides for the commencement of these regulations.

EC2004-386

**PLANNING ACT
SUBDIVISION AND DEVELOPMENT REGULATIONS
AMENDMENT**

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

1. Subsection 6(2) of the *Planning Act* Subdivision and Development Regulations (EC693/00) is amended

(a) in clause (f), by the deletion of the period and the substitution of a semicolon; and

(b) by the addition of the following after clause (f):

(g) industrial, commercial office or retail, institutional, public service or residential within the approximately 600 acres of the Slemon Park future development area, as described in Appendix B.

2. Subsection 10(3) of the regulations is amended

(a) in clause (b), by the deletion of the words “; and” and the substitution of a period; and

(b) by the revocation of clause (c).

3. Subsection 17(1) of the regulations is amended by the addition of the words “, other than existing roads within Slemon Park,” after the words “Roads within subdivisions”.

4. Subsection 17(3) of the regulations is amended

(a) in clause (d), by the deletion of the period and the substitution of a semicolon; and

(b) by the addition of the following after clause (d):

(e) industrial, commercial office or retail, institutional, public service or residential within the approximately 600 acres of the Slemon Park future development area, as described in Appendix B.

5. The regulations are amended by the addition of Appendix B as set out in the Schedule to these regulations.

6. These regulations come into force on July 17, 2004.

SCHEDULE

APPENDIX B

SLEMON PARK FUTURE DEVELOPMENT AREA

All that certain parcel of land situate, lying and being in Slemon Park, Township 17, in the County of Prince, Province of Prince Edward Island, shown on a plan of survey by Locus Surveys Ltd., dated December 1, 2003, drawing number 03644, being more particularly described as follows:

Commencing at a calculated point, designated as number 9453 on the above-mentioned survey plan, having coordinates E. 290878.455 and N. 402046.616;

Thence on an azimuth of 276° 00' 32" for a distance of 20.08 feet to a calculated point, designated as number 8780;

Thence on an azimuth of 281° 10' 33" for a distance of 1363.71 feet to a calculated point designated as number 8779;

Thence on an azimuth of 335° 50' 00" for a distance of 618.95 feet to a calculated point, said point designated as number 8761;

Thence on azimuth of 283° 03' 59" for a distance of 981.83 feet to a calculated point, said point designated as number 15263;

Thence on an azimuth of 35° 56' 49" for a distance of 1860.51 feet to a calculated point, said point designated as number 15264;

Thence on an azimuth of 65° 14' 51" for a distance of 161.66 feet to a calculated point, said point designated as number 15265;

Thence on an azimuth of 95° 51' 36" for a distance of 194.38 feet to a calculated point, said point designated as number 15266;

Thence on an azimuth of 35° 55' 10" for a distance of 1711.14 feet to a calculated point, said point designated as number 15267;

Thence on an azimuth of 335° 52' 32" for a distance of 46.15 feet to a calculated point, said point designated as number 15268;

Thence on an azimuth of 4° 52' 12" for a distance of 177.38 feet to a calculated point, said point designated as number 15269;

Thence on an azimuth of 36° 00' 06" for a distance of 6000.00 feet more or less to the ordinary high water mark of Malpeque Bay;

Thence southeasterly along the various courses of the ordinary high water mark of Malpeque Bay for a distance of 2215.00 feet more or less;

Thence on an azimuth of 180° 26' 00" for a distance of 2685.00 feet more or less to a calculated point, said point designated as number 15258;

Thence on an azimuth of 282° 26' 00" for a distance of 1083.19 feet to a calculated point, said point designated as number 15256;

Thence on an azimuth of 191° 53' 00" for a distance of 500.00 feet to a calculated point, said point designated as number 15255;

Thence on an azimuth of 282° 03' 00" for a distance of 786.80 feet to a calculated point, said point designated as number 15254;

Thence on an azimuth 191° 37' 00" for a distance of 546.38 feet to a calculated point, said point designated as number 15253;

Thence on an azimuth 192° 09' 16" for a distance of 599.90 feet to a calculated point, said point designated as number 15252;

Thence on an azimuth of 191° 40' 04" for a distance of 904.85 feet to a calculated point, said point designated as number 14530;

Thence on an azimuth of 191° 48' 25" for a distance of 1038.44 feet to a calculated point, said point designated as number 14529;

Thence on an azimuth 290° 13' 10" for a distance of 977.25 feet to a calculated point designated as number 14532;

Thence on an azimuth of 290° 04' 51" for a distance of 461.98 feet to a calculated point, said point designated as number 14533;

Thence on an azimuth of 215° 17' 58" for a distance of 187.33 feet to a calculated point, said point designated as number 14534;

Thence on an azimuth of 216° 30' 10" for a distance of 783.05 feet to a calculated point, said point designated as number 14535;

Thence on an azimuth of $255^{\circ} 53' 13''$ for a distance of 386.82 feet to a calculated point, said point designated as number 14641;

Thence on an azimuth of $304^{\circ} 56' 32''$ for a distance of 108.27 feet to a calculated point, said point designated as number 14642;

Thence on an azimuth of $301^{\circ} 33' 12''$ for a distance of 139.18 feet to a calculated point, said point designated as number 14643;

Thence on an azimuth of $222^{\circ} 20' 50''$ for a distance of 296.09 feet to a calculated point, said point designated as number 14644;

Thence on a curve to the right having an arc distance of 497.08 feet and a radius of 660.00 feet to a calculated point, said point designated as number 14645;

Thence on an azimuth of $191^{\circ} 17' 06''$ for a distance of 1502.97 feet to the point of commencement;

Said parcel contains 600 acres of land, a little more or less, being an intended to be **Block B**, as shown on said plan of survey by Locus Surveys Ltd.

All azimuths are north grid azimuths. All grid azimuths and coordinates are referenced to the P.E.I. stereographic projection system, prior to July 1, 1979. All coordinates are expressed in feet.

EXPLANATORY NOTES

The amendment exempts the Slemon Park future development area from the restrictions on the development of a lot, parcel or a subdivision served by a private road and exempts the future development area from the requirement for a subdivision to have public roads. The amendment also removes the regulatory need for the department to receive the consent, in writing, of adjoining property owners before granting a variance of more than 10% from the provisions of the regulations.

EXECUTIVE COUNCIL _____ 6 JULY 2004

CANADA

PROVINCE OF PRINCE EDWARD ISLAND

ELIZABETH THE SECOND, by the
Grace of God of the United Kingdom,
Canada and Her other Realms and
Territories, QUEEN, Head of the
Commonwealth, Defender of the Faith.

Lieutenant Governor

TO ALL TO WHOM these presents shall come or whom the same may in any
wise concern:

GREETING

A PROCLAMATION

WHEREAS in and by section 2 of Chapter 32 of the Acts passed by the
Legislature of Prince Edward Island in the 1st Session thereof held in the year
2004 and in the fifty-third year of Our Reign intituled "An Act to Amend the
Films Act" it is enacted as follows:

“This Act comes into force on a date that may be fixed by proclamation of the
Lieutenant Governor in Council.”,

AND WHEREAS it is deemed expedient that the said Act, Stats. P.E.I. 2004,
1st Session, c. 32 should come into force on the 17th day of July, 2004,

NOW KNOW YE that We, by and with the advice and consent of our
Executive Council for Prince Edward Island, do by this Our Proclamation
ORDER AND DECLARE that the said Act being "An Act to Amend the Films
Act" passed in the fifty-third year of Our Reign shall come into force on the
seventeenth day of July, two thousand and four of which all persons concerned
are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made
Patent and the Great Seal of Prince Edward Island to be hereunto affixed.

WITNESS the Honourable J. Léonce Bernard, Lieutenant Governor of the
Province of Prince Edward Island, at Charlottetown this sixth day of July in the
year of Our Lord two thousand and four and in the fifty-third year of Our Reign.

By Command,

Acting Clerk of the Executive Council