

EC2007-714

EXECUTIVE COUNCIL ACT
MINISTER OF AGRICULTURE
AUTHORITY TO ENTER INTO AN AGREEMENT
(CANADA-PRINCE EDWARD ISLAND IMPLEMENTATION AGREEMENT
FEDERAL-PROVINCIAL-TERRITORIAL FRAMEWORK AGREEMENT
ON AGRICULTURAL AND AGRI-FOOD POLICY
FOR THE TWENTY-FIRST CENTURY
AMENDING AGREEMENT NO. 11)
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 Agriculture to enter into an agreement with the Government of Canada, as represented by the Minister of Agriculture and Agri-Food, to amend the Federal/Provincial Agreement Establishing the Canadian Agricultural Income Stabilization Account (CAIS) Program, to establish terms and conditions of funding for the AgriStability and the AgriInvest Programs, such as more particularly described in the draft agreement.

EC2007-715

EXECUTIVE COUNCIL ACT
ATTORNEY GENERAL
AUTHORITY TO ENTER INTO AN AGREEMENT
(PROJECT FUNDING AGREEMENT
CHILD-CENTRED FAMILY JUSTICE FUND)
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 Attorney to enter into an agreement with the Government of Canada, as represented by the Minister of Justice and Attorney General, to set out terms and conditions of funding some of the costs associated with Prince Edward Island's family justice activities for the fiscal year 2007-2008, such as more particularly described in the draft agreement.

EC2007-716

FINANCIAL ADMINISTRATION ACT
PRINCE EDWARD ISLAND
AGRICULTURAL INSURANCE CORPORATION
DECLARATION TO RETAIN PROFIT
(FISCAL YEAR 2006/07)

Having under consideration the recommendation of the Treasury Board (reference TB#/308/07 of 28 November 2007) and pursuant to section 72 of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9 Council declared that the net income of the Prince Edward Island Agricultural Insurance Corporation for the year ended 31 March 2007 in the amount of \$1,431,858.00 be retained by the Corporation.

EC2007-717

FINANCIAL ADMINISTRATION ACT
TRANSFER ORDER

Pursuant to subsection 37.2(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council approved the transfer of two hundred and eighty seven thousand two hundred and thirty dollars (\$287,230.00) from general government to the Department of Social Services and Seniors, to cover salary increases for fiscal year 2006-07.

EC2007-718

FINANCIAL ADMINISTRATION ACT
TRANSFER ORDER

Pursuant to subsection 37.2(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council approved the transfer of one million, twenty-four thousand, four hundred dollars (\$1,024,400.00) from general government to the Department of Health, to cover salary increases for fiscal year 2006-07.

EC2007-719

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAUREEN CHAPMAN AND JON RIDDER
(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 Maureen Chapman and Jon Ridder, both of East Bridgewater, Massachusetts to acquire a land holding of approximately sixty-seven decimal six five (67.65) acres of land in Lot 58, Queens County, Province of Prince Edward Island, being acquired from Jamie Thompson of Kingston, New York; Richard Dingman of Montague, Massachusetts; and Timothy Dingman of Grand Junction, Colorado 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.

EC2007-720

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 DANIEL MANIBAL AND JACINTHE LEMIRE
 (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 Daniel Manibal and Jacinthe Lemire, both of Terrebonne, Quebec to acquire a land holding of approximately twenty-five decimal two seven (25.27) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from Leslie Wood and Dawn Wood, both 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.

EC2007-721

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ALAN J. MINTZ
 (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 Alan J. Mintz of Short Hills, New Jersey to acquire a land holding of approximately fifty (50) acres of land in Lot 42, Kings County, Province of Prince Edward Island, being acquired from Francis MacDonald of Glace Bay, Nova Scotia 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.

EC2007-722

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 VALERIE RIVETT
 (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 Valerie Rivett of MacTier, Ontario to acquire a land holding of approximately nine decimal three eight (9.38) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from the Estate of Karen Ann Taylor of Ottawa, Ontario 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.

EC2007-723

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
100966 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 100966 P.E.I. Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately seven decimal nine eight (7.98) acres of land in Lot 34, Queens County, Province of Prince Edward Island, being acquired from Arthur Ludlow Jenkins and Margaret Ann Jenkins, both of Charlottetown, Prince Edward Island.

EC2007-724

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
BALISCATE 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 Baliscate Holdings Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately twenty-one decimal eight (21.8) acres of land in Lot 32, Queens County, Province of Prince Edward Island, being acquired from David Livingston and Cathy Livingston, both of Cornwall, Prince Edward Island.

EC2007-725

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CORNERSTONE 2007 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 Cornerstone 2007 Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately nine (9) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from Kel-Mac Incorporated of Charlottetown, Prince Edward Island.

EC2007-726

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CURRAN & BRIGGS 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 Curran & Briggs Limited of Summerside, Prince Edward Island to acquire a land holding of approximately fifty-one decimal four (51.4) acres of land in Lots 11, 12 and 17, Prince County, Province of Prince Edward Island, being acquired from David Riehl of Summerside, 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 Curran & Briggs Limited and on all successors in title.

EC2007-727

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ELLIS AND BIRT, LIMITED
(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 Ellis and Birt, Limited of Charlottetown, Prince Edward Island to acquire a land holding of approximately five decimal three seven (5.37) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Sobeyes Land Holdings Limited of Stellarton, Nova Scotia.

EC2007-728

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 Stratford, Prince Edward Island to acquire a land holding of approximately seventy (70) acres of land in Lot 12, Prince County, Province of Prince Edward Island, being acquired from Cliff Goodwin of Hamilton, 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.

EC2007-729

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
R.A. ROSE & SONS LIMITED
(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 R.A. Rose & Sons Limited of Elmira, Prince Edward Island to acquire a land holding of approximately thirty-four (34) acres of land in Lot 47, Kings County, Province of Prince Edward Island, being acquired from Farm Credit Canada, mortgagee in possession, of Charlottetown, Prince Edward Island.

EC2007-730

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROSSIGNOL ESTATE WINERY 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 Rossignol Estate Winery Ltd. of Little Sands, Prince Edward Island to acquire a land holding of approximately four decimal nine nine (4.99) acres of land in Lot 64, Kings County, Province of Prince Edward Island, being acquired from Wayne Somers of Murray River, Prince Edward Island.

EC2007-731

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SHELDON HOWATT 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 Sheldon Howatt Inc. of Tryon, Prince Edward Island to acquire a land holding of approximately one decimal three eight (1.38) acres of land in Lot 28, Prince County, Province of Prince Edward Island, being acquired from Marion Ellen Howatt of Tryon, Prince Edward Island.

EC2007-732

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 fifty (150) acres of land in Lot 4, Prince County, Province of Prince Edward Island, being acquired from Julia Regina Jean O'Brien 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.

EC2007-733

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 114025, LOT 45, KINGS 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 pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately fifty-six decimal seven six (56.76) acres of land, being Provincial Property No. 114025 located in Lot 45, Kings County, Prince Edward Island and currently owned by Johnson Shore Inn Inc. of Hermanville, Prince Edward Island.

Council noted that this amendment will permit the establishment and operation of a distillery on the thirteen acre (13) portion of the property which is naturally subdivided from the parent parcel, and that the property continues to be identified for non-development use.

This Order-in-Council comes into force on December 6, 2007.

EC2007-734

AN ACT TO AMEND THE LIQUOR CONTROL ACT
 DECLARATION RE

Under authority of section 4 of *An Act to Amend the Liquor Control Act* Stats. P.E.I. 2007, 1st Session, c. 9 Council ordered that a Proclamation do issue proclaiming the said "An Act to Amend the Liquor Control Act" to come into force effective 15 December 2007.

EC2007-735

**LIQUOR CONTROL ACT
REGULATIONS
AMENDMENT**

Made by the Prince Edward Island Liquor Control Commission and approved by the Lieutenant Governor in Council under the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14:

1. Section 50.3 of the *Liquor Control Act Regulations* (EC704/75) is revoked and the following substituted:

- 50.3** (1) In this section “winery” means the production facilities and related growing area used for the production and bottling of wine and includes the premises used to sell or serve wine; definitions
- (2) Upon application in such form as the Commission may require and on payment of the prescribed fee, the Commission may issue a winery license to an applicant if the Commission is satisfied that License requirements
- (a) the premises, furnishings, equipment and facilities of the winery are of a high standard;
 - (b) the applicant has met the terms and conditions of the winery license;
 - (c) the applicant holds a license issued under the *Excise Tax Act* (Canada) for the sale or export of wine; and
 - (d) the winery meets all applicable health and safety standards established under federal and provincial law.
- (3) An application for a winery license shall be accompanied by a non-refundable application fee of twenty-five dollars. Application fee
- (4) The Commission may impose such terms and conditions on a winery license as the Commission considers appropriate. Terms and conditions
- (5) The Commission may issue the following types of winery license authorized by clause 8(2)(n) of the Act: Types of winery license
- (a) a Cottage Winery License;
 - (b) a Small Farm Winery License; or
 - (c) a Large Farm Winery License.
- (6) The Commission may issue a Cottage Winery License to an applicant if the Commission is satisfied that the winery Cottage Winery License
- (a) produces wine from non-grape products only, where at least 90 percent of such products are cultivated in the province;
 - (b) maintains at the winery at least three acres of land in exclusive cultivation of indigenous non-grape products used to produce its wine;
 - (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and
 - (d) produces at least 2,700 litres of wine per year.
- (7) The Commission may issue a Small Farm Winery License to an applicant if the Commission is satisfied that the winery Small Farm Winery License
- (a) produces wine from grapes, where at least 50 percent of such grapes are cultivated at the winery;
 - (b) maintains at the winery at least three acres but less than ten acres of land in exclusive cultivation of grapes used to produce its wine;
 - (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and
 - (d) produces at least 2,700 litres but not more than 13,500 litres of wine per year.
- (8) The Commission may issue a Large Farm Winery License to an applicant if the Commission is satisfied that the winery Large Farm Winery License
- (a) produces wine which may be from a combination of grape and non-grape products;
 - (b) maintains at the winery at least ten acres of land in exclusive cultivation of grapes used to produce its wine;
 - (c) maintains a cultivation and production plan that complies with the policies established by the Commission; and

(d) produces at least 13,500 litres of wine per year.

(9) The holder of a winery license shall
 (a) keep and make available for inspection by the Commission such books and records as the Commission may require; and
 (b) make and provide such reports to the Commission as the Commission may require.

Books, etc.
available for
inspection

(10) The holder of a winery license shall pay an annual fee of \$200.

Fee

(11) The holder of a winery license may operate a retail outlet on the premises of the winery for the display, sale, tasting and storage of wine produced and bottled at the winery subject to the terms and conditions of the license and the policies established by the Commission in respect of the operation of the retail outlet.

Retail outlet

2. Section 50.5 of the regulations is amended by the addition of the following after subsection (3):

(4) The holder of a distiller's license shall
 (a) keep and make available for inspection by the Commission such books and records as the Commission may require; and
 (b) make and provide such reports to the Commission as the Commission may require.

Books, etc.
available for
inspection

(5) The holder of a distiller's license may operate a retail outlet on the premises of the distillery for the display, sale, tasting and storage of spirits produced and bottled at the distillery subject to the terms and conditions of the license and the policies established by the Commission in respect of the operation of the retail outlet.

Retail outlet

3. These regulations come into force on December 15, 2007.

EXPLANATORY NOTES

SECTION 1 outlines the requirements for obtaining a winery license, outlines the types of winery license and authorizes the holder of a winery license to operate a retail outlet.

SECTION 2 requires the holder of a distiller's license to provide the Commission with books, records and reports that the Commission may require and authorizes the holder of a distiller's license to operate a retail outlet.

SECTION 3 provides for the commencement of these regulations.

EC2007-736

**ISLAND INVESTMENT DEVELOPMENT ACT
 FINANCIAL ASSISTANCE REGULATIONS
 ARSENAULT SAWMILL 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 term loans totalling two million four hundred and ninety-nine thousand dollars (\$2,499,000.00) to Arsenault Sawmill Ltd. on terms and conditions satisfactory to the Board of Directors of Island Investment Development Inc.

EC2007-737**LENDING AGENCY ACT
100415 P.E.I. INC.
AUTHORIZATION**

Pursuant to subsection 2(2) of the *Lending Agency Act* Regulations (EC1999-406) Council authorized the Agency to advance to 100415 P.E.I. Inc. (Gahan Brewery), a capital loan in the amount of \$75,000.00 to be consolidated with an existing loan to a maximum of \$225,000.00.

EC2007-738**LENDING AGENCY ACT
NORTHUMBERLAND VENTURES LTD.
AUTHORIZATION**

Pursuant to subsection 2(2) of the *Lending Agency Act* Regulations (EC1999-406) Council authorized the Agency to advance a capital loan in the amount of \$680,000.00 to Northumberland Ventures Ltd.

Lieutenant Governor

President of the Executive Council