

**EC2005-100**

FIRE PREVENTION ACT  
 FIRE DISTRICT REGULATIONS  
 RURAL FIRE SERVICES  
 MISCOUCHE FIRE DISTRICT  
 SPECIAL COMMISSIONER - APPOINTMENT  
 (APPROVED)

Council appointed Lou Anne Wolfe of Southwest Lot 16 (vice John MacDonald, resigned) as a special commissioner to carry on the administration of the fire district on an interim basis and arrange for the election of a new committee pursuant to section 12 of the *Fire Prevention Act* Fire District Regulations (EC487/89).

**EC2005-101**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 DEBORAH BENDER  
 (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 Deborah Bender of Southampton, New York to acquire a land holding of approximately seven (7) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from Beverley MacBeth 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.

**EC2005-102**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 CATHERINE ANNE CAMERON  
 (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 Catherine Anne Cameron of Whitby, Ontario to acquire a land holding of approximately

fifty (50) acres of land in Lot 3, Prince County, Province of Prince Edward Island, being acquired from the Estate of Irma McInnis, formerly 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.

**EC2005-103**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WILFRED WAITE  
(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 Wilfred Waite of Fredericton, New Brunswick to acquire an interest in a land holding of approximately one hundred and fifty (150) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Ralph William Waite of Summerside, Prince Edward Island.

**EC2005-104**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
RICHARD ZALOGA  
(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 Richard Zaloga of Southampton, New York to acquire a land holding of approximately twenty decimal six six (20.66) acres of land in Lot 61, Kings County, Province of Prince Edward Island, being acquired from Beverley MacBeth 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.

**EC2005-105**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
100544 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 100544 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately one hundred and ten (110) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Ralph William Waite of Summerside, Prince Edward Island.

**EC2005-106**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 100544 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 100544 P.E.I. Inc. of Summerside, Prince Edward Island to acquire a land holding of approximately forty (40) acres of land in Lot 19, Prince County, Province of Prince Edward Island, being acquired from Ralph William Waite of Summerside, 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.

**EC2005-107**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 GREENWICH INVESTMENTS 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 Greenwich Investments Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately zero decimal seven seven (0.77) acres of land in Lot 35, Queens County, Province of Prince Edward Island, being acquired from Francis Watts of Grand Tracadie, Prince Edward Island.

**EC2005-108**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 HARMONY 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 Harmony Farms Ltd. of Miscouche, Prince Edward Island to acquire a land holding of approximately seventy-nine decimal five two (79.52) acres of land in Lot 15, Prince County, Province of Prince Edward Island, being acquired from Arlington Transport Ltd. of Tyne Valley, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 264192, 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.

**EC2005-109**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
KILLAM INVESTMENTS (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 Killam Investments (P.E.I.) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately three decimal three five (3.35) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from E & M Holdings Ltd. of Stratford, Prince Edward Island.

**EC2005-110**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
KILLAM INVESTMENTS (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 Killam Investments (P.E.I.) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately four decimal zero five (4.05) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from Place Royale Inc. of Stratford, Prince Edward Island.

**EC2005-111**

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 zero decimal two two (0.22) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Tim Banks of Charlottetown, Prince Edward Island.

**EC2005-112**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 SMALLKEN 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 Smallken Farms Ltd. of Alma, Prince Edward Island to acquire a land holding of approximately one hundred and thirty-one decimal six six (131.66) acres of land in Lot 2, Prince County, Province of Prince Edward Island, being acquired from Allison Clark of Alma, 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.

**EC2005-113**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PROPERTY NO. 334631, LOT 57, 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 forty-four (44) acres of land, being Provincial Property No. 334631 located in Lot 57, Queens County, Prince Edward Island and currently owned by Daniel R. Ross Inc. of Belfast, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two decimal seven (2.7) acres and is SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 830059. Further, Council 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 1 March 2005.

**EC2005-114**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PROPERTY NO. 122093, LOT 41, 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 made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately nine decimal one seven (9.17) acres of land, being Provincial Property No. 122093 located in Lot 41, Kings County, Prince Edward Island and currently owned by Susan MacKinnon and Christopher Weidmark, both of Perkins, Quebec and David O'Malley of Ottawa, Ontario.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one decimal five (1.5) acres and is SUBJECT TO the subdivided parcel having at least one hundred and sixty-five (165) feet of shore frontage. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the new parcel as well as to the remaining land.

This Order-in-Council comes into force on 1 March 2005.

### **EC2005-115**

#### **LENDING AGENCY ACT RIVER RESORTS LTD. AUTHORIZATION**

Pursuant to subsection 2(2) of the *Lending Agency Act Regulations* (EC1999-406) Council authorized the Agency to advance a loan in the amount of \$9,100,000.00 to River Resorts Ltd.

### **EC2005-116**

#### **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. Clauses 63(10)(d), (e) and (f) of the *Planning Act Subdivision and Development Regulations* (EC693/00) are revoked and the following substituted:**

- (d) with the exception of the community of Miscouche, limit the number of lots in a subdivision for residential use pursuant to clause (c) to no more than five lots per existing parcel of land, unless
  - (i) central water service, central sewerage service, or both of them, by a municipal water utility, municipal sewerage utility, or both of them, is available, and
  - (ii) an irrevocable agreement has been signed between the developer and the municipal water utility, municipal sewerage utility, or both of them, to provide central water service, central sewerage service, or both of them, to all lots prior to the conveyance of any lot from the approved subdivision; and
- (e) require the municipality to report to the Minister, on or before April 30 of each year, the number of lots approved and development permits issued in the previous fiscal year, by type of intended use.

**2. These regulations come into force on March 12, 2005.**

#### **EXPLANATORY NOTES**

The amendment corrects a typographical error included in the subsection by amendments made in 2000.

**EC2005-117****PUBLIC DEPARTMENTS ACT  
ACTING MINISTER  
APPOINTMENT**

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

Honourable Chester Gillan to be Acting Attorney General and Acting Minister of Education commencing on the 6th day of March 2005, and continuing for the duration of the absence from the Province of Honourable Mildred Dover.

**EC2005-118****AN ACT TO AMEND THE REAL ESTATE TRADING ACT  
DECLARATION RE**

Under authority of section 8 of *An Act to Amend the Real Estate Trading Act* Stats. P.E.I. 2004, 2nd Session, c. 14 Council ordered that a Proclamation do issue proclaiming the said "*An Act to Amend the Real Estate Trading Act*" to come into force effective 1 April 2005.

**EC2005-119****REAL ESTATE TRADING ACT  
REGULATIONS  
AMENDMENT**

Pursuant to section 47 of the *Real Estate Trading Act* R.S.P.E.I. 1988, Cap. R-2, Council made the following regulations:

**1. Section 1 of the *Real Estate Trading Act* Regulations (EC516/68) is revoked.**

**2. Subsection 4(1) of the regulations is amended**

**(a) by the deletion of the words "by him may, if he feels" and the substitution of the words "by the Registrar may, if there are reasonable grounds to believe"; and**

**(b) the deletion of the words "he may" and the substitution of the words "the Registrar may".**

**3. Section 5 of the regulations is revoked.**

**4. Section 6 of the regulations is amended**

**(a) in subsection (1), by the deletion of the words "or salesperson" after the words "an agent";**

**(b) by the revocation of subsection (2) and the substitution of the following:**

(2) An applicant for a license as a salesperson shall be required to pass *Idem* a written examination as prescribed and administered by the Prince Edward Island Real Estate Association.

5. Sections 7 and 8 of the regulations are revoked.
6. Section 10 of the regulations and the forms that follow are revoked.
7. These regulations come into force on April 1, 2005.

### EXPLANATORY NOTES

The amendment removes requirements that are no longer relevant. The amendment also requires that investigations of an agent or a salesperson be made on reasonable grounds. The amendment also transfers the responsibility for salesperson license examinations from the Registrar to the Prince Edward Island Real Estate Association.

EC2005-120

### REAL ESTATE TRADING ACT FEES REGULATIONS AMENDMENT

Pursuant to section 47 of the *Real Estate Trading Act* R.S.P.E.I. 1988, Cap. R-2, Council made the following regulations:

**1. Section 1 of the *Real Estate Trading Act Fees Regulations* (EC481/95) is revoked and the following substituted:**

1. The following fees are prescribed: Fees
- |   |       |
|---|-------|
| (a) agent's license or renewal for a two-year term.....       | \$300 |
| (b) salesperson's license or renewal for a two-year term..... | 200   |
| (c) agent's examination.....                                  | 25    |

**2. These regulations come into force on April 1, 2005.**

### EXPLANATORY NOTES

The amendment updates the fees payable by an agent or a salesperson for a license or renewal of a license and for an agent's examination. The license transfer fee has been removed.

EC2005-121

### REAL PROPERTY ASSESSMENT ACT REGULATIONS AMENDMENT

Pursuant to section 35 of the *Real Property Assessment Act* R.S.P.E.I. 1988, Cap. R-4, Council made the following regulations:

**1. Form 1 of Schedule A of the *Real Property Assessment Act Regulations* (EC490/72) is revoked and the Form set out in the Schedule to these regulations is substituted:**


**2. These regulations come into force on March 12, 2005.**



## SCHEDULE

### FORM 1 REAL PROPERTY ASSESSMENT ACT

#### AFFIDAVIT OF PURCHASER

 <p style="font-size: small;">Provincial Taxation and Property Records</p>	<p style="font-size: large; font-weight: bold;">Affidavit of Purchaser</p> <p style="font-size: x-small;">In the matter of the Real Property Assessment Act, R.S.P.E.L. 1988, Cap. R-5)</p> <p style="font-size: x-small;"><b>Provision of Information and Protection of Privacy</b> The personal information requested on this form is collected under the authority of Section 216(1) of the Provision of Information and Protection of Privacy Act (R.S.P.E.L. 1988), and is used for administering the Real Property Assessment Act. Questions on the collection and use of this information can be directed to Manager, Tax Administration and Client Services at (902) 588-9137.</p>
For Office Use Only: (To be completed by Registrar)	
Country _____	Parcel No. _____
Document No. _____	Registry Date _____
<p>The Parcel Number applied to the real property is _____</p> <p>(or the real property is part of Parcel Number _____).</p> <p>I, _____, of _____</p> <p>in the county of _____, in the province (state) of _____.</p> <p>Make oath and say as follows:</p> <p>1. That I am the purchaser (or the agent of the purchaser) of the real property hereinafter described.</p> <p>2. (a) Purchaser's Name(s) _____</p> <p style="margin-left: 20px;">Street Address (PO Box, RR etc.) _____</p> <p style="margin-left: 20px;">Municipality _____</p> <p style="margin-left: 20px;">Province/State _____ Postal Code _____</p> <p>(b) To whom is the Notice of Assessment and Notice of Property Charges to be sent? (If different from # 2(a))</p> <p style="margin-left: 20px;">Name _____</p> <p style="margin-left: 20px;">Street Address (PO Box, RR etc.) _____</p> <p style="margin-left: 20px;">Municipality _____</p> <p style="margin-left: 20px;">Province/State _____ Postal Code _____</p> <p>3. That the full name of the vendor of the real property is: _____</p> <p>4. That the real property purchased or to be purchased is located at: (Civic Address)</p> <p style="margin-left: 20px;">Street Number and Name _____</p> <p style="margin-left: 20px;">Community _____</p> <p style="margin-left: 20px;">County _____</p> <p>5. That the true consideration paid for the purchase of the real property including mobile homes (excluding consideration paid for personal property or chattels) is _____</p> <p>Sworn to before me at _____ )  in _____ County, in the province )  (state) of _____ )  this _____ day of _____ )  AD 20__ )  _____ )  A notary public or a commissioner for taking affidavits in the ) Purchaser (or agent)  Supreme Court or a notary public in and for the province )  (state) of _____ )</p> <p style="text-align: right; font-size: x-small;">94PT15-10167</p>	

### EXPLANATORY NOTES

The amendment provides for the revised “Affidavit of Purchaser” to be substituted in the regulations. The Form has been developed in conformity with a new format established by the Taxation and Property Tax Division. The amendment brings Form 1 of Schedule A into conformity with the new format.

**EC2005-122****ROADS ACT  
APPROVED WEIGHING DEVICES  
DESIGNATION**

Under authority of subsection 52(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated the following weighing devices as approved weighing devices for the purpose of weighing commercial vehicles:

1. Haenni Portable Wheel Weigher  
Model WL-101  
Serial #27176
2. Haenni Portable Wheel Weigher  
Model WL-101  
Serial #27177
3. Haenni Portable Wheel Weigher  
Model WL-101  
Serial #27178

These designations are effective March 12, 2005.

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 8 of Chapter 14 of the Acts passed by the  
Legislature of Prince Edward Island in the 2nd Session thereof held in the year  
2004 and in the fifty-third year of Our Reign intituled "An Act to Amend the Real  
Estate Trading 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,  
2nd Session, c. 14 should come into force on the 1st day of April, 2005,

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 Real  
Estate Trading Act" passed in the fifty-third year of Our Reign shall come into  
force on the first day of April, two thousand and five 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 first day of March in the  
year of Our Lord two thousand and five and in the fifty-fourth year of Our Reign.

By Command,

Clerk of the Executive Council