

EC2006-294

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT
ACTING INFORMATION AND PRIVACY COMMISSIONER
APPOINTMENT

Pursuant to subsection 45(2) of the *Freedom of Information and Protection of Privacy Act* R.S.P.E.I. 1988, Cap. F-15.01, Council appointed Karen Rose as Acting Information and Privacy Commissioner during the temporary absence of the Commissioner, effective 23 May 2006.

EC2006-295

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
KRZYSZTOF OPYDO
(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 Krzysztof Opydo of Oshawa, Ontario to acquire an interest in a land holding of approximately eleven decimal zero six (11.06) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from J.K.R. Enterprises Ltd. of Kensington, Prince Edward Island.

EC2006-296

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HOWARD SKINNER AND DIANNE MARY DEBRA SKINNER
(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 Howard Skinner and Dianne Mary Debra Skinner (also known as Diane Mary Debra Skinner), both of Sidney, British Columbia to acquire a land holding of approximately sixty-four (64) acres of land in Lot 38, Kings County, Province of Prince Edward Island, being acquired from William H. Harrington and Ann M. Harrington, both of Canavoy, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 149237, 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.

EC2006-297

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
100767 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 100767 P.E.I. Inc. of Oshawa, Ontario to acquire a land holding of approximately eleven decimal zero six (11.06) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from J.K.R. Enterprises Ltd. of Kensington, Prince Edward Island.

EC2006-298

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
LWD ENTERPRISES 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 LWD Enterprises Inc. of Hunter River, Prince Edward Island to acquire a land holding of approximately ten decimal three three (10.33) acres of land in Lot 23, Queens County, Province of Prince Edward Island, being acquired from Leith Dickieson of Hunter River, Prince Edward Island.

EC2006-299

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 fifty (50) acres of land in Lot 33, Queens County, Province of Prince Edward Island, being acquired from Wayne D. MacQuarrie of Winsloe, Prince Edward Island.

EC2006-300

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
SOMERGLEN 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 Somerglen Farms Ltd. of St. Georges, Prince Edward Island to acquire a land holding of approximately zero decimal two seven (0.27) acres of land in Lot 55, Kings County, Province of Prince Edward Island, being acquired from the Government of Prince Edward Island as represented by the Minister of Transportation and Public Works of Charlottetown, Prince Edward Island.

EC2006-301

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BLACK POND FARMS LTD.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2002-113 of 5 March 2002, rescinded the said Order forthwith, thus rescinding permission for Black Pond Farms Ltd. to acquire, by lease, a land holding or land holdings of up to one hundred and fifty (150) acres as part of the corporation's aggregate land holdings.

EC2006-302

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
BLACK POND 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 Black Pond Farms Ltd. of Souris, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to two hundred and eighty-nine (289) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Black Pond 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.

EC2006-303

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
APPLICATION TO LEASE LAND
SOMERGLLEN 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 Somerglen Farms Ltd. of St. Georges, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to two hundred and fifty (250) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Somerglen 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.

EC2006-304

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 90639, LOT 21, 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-nine decimal seven five (49.75) acres of land, being Provincial Property No. 90639 located in Lot 21, Queens County, Prince Edward Island and currently owned by Lamont Holdings Inc. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately one (1) acre and is SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 90621. 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 23 May 2006.

EC2006-305

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 416966, LOT 64, 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 five (5) acres of land, being Provincial Property No. 416966 located in Lot 64, Kings County, Prince Edward Island and currently owned by Jane Stover of White Sands, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately two decimal five (2.5) acres, and 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 23 May 2006.

EC2006-306

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 764308, LOT 18, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to section 9 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 sixty-seven decimal three three (67.33) acres of land, being Provincial Property No. 764308 located in Lot 18, Prince County, Prince Edward Island and currently owned by W.D. Caseley Ltd. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately five decimal nine (5.9) acres, subject to the subdivided parcel being consolidated with the adjacent parcel of approximately two decimal six (2.6) acres (part of Provincial Property No. 764308), and PROVIDED THAT the consolidated parcel shall be subject to a condition preventing subdivision, which shall be binding on the said W.D. Caseley Ltd. and on all successors in title. 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 23 May 2006.

EC2006-307

**SUMMARY PROCEEDINGS ACT
REGULATIONS
AMENDMENT**

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act Ticket Regulations (EC321/01)* is amended in the table entitled "TRAILS ACT R.S.P.E.I. 1988, Cap. T-4.1" by the deletion of the words "50" wherever they occur and the substitution of the words "200" wherever they occur.

2. Schedule 2 of the regulations is amended by the revocation of the table entitled "TRAILS ACT GENERAL REGULATIONS (EC760/03)" and the substitution of the following:

**TRAILS ACT
General Regulations
(EC760/03)**

1	Cutting, destroying or removing trees, hedgerows, shrubs or other vegetation within right-of-way of trail.....	2(1)(a)	\$200
2	Planting or introducing plants on trail.....	2(1)(b)	200
3	Adding or removing topsoil, sand, gravel or any other organic or inorganic material within right-of-way of trail.....	2(1)(c)	200
4	Constructing or erecting buildings, signs, fences, walls, dams, drainage systems or other structures within right-of-way of trail.....	2(1)(d)	200
5	Removing, damaging or defacing gates, benches, shelters or other structures along trail or at entrances or exits to trail.	2(1)(e)	200
6	Removing or damaging trail surface, trail bed, bridges or other surface or sub-surface features or structures of trail.	2(1)(f)	200
7	Displaying advertisement, carrying on business or offering for sale any article or service within right-of-way of trail...	2(1)(g)	200
8	Hunting or placing traps or snares within right-of-way of trail	2(1)(h)	200
9	Transporting uncased firearm loaded or unloaded not otherwise authorized by law within right-of-way of trail....	2(1)(i)	200
10	Polluting or obstructing any stream or body of water within right-of-way of trail.....	2(1)(j)	200
11	Starting, maintaining or renewing fire other than in grills or containers provided or contrary to provincial fire laws within right-of-way of trail.....	2(1)(k)	200

12	Allowing dog or other animal to run at large within right-of-way of trail.....	2(1)(l)	100
13	Operating conveyance drawn by animal without permit within right-of-way of trail.....	2(1)(m)	200
14	Failing to wear bicycle safety helmet while riding bicycle on trail.....	2(2)(a)	50
15	Failing to have bicycle safety helmet chin strap securely fastened while riding bicycle on trail.....	2(2)(b)	50
16	Parent or guardian permitting person under 16 years of age to ride or operate bicycle on trail without wearing bicycle safety helmet	2(3)(a)	50
17	Parent or guardian permitting person under 16 years of age to ride or operate bicycle on trail without having bicycle safety helmet chin strap securely fastened.....	2(3)(b)	50
18	Operating motorized vehicle, motorized wheelchair or power-assisted bicycle on trail in contravention of regulations.....	3	225

3. These regulations come into force on June 3, 2006.

EXPLANATORY NOTES

The amendment updates the offence and penalty provisions in the *Summary Proceedings Act* Ticket Regulations for the *Trails Act* and the *Trails Act* General Regulations.

EC2006-308

TRAILS ACT GENERAL REGULATIONS AMENDMENT

Pursuant to section 14 of the *Trails Act* R.S.P.E.I. 1988, Cap. T-4.1, Council made the following regulations:

1. Section 1 of the *Trails Act* General Regulations (EC760/03) is amended

(a) by the addition of the following after clause (a):

(a.1) “at large” means not under control and includes unleashed; at large

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

(b.1) “power-assisted bicycle” means a power-assisted bicycle as defined in the *Motor Vehicle Safety Act* Regulations (Canada); power-assisted bicycle

2. Section 2 of the regulations is amended

(a) by the addition of the following after subsection (1):

(1.1) Every person who contravenes clause 2(1)(l) is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$100 and not more than \$1,000. Offence and penalty

(b) by the addition of the following after subsection (3):

(3.1) Every person who contravenes subsections (2) or (3) is guilty of an offence and is liable, on summary conviction, to a fine of not less than \$50 and not more than \$100. Offence and penalty

3. Section 3 of the regulations is amended

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

(b.1) is operating a power-assisted bicycle during the period beginning April 1 in a year and ending November 30 in that year;

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

(c.1) is operating a law enforcement vehicle for the purpose of conducting routine patrols;

4. The regulations are amended by the addition of the following after section 3:

3.1 Every person who contravenes section 3 is guilty of an offence and is liable, on summary conviction, to a fine of \$225. Offence and penalty

5. These regulations come into force on June 3, 2006.

EXPLANATORY NOTES

SECTION 1 adds two definitions to the provision.

SECTION 2 includes offence and penalty provisions that specify the penalty amounts for offences in relation to a dog running at large on the trail; for failing to wear a bicycle safety helmet on the trail, and for a parent or guardian authorizing a person under 16 years of age to operate a bicycle on the trail without wearing a bicycle safety helmet.

SECTION 3 authorizes the use of a power-assisted bicycle on the trail between April 1 and November 30 in any given year, and authorizes a law enforcement vehicle to be on the trail for the purpose of conducting routine patrols.

SECTION 4 includes an offence and penalty provision and specifies the penalty amount in relation to a motorized vehicle being on the trail in contravention of the provision.

SECTION 5 provides for the commencement of these regulations.

EC2006-309

**WILDLIFE CONSERVATION ACT
HUNTING AND TRAPPING SEASONS REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Schedules I and II of the *Wildlife Conservation Act* Hunting and Trapping Seasons Regulations (EC330/99) are revoked and Schedules I and II as set out in the Schedule to these regulations is substituted.

2. These regulations come into force on June 3, 2006.

SCHEDULE

SCHEDULE I

HUNTING SEASONS AND LIMITS

Game	Open Season	Daily	Possession
Pheasant	No open season	-	-
Ruffed Grouse	September 25 - December 30	3	6
Hungarian (Grey) Partridge	October 16 – November 4*	3	6
Snowshoe Hare (Rabbit)	October 2 - February 28	5	-
Fox	November 1 - January 31	-	-
Raccoon	October 16 - January 31	-	-
Coyote	October 2 - March 31**	-	-

NOTE:

* There will be no open season for Hungarian (Grey) Partridge in Lots 1-10 inclusive, and in Lots 43-47 inclusive, in 2006/2007.

** Hunting with hounds is permitted from October 2 – February 28. The running of hounds for training or for any other purpose will not be permitted from March 1 through September 30, except by permit.

SCHEDULE II**TRAPPING SEASONS**

Furbearing Animals	Open Season
Beaver (Prince and Queens Counties)	8:00 a.m., October 31 – February 28*
Beaver (Kings County)	November 15 - January 31
Mink	8:00 a.m., October 31 – February 28*
Muskrat	8:00 a.m., October 31 - February 28*
Weasel	8:00 a.m., October 31 - February 28*
Fox (snaring & trapping)	November 15 - January 15
Fox (modified foothold trap only)*	November 1 - November 14
Raccoon	October 15 - January 15
Coyote (snaring & trapping)	November 15 - January 15
Coyote (modified foothold trap only)*	November 1 - November 14
Red Squirrel	No closed season
Skunk	No closed season

NOTE:

* During the month of February, trap sets for beaver, muskrat and mink are restricted to those set in or over water. Weasel traps are restricted to Victor rat traps.

** A "modified foothold trap" is a foothold trap that has been altered to improve the humaneness of the trap by laminating the jaws, off-setting the jaws or padding the jaws.

EXPLANATORY NOTES

The amendment establishes season dates and bag limits for the hunting and trapping of wildlife during the fall and winter of 2006/2007.