

EC2004-285

EXECUTIVE COUNCIL ACT
CLERK OF THE EXECUTIVE COUNCIL
LYNN E. ELLSWORTH
APPOINTMENT
(TO RESCIND)

Council, having under consideration Order-in-Council EC504/97 of 28 August 1997 rescinded the said Order, thus rescinding the appointment of Lynn E. Ellsworth (retired) from the position of Clerk of the Executive Council effective 1 June 2004.

EC2004-286

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JANE GENTH
(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 Jane Genth of Riverdale, New York to acquire a land holding of approximately two decimal six (2.6) acres of land in Lot 55, Kings County, Province of Prince Edward Island, being acquired from Alfred Gardiner and Gladys Gardiner, both of Georgetown, Ontario PROVIDED THAT the said real property is appended to Provincial Property No. 158758 and that the consolidated parcel is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2004-287

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JANET HENRY
(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 Janet Henry of Oakville, Ontario to acquire a land holding of approximately twenty (20) acres of land in Lot 20, Queens County, Province of Prince Edward Island, being acquired from Gladys Campbell and Eleanor Fraser, both of Moncton, New Brunswick 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.

EC2004-288

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MAURICE MACCABE
(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 Maurice MacCabe of Toronto, Ontario to acquire a land holding of approximately four (4) acres of land in Lot 49, Queens County, Province of Prince Edward Island, being acquired from the Estate of June Child of Salmon Arm, 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.

EC2004-289

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROBERT MCSWAIN AND CAROL MCSWAIN
(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 McSwain and Carol McSwain, both of Belmont, Nova Scotia to acquire a land holding of approximately fifty (50) acres of land in Lot 57, Kings County, Province of Prince Edward Island, being acquired from John Elbern Ramsay 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.

EC2004-290

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ALEX NICHOLSON AND JOANNE NICHOLSON
(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 Alex Nicholson and Joanne Nicholson, both of Devon, Alberta to acquire a land holding of approximately two decimal three five (2.35) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from David McGowan of Hartland, Maine.

EC2004-291

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PAUL REGIER
(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 Paul Regier of Warwick, Bermuda to acquire a land holding of approximately thirty-one decimal eight seven (31.87) acres of land in Lot 20, Queens County, Province of Prince Edward Island, being acquired from Tara Sullivan of Halifax, Nova Scotia.

Further, Council noted that the said land holding, being Provincial Property Nos. 819243 and 087528, 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.

EC2004-292

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
CAMP SEGUNAKADECK 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 Camp Segunakadeck Inc. of Cornwall, Prince Edward Island to acquire a land holding of approximately thirteen decimal one one (13.11) acres of land in Lot 65, Queens County, Province of Prince Edward Island, being acquired from The Home Mission Board of the United Baptist Convention of the Atlantic Provinces of Moncton, New Brunswick SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said Camp Segunakadeck Inc. and on all successors in title.

EC2004-293

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PROPERTY NO. 813352, 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 twenty (20) acres of land, being Provincial Property No. 813352 located in Lot 41, Kings County, Prince Edward Island and currently owned by Woodland Enterprises Inc. of Morell, Prince Edward Island to permit the establishment and operation of an excavation pit on the property.

This Order-in-Council comes into force on 25 May 2004.

EC2004-294

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 G & P TRUCKING & CONSTRUCTION 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 G & P Trucking & Construction Ltd. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately twenty (20) acres of land in Lot 41, Kings County, Province of Prince Edward Island, being acquired from Woodland Enterprises Inc. of Morell, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 813352, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act and that the Identification Agreement has been amended to permit the establishment and operation of an excavation pit on the property.

EC2004-295

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 LILY POND 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 Lily Pond Farms Ltd. of Bear River, Prince Edward Island to acquire a land holding of approximately nineteen (19) acres of land in Lot 44, Kings County, Province of Prince Edward Island, being acquired from Claude Dixon and Joyce Dixon, both of Rollo Bay, 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.

EC2004-296

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACLEAN 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 MacLean Farms Ltd. of Coleman, Prince Edward Island to acquire a land holding of approximately twenty (20) acres of land in Lot 6, Prince County, Province of Prince Edward Island, being acquired from John Robert Lewis and Lila Naomi Lewis, both of O'Leary, 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.

EC2004-297

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACLEAN 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 MacLean Farms Ltd. of Coleman, Prince Edward Island to acquire a land holding of approximately one hundred and eleven decimal five (111.5) acres of land in Lot 6, Prince County, Province of Prince Edward Island, being acquired from Doris Wilkie of Alberton, 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.

EC2004-298

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MACLEAN 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 MacLean Farms Ltd. of Coleman, Prince Edward Island to acquire a land holding of approximately four (4) acres of land in Lot 8, Prince County, Province of Prince Edward Island, being acquired from Harry Lecky of O'Leary, Prince Edward Island.

EC2004-299

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
MARWOOD PROPERTIES 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 Marwood Properties Inc. of Georgetown, Prince Edward Island to acquire a land holding of approximately one (1) acre of land in Lot 56, Kings County, Province of Prince Edward Island, being acquired from John C. MacDonald of Souris, Prince Edward Island.

EC2004-300

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
NORTH SIDE 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 North Side Holdings Inc. of Kensington, Prince Edward Island to acquire a land holding of approximately seven decimal one nine (7.19) acres of land in Lot 18, Prince County, Province of Prince Edward Island, being acquired from 100315 P.E.I. Inc. of Kensington, Prince Edward Island.

EC2004-301

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
OYSTER CREEK FARMS 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 Oyster Creek Farms Inc. of Cascumpec, Prince Edward Island to acquire a land holding of approximately one hundred and eighty decimal one one (180.11) acres of land in Lots 5 and 6, Prince County, Province of Prince Edward Island, being acquired from Adair Shaw and Rhonda Shaw, both of Cascumpec, Prince Edward Island.

Further, Council noted that the said land holdings, being Provincial Property Nos. 47712, 476374 and 797035, were 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.

EC2004-302

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OYSTER CREEK FARMS 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 Oyster Creek Farms Inc. of Cascumpec, Prince Edward Island to acquire a land holding of approximately one hundred and ninety-eight decimal seven four (198.74) acres of land in Lots 5 and 6, Prince County, Province of Prince Edward Island, being acquired from Adair Shaw and Rhonda Shaw, both of Cascumpec, 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.

EC2004-303

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 OYSTER CREEK FARMS 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 Oyster Creek Farms Inc. of Cascumpec, Prince Edward Island to acquire a land holding of approximately eighty-six decimal nine eight (86.98) acres of land in Lot 6, Prince County, Province of Prince Edward Island, being acquired from Adair Shaw of Cascumpec, 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.

EC2004-304

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 ST. PETERS BAY GOLF AND COUNTRY CLUB 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 St. Peters Bay Golf and Country Club Inc. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately two hundred and sixteen decimal eight two (216.82) acres of land in Lot 41, Kings County, Province of Prince Edward Island, being acquired from James Whitty, Jean Whitty and Michael Whitty, all of North Fort Myers, Florida.

EC2004-305

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 LILY 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 Lily Pond Farms Ltd. of Bear River, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to four hundred and seventy (470) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said Lily 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.

EC2004-306

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 MACLEAN FARMS LTD.
 (TO RESCIND)

Council, having under consideration Order-in-Council No. EC2003-710 of 9 December 2003, rescinded the said Order forthwith, thus rescinding permission for MacLean Farms Ltd. of Coleman, Prince Edward Island to acquire, by lease, an interest in up to four hundred and forty (440) acres of land.

EC2004-307

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 APPLICATION TO LEASE LAND
 MACLEAN 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 MacLean Farms Ltd. of Coleman, Prince Edward Island to acquire, by lease, an interest in a land holding or land holdings of up to two hundred and forty (240) acres of land as part of the said corporation's aggregate land holdings PROVIDED THAT the said MacLean 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.

EC2004-308**REVENUE TAX ACT
REGULATIONS
AMENDMENT**

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

1. Subsection 1(1) of the *Revenue Tax Act* Regulations (EC262/60) is amended by the addition of the following after clause (n.1):

(n.2) “golf fees” includes charges for golf club memberships and green fees;
golf fees

(n.3) “hybrid vehicle” means a motor vehicle which, at the time it is first sold at retail,
hybrid vehicle

(i) has its motive power provided by an electric motor and internal combustion engine,

(ii) has regenerative braking designed to recover energy released while the vehicle speed is reducing or the vehicle is stopping, and

(iii) has an energy storage system such as a battery, ultra capacitor or flywheel;

2. Section 12 of the regulations is amended by the addition of the following after subsection (15):

(16) The Minister may refund the tax paid, to a maximum of \$3,000, on the purchase or lease for a minimum of 12 months of a hybrid vehicle by a consumer where
Refund

(a) an application is made in writing by the person seeking the refund;

(b) receipts or other documentation verifying payment of the tax by the person are presented; and

(c) the hybrid vehicle was purchased after March 30, 2004 and within four years of the date of application.

3. These regulations are deemed to have come into force on April 1, 2004.

EXPLANATORY NOTES

SECTION 1 adds definitions for the terms “golf fees” and “hybrid vehicles” to the regulations.

SECTION 2 adds a provision to section 12 of the regulations to allow for a rebate of the revenue tax (PST) paid by a consumer on the purchase of a hybrid vehicle. The amendment also specifies the maximum amount of the refund of revenue tax (PST) that can be paid, and the conditions required for the refund, in respect of the purchase of a hybrid vehicle.

SECTION 3 provides for the commencement of these regulations.