

**EC2011-549**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 450270, LOT 52, 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 one hundred and seven (107) acres of land, being Provincial Property No. 450270 located in Lot 52, Kings County, Prince Edward Island and currently owned by Bradmark Holdings Ltd. of Cardigan, Prince Edward Island.

Council noted that this amendment will enable subdivision of approximately twenty-nine (29) acres of the said land into approximately 20 lots and a right-of-way. 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 8 November 2011.

**EC2011-550**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 265371, LOT 15, PRINCE 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 fourteen (14) acres of land, being Provincial Property No. 265371 located in Lot 15, Prince County, Prince Edward Island and currently owned by Timothy Mitchell of Charlottetown, Prince Edward Island.

Council noted that the property will continue to be identified for non-development use, but this amendment will permit operation of a campground (commercial) on the property.

This Order-in-Council comes into force on 8 November 2011.

**EC2011-551**

**PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 526434, LOT 25, PRINCE 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 ninety-six decimal zero seven (96.07) acres of land, being Provincial Property No. 526434 located in Lot 25, Prince County, Prince Edward Island and currently owned by Valley Grove Enterprises Ltd. of Kensington, Prince Edward Island.

Council noted that this amendment will enable subdivision of approximately fifteen (15) acres of the said land into two lots, one approximately ten (10) acres and the other approximately four decimal six (4.6) acres. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the two new lots and to the remaining land.

This Order-in-Council comes into force on 8 November 2011.

**EC2011-552**

**PLANNING ACT  
PROVINCE-WIDE MINIMUM DEVELOPMENT  
STANDARDS REGULATIONS  
AMENDMENT**

Pursuant to clause 7(1)(c) of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, Council made the following regulations:

**1. (1) Subsection 1(1) of the *Planning Act* Province-Wide Minimum Development Standards Regulations (EC703/95) is amended by the deletion of the words “Minister of Community and Cultural Affairs” and the substitution of the words “Minister responsible for the *Planning Act* R.S.P.E.I. 1988, Cap. P-8”.**

**(2) Subsection 1(2) of the regulations is amended by the deletion of the words “section 3 of the Planning Act Regulations (EC601/77)” and the substitution of the words “section 1 of the *Planning Act* Subdivision and Development Regulations”.**

**2. (1) Subsection 4(2) of the regulations is revoked and the following substituted:**

(2) The area encompassed by the required minimum circle diameter as set out in Table 1 and Table 2 shall be located on the lot such that it will accommodate an on-site sewage disposal system. Location

**(2) Subsection 4(3) of the regulations is amended**

**(a) in the words preceding clause (a), by the deletion of the words “929 sq. in.” and the substitution of the words “929 sq. m.”;**

**(b) in clause (a), by the addition of the word “and” after the semicolon;**

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

**(d) by the revocation of clause (c).**

**(3) Subsection 4(4) of the regulations is amended**

**(a) in the words preceding clause (a), by the deletion of the words “column (e) of Table 1 and column (d) of Table 2” and the substitution of the words “column (f) of Table 1 and column (e) of Table 2”; and**

**(b) in clause (b), by the deletion of the words “clause 6(a) and the minimum lot area requirements set out in column (d) of Table 1 and column (c) of Table 2” and the substitution of the words “clause 5(a) and the minimum lot area requirements set out in column (e) of Table 1 and column (d) of Table 2”.**

**3. Clause 5(2)(a) of the regulations is revoked and the following substituted:**

(a) where a lot is intended for any non-residential use where water and sewage services are not required for the proposed development, the Minister may approve an exemption from the requirement of subsection (1);

**4. Section 6 of the regulations is revoked and the following substituted:**

**6. Every lot on a plan of subdivision shall be categorized in accordance with the following site suitability standards:** Categories of lots

- (a) Category I, where
  - (i) the depth of permeable natural soil is 2 ft. (0.61 m.) or greater,
  - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
  - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (b) Category II, where
  - (i) the depth of permeable natural soil is greater than 1 ft. (0.3 m.), but less than 2 ft. (0.61 m.),
  - (ii) the depth to bedrock is 4 ft. (1.22 m.) or greater, and
  - (iii) the depth to the maximum groundwater elevation is 4 ft. (1.22 m.) or greater;
- (c) Category III, where
  - (i) the depth of permeable natural soil is 1 ft. (0.3 m.) or greater,
  - (ii) the depth to bedrock is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.), or
  - (iii) the depth to the maximum groundwater elevation is 2 ft. (0.61 m.) or greater, but less than 4 ft. (1.22 m.);
- (d) Category IV, where
  - (i) the lot has a depth of permeable natural soil of less than 1 ft. (0.3 m.),
  - (ii) the depth to bedrock is greater than 1 ft. (0.3 m.), and
  - (iii) the depth of the maximum groundwater elevation is greater than 2 ft. (0.61 m.);
- (e) Category V, where
  - (i) the depth to bedrock is less than 1 ft. (0.3 m.), and
  - (ii) the depth to the maximum ground water elevation is greater than 2 ft. (0.61 m.).

**5. Section 8 of the regulations is amended by the deletion of the words “the date on which these regulations come into force” and the substitution of the words “October 14, 1995”.**

**6. Subsection 9(2) of the regulations is amended by the addition of the words “or a private” after the words “for use by a public”.**

**7. Subsection 10(1) of the regulations is amended by the deletion of the words “(EC580/95)”.**

**8. Tables 1 and 2 of the regulations are revoked and Tables 1 and 2 as set out in the Schedule to these regulations are substituted.**

**9. These regulations come into force on November 19, 2011.**

**SCHEDULE**

**TABLE 1 - MINIMUM LOT SIZE STANDARDS:  
RESIDENTIAL LOTS**

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Number of Dwelling Units	(e) Minimum Lot Area sq. ft. / sq. m.	(f) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet / metres
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	175 ft. / 53.3 m. 200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 250 ft. / 76.2 m.
on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	51,000 sq. ft. / 4,738 sq. m. 56,000 sq. ft. / 5,202 sq. m. 61,000 sq. ft. / 5,667 sq. m. 66,000 sq. ft. / 6,131 sq. m. 66,000 sq. ft. / 6,131 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 300 ft. / 91.4 m. 300 ft. / 91.4 m.
on-site water supply and on-site sewage disposal system	IV	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	1 2 3 4 more than 4	75,000 sq. ft. / 6,975 sq. m. 80,000 sq. ft. / 7,440 sq. m. 85,000 sq. ft. / 7,905 sq. m. 90,000 sq. ft. / 8,370 sq. m. 90,000 sq. ft. / 8,370 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	300 ft. / 91.4 m.
on-site water supply and on-site sewage disposal system	V	N/A	N/A	not developable	N/A
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	1 2 3 4 more than 4	25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 40,000 sq. ft. / 3,717 sq. m. 40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 200 ft. / 61 m. 200 ft. / 61 m.
central water supply and on-site sewage disposal system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	40,000 sq. ft. / 3,717 sq. m. 45,000 sq. ft. / 4,180.5 sq. m. 50,000 sq. ft. / 4,645 sq. m. 55,000 sq. ft. / 5,110 sq. m. 55,000 sq. ft. / 5,110 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	200 ft. / 61 m. 225 ft. / 68.6 m. 250 ft. / 76.2 m. 275 ft. / 83.8 m. 275 ft. / 83.8 m.
central water supply and on-site sewage disposal system	IV	50 feet / 15.25 metres	1 2 3 4 more than 4	60,000 sq. ft. / 5,580 sq. m. 65,000 sq. ft. / 6,450.5 sq. m. 70,000 sq. ft. / 6,510 sq. m. 75,000 sq. ft. / 6,975 sq. m. 75,000 sq. ft. / 6,975 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	275 ft. / 83.8 m.

## EXECUTIVE COUNCIL 8 NOVEMBER 2011

central water supply and on-site sewage disposal system	V	N/A	N/A	not developable	N/A
on-site water supply and central waste treatment system	I or II	50 feet / 15.25 metres	1 2 3 4 more than 4	15,000 sq. ft. / 1,393.5 sq. m. 20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 30,000 sq. ft. / 2,787 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	100 ft. / 30.5 m. 125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 160 ft. / 48.8 m.
on-site water supply and central waste treatment system	III	50 feet / 15.25 metres	1 2 3 4 more than 4	20,000 sq. ft. / 1,858 sq. m. 25,000 sq. ft. / 2,322.5 sq. m. 30,000 sq. ft. / 2,787 sq. m. 35,000 sq. ft. / 3,251.5 sq. m. 35,000 sq. ft. / 3,251.5 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	125 ft. / 38.1 m. 150 ft. / 45.7 m. 160 ft. / 48.8 m. 175 ft. / 53.3 m. 175 ft. / 53.3 m.
central water supply and waste treatment systems	I, II, or III	n/a	any number	as determined by the Minister	as determined by the Minister

**TABLE 2 - MINIMUM LOT SIZE STANDARDS:  
NON-RESIDENTIAL LOTS**

(a) Servicing	(b) Lot Category	(c) Minimum Lot Frontage	(d) Minimum Lot Area	(e) Minimum Circle Diameter to be Contained Within the Boundaries of the Lot - feet/metres
on-site water supply and on-site sewage disposal system	I	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
on-site water supply and on-site sewage disposal system	II	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
on-site water supply and on-site sewage disposal system	III	100 feet / 30.5 metres (or 50 feet / 15.25 metres, where the frontage is on the interior curve of a street)	51,000 sq. ft. / 4,738 sq. m.	225 ft. / 68.6 m.
central water supply and on-site sewage disposal system	I	50 feet / 15.25 metres	20,000 sq. ft. / 1,858 sq. m.	125 ft. / 38.1 m.
central water supply and on-site sewage disposal system	II	50 feet / 15.25 metres	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
central water supply and on-site sewage disposal system	III	50 feet / 15.25 metres	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
on-site water supply and central waste treatment system	I, II or III	50 feet / 15.25 metres	15,000 sq. ft. / 1,393.5 sq. m.	100 ft. / 30.5 m.

central water supply and waste treatment systems	I, II or III	n/a	as determined by the Minister	as determined by the Minister
--	--------------	-----	-------------------------------	-------------------------------

#### EXPLANATORY NOTES

These regulations are amendments to the *Planning Act* Province-Wide Minimum Development Standards Regulations to update those regulations to ensure the minimum lot size standards for residential lots, in relation to sewage disposal systems, are the same standards for the entire province, including for municipalities with planning approval authority. These standards match those contained in the *Planning Act* Subdivision and Development Regulations. These regulations also make minor wording changes in certain sections to provide clarity to the sections.

#### EC2011-553

#### PUBLIC DEPARTMENTS ACT ACTING MINISTERS APPOINTMENTS

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

1. Honourable Doug Currie to be Acting Minister of Community Services, Seniors and Labour commencing on the 11<sup>th</sup> day of November 2011, and continuing for the duration of the absence from the Province of Honourable Valerie Docherty.
2. Honourable Wes Sheridan to be Acting Minister of Agriculture commencing on the 15<sup>th</sup> day of November 2011, and continuing for the duration of the absence from the Province of Honourable George Webster.
3. Honourable Robert Vessey to be Acting Minister of Environment, Energy and Forestry commencing on the 13<sup>th</sup> day of November 2011, and continuing for the duration of the absence from the Province of Honourable Janice Sherry.

#### EC2011-554

#### TRUST AND FIDUCIARY COMPANIES ACT SUPERINTENDENT APPOINTMENT

Pursuant to subsection 13(1) of the *Trust and Fiduciary Companies Act*, R.S.P.E.I. 1988, Cap. T-7.1, Council appointed Katharine P. Tummon of Charlottetown, Prince Edward Island as Superintendent to carry out the duties required under the said Act, effective 8 November 2011.

Order-in-Council EC2007-783 of 18 December 2007 is hereby rescinded.