

# Royal Gazette

Prince Edward Island

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VOL. CXXXV - NO. 12

Charlottetown, Prince Edward Island, March 21, 2009

CANADA  
PROVINCE OF PRINCE EDWARD ISLAND  
IN THE SUPREME COURT - ESTATES DIVISION

TAKE NOTICE that all persons indebted to the following estates must make payment to the personal representative of the estates noted below, and that all persons having any demands upon the following estates must present such demands to the representative within six months of the date of the advertisement:

Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ARSENAULT, Robert C. Summerside Prince Co., PE March 21, 2009 (12-25)*	Earle Arsenaault (EX.)	McLellan Brennan 37 Central Street Summerside, PE
BAXTER, Margaret Souris Kings Co., PE March 21, 2009 (12-25)*	Gertrude (Jean) MacDonald Jean Marie (Hyde) Gillis (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
HICKEN, Carl Brenton Sturgeon Kings Co., PE March 21, 2009 (12-25)*	Robert Graham The Bank of Nova Scotia Trust Company (EX.)	Cox & Palmer PO Box 516 Montague, PE
LEARD, Gordon E. Martinvale Kings Co., PE March 21, 2009 (12-25)*	Edna C. Leard (EX.)	Cox & Palmer PO Box 516 Montague, PE
MUNN, Delburn Charlottetown Queens Co., PE March 21, 2009 (12-25)*	Ernest Drake (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
SMITH, Florence Manuel Stratford Queens Co., PE March 21, 2009 (12-25)*	Paul Smith Sharon Moyse (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
THIESSEN, Dorothy Charlottetown Queens Co., PE March 21, 2009 (12-25)*	Margaret Ann Mosher (EX.)	Campbell Lea PO Box 429 Charlottetown, PE

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WAITE, Ralph William Summerside Prince Co., PE March 21, 2009 (12-25)*	Wilfred Stewart Waite (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
COFFIN, Marjorie Charlottetown Queens Co., PE March 21, 2009 (12-25)*	Robert Coffin Gordon Coffin (AD.)	Matheson & Murray PO Box 875 Charlottetown, PE
DELORIE, Francis Urban Montague Kings Co., PE March 21, 2009 (12-25)*	Claire Murphy (AD.)	Paul J. D. Mullin, QC PO Box 604 Charlottetown, PE
GORMLEY, Mildred Theresa Charlottetown Queens Co., PE March 21, 2009 (12-25)*	Virginia VanDerVelden (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
PHILLIPS, Blair Wendell St. Eleanors Prince Co., PE March 21, 2009 (12-25)*	Brenda Phillips (AD.)	McInnes Cooper PO Box 1570 Summerside, PE
CONRAD, Marjorie Helena Wellington Prince Co., PE March 14, 2009 (11-24)	Wayne Conrad Karen Newcombe (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
GILLIS, Nicholas Alexander Charlottetown Queens Co., PE March 14, 2009 (11-24)	Neil Shaw (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
HICKOX, Grace E. Crapaud (Formerly of Springfield) Queens Co., PE March 14, 2009 (11-24)	Roger Hickox (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
OBUKURO, Kazuhide Toronto Ontario March 14, 2009 (11-24)	Elva Obukuro (EX.)	McInnes Cooper PO Box 1570 Summerside, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
STEELE, Donald Charles Charlottetown Queens Co., PE March 14, 2009 (11-24)	Helen Katherien Steele (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
THOMPSON, Reginald Frederick Milltown Cross Kings Co., PE March 14, 2009 (11-24)	Mary Jean Thompson (EX.)	Cox & Palmer PO Box 516 Montague, PE
WEEKS, Harrison Ray Hunter River Queens Co., PE March 14, 2009 (11-24)	Sandra Dawn Weeks Craig Harrison Weeks (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
GAIRNS, John Thomas Bellevue Queens Co., PE March 14, 2009 (11-24)	Kimberley MacRae John Gairns (AD.)	Macnutt & Dumont PO Box 965 Charlottetown, PE
MacKENZIE, Jessie Anne (also known as Jessie Ann MacKenzie) Belfast Queens Co., PE March 14, 2009 (11-24)	Allan MacKenzie Joanne Larsen (AD.)	Matheson & Murray PO Box 875 Charlottetown, PE
YOUNG, Emmett Joseph Summerside Prince Co., PE March 14, 2009 (11-24)	Marie Myers Reginald Young (AD.)	Cox & Palmer 82 Summer Street Summerside, PE
DOYLE, John Joseph Charlottetown Queens Co., PE March 7, 2009 (10-23)	Garry Doyle (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
DUNNING, Joseph Edward Stratford Queens Co., PE March 7, 2009 (10-23)	Helen Bridget Dunning Linda Lynne Thomas (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
HENNESSEY, Joseph Daniel Charlottetown Queens Co., PE March 7, 2009 (10-23)	Shirley Olga Hennessey (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ROSS, Charles M. Point Prim Queens Co., PE March 7, 2009 (10-23)	Kathy Ross (EX.)	Campbell Lea PO Box 429 Charlottetown, PE
HANSEN, Janet Louise Calgary Alberta March 7, 2009 (10-23)	Robert David Reid Hogg (AD.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
WALLACE, Kevin Fortune Cove Prince Co., PE March 7, 2009 (10-23)	Joanne Wallace (AD.)	Cox & Palmer PO Box 40 Alberton, PE
BRYENTON, Gladys Clinton Prince Co., PE February 28, 2009 (09-22)	Ann Semple (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
MacKINNON, Della M. Summerside Prince Co., PE February 28, 2009 (09-22)	Wayne MacKinnon Cathy White (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
MacMILLAN, Leith Maxwell West Covehead Queens Co., PE February 28, 2009 (09-22)	Shirley Faye MacMillan (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
OAKLEY, Alice Maude Mary French River Prince Co., PE February 28, 2009 (09-22)	Glen MacKay (EX.)	Cox & Palmer 82 Summer Street Summerside, PE
SMITH, Gerald Alden Seven Mile Bay Prince Co., PE February 28, 2009 (09-22)	Carol Evelyn Smith (EX.)	McInnes Cooper PO Box 1570 Summerside, PE
BOVYER, Fern Elizabeth Charlottetown Queens Co., PE February 28, 2009 (09-22)	Diana Robbins (AD.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE

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Estate of: Date of the Advertisement	Personal Representative: Executor/Executrix (Ex) Administrator/Administratrix (Ad)	Place of Payment
ARSENAULT, Ann Stella Summerside Prince Co., PE February 21, 2009 (08-21)	Linda Pickett (EX.)	McInnes Cooper PO Box 1570 Summerside, PE
CALLBECK, Leaman Alexander Crapaud Queens Co., PE February 21, 2009 (08-21)	Faye C. Trowsdale C. Lester Callbeck Robert M. Callbeck (EX.)	McLellan Brennan 37 Central Street Summerside, PE
GALLANT, Joseph Elmer Summerside Prince Co., PE February 21, 2009 (08-21)	Kevin Gallant Cheryl Whillans (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
GARNHUM, Mary Adelma Charlottetown Queens Co., PE February 21, 2009 (08-21)	Gail Feehan Michelle Garnhum (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
LORD, Muriel Mathers Crapaud Queens Co., PE February 21, 2009 (08-21)	Lorna Lois Lord (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
LOVE, H. Arthur Charlottetown Queens Co., PE February 21, 2009 (08-21)	J. Peter Love Donald A. Love (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacKENZIE, Mary Edith Charlottetown Queens Co., PE February 21, 2009 (08-21)	Robert I. MacKenzie Sandra Lee MacKenzie (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
REID, Edward Reginald Charlottetown Queens Co., PE February 21, 2009 (08-21)	Malcolm Reginald Reid Douglas Barclay Reid (EX.)	Birt & McNeill 138 St. Peters Road Charlottetown, PE
WINCEY, William Bernard Charlottetown Queens Co., PE February 21, 2009 (08-21)	John David Wincey (Sr.) (EX.)	Collins & Associates National Bank Tower, Suite 200 134 Kent Street Charlottetown, PE

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MacNABB, Mary Isabel Grand Tracadie Queens Co., PE February 21, 2009 (08-21)	Caroline MacNabb (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
CONNELLY, Wanda Lillian Alberton Prince Co., PE February 14, 2009 (07-20)	Barry Connelly (EX.)	Cox & Palmer PO Box 40 Alberton, PE
DESROCHE, Leamon Joseph St. Felix Prince Co., PE February 14, 2009 (07-20)	Edith Marie DesRoche (EX.)	Cox & Palmer PO Box 40 Alberton, PE
JORDAN, Harry Sheldon Charlottetown Queens Co., PE February 14, 2009 (07-20)	Shirley Florence Jordan (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE
PETERS, J. Elmer Stratford Queens Co., PE February 14, 2009 (07-20)	Frank J. Peters (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
PETERS, L. Carol Stratford Queens Co., PE February 14, 2009 (07-20)	Frank J. Peters (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
OATWAY, Gary Lawson Conway, Ellerslie RR#2 Prince Co., PE February 14, 2009 (07-20)	Myrna Albert Cecil Oatway (AD.)	Lyle & McCabe PO Box 300 Summerside, PE
SMITH, Norman W. Winsloe Queens Co., PE February 14, 2009 (07-20)	Orien Smith Dorothy Smith (AD.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
BOWNESS, Jean Chisholm Bedeque Prince Co., PE February 7, 2009 (06-19)	Gordon Bowness (EX.)	Robert McNeill 251 Water Street Summerside, PE

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DOUGLAS, Janet L. Charlottetown Queens Co., PE February 7, 2009 (06-19)	Keith Pigot Joan Auld (EX.)	Campbell Stewart PO Box 485 Charlottetown, PE
ELLIS, Garfield Robert O'Leary Prince Co., PE February 7, 2009 (06-19)	Robert David Ellis (EX.)	Cox & Palmer PO Box 40 Alberton, PE
LITTLE, Elsie Neston, South Wirral Cheshire February 7, 2009 (06-19)	Peter Robinson Wise Philip Henry McKeown (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
MacDONALD, Robert M. (Sr.) Bridgewater, Plymouth Co., Massachusetts, USA February 7, 2009 (06-19)	Muriel J. MacDonald (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
MacKENZIE, Derald F. Stratford Queens Co., PE February 7, 2009 (06-19)	Donald Shaw MacKenzie (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MacLEAN, Ronald William Charlottetown Queens Co., PE February 7, 2009 (06-19)	Boyd Rachmael MacLean Doug Carr (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
MANNING, Joseph St. Charles Kings Co., PE February 7, 2009 (06-19)	Rita Manning (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MANUEL, Oliver H. Charlottetown Queens Co., PE February 7, 2009 (06-19)	John T. Manuel (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
CLOW, Rodney Bruce Little York Queens Co., PE February 7, 2009 (06-19)	Victor Clow (AD.)	Campbell Stewart PO Box 485 Charlottetown, PE

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FRANCIS, Florence Edith Crapaud Queens Co., PE January 31, 2009 (05-18)	David Francis Ann Affleck (EX.)	McLellan Brennan PO Box 35 Summerside, PE
HUGHES, Helen Horner Ferguson Charlottetown Queens Co., PE January 31, 2009 (05-18)	Elizabeth Cheverie Lucie Sims (Formerly Jardine) (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
McGUIGAN, Francis (Frank) E. Cornwall Queens Co., PE January 31, 2009 (05-18)	M. Shane McGuigan Tracey D. Watts (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
TOWNSHEND, Letty Souris River Kings Co., PE January 31, 2009 (05-18)	Dave Townshend (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
PERRY, John Charlottetown Queens Co., PE January 31, 2009 (05-18)	Lisa Perry (AD.)	Cantini Law Group 2000 Barrington Street Halifax, NS
MACDONALD, John S. Cardigan Kings Co., PE January 24, 2009 (04-17)	Bernadette Macdonald Carol Gabanna Clare Waddell (EX.)	Cox & Palmer PO Box 516 Montague, PE
WALKER, John Howard Crapaud Prince Co., PE January 24, 2009 (04-17)	Marion MacKinnon Elmer MacDonald (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
BOYLAN, Rodney Joseph Northam Prince Co., PE January 24, 2009 (04-17)	Brian Boylan (AD.)	Robert McNeill 251 Water Street Summerside, PE
STEWART, Cecil Charlottetown Queens Co., PE January 24, 2009 (04-17)	Pauline Stewart (AD.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE

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FAY, Lena H. Clinton (Formerly of Kelvin Grove) Prince Co., PE January 17, 2009 (03-16)	Gordon Campbell (EX.)	Stewart McKelvey PO Box 2140 Charlottetown, PE
MacDONALD, Margaret V. Souris West Kings Co., PE January 17, 2009 (03-16)	Leonard Rogers (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
REDDIN, Agnes Mount Stewart Queens Co., PE January 17, 2009 (03-16)	James MacDonald Reddin (EX.)	Philip Mullally Law Office PO Box 2560 Charlottetown, PE
BELL, Orin W. Tryon Prince Co., PE January 10, 2009 (02-15)	Ada Trainor (EX.)	Catherine M. Parkman Law Office PO Box 1056 Charlottetown, PE
DRAKE, Mary A. St. Peters Harbour Kings Co., PE January 10, 2009 (02-15)	Brendon I. Drake (EX.)	Boardwalk Law Office 220 Water Street Parkway Charlottetown, PE
LAGUFF, Clifford Raymond Coleman Prince Co., PE January 10, 2009 (02-15)	Johanna Katarina Laguff (EX.)	David R. Hammond, QC 740A Water Street East Summerside, PE
CAIRNS, J. Elton Freetown Prince Co., PE January 10, 2009 (02-15)	Lorne Moase (AD.)	McInnes Cooper PO Box 1570 Summerside, PE
PHEMISTER, Robert Ian Summerside Prince Co., PE January 10, 2009 (02-15)	William A. Phemister (AD.)	Cox & Palmer 82 Summer Street Summerside, PE
VANTVOORT, Everett Montague Kings Co., PE January 3, 2009 (01-14)	Thomas A. Matheson (EX.)	Matheson & Murray PO Box 875 Charlottetown, PE

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CUTTING, Harold Arthur Charlottetown Queens Co., PE December 27, 2008 (52-13)	Royal Trust Corporation of Canada Helen Cutting (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent Street Charlottetown, PE
DONAHUE, Gregory W. Roseville, Elmsdale Prince Co., PE December 27, 2008 (52-13)	Thelma Donahue (EX.)	McLellan Brennan 37 Central Street Summerside, PE
MacKINNON, Alban Little Harbour Kings Co., PE December 27, 2008 (52-13)	Margaret MacKinnon (EX.)	Allen J. MacPhee Law Corporation PO Box 238 Souris, PE
MacMURDO, Anna Evelyn North Bedeque Prince Co., PE December 27, 2008 (52-13)	Douglas MacMurdo (EX.)	Ramsay & Clark PO Box 96 Summerside, PE
WRIGHT, Wyman Frederick Middleton Prince Co., PE December 27, 2008 (52-13)	Sherry Noreen Wright (AD.)	McLellan Brennan 37 Central Street Summerside, PE
ADAMS, Beverley J. Stratford Queens Co., PE December 20, 2008 (51-12)	Irene L. Adams Marjorie J. Stewart (EX.)	Cox & Palmer PO Box 486 Charlottetown, PE
GALLANT, Joseph Elmer Charlottetown Queens Co., PE December 20, 2008 (51-12)	Michael A. Farmer, QC J. Mark Ladner (EX.)	Carr Stevenson & MacKay PO Box 522 Charlottetown, PE
STEWART, Mary Ann Caledonia, Belle River RR#1 Queens Co., PE December 20, 2008 (51-12)	Leo John Garbus (EX.)	McInnes Cooper BDC Place Suite 620, 119 Kent St. Charlottetown, PE

The following order was approved by Her Honour the Lieutenant Governor in Council dated 10 March 2009.

**EC2009-139**

**ENVIRONMENTAL PROTECTION ACT  
ENVIRONMENTAL ADVISORY COUNCIL  
APPOINTMENTS**

Pursuant to section 4 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following appointments:

<b>NAME</b>	<b>TERM OF APPOINTMENT</b>
Mark Bernard Freetown (vice Joanne LeBlanc-Arsenault, term expired)	3 March 2009 to 3 March 2012
Patrick Birtwistle Stratford (reappointed)	31 October 2008 to 31 October 2011
Bertha Campbell Kensington (vice Emmerson McMillan, term expired)	3 March 2009 to 3 March 2012
Alan Hicken South Pinette (reappointed)	29 March 2008 to 29 March 2011
Paula MacKinnon Charlottetown (vice Jeanne Maki, term expired)	3 March 2009 to 3 March 2012
Bruce MacNeill Beach Point (reappointed)	29 March 2008 to 29 March 2011
Stephen Moorehead Stratford (vice Leslie Hartling, term expired)	3 March 2009 to 3 March 2012
Sherra Profit Alberton	3 March 2009 to 3 March 2012
member nominated by the Federation of Prince Edward Island Municipalities	
Mel Gass New Haven (vice Gwen Wyand, term expired)	3 March 2009 at pleasure

Further, in accordance with clause 4(4)(a) of the said Act, Council designated Elmer MacDonald as chairperson and Dr. James Kemp as vice-chairperson for the balance of their terms as members.

Signed,

Robert Allan Rankin  
Clerk of the Executive Council

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**NOTICE OF  
INTENTION TO DESIGNATE LANDS UNDER THE  
NATURAL AREAS PROTECTION ACT  
R.S.P.E.I. 1988 Cap N-2, section 3**

**PUBLIC NOTICE** is hereby given that the Minister of Environment, Energy and Forestry for the Province of Prince Edward Island intends to designate 12 parcels of Provincially owned land as Natural Area. The 12 parcels of Crown property are described below by property number and legal description, pursuant to subsection 3(1) of the *Natural Areas Protection Act*, R.S.P.E.I. 1988 Cap N-2;

**PUBLIC NOTICE** is further given that the Minister of Environment, Energy and Forestry invites the public to make representations on this designation pursuant to subsection 3(4) of the *Natural Areas Protection Act*, R.S.P.E.I. 1988 Cap N-2;

**PUBLIC NOTICE** is further given that representations may be made to the Director of Forests, Fish and Wildlife, at the Department of Environment, Energy and Forestry, 11 Kent Street, P.O. Box 2000 Charlottetown P.E.I. CIA 7N8. Phone (902) 368-4700. Representations must be received by 4.00 pm, Thursday April 30, 2009.

**1. PROPERTY NUMBER 114694 Bear River - 36.4 ha (90 acres)**

BEING AND INTENDED to be ALL THAT PARCEL OF LAND, situate, lying and being at Clearspings, on Lot or Township Number Forty Four (44) in King's County, in the Province of Prince Edward Island, Bounded and Described as follows, that is to say:

COMMENCING on the Northwest angle of land conveyed by the Said Allan Gillis to Andrew McDonald, now owned by Reginald McDonald and running thence Eastwardly along the Northern boundary of said Reginald McDonald's land THIRTY THREE (33) CHAINS or to the Western boundary of land of Angus D. McIsaac; thence Northwardly along the said Angus D. McIsaac's Western boundary for the distance of TWENTY TWO (22) CHAINS and TWENTY (20) LINKS; thence Westwardly THIRTY THREE (33) CHAINS or to a proposed road in the rear of the farms fronting on the Bear River Line Road and thence Southwardly along said Proposed Road TWENTY TWO (22) CHAINS and TWENTY (20) LINKS to the place of commencement and containing SEVENTY THREE (73) ACRES of land, a little more or less and being part of the land conveyed by the Commissioner of Public Lands to William S. Knight by Deed bearing the date the 18th day of May, A.D. 1872.

**2. PROPERTY NUMBER 114843 (Bear River - 20.23 ha (50 acres))**

BEING AND INTENDED to be ALL THAT PARCEL OF LAND, situate, lying and being on Lot or Township Number Forty Four (44) in King's County, in the Province of Prince Edward Island, Bounded and Described as follows, that is to say:

Bounded on the East by the New Zealand Road, on the North by Stephen K. Gillis, on the West by Reginald MacDonald and John A. MacDonald, and on the South by Roy White containing by estimation FIFTY (50) ACRES of land, a little more or less.

**3. PROPERTY NUMBER 114868 (Bear River - 20.23 ha (50 acres))**

BEING AND INTENDED to be ALL THAT PARCEL OF LAND, situate, lying and being at New Zealand, on Lot or Township Number Forty Four (44) in King's County, in the Province of Prince Edward Island, Bounded and Described as follows, that is to say:

BOUNDED on the North by land at one time owned by Alex Cheverie; on the East by the New Zealand Road; on the South by land owned by James Hanlon and On the West by the rear of the line of the Bear River Line Road farms and containing FIFTY (50) ACRES of land, a little more or less, and being the Northern moiety or one-half part of 100 acres of land conveyed by Thomas Kickham to Patrick Hanlon by a Deed of Conveyance dated the 15<sup>th</sup> day of January A.D. 1906 and registered with the Registrar of Deeds for King's County, in Liber 30, Folio 191.

**4. PROPERTY NUMBER, 114876 (Bear River - 20.23 ha (50 acres))**

BEING AND INTENDED to be all that other tract, piece or parcel of land, situate, lying and being at New Zealand aforesaid, Bounded and Described as follows, that is to say:

BOUNDED on the East by the New Zealand Road; on the South by land of Joseph MacIsaac; on the West by the rear of the line of the Bear River Line Road farms and on the North by William Hanlon and being the Southern moiety or one half part of 100 acres of land devised by Patrick Hanlon to James Hanlon.

**5. PROPERTY NUMBER 114892 (Bear River - 20.23 ha (50 acres))**

BEING AND INTENDED to be All that tract, piece or parcel of land, situate, lying and being on Lot or Township Number Forty Four (44) in King's County, in the Province of Prince Edward Island, Bounded and Described as follows, that is to say:

COMMENCING on the WEST side of the New Zealand Road at the Northeast angle of Fifty (50) acres of land conveyed by the Commissioner of Public Lands to the late Lawrence Kickham formerly held by William Burke and thence running West by the Magnetic meridian of the year 1764 along the Northern boundary of Said land conveyed to the said Lawrence Kickham to the rear of the line of the Bear River Line Road farms; thence North along the said rear line SIX (6) CHAINS and TWENTY (20) LINKS or to the South boundary line of lands now or formerly in possession of Allan MacDonald and John MacDonald; thence East to the New Zealand Road aforesaid; thence South along Said Road to the place of commencement containing FIFTY (50) ACRES of land, a little more or less.

**6. PORTIONS OF PROPERTY NUMBER PID #388736 (BEACH GROVE - 6.4 ha (15.7 acres))****Portion #1 OF PID #388736 BEACH GROVE**

ALL THAT PARCEL OF LAND situate, lying and being in Charlottetown, Queens County, Province of Prince Edward Island, bounded and described as follows, that is to say:

COMMENCING at a point located on the Northeastern boundary of lands of the Prince Edward Island Housing Corporation as shown on survey plan prepared by the Department of Transportation and Public Works of the Government of Prince Edward Island, entitled "Plan of Survey Showing Parcel 08-A and Topographic Features at Charlottetown", certified by Serge J. Bernard, P. Eng, NBLs, PEILS, on the 17<sup>th</sup> day of March, 2008, as File No. 3670, more particularly identified by survey marker number 807 having coordinates Easting 286801.181 and Northing 189446.339;

THENCE on an azimuth of 40° 46' 06" for a distance of 51.278 metres to survey marker number 814;

THENCE on an azimuth of 327° 54' 22" for a distance of 53.514 metres to survey marker number 813;

THENCE continuing on an azimuth of 327° 54' 22" for approximately 50 metres or until it reaches the Southwestern boundary of lands now or formerly in the possession of the Canada Lands Company CLC Ltd.;

THENCE in a Southwestwardly direction along the said boundary of the Canada Lands Company CLC Ltd. lands to the shore of the North River;

THENCE in a Southwardly and Southeastwardly direction along the shore of the said North River to a point having GIS calculated coordinates Easting 286466.2 and Northing 189201.4;

THENCE in a Northerly direction following the edge of the wooded area, identified on a 2000 aerial photograph to a point having GIS calculated coordinates Easting 286466.0 and Northing 189201.4;

THENCE in a Northwestwardly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 286445.1 and Northing 189208.3;

THENCE in a Northerly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 2864440.6 and Northing 189228.4;

THENCE in a Northwestwardly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 286419.2 and Northing 189246.6

THENCE in a Northeastwardly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 286442.2 and Northing 189270.6;

THENCE in a Northerly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 286436.8 and Northing 189285.1;

THENCE in a Eastwardly direction following the edge of the wooded area to a point having GIS calculated coordinates Easting 286473.1 and Northing 189308.3;

THENCE in a Eastwardly direction following the edge of the wooded area to a point located on the Western boundary of lands now or formerly in the possession of the Prince Edward Island Housing Corporation identified as PID #694661;

THENCE in a Northeastwardly direction along the Northwest boundary of lands now or formerly in possession of the Prince Edward Island Housing Corporation and the Western boundary of the Beach Grove Road to the Northwestern boundary of the said Road;

THENCE in a Southeastwardly direction, along the Northeastern boundary of the Beach Grove Road to the Northwestern angle of lands of the Prince Edward Island Housing Corporation identified as PID#802330;

THENCE in a Northeastwardly and Eastwardly direction along the Northwestern and Northeastern boundaries of the said lands to survey marker number 807 or the point of commencement.

BEING AND INTENDED to be the wooded area of PID #388736 lying to the North and West of Beach Grove Home as shown outlined on attached GeoLinc map containing an area of approximately 13.85 acres of land a little more or less.

**Portion #2 OF PID #388736 BEACH GROVE**

ALL THAT PARCEL OF LAND situate, lying and being in Charlottetown, Queens County, Province of Prince Edward Island, bounded and described as follows, that is to say:

COMMENCING at the point of intersection of the Southern boundary of the Beach Grove Road and the Western boundary of the Lewis Point Road;

*<http://www.gov.pe.ca/royalgazette>*

THENCE in a Westwardly direction along the Southern boundary of the Beach Grove Road for a distance of approximately 57 metres or to the edge of the wooded area;

THENCE in a Southwardly direction along the edge of the wooded area for a distance of approximately 108 metres or to the Northern boundary of lands now or formerly in the possession of Chul Kyoo (John) Kim and Kyong Ae (Connie) Kim;

THENCE in an Eastwardly direction along the Northern boundary of lands of Chul Kyoo (John) Kim and Kyong Ae (Connie) Kim, lands of Allison and Rosemary Drake, and lands of John and Cynthia Potter to the Western boundary of the Lewis Point Road;

THENCE in a Northerly direction along the Western boundary of the Lewis Point Road to the point of intersection with the Beach Grove Road or the place of commencement.

BEING AND INTENDED to be the most eastern section of wooded area located on PID #388736 as shown on the attached GeoLinc map containing an area of approximately 1.85 acres of land a little more or less.

**7. PROPERTY NUMBER 225920 Brookvale - 28.3 ha (70 acres)**

**BEING AND INTENDED** to be the lands described in a Deed of Conveyance from Eugene Curley to the Government of Prince Edward Island dated 10<sup>th</sup> day of December, A.D. 2003 and registered in the Office of the Registrar of Deeds for Queens County, on the 12<sup>th</sup> December, A.D. 2003 in Book 1291, Page 61 as Document No. 10377.

**8. PROPERTY NUMBER 928234 Brookvale - 49.4 ha (122 acres)**

**BEING AND INTENDED** to be the lands described in a Deed of Conveyance from Eugene Curley to the Government of Prince Edward Island dated 7<sup>th</sup> day of July, A.D. 2004 and registered in the Office of the Registrar of Deeds for Queens County, on the 9<sup>th</sup> July, A.D. 2004 in Book 1324, Page 35 as Document No. 5507.

**9. PROPERTY NUMBER 144600 (Naufrage River -13.7 ha (33.8 acres))**

**BEING AND INTENDED** to be the lands described in a Deed of Conveyance from Angus J. Gorman to The Prince Edward Island Land Development Corporation dated 26<sup>th</sup> day of September, A.D. 1975 and registered in the Office of the Registrar of Deeds for Kings County, on the 30<sup>th</sup> September, A.D. 1975 in Book 109, Page 117 as Document No. 1257.

**EXCEPTING THEREOUT AND THEREFROM** all that tract, piece or parcel of land shown on a plan of survey prepared by Gulf Surveys Ltd. Entitled "Plan of Survey showing Property Being Conveyed from Government of Prince Edward Island (as represented by the Minister of Transportation and Public Works) to Maritime Electric Company, Limited at St. Charles" certified by Robert A. Tait, P.E.I.L.S. on the 8<sup>th</sup> day of August, 2006 as drawing no. 7378, and approved by the Dept. Of Community & Cultural Affairs on the 23<sup>rd</sup> day of August, 2006, as Case #32580A, Being and intended to be Lot 06-1 as shown on the aforementioned plan, containing an area of 1.60 hectares of land, a little more or less.

**10. PROPERTY NUMBER 52290 (Richmond - 15.46 ha (38.2 acres))**

**BEING AND INTENDED** to be a portion of the lands described in a Deed of Conveyance from the Prince Edward Island Lending Authority to the Prince Edward Island Land Development Corporation dated the 1<sup>st</sup> day of June, A.D. 1971 and registered in the Prince County Registry Office on the 2<sup>nd</sup> day of June A.D. 1971 as Document #906 in Book 145 Page 198 and CONTAINING by estimation Thirty-Six (36) acres of land a little more or less.

**11. PROPERTY NUMBER 52647 (Richmond - 7.18 ha (17.7 acres))**

**BEING AND INTENDED** to be a portion of the lands described in a Deed of Conveyance from John McEntee and Arnold McEntee to the Prince Edward Island Land Development Corporation dated the 19<sup>th</sup> day of March, 1973 and registered in the Prince County Registry Office in 1973 Document Number 613 in Book 156 Page 118, and CONTAINING by estimation 17 acres of land a little more or less.

**12. PROPERTY NUMBER 108043 Basin Head- 13.0 ha (32 acres)**

**BEING** the land described in a Deed of Conveyance from H. Laird King and Sandra King and dated the 19th day of December, A.D. 2008 and registered in the Office of the Registrar of Deeds for Kings County on the 19th day of December, A.D. 2008 in Book 2066 as Document No. 2608.

**NOTICE OF DISSOLUTION**

*Partnership Act*  
R.S.P.E.I. 1988, Cap. P-1

Public Notice is hereby given that a Notice of Dissolution has been filed under the *Partnership Act* for each of the following:

Name: HELENE CURTIS  
Owner: UNILEVER CANADA INC.  
Registration Date: March 06, 2009

Name: UBF FOODSOLUTIONS  
Owner: UNILEVER CANADA INC.  
Registration Date: March 06, 2009

Name: HOWARD'S COVE SEAFOODS  
(2004)  
Owner: REUBEN'S FISH MART LTD.  
Registration Date: March 12, 2009

Name: HARCOURT ASSESSMENT  
Owner: REED ELSEVIER CANADA LTD.  
Registration Date: March 09, 2009

Name: MONA VIE  
Owner: MONAVIE LLC  
Registration Date: March 06, 2009

Name: MONAVIE  
Owner: MONAVIE LLC  
Registration Date: March 06, 2009

Name: E\*TRADE CAPITAL MARKETS  
Owner: E\*Trade Canada Securities  
Corporation  
Registration Date: March 09, 2009

Name: E\*TRADE FINANCIAL  
Owner: E\*Trade Canada Securities  
Corporation  
Registration Date: March 09, 2009

Name: ELSLEY RESEARCH AND  
DEVELOPMENT  
Owner: Bryce Elsley  
Registration Date: March 10, 2009

Name: EVERYDAY USED CARS  
Owner: Tom Wood  
Harley Sentner  
Registration Date: March 12, 2009

Name: POWER E\*TRADE  
Owner: E\*Trade Canada Securities  
Corporation  
Registration Date: March 09, 2009

Name: UNIFIED NETWORK PAYMENT  
SOLUTIONS  
Owner: First Data Acquisition Corporation  
CUETS Acquiring Inc.  
Registration Date: March 11, 2009

**NOTICE OF GRANTING  
LETTERS PATENT**

*Companies Act*  
R.S.P.E.I. 1988, Cap. C-14, s.11,

Public Notice is hereby given that under the *Companies Act* Letters Patent have been issued by the Minister to the following:

Name: ARMAGEDDON PAINT BALL INC.  
5459 Route 13  
New Glasgow, PE C0A 1N0  
Incorporation Date: March 12, 2009

Name: DANNY'S AUTO SERVICE INC.  
2320 Covehead Road  
Covehead  
Little York, PE C0A 1P0  
Incorporation Date: March 11, 2009

Name: ELSLEY RESEARCH AND  
DEVELOPMENT INC.  
52 Victoria Street  
Charlottetown, PE C1A 2B3  
Incorporation Date: March 10, 2009

Name: EVERYDAY USED CARS INC.  
14883 Trans Canada Highway  
Cornwall, PE C0A 1H0  
Incorporation Date: March 12, 2009

Name: LITTLE POND HOLDINGS INC.  
3 Westwood Crescent  
Charlottetown, PE C1A 8X4  
Incorporation Date: March 06, 2009

Name: PATON CONSULTING INC.  
129 North River Road  
Charlottetown, PE C1A 3K7  
Incorporation Date: March 06, 2009

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**NOTICE OF GRANTING  
SUPPLEMENTARY LETTERS PATENT**

*Companies Act*

R.S.P.E.I. 1988, Cap. C-14, s.18, s.3

Public Notice is hereby given that under the *Companies Act* supplementary letters patent have been issued by the Minister to the following:

Name: J.A.M. ENTERPRISES LTD.  
Purpose To increase the authorized capital.  
Effective Date: March 06, 2009

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**NOTICE OF REGISTRATION**

*Partnership Act*

R.S.P.E.I. 1988, Cap. P-1, s.52 and s.54(1)

Public Notice is hereby given that the following Declarations have been filed under the *Partnership Act*:

Name: MONA VIE  
Owner: MONAVIE ENTERPRISES  
CANADA ULC  
840 Howe Street, Suite 1000  
Vancouver, BC V6Z 2M1  
Registration Date: March 06, 2009

Name: MONAVIE  
Owner: MONAVIE ENTERPRISES  
CANADA ULC  
840 Howe Street, Suite 1000  
Vancouver, BC V6Z 2M1  
Registration Date: March 06, 2009

Name: TASCANADA TECHNOLOGY  
Owner: FIRST DATA CANADA  
MERCHANT SOLUTIONS ULC  
Solutions Marchands First Data  
Canada ULC  
595 Burrard Street, Suite 2600  
Three Bentall Centre, PO Box 49314  
Vancouver, BC V7X 1L3  
Registration Date: March 04, 2009

Name: INTACT INSURANCE COMPANY  
Owner: ING Insurance Company of Canada  
700 University Avenue  
Suite 1500-A  
Toronto, ON M5G 0A1  
Registration Date: March 09, 2009

Name: INTACT COMPAGNIE  
D'ASSURANCE  
Owner: ING Insurance Company of Canada  
700 University Avenue  
Suite 1500-A  
Toronto, ON M5G 0A1  
Registration Date: March 09, 2009

Name: INTACT INSURANCE  
Owner: ING Insurance Company of Canada  
700 University Avenue  
Suite 1500-A  
Toronto, ON M5G 0A1  
Registration Date: March 09, 2009

Name: INTACT ASSURANCE  
Owner: ING Insurance Company of Canada  
700 University Avenue, Suite 1500-A  
Toronto, ON M5G 0A1  
Registration Date: March 09, 2009

Name: INTACT  
Owner: ING Insurance Company of Canada  
700 University Avenue, Suite 1500-A  
Toronto, ON M5G 0A1  
Registration Date: March 09, 2009

Name: FOSECO  
Owner: VESUVIUS CANADA INC.  
181 Bay Street, Suite 1800  
Toronto, ON M5J 2T9  
Registration Date: March 12, 2009

Name: M.R.S.  
Owner: M.R.S. INC.  
777 Bay Street  
Toronto, ON M5G 2N4  
Registration Date: March 11, 2009

Name: MRS  
Owner: M.R.S. INC.  
777 Bay Street  
Toronto, ON M5G 2N4  
Registration Date: March 11, 2009

Name: ANDERSON FARMS  
Owner: Frederick L. Anderson  
705 St. Patrick's Road  
Hunter River, PE COA 1N0  
Owner: Daniel Scott Anderson  
705 St. Patrick's Road  
Hunter River, PE COA 1N0  
Registration Date: March 12, 2009

Name: ANGEL REALTY  
Owner: Pamela Joyce Campbell  
14 Waterview Heights  
Charlottetown, PE C1A 9J6  
Registration Date: March 09, 2009

Name: D&K RACING  
Owner: Donald Carr  
27 Rosemount Drive  
Charlottetown, PE C1A 3R9  
Registration Date: March 11, 2009

Name: DJST ENTERPRISES  
Owner: Troy D. Warren  
110 Parricus Mead Drive  
Charlottetown, PE C1E 2H1  
Registration Date: March 03, 2009

Name: EAST TIDE MEDIA  
Owner: Herb MacLean  
Box 1273  
Charlottetown, PE C1A 7M8  
Registration Date: March 05, 2009

Name: HARBOURLIGHT TOURING  
COMPANY  
Owner: Harold James Moreland  
PO Box 121  
North Rustico, PE C0A 1X0  
Owner: Joan Karen Moreland  
PO Box 121  
North Rustico, PE C0A 1X0  
Registration Date: March 09, 2009

Name: HOWARD'S COVE SEAFOODS  
Owner: 7119844 Canada Inc.  
57 St. Clair Avenue  
Charlottetown, PE C1A 2C7  
Registration Date: March 12, 2009

Name: KW AUTO  
Owner: Kevin Wilson  
369 Diversion Road  
RR 1, Ellerslie, PE C0B 1J0  
Registration Date: March 06, 2009

Name: MANN MADE COPY  
Owner: Jaime Lee Mann  
1834 Bannockburn Road  
Cornwall, PE C0A 1H0  
Registration Date: March 11, 2009

Name: MARITIME GLOBAL  
DISTRIBUTORS  
Owner: Steve Dow  
14 Green Leaf Drive  
Charlottetown, PE C1A 7R8  
Owner: Matthew Gallant  
379 Hawthorne Avenue  
Summerside, PE C1N 2C9  
Registration Date: March 10, 2009

Name: PORTSHELL CRAFTS  
Owner: Morley LaBelle  
250 Long Creek Road  
P.O. Box 949, Cornwall, PE C0A 1H0  
Owner: Marilyn LaBelle  
250 Long Creek Road  
P.O. Box 949, Cornwall, PE C0A 1H0  
Registration Date: March 09, 2009

Name: PRO-TECH ALARMS &  
ELECTRICAL  
Owner: Simon Houde  
688 Toronto Road  
Hunter River, PE C0A 1N0  
Registration Date: March 10, 2009

Name: RED COVE  
Owner: 7119844 Canada Inc.  
57 St. Clair Avenue  
Charlottetown, PE C1A 2C7  
Registration Date: March 10, 2009

Name: SCOTIA ITRADE  
Owner: Scotia iTRADE Corp.  
1959 Upper Water Street  
Purdy's Wharf Tower One, Suite 900  
Halifax, NS B3J 2X2  
Registration Date: March 09, 2009

Name: SPOIL ME ROTTEN IN HOME SPA  
SERVICES  
Owner: Stefany MacKeen  
36 Cannon Line Drive  
Mt. Mellick, PE C1A 7J6  
Registration Date: March 11, 2009

Name: TONY CARGILL SCHOOL OF  
DANCE  
Owner: Tony Cargill  
61 Gamble Avenue  
Summerside, PE C1N 5V5  
Registration Date: March 05, 2009

Name: WEBRA ISLE HOLSTEINS  
 Owner: Theo Vermunt  
 Colville Road  
 Cornwall RR #3, PE C0A 1H0  
 Owner: Bart Vermunt  
 Colville Road  
 Cornwall RR 3, PE C0A 1H0  
 Owner: Johannes Vermunt  
 Colville Road  
 Cornwall RR 3, PE C0A 1H0  
 Registration Date: March 06, 2009

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**NOTICE OF  
 REVIVED COMPANIES**

*Companies Act*  
 R.S.P.E.I. 1988, Cap. C-14 s.73

Public Notice is hereby given that under the *Companies Act* the following companies have been revived:

Name: CENTRAL KINGS COMMUNITY  
 CENTRE INC.  
 Effective Date: March 11, 2009

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**NOTICE OF APPLICATION FOR  
 LEAVE TO SURRENDER CHARTER**

**CORPORATE SERVICES LTD.**, a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to the *Companies Act* of the Province of Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Consumer, Corporate and Insurance Services, Office of the Attorney General, for leave to surrender the Charter of the said Company.

DATED at Charlottetown in Queens County, this 16th day of March, 2009.

Susan M. Connolly  
 Solicitor for the Applicant  
 Stewart McKelvey Stirling Scales  
 Barristers and Solicitors

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**NOTICE OF APPLICATION FOR  
 LEAVE TO SURRENDER CHARTER**

**B.P. INVESTMENT INC.**, a body corporate, duly incorporated under the laws of the Province of Prince Edward Island, hereby gives notice pursuant to the *Companies Act* of the Province of <http://www.gov.pe.ca/royalgazette>

Prince Edward Island, R.S.P.E.I. 1988, Cap. C-14, that it intends to make application to the Director of Consumer, Corporate and Insurance Services, Office of the Attorney General, for leave to surrender the Charter of the said Company.

DATED at Charlottetown in Queens County, this 17th day of March, 2009.

James C. Travers, Q.C.  
 Solicitor for the Applicant  
 Stewart McKelvey Stirling Scales  
 Barristers and Solicitors

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**NOTICE  
 CHANGE OF NAME**

Be advised that a name change under the *Change of Name Act* S.P.E.I. 1997, C-59 was granted as follows:

Former Name: **MERLIN CHURCHILL  
 LONGPHEE**  
 Address: 519 QUEEN STREET APT 31  
 CHARLOTTETOWN  
 PE C1A 8B3  
 Present Name: **MERLIN CHURCHILL  
 LONGAPHEE**

MARCH 12, 2009

T.A. Johnston  
 Director of Vital Statistics

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**NOTICE  
 MARRIAGE ACT**  
 Prince Edward Island  
 [Subsection 8(1) of the Act]

Notice is hereby published that, under the authority of the *Marriage Act*, the following clergy has been **temporarily registered from March 04, 2009 - July 31, 2009** for the purpose of solemnizing marriage in the province of Prince Edward Island:

**Rev. Chesley Boutilier**  
 7 Boutilier Lane  
 R.R. # 2, Kensington, PEI C0B 1M0

T.A. Johnston  
 Director of Vital Statistics

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**PART II**  
**REGULATIONS**

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**EC2009-137**

**PLANNING ACT**  
**SUBDIVISION AND DEVELOPMENT REGULATIONS**  
**AMENDMENT**

(Approved by Her Honour the Lieutenant Governor in Council dated 10 March 2009.)

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. Section 1 of the *Planning Act* Subdivision and Development Regulations (EC693/00) is amended**

**(a) by the revocation of clause (b.1);**

**(b) in clause (b.2), by the deletion of the words “and includes a distance of three miles seaward of the mean high water mark, and may contain sand, gravel, rock, clay or other earthen material”;**

**(c) in clause (b.3), by the deletion of the words “protect another area from the encroachment or effects of development” and the substitution of the words “separate two or more different types of land use”;**

**(d) in clause (c.1), by the deletion of the words “(in storeys)”;**

**(e) in clause (c.2),**

**(i) by the deletion of the words “tract or”, and**

**(ii) by the deletion of the words “and may also be called an RV park but shall” and the substitution of the words “, but does”;**

**(f) by the revocation of clause (d) and the substitution of the following:**

**(d) “change of use” means**

**(i) altering the class of use of a parcel of land from one class to another, recognizing as standard classes residential, commercial, industrial, resource (including agriculture, forestry and fisheries), recreational and institutional uses, or**

**(ii) a material increase in the intensity of the use of a building, within a specific class of use as described in subclause (i), including an increase in the number of dwelling units within a building;**

change of use

**(g) by the revocation of clauses (d.1) and (d.2);**

**(h) by the revocation of clause (e.2) and the substitution of the following:**

commercial eco-tourism use

(e.2) “commercial eco-tourism use” means the development and management of tourism within the Greenwich, Prince Edward Island National Park, through the use of any land or building for any retail or service use, except any amusement type attraction, so that the natural environment is preserved;

**(i) by the revocation of clause (f.2);**

**(j) by the revocation of clause (g) and the substitution of the following:**

development

(g) “development” means

(i) an excavation or stockpile, and includes the creation of either of them,

(ii) a building or an addition to, or replacement of a building, and includes the construction or placing in, on, over or under land of any of them,

(iii) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in use of the land or building, or

(iv) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

**(k) in clause (g.1), by the revocation of subclause (v) and the substitution of the following:**

(v) “semi-detached dwelling” means a residential dwelling unit within a semi-detached building;

**(l) by the revocation of clause (g.2) and the substitution of the following:**

entrance way

(g.2) “entrance way” means a vehicular access to a parcel of land from a public road;

**(m) by the revocation of clause (g.3);**

**(n) in clause (h.2), by the deletion of the words “year-round residential” and the substitution of the word “unit”;**

**(o) by the revocation of clause (i.1);**

**(p) by the revocation of clause (i.2) and the substitution of the following:**

frontage

(i.2) “frontage” means the width of a lot or a parcel of land where it abuts a street or a road;

**(q) in clause (i.3),**

**(i) by the deletion of the words “means a temporary development consisting of a detached dwelling unit which” and the substitution of the words “means a single unit dwelling that is placed on a lot on a temporary basis and that”,**

**(ii) in subclause (v), by the addition of the words “or a mini home” after the words “mobile home”, and**

**(iii) in paragraphs (A), (B) and (C), by the deletion of the words “of land” after the word “parcel”;**

**(r) in clause (i.4), by the deletion of the words “(as it applies to the determination of building height)”;**

**(s) by the revocation of clause (i.5) and the substitution of the following:**

(i.5) “habitable building” means any building designed for human occupancy in any manner or form; habitable building

**(t) in clause (k), by the deletion of the words “space designed for the purpose of” and the substitution of the words “area designed to accommodate a vehicle while”;**

**(u) in clause (k.2),**

**(i) by the deletion of the words “means a parcel of land which is held in separate ownership from the adjoining land, and” and the substitution of the words “means a measured parcel of land having fixed boundaries and”, and**

**(ii) by the revocation of subclause (iv) and the substitution of the following:**

(iv) “flankage lot line” means the side lot line that abuts a road on a corner lot,

**(v) in clause (l), by the deletion of the words “means a transportable dwelling suitable for long term occupancy,” and the substitution of the words “means a single unit dwelling”;**

**(w) in clause (l.1), by the deletion of the words “means a transportable dwelling suitable for long term occupancy,” and the substitution of the words “means a single unit dwelling”;**

**(x) in clause (l.2), by the deletion of the words “a lot of land” and the substitution of the words “a parcel of land”;**

**(y) by the revocation of clause (m.1);**

**(z) by the revocation of clause (m.2) and the substitution of the following:**

(m.2) “open space” means an outdoor amenity space for active or passive recreational use; open space

**(aa) in clause (n.1), by the deletion of the words “means a lot, block or other division of land or property” and the substitution of the words “means a lot or other division of land”;**

**(bb) by the revocation of clause (n.2) and the substitution of the following:**

parking area

(n.2) “parking area” means a portion of land, or of a building or structure, set aside for the parking and manoeuvring of motor vehicles;

**(cc) by the revocation of clause (o) and the substitution of the following:**

parking stall

(o) “parking stall” means that portion of a parking area, excluding motor vehicle manoeuvring areas, that will accommodate one motor vehicle;

**(dd) by the revocation of clause (p);**

**(ee) in clause (p.1), by the deletion of the word “which” and the substitution of the word “that”;**

**(ff) in clause (q), by the deletion of the words “; but farm lanes shall in no circumstances be deemed common and public highways” and the substitution of the words “, and excluding, in all circumstances, farm lanes”;**

**(gg) in clause (q.1), by the deletion of the words “, or land integrated with development,”;**

**(hh) by the revocation of clause (r);**

**(ii) by the revocation of clause (r.1) and the substitution of the following:**

resort development

(r.1) “resort development” means

- (i) a comprehensively designed recreational development having a minimum area of 20 acres (8.1 hectares), together with buildings intended for recreational use having a minimum total floor area of 2,500 square feet (232.2 square metres), and
- (ii) a residential subdivision containing a minimum of 20 lots or a residential development containing a minimum of 20 residential units;

**(jj) by the revocation of clause (r.4);**

**(kk) in clause (s.1), by the deletion of the words “the beach” wherever they occur and the substitution of the words “a beach”;**

**(ll) by the revocation of clause (s.4) and the substitution of the following:**

(s.4) “semi-detached building” means a single building designed and built to contain two side-by-side units that are separated by a party wall, and each of which is capable of being conveyed separately;

semi-detached  
building

**(mm) by the revocation of clauses (t.1) and (u.2);**

**(nn) in clause (v),**

**(i) “by the deletion of the words “means any construction fixed to, or sunk into land or water, but excludes:” and the substitution of the words “means any thing constructed or erected with a fixed location on the ground, or sunk into land or water, but excludes”, and**

**(ii) by the addition of the word “walkways” after the words “similar surfacing”;**

**(oo) by the revocation of clause (v.2) and the substitution of the following:**

(v.2) “summer cottage” means a single unit dwelling that is intended to be occupied primarily during the summer months;

summer cottage

(v.03) “top of the bank” means, where there is no embankment, the landward boundary of a beach;

top of the bank

**(pp) by the revocation of clause (w.1) and the substitution of the following:**

(w.1) “variance” means a limited relaxation from the provisions of these regulations with respect to setbacks, area, height or size of a structure where, owing to the conditions peculiar to the parcel, and not the result of actions of the applicant, a literal enforcement of the regulations would result in unnecessary or undue hardship;

variance

**(qq) by the revocation of clause (w.2) and the substitution of the following:**

(w.2) “watercourse” means a watercourse as defined in the *Environmental Protection Act* Watercourse and Wetland Protection Regulations;

watercourse

**(rr) by the revocation of clause (x) and the substitution of the following:**

(x) “wetland” means a wetland as defined in the *Environmental Protection Act* Watercourse and Wetland Protection Regulations;

wetland

**(ss) in clause (z),**

**(i) by the deletion of the words “means an open space” and the substitution of the words “means an area of land”,**

**(ii) by the deletion of the words “main building” wherever they occur and the substitution of the words “principle building”, and**

**(iii) in subclause (iv) by the addition of the words “or entrance steps” after the words “any chimney breast”.**

**2. Subsection 3(3) of the regulations is revoked.**

**3. Section 12 of the regulations is amended**

**(a) by the revocation of subsection (1) and the substitution of the following:**

Subdivision approval

**12.** (1) No person shall subdivide land without first obtaining final approval of the subdivision from the Minister.

**(b) by the revocation of subsection (3) and the substitution of the following:**

Independent sale

(3) Where one or more of the parcels described in subsection (2) are to be conveyed independently of any other parcel under the same ownership, a subdivision approval shall not be required.

**4. Section 14 of the regulations is amended**

**(a) by the revocation of subsection (1) and the substitution of the following:**

Application for subdivision

**14.** (1) An application for subdivision shall be made on a form prescribed by the Minister, and shall include the following:

- (a) the name, address and telephone number of the applicant;
- (b) the property number;
- (c) the existing use of the land;
- (d) the number of lots proposed and proposed uses;
- (e) the signature of the owner of the land being subdivided or legal authorization to make an application on behalf of the landowner;
- (f) all required fees.

**(b) in subsection (2),**

**(i) by the deletion of the words “An application for an approved subdivision of” and the substitution of the words “An application for the subdivision of”, and**

**(ii) in clause (a), by the deletion of the words “proposed for access to the lots” and the substitution of the words “proposed to provide access to the lots from a public highway”;**

**(c) by the revocation of subsection (3) and the substitution of the following:**

Six or more lots

(3) An application for the subdivision of six or more lots shall be accompanied by:

- (a) a plan or plans showing

- (i) the true shape and dimensions of the property to be subdivided, the proposed lots and uses, and all roads or rights-of-way proposed to provide access to the lots from a public highway,
  - (ii) a key plan indicating the general location of the land to be subdivided,
  - (iii) the north point,
  - (iv) the scale,
  - (v) the location and current use of all existing buildings or structures on the site and within 100 feet (30.4 metres) of the site,
  - (vi) existing and proposed services, including central or municipal waste treatment systems, and central or municipal water supply systems,
  - (vii) all land proposed as open space, park, recreation or other common area,
  - (viii) watercourses, wetlands, beaches, sand dunes, forested areas, designated natural areas or conservation zones on, or adjacent to, the proposed subdivision,
  - (ix) existing and proposed private rights-of-way or easements,
  - (x) elevation contours and the proposed storm water drainage pattern within the subdivision and within 300 feet (91.4 metres) of the boundaries of the subdivision,
  - (xi) any special planning areas affecting the site;
- (b) any additional information the Minister considers necessary.

**(d) in subsection (4), by the deletion of the word “subdivided” and the substitution of the word “severed”; and**

**(e) by the revocation of subsection (5) and the substitution of the following:**

(5) All provisions of these regulations for subdivisions of six or more lots shall apply where a parcel has been subdivided incrementally so as to bring the number of lots created since June 12, 1993 to six or more. Incremental subdivision

#### **5. Section 16 of the regulations is amended**

**(a) by the revocation of subsection (1) and the substitution of the following:**

**16.** (1) Where a subdivision is proposed within a coastal area, the proposed subdivision shall, where applicable, include the following: Buffer inside coastal area

- (a) where adjacent to a beach, a buffer having a minimum width of 60 feet (18.3 metres) or 60 times the annual erosion rate for the area, whichever is greater, measured from the top of the bank adjacent to the beach;
- (b) where adjacent to a sand dune, a buffer having a minimum width of 60 feet (18.3 metres) measured from the inland boundary of the dune;
- (c) where feasible and appropriate, access to the beach or watercourse for the use of the owners of the lots.

**(b) by the revocation of subsection (2);**

**(c) by the revocation of subsection (3) and the substitution of the following:**

Buffer outside  
coastal area

(3) Where a subdivision is proposed outside a coastal area and adjacent to a watercourse, the proposed plan of subdivision may include an access to the watercourse for the use of the owners of the lots.

**(d) in subsection (4), by the deletion of the words “in a buffer” and the substitution of the words “within a required buffer”;**

**(e) by the revocation of subsection (7).**

#### **6. Section 17 of the regulations is amended**

**(a) by the revocation of subsections (1) to (3) and the substitution of the following:**

Subdivision roads

**17. (1)** All roads, other than existing roads within Slemon Park, shall have a minimum width of 66 feet (20.1 metres) and shall be designed to meet the following requirements:

(a) where practicable, be connected to existing roads in adjacent subdivisions, and make provision for extension into any future subdivisions on adjacent properties;

(b) provide a temporary turning area with a minimum turning radius of 40 feet (12.2 metres) where a subdivision is approved in phases and any phase results in a dead-end road, or where a road is to be extended onto an adjacent property in accordance with clause (a), until either an approved cul-de-sac has been constructed or the dead-end road has been extended.

Public roads

(2) All roads serving 21 or more lots approved after March 21, 2009, shall be public roads.

Permitted  
development on  
private roads

(3) The following types of development may be allowed on lots that have frontage onto a private road:

(a) commercial rental cottages;

(b) seasonal commercial uses related to tourism;

(c) seasonal resort developments or portions of a resort development not intended for year-round use;

(d) summer cottages;

(e) industrial, commercial office or retail, institutional, public service or residential development within the 600 acres of the Slemon Park future development area as described in Appendix B.

**(b) by the addition of the following after subsection (4):**

Private roads,  
professional  
engineer

(5) Private roads serving from six to 20 residential lots approved after March 21, 2009, shall be designed by and constructed under the supervision of a professional engineer in accordance with the applicable

standards for private roads and to the satisfaction of the Minister responsible for the *Roads Act*.

**7. Section 19 of the regulations is revoked and the following substituted:**

**19.** (1) All lots on a plan of subdivision shall be categorized in accordance with subsection 23(1), and shall conform with the minimum lot size standards outlined in subsection 23(2). Minimum lot requirements

(2) Where an existing lot has not been categorized in accordance with subsection 23(1), the Minister shall require that a site suitability assessment be conducted as set out in the *Environmental Protection Act Sewage Disposal Systems Regulations*. Soil testing

(3) A lot that does not meet the category standards as set out in section 23, may be approved if an alternative means of sewage disposal, acceptable to the Minister responsible for the *Environmental Protection Act*, is provided. *Idem*

(4) The area encompassed by the required minimum circle diameter as set out in Table 1 under subsection 23(2) shall be located on the lot such that it will accommodate an on-site septic sewage disposal system. Sewage disposal system

(5) The minimum lot size standards for residential lots as set out in subsection 23(2) do not apply to lots approved prior to June 12, 1993. Previously approved lots

(6) A subdivision application to increase the size of a lot approved prior to June 12, 1993, or an existing parcel of land, may be approved, notwithstanding that the resulting lot will not meet the minimum lot size standards as set out in subsection 23(2). Revision of previously approved lots

(7) Where an application is submitted to increase the intensity of use of Increase in area of previously approved lots

- (a) a lot approved prior to June 12, 1993;
- (b) an existing parcel of land; or
- (c) an existing building,

the Minister may, after consultation with the Minister responsible for the *Environmental Protection Act*, require that the parcel of land be increased in area to the extent considered necessary to ensure the safe operation of water supply and sewage disposal systems on the parcel in question and on all adjacent parcels.

**8. Section 20 of the regulations is revoked and the following substituted:**

**20.** (1) Where a lot is proposed to be subdivided from an existing parcel of land that is not a panhandle lot, and the proposed lot does not have the minimum required frontage on a public road, it may be approved as a panhandle lot where: Panhandle lots

- (a) the lot will include vehicular access to a public road by way of a driveway that is part of the lot, or an exclusive right-of-way that is registered over an adjacent parcel;
- (b) the access driveway or right-of-way has a minimum width of 24 feet (7.3 metres);
- (c) no other panhandle lot has been subdivided from the existing parcel of land;
- (d) the lot and the remnant parcel meet all the requirements of these regulations.

Driveway area not included

(2) The area of the access driveway or right-of-way portion of a panhandle lot shall not be included in the minimum lot area requirements as set out in Table 1 under subsection 23(2).

Additional panhandle lots

(3) Notwithstanding clause (1)(c), where one panhandle lot has been subdivided from an existing parcel of land pursuant to subsection (1), no more than one additional non-residential panhandle lot may be approved for each of the following uses only:

- (a) a primary resource use with a minimum area of 10 acres (4.05 hectares);
- (b) an existing or approved commercial or industrial development.

*Idem*

(4) A lot that has been approved as a panhandle lot may not be further subdivided unless the proposed subdivision meets all the requirements of these regulations.

**9. Section 21 of the regulations is revoked and the following substituted:**

Lots not requiring water and sewage servicing

**21.** (1) 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 requirements of section 23.

Change of use of excepted lot

(2) A change of use application to permit a development requiring water and sewage services on a lot approved pursuant to subsection (1), may only be approved if the lot meets the minimum standards set out in section 23.

**10. Section 22 of the regulations is amended by the deletion of the words “, by the sale of a part of any lot, diminish a lot below the standards set out in Table 1 or Table 2” and the substitution of the words “diminish a lot below the standards set out in subsection 23(2)”.**

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**11. Section 23 of the regulations is revoked and the following substituted:**

**23.** (1) Every lot on a plan of subdivision shall be categorized in accordance with the following site suitability standards: Lot categories

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

Minimum lot size standards - residential lots

(2) Every residential lot on a plan of subdivision shall conform with the following minimum lot size standards:

**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	25,000 sq. ft. / 2,322.5 sq. m.	150 ft. / 45.7 m.
			2	30,000 sq. ft. / 2,787 sq. m.	160 ft. / 48.8 m.
			3	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			4	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.
			more than 4	40,000 sq. ft. / 3,717 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	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	35,000 sq. ft. / 3,251.5 sq. m.	175 ft. / 53.3 m.
			2	40,000 sq. ft. / 3,717 sq. m.	200 ft. / 61 m.
			3	45,000 sq. ft. / 4,180.5 sq. m.	225 ft. / 68.6 m.
			4	50,000 sq. ft. / 4,645 sq. m.	250 ft. / 76.2 m.
			more than 4	50,000 sq. ft. / 4,645 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	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	51,000 sq. ft. / 4,738 sq. m.	225 ft. / 68.6 m.
			2	56,000 sq. ft. / 5,202 sq. m.	250 ft. / 76.2 m.
			3	61,000 sq. ft. / 5,667 sq. m.	275 ft. / 83.8 m.
			4	66,000 sq. ft. / 6,131 sq. m.	300 ft. / 91.4 m.
			more than 4	66,000 sq. ft. / 6,131 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 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	75,000 sq. ft. / 6,975 sq. m.	300 ft. / 91.4 m.
			2	80,000 sq. ft. / 7,440 sq. m.	
			3	85,000 sq. ft. / 7,905 sq. m.	
			4	90,000 sq. ft. / 8,370 sq. m.	
			more than 4	90,000 sq. ft. / 8,370 sq. m., plus 1,500 sq. ft. / 457 sq. m. for each additional unit	
on-site water supply and on-site sewage 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.
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
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Minimum lot size standards - non-residential lots

(3) Every non-residential lot on a plan of subdivision shall conform with the following minimum lot size standards:

**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

(4) No person shall diminish a lot below the standards set out in subsection (2) except as otherwise provided for in subsections 19(2) and 21(1). Prohibition

**12. Section 24 of the regulations is revoked and the following substituted:**

**24.** No person shall create a lot which does not have vehicular access to a public road or a private road, or which prevents or eliminates vehicular access from an adjacent parcel to a public road. Access

**13. Sections 25 to 29 of the regulations are revoked and the following substituted:**

**25.** (1) No person shall subdivide a parcel of land that abuts, and requires access to, an arterial, collector, local or seasonal highway unless all proposed entrance ways, including any new entrance way for a remnant parcel, meet the minimum sight distance standards as set out in the *Roads Act* Highway Access Regulations. Subdivide along highways; minimum sight distance

(2) No person shall subdivide a parcel of land that abuts, and requires access to, an arterial highway unless an entrance way permit, where required, has been issued by the Minister responsible for the *Roads Act* Highway Access Regulations. Arterial highways

(3) No person shall subdivide a parcel of land that abuts, and requires access to, a collector highway, unless it is an existing parcel of land, in which case: Collector highways

- (a) where the parcel has a frontage of less than 1,320 feet (402.3 metres), no more than one lot may be approved;
- (b) where the parcel has a frontage of 1,320 feet (402.3 metres) or more, one lot may be allowed for every 660 feet (201 metres) of frontage;

(c) one lot in addition to those permitted in clauses (a) and (b) may be approved provided:

- (i) that the proposed lot contains an existing farm dwelling served by an existing highway access,
- (ii) that no development permit shall be issued for a dwelling on the remainder of the subdivided parcel.

Service of Dwelling (4) Where a lot is subdivided pursuant to subclause 3(c)(i) or (ii), the dwelling on the lot shall be served by the existing dwelling access, and no development permit shall be issued for a dwelling on the remainder of the subdivided parcel.

Seasonal Highways (5) No person shall subdivide a parcel of land that abuts, and requires access to, a seasonal highway, unless an entrance way permit, where required, has been issued by the Minister responsible for the *Roads Act* Highway Access Regulations.

Non-essential highways (6) No person shall subdivide a parcel of land that abuts a non-essential highway unless access to an arterial, collector, local or seasonal highway is provided in accordance with the requirements of subsections 25(1) to (5) or access to a non-essential highway is approved by the Minister responsible for the *Roads Act* Highway Access Regulations.

Preliminary approval **26.** (1) A subdivision application that includes lots intended to accommodate septic sewage disposal systems shall not be granted preliminary approval until the lots have been categorized in accordance with subsection 23(1).

Conditions (2) Preliminary approval for all or a portion of a plan of subdivision may include conditions relating to:

- (a) soil and water testing, and the provision of sewage disposal and water services;
- (b) the allocation of land for any of the following purposes:
  - (i) the provision of shore access,
  - (ii) the preservation of a natural area or an historic site that is, in the opinion of the Minister, of provincial significance,
  - (iii) the provision of required buffers,
  - (iv) the construction of roads,
  - (v) the provision of utility, access or drainage easements;
- (c) the posting of a performance bond, cash bond, or other financial guarantee for the purpose of ensuring that the subdivision is developed in accordance with any conditions attached to preliminary approval;
- (d) any other requirements the Minister considers necessary.

Expiry (3) Preliminary approval for all or a portion of a plan of subdivision shall expire 24 months from the date of issue if the applicant fails to meet all of the conditions of preliminary approval within that time period, unless the applicant has made a request, in writing, and has been granted, an extension by the Minister sufficient to meet any outstanding conditions.

**27.** (1) Final approval for all or a portion of a subdivision application shall not be granted until: Final Approval

- (a) all the conditions of preliminary approval established in accordance with subsection 26(2) have been met;
- (b) an agreement has been completed with the Department of Transportation and Public Works for the construction and deeding of all public roads;
- (c) a storm water management plan, acceptable to the Minister responsible for the *Environmental Protection Act*, where required, has been submitted for the construction and post-construction phases of the subdivision;
- (d) a survey plan, certified by an accredited member of the Association of Prince Edward Island Land Surveyors, has been submitted showing the location of all survey pins.

(2) Notwithstanding clause (1)(d), where a subdivision would result in one or more lots of 10 acres or more, a plan of subdivision drawn accurately to scale on a provincial property map may be submitted in lieu of a certified survey plan for those lots that will be 10 acres or greater in area. Where survey not required

(3) Notwithstanding clause (1)(d), a certified survey plan shall not be required for the remaining portion of the original parcel from which a parcel was created. *Idem*

(4) Where a subdivision application was granted preliminary approval prior to December 2, 2000, but has not received final approval, final approval may be granted in accordance with subsection (1) only if all of the proposed lots on the plan of subdivision meet the minimum lot size standards as set out in section 23. Preliminary approval prior to these regulations

**28.** (1) Final approval of a subdivision application shall specify the permitted uses of each lot on the plan of subdivision. Designation of permitted uses

(2) No person shall use a parcel for any purpose other than that which is specified on the approved plan of subdivision. Offence

**29.** (1) No person shall deviate from an approved plan of subdivision, including changing the use of a lot from the approved use, unless a revised plan of subdivision or an application for a change of use has been submitted to, and has been approved by, the Minister. Change of use

(2) Where a change of use application has been made, the Minister, in reviewing the application for a change of use, may take into consideration any written submissions received from the owners of lots within 330 feet (150 metres) of the lot to which the application applies. *Idem*

**14. Section 30 of the regulations is revoked and the following substituted:**

Rescind or alter approval

**30.** The Minister may alter or rescind a subdivision approval, in whole or in part, where

- (a) the subdivision has been carried out contrary to the approved plan, any conditions of approval, or these regulations; or
- (b) the owner of the land has stated, in writing, that the conveyance of lots is no longer intended and has requested that the approval be rescinded.

**15. Subsection 60(4) of the regulations is revoked and the following substituted:**

Special requirements

(4) The following Table sets out the special requirements for buildings erected within the Greenwich Special Planning Area:

**TABLE 6**  
**Greenwich Special Planning Area Special Requirements for St. Peters Village Zone and Rural Development Zone**

**St. Peters Village Zone**

<b>Requirements</b>	<b>Residential use</b>	<b>Commercial use</b>	<b>Industrial use</b>
Setback from highway boundary	17 ft. (5.2 m.)	17 ft. (5.2 m.)	17 ft. (5.2 m.)
Setback from side yard property lines	15 ft. (4.6 m.)	15 ft. (4.6 m.)	15 ft. (4.6 m.)
Lot coverage	one or more buildings - a maximum of 50% of the lot area	one or more buildings - a maximum of 75% of the lot area	one or more buildings - a maximum of 75% of the lot area
<b>Architectural standards:</b>			
Building height	a maximum of 3 storey, not exceeding 35 ft. (10.7 m.)	a maximum of 3 storey, not exceeding 35 ft. (10.7 m.)	a maximum of 3 storey, not exceeding 35 ft. (10.7 m.)
Exterior building materials	exterior wood finish, vinyl siding, brick or stone	exterior wood finish, vinyl siding, brick or stone	exterior wood finish, vinyl siding, brick or stone
Maximum roof slope (standard gable)	4/12	4/12	4/12
Roofing materials	shingles	shingles	unrestricted

<b>Rural Development Zone</b>			
<b>Requirements</b>	<b>Residential use</b>	<b>Commercial use</b>	<b>Industrial use</b>
Setback from highway boundary	150 ft. (47.7 m.)	250 ft. (76.2 m.)	250 ft. (76.2 m.)
Setback from side yard property lines	50 ft. (15.2 m.)  30 ft.(9.1 m.) within a resort development	50 ft. (15.2 m.)	50 ft. (15.2 m.)
Lot coverage	one or more buildings - a maximum of 10% of the lot area	one or more buildings - a maximum of 10% of the lot area	one or more buildings - a maximum of 10% of the lot area
<b>Architectural standards:</b>			
Building height	a maximum of 3 storeys, not exceeding 37 ft. (10.7 m.)	a maximum of 3 storeys, not exceeding 37 ft. (10.7 m.)	a maximum of 3 storeys, not exceeding 37 ft. (10.7 m.)
Exterior building materials	exterior wood finish, vinyl siding, brick or stone	exterior wood finish, vinyl siding, brick or stone	exterior wood finish, vinyl siding, brick or stone
Maximum roof slope (standard gable)	4/12	4/12	4/12
Roofing materials	shingles	shingles	unrestricted

**16. Section 64 of the regulations is amended**

**(a) by renumbering it as subsection 64(1);**

**(b) in the words preceding clause (a), by the deletion of the words “no person shall” and the substitution of the words “, no person shall”; and**

**(c) by the addition of the following after subsection (1):**

(2) Subsection (1) shall apply to the following off-shore islands:

Off-shore islands

- (a) Glenfinnan Island;
- (b) Governor’s Island;
- (c) St. Peter’s Island;
- (d) Holman Island;
- (e) Murray Islands:
  - (i) Reynolds Island,
  - (ii) Herring Island,
  - (iii) Cherry Island,
  - (iv) Thomas Island,
  - (v) Gordon’s Island;
- (f) Boughton Island;

- (g) Grover (Ram) Island;
- (h) Little Courtin Island;
- (i) Bunbury Island;
- (j) Bird Island;
- (k) Oulton's Island;
- (l) Cascumpeque Sand Hills;
- (m) Conway Sand Hills;
- (n) Hog Island Sand Hills;
- (o) George Island.

**17. Section 68 of the regulations is revoked and the following substituted:**

Fees

**68.** Fees for subdivision and development applications are prescribed in Table 12.

**TABLE 12 - FEES**

<b>Application</b>	<b>Application type</b>	<b>Fee</b>
subdivision	one or more lots	\$100 for the first lot plus \$50 for each additional lot*
subdivision	application to create vacant land condominium units	\$100 for the first unit plus \$50 for each additional condominium unit
change of use	change of use of one or more lots or parcels from an approved plan of subdivision use	\$100
development site evaluation	pre-development permit application to determine site compliance with Part III, C-Development Permits	\$65 per site*
development permit	new building or structure, addition to or relocation of existing building or structure:	per building or structure**
	(a) less than 250 sq. ft. / 23.2 sq. m.	(a) \$25
	(b) 250 sq. ft. / 23.2 sq. m. or greater but less than 10,000 sq. ft. / 929 sq. m.	(b) \$0.10 per sq. ft. / 0.09 sq. m.
	(c) 10,000 sq. ft. / 929 sq. m. or greater	(c) \$1,000
	change of use of existing building or structure	\$100
	travel trailer as a primary or accessory use on a lot	\$100
	mobile home park or campground	\$200
	wind energy conversion system with a name plate generating capacity of 100kw or less	\$250
	wind energy conversion system with a name plate generating capacity of more than 100kw	\$1,000

\* does not include assessment fee for on-site sewage capability

\*\* where the structure has no floor area, the fee is based on the square footage of the structure's footprint

**18. These regulations come into force on March 21, 2009.**

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### EXPLANTORY NOTES

**SECTION 1** amends definitions in the definition section of the regulations.

**SECTION 2** revokes a provision dealing with the need to establish a forested riparian zone under the *Environmental Protection Act*, which is no longer needed due to amendments to the *Environmental Protection Act* in 2008. Specifically, ‘forested riparian zone’ is no longer referred to in that Act. A single buffer is now required for various situations adjacent to water or watercourses.

**SECTION 3** amends the provision to provide that a person must receive final approval of a subdivision before subdividing land for any reason. Previously, the provision provided that final approval was required by a person for an approved subdivision before subdividing land for development purposes. An amendment is also made to provide that subdivision approval is not required where one or more parcels of land are to be conveyed independently of any other parcel under the same ownership.

**SECTION 4** outlines the required information to be included in an application for the subdivision of land. The amendment also corrects an error in the date applicable to incremental subdivisions. The date for incremental subdivisions (i.e., bringing the number of lots to more than five lots created since February 3, 1979) is incorrect in referencing the February 3, 1979 date. The date has been amended to refer to June 12, 1993. As well, the number of lots is amended from five lots to six in respect of incremental subdivisions.

**SECTION 5** updates the buffer requirements for a subdivision that is proposed adjacent to a beach, watercourse, or sand dune to bring such requirements in line with the new buffer zone requirements contained in the *Environmental Protection Act Watercourse and Wetland Protection Regulations*, and clarifies wording in the provision. The amendment also removes the requirement that a buffer within a subdivision of six or more lots be a separate lot. A provision is revoked dealing with increasing the width of buffers. The provision is no longer necessary since buffer zones are now dealt with in the *Environmental Protection Act Watercourse and Wetland Protection Regulations*.

**SECTION 6** amends the provision which previously required that only roads within subdivisions, as opposed to all roads, had to meet the requirements of the regulations. Specifically, the amendment outlines that the requirements for all roads, other than existing roads within Slemon Park, are to meet minimum width requirements; that public roads serving 21 or more lots approved after March 21, 2009, are required, and the types of allowable development are outlined in respect of lots having frontage onto a private road. A new provision is added that requires

private roads serving from six to 20 residential lots approved after March 21, 2009, are to be designed and constructed under the supervision of a professional engineer.

**SECTION 7** clarifies the wording in respect of the lot area and dimension requirements for lots that will be serviced by on-site water and septic sewage services. As well, the provision dealing with the ability to approve under-sized lots is revoked.

**SECTION 8** clarifies the requirements for the approval of a panhandle lot and provides that a panhandle lot cannot be further subdivided unless it meets all the requirements for subdivision.

**SECTION 9** establishes that where any lot is proposed for a non-residential use (not requiring water and sewage services) such lots may be approved for non-residential use.

**SECTION 10** provides that no person shall diminish a lot below the standards set out in subsection 23(2) of the regulations.

**SECTION 11** outlines the minimum site dimensions, area and frontage requirements for all lots based on soil depth and permeability to accommodate an on-site septic sewage system.

**SECTION 12** outlines an offence provision which requires that a person not create a lot that prevents or eliminates vehicular access to an adjacent parcel of land or to a public or private road.

**SECTION 13** clarifies the wording with respect to: (1) regulating new lots abutting and requiring access to a public road; (2) preliminary approval of lots intended to accommodate septic sewage disposal systems; (3) final approval of a subdivision application; (4) establishing the use of each lot on a plan of subdivision; and (5) the process for changing an approved use.

**SECTION 14** outlines the circumstances in which the Minister may alter or rescind a subdivision approval, in whole or in part.

**SECTION 15** updates the Table which sets out special requirements for buildings erected within the Greenwich Special Planning Area and adds a modified side yard setback for residential lots within a resort development in the Rural Development Zone.

**SECTION 16** adds a list of the off-shore islands to which the subdivision prohibitions apply.

**SECTION 17** updates the provision dealing with fees for subdivision and development applications by establishing fees for subdivision applications to create condominium units and for development site evaluations.

**SECTION 18** provides for the commencement of these regulations.

Certified a true copy,  
Robert Allan Rankin  
Clerk of the Executive Council

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**PART II**  
**REGULATIONS INDEX**

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