

EC2016-594

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THEODORE HOGETERP AND ROSALIE HOGETERP
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Theodore Hogeterp and Rosalie Hogeterp both of Grafton, Nova Scotia, to acquire a land holding of approximately one decimal one four (1.14) acres of land at Kingston, Lot 31, Queens County, Province of Prince Edward Island, being acquired from Donald George Mowat and Monique Levina Bondt Mowat both of Kingston, Prince Edward Island.

EC2016-595

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
THEODORE HOGETERP AND ROSALIE HOGETERP
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Theodore Hogeterp and Rosalie Hogeterp both of Grafton, Nova Scotia, to acquire an interest in a land holding of approximately four hundred and twenty-eight decimal four five (428.45) acres of land at Kingston, Lot 31, Queens County, Province of Prince Edward Island, being acquired from Donald George Mowat and Monique Levina Bondt Mowat both of Kingston, Prince Edward Island.

EC2016-596

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ANDRE MARTEL AND VALERIE VANSLYKE
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Andre Martel and Valerie Vanslyke of Webbwood, Ontario to acquire a land holding of approximately eighteen (18) acres of land at Forestview, Lot 5, Prince County, Province of Prince Edward Island, being acquired from Grant Thornton Limited, mortgagee in possession, of Saint John, New Brunswick PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-597

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
DANIEL R. MILLER AND ELIZABETH D. MILLER
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Daniel R. Miller and Elizabeth D. Miller both of Norwich, Ontario to acquire a land holding of approximately forty-three (43) acres of land at Greenfield, Lot 66, Kings County, Province of Prince Edward Island, being acquired from Janet M. Cairns and Sandra MacMillan both of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-598

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
WILLIAM SHETLER AND MARY SHETLER
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to William Shetler and Mary Shetler both of Norwich, Ontario to acquire a land holding of approximately thirty-eight (38) acres of land at Baldwin Road, Lot 51, Kings County, Province of Prince Edward Island, being acquired from Sindee Leigh Hurlock of Mount Stewart, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-599

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ROSENA STREICHER AND JAMES STREICHER
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Rosena Streicher and James Streicher both of Albion Cross, Prince Edward Island to acquire a land holding of approximately one hundred and fifty-eight decimal three two (158.32) acres of land at Albion Cross, Lot 55, Kings County, Province of Prince Edward Island, being acquired from Wayne Townshend and John Townshend, both of Souris, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-600

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
JAMES WHITTY, JEAN WHITTY AND MICHAEL WHITTY
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to James Whitty, Jean Whitty and Michael Whitty, all of Fort Myers, Florida, to acquire a land holding of approximately one decimal two eight (1.28) acres of land at Cable Head East, Lot 41, Kings County, Province of Prince Edward Island, being acquired from Chris Lewis and Rhonda Lewis both of Cable Head East, Prince Edward Island.

EC2016-601

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
101966 P.E.I. INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to 101966 P.E.I. Inc. of Albany, Prince Edward Island to acquire a land holding of approximately zero decimal four three (0.43) acres of land at Augustine Cove, Lot 28, Prince County, Province of Prince Edward Island, being acquired from Paul Dawson of Borden-Carleton, Prince Edward Island.

EC2016-602

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
hISLANDER LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to hIslander Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately two decimal five (2.5) acres of land at Murray River, Lot 64, Kings County, Province of Prince Edward Island, being acquired from Robert Adamczk, Robert Johnston and 656214 NB Ltd., mortgagees in possession, all of Moncton, New Brunswick.

EC2016-603

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
hISLANDER LTD.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to hIslander Ltd. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-nine decimal two four (129.24) acres of land at Murray River, Lots 63 and 64 , Kings County, Province of Prince Edward Island, being acquired from Robert Adamczk, Robert Johnston, 656214 NB Ltd. and James G.G. Watt, mortgagees in possession, all of Moncton, New Brunswick PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act AND PROVIDED THAT such identification does not prevent the operation of a golf course on the parcel, except for an approximately twenty-one decimal five (21.5) acre portion of the parcel to be used for subdivision and development for residential and/or recreational uses in association with the existing golf course.

EC2016-604

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
HILLCREEK FAMILY FARM INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Hillcreek Family Farm Inc. of Grafton, Nova Scotia to acquire, by share acquisition, an interest in a land holding of approximately four hundred and twenty-eight decimal four five (428.45) acres of land at Kingston, Lot 31, Queens County, Province of Prince Edward Island, being acquired from Donald Mowat and Monique Mowat both of Kingston, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-605

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
M&S FARMS INC.
(TO RESCIND)

Council, having under consideration Order-in-Council EC2015-263 of April 28, 2015 rescinded the said Order forthwith, thus rescinding permission for M&S Farms Inc. of York, Prince Edward Island to acquire a land holding of approximately eight hundred and seventy-seven decimal six six (877.66) acres of land at Pleasant Grove, Lot 34; Donaldston, Millcove, and Ten Mile House, Lot 35; Fort Augustus, Lot 36,; Pisquid West, Lot 37; all in Queens County and at Green Meadows, Lot 39, Kings County; Province of Prince Edward Island.

EC2016-606

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
M&S FARMS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to M&S Farms Inc. of York, Prince Edward Island to acquire a land holding of approximately eight hundred and forty decimal four nine (840.49) acres of land at Pleasant Grove, Lot 34; Donaldston, Millcove, and Ten Mile House, Lot 35; Fort Augustus, Lot 36; all in Queens County and at Green Meadows, Lot 39, Kings County; Province of Prince Edward Island, being acquired from MacDonald's Farms Ltd. of York, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-607

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PERRY'S CONSTRUCTION LTD.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Perry's Construction Ltd. of Tignish, Prince Edward Island to acquire a land holding of approximately nineteen decimal seven eight (19.78) acres of land at Tignish, Lot 1, Prince County, Province of Prince Edward Island, being acquired from the Community of Tignish, Prince Edward Island.

EC2016-608

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
PRESTON CUDMORE & SONS INC.
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Preston Cudmore & Sons Inc. of Winsloe North, Prince Edward Island to acquire a land holding of approximately sixty-seven decimal one one (67.11) acres of land at Oyster Bed Bridge, Lot 33, Queens County, Province of Prince Edward Island, being acquired from Allison Ferguson of Winsloe, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

EC2016-609

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PETITION TO ACQUIRE A LAND HOLDING
ST. PETERS BAY GOLF AND COUNTRY CLUB INC.
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to St. Peters Bay Golf and Country Club Inc. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately one decimal two eight (1.28) acres of land at Cable Head East, Lot 41, Kings County, Province of Prince Edward Island, being acquired from Chris Lewis and Rhonda Lewis both of Cable Head East, Prince Edward Island.

EC2016-610

MUNICIPALITIES ACT
TOWN OF O'LEARY
EXTENSION OF MUNICIPAL BOUNDARY
(APPLICATION TO ANNEX
PROVINCIAL PROPERTY NOS. 42556, 43505 (PORTION OF), 43562, 43612,
43661, 672469, 474593 (PORTION OF), 727859 (PORTION OF)
APPROVED

Having under consideration an application from the Town of O'Leary presented pursuant to section 12 of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13 to extend its boundaries to include approximately sixty (60) acres, being Provincial Property No. 42556, 43505 (portion of), 43562, 43612, 43661, 672469, 474593 (portion of) and 727859 (portion of) for which no municipal government is provided under the said Act, and having under consideration the recommendation of the Island Regulatory and Appeals Commission, Council under authority of subsection 14(2) of the aforesaid Act, approved the application and ordered that the boundary of the Town of O'Leary be extended to annex approximately sixty (60) acres as aforesaid, effective September 24, 2016 in accordance with the said application and as indicated on a plan filed in the Registry Office for Prince County by the Minister of Finance pursuant to subsection 2(1) of the *Municipal Boundaries Act* R.S.P.E.I. 1988, Cap. M-11.

This Order-in-Council comes into force on September 24, 2016.

EC2016-611

PUBLIC INQUIRIES ACT
 APPOINTMENT OF THE HONOURABLE MARION R. BULLER,
 MICHÈLE TAÏNA AUDETTE, E. QAJAQ ROBINSON,
 MARILYN POITRAS AND BRIAN EYOLFSON,
 COMMISSIONERS OF THE NATIONAL INQUIRY INTO
 MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS

Pursuant section 2 of the *Public Inquiries Act*, R.S.P.E.I. 1988, Cap. P-31, and upon the recommendation of the Prime Minister of Canada in order to further the objectives of a Commission appointed by a Committee of the Privy Council of Canada under Part I of the *Inquiries Act*, R.S.C. 1985, c. I-11, Council appointed the Honourable Marion R. Buller, Michèle Taïna Audette, E. Qajaq Robinson, Marilyn Poitras and Brian Eyolfson, to conduct an inquiry (the “Inquiry”) to identify and examine systemic causes of all forms of violence against Indigenous women and girls in Canada and to make recommendations for effective action to prevent and eliminate such violence.

Further, Council noted that the appointment of this Commission is in the public interest and good government of Prince Edward Island, as concerns have been expressed that some non-governmental agencies or third parties may attempt to limit the scope of the Inquiry or impede the investigation by challenging the jurisdiction of a federally created inquiry to review and report on matters falling within provincial jurisdiction.

And further, Council advised that mandate of the Inquiry shall be:

1. To inquire into and report on:
 - (a) systemic causes of all forms of violence - including sexual violence – against Indigenous women and girls in Canada, including underlying social economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of Indigenous women and girls in Canada; and
 - (b) institutional policies and practices implemented in response to violence experienced by Indigenous women and girls in Canada, including the identification and examination of practices that have been effective in reducing violence and increasing safety.
2. To make recommendations on:
 - (a) concrete and effective action that can be taken to remove systemic causes of violence and increase the safety of Indigenous women and girls in Canada; and
 - (b) ways to honour and commemorate the missing and murdered Indigenous women and girls in Canada.
3. The Commission shall perform its duties without expressing any conclusion or recommendations regarding the civil or criminal liability of any person or organization. The Commission shall further ensure that the conduct of the Inquiry does not jeopardize any ongoing investigation or proceeding. The Commissioners shall apply this Order in Council in a manner consistent with the constitutional principle of prosecutorial independence.

4. For the purpose of carrying out the mandate of the Inquiry within the Province of Prince Edward Island, the Commission may hold such public or other hearings as it considers necessary to fulfill its mandate, and it may exercise the powers set out in sections 3 and 4 of the *Public Inquiries Act*, R.S.P.E.I. 1988, Cap. P-31, to bring witnesses before it to testify to all matters within their knowledge on the subject matter of the Inquiry, and to bring with them and produce any document, book or paper under their possession or control relative to such matter, including by subpoena, and to enforce such attendance.
5. The Commission may adopt any procedures that the Commissioners consider appropriate for the proper conduct of the Inquiry, may sit at such times and places, and conduct the Inquiry by means of informal processes which are trauma-informed, culturally appropriate and respectful of the persons, families and communities concerned and provide an opportunity to share their experiences and views, particularly on ways to increase safety and prevent and eliminate violence against Indigenous women and girls.
6. The Government of Canada has undertaken to pay any and all expenses associated with the operation of the Commission and the Inquiry, including costs associated with the participation of Indigenous persons and organizations as witnesses before the Commission.
7. The Government of Prince Edward Island shall bear the cost of its own participation and attendance at the Inquiry, including the cost of the production of any required documents or material. All ministries, boards, agencies and commissions of the Government of Prince Edward Island shall, subject to any privilege or legal restriction, assist the Commission in the fulfillment of its mandate to the fullest extent possible.
8. Section 5 of the *Public Inquiries Act*, R.S.P.E.I. 1988, Cap. P-31, shall not apply to the Commission relative to the Province of Prince Edward Island.
9. The Commission shall simultaneously deliver to the Governments of Canada and Prince Edward Island:
 - (a) an interim report containing its preliminary findings and recommendations before November 1, 2017; and
 - (b) a final report containing its findings and recommendations before November 1, 2018.
10. The Commission shall ensure, as far as practicable, that the interim report and final report are delivered in a form appropriate for public release, consistent with Prince Edward Island's *Freedom of Information and Protection of Privacy Act*, R.S.P.E.I. 1988, Cap. F-15.01 and any other applicable federal or provincial legislation. In particular, the Commissioners must not disclose publicly or in any report any identifying personal health information or any identifying information pertaining to a child, parent or guardian who has received or is in receipt of services relating to child protection or income support services.

EC2016-612

**TOBACCO AND ELECTRONIC SMOKING DEVICE
SALES AND ACCESS ACT**

**REGULATIONS
AMENDMENT**

Pursuant to section 9 of the *Tobacco and Electronic Smoking Device Sales and Access Act* R.S.P.E.I. 1988, Cap. T-3.1, the Lieutenant Governor in Council made the following regulations:

1. The *Tobacco and Electronic Smoking Device Sales and Access Act* Regulations (EC538/15) are amended by the addition of the following after section 1:

1.1 For the purpose of section 3.1 of the Act, an agent added to tobacco to produce an aroma or taste other than the aroma or taste of tobacco, including the aroma or taste of candy, chocolate, fruit, a spice, an herb, an alcoholic beverage, vanilla or menthol, is a prescribed flavouring agent.

2. These regulations come into force on May 1, 2017.

EXPLANATORY NOTES

SECTION 1 sets out prescribed flavouring agents for the purposes of the prohibition in section 3.1 of the Act against the sale of tobacco containing a prescribed flavouring agent.

SECTION 2 provides for the commencement of these regulations.