

## **APPLICATION FORM (PART 1)**

### **EXEMPTIONS OF ENVIRONMENTALLY SIGNIFICANT CLASS OF LAND HOLDINGS UNDER SECTION 35 OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT EXEMPTION REGULATIONS***

Environmentally significant class of land holding means any land holding other than a "natural area class of land holding" that has been certified by either the Department of Environment, Labour and Justice, or the Department of Agriculture and Forestry, as appropriate, as qualifying for one or more of the following categories:

#### **Eligible exemptions include:**

1. Land identified in the PEI Wetland Inventory as designated wetlands.
2. Land identified in the PEI Corporate Land Use Inventory as forested land.
3. Land required to be used as a buffer under the *Environmental Protection Act*, or marginal agricultural land that is permanently retired as an expanded buffer.
4. Agricultural land identified in the PEI Sloped Land Inventory that has been taken out of agriculture production by either planting trees or by allowing trees to become established on it.
5. Land utilized as an erosion control structure approved by the Department of Agriculture and Forestry.
6. Land verified to be permanent grassed headland that does not include any land required to be used as a buffer under the *Environmental Protection Act*.
7. Hedgerows that are a minimum of 20 feet in width and which interconnects with either a patch of woods, a wetland and/or a forested buffer zone.

#### **CONDITIONS/RULES:**

1. This exemption applies to land determined to be significant environmental land (currently marginal for agriculture and/or environmentally sensitive).
2. This exemption will deal with lands that have not been designated under *Natural Area Protection Act*.
3. All land holdings to be in the "environmentally significant class of land holding" are eligible for exemption from the s.2 limits of the Act up to a maximum of 40% of current aggregate land holdings, to a maximum of 400 acres for a person and 1200 acres for a corporation, of which no more than 80% (320 acres and 960 acres respectively) shall be forested.
4. The applicant must be the registered owner of the property for which the Exemption is being sought.

**APPLICATION FORM (PART 1) (continued)**

**EXEMPTIONS OF ENVIRONMENTALLY SIGNIFICANT CLASS OF LAND  
HOLDINGS UNDER SECTION 35 OF THE PRINCE EDWARD ISLAND LANDS  
PROTECTION ACT EXEMPTION REGULATIONS**

**1. a) REGISTERED PROPERTY OWNER:** \_\_\_\_\_

*\*All parcels included in this application must have the same registered property owner(s).  
Separate applications are required for different registered property owners.*

**1. b) IDENTIFY THE PARCEL NUMBERS THAT ARE TO BE CONSIDERED FOR THE  
ENVIRONMENTALLY SIGNIFICANT CLASS OF LAND HOLDINGS FOR THE ABOVE  
NOTED REGISTERED PROPERTY OWNER:** *(Refer to page 1 for eligibility)*

PARCELS		

**FOR QUESTIONS REGARDING PART 1 OF THIS FORM PLEASE CONTACT:**

Sustainable Agriculture Resources  
PEI Department of Agriculture and Forestry  
P.O. Box 2000  
Charlottetown, PE C1A 7N8

Telephone: (902) 368-4145  
Toll-free: 1-866-PEI-FARM (734-3276)  
Website: [www.peifarm.ca](http://www.peifarm.ca)

## APPLICATION FORM (PART 2)

### APPLICATION FOR EXEMPTIONS OF **ENVIRONMENTALLY SIGNIFICANT CLASS OF LAND HOLDINGS** UNDER SECTION 35 OF THE *PRINCE EDWARD ISLAND LANDS PROTECTION ACT EXEMPTION REGULATIONS*

**2. a) REGISTERED PROPERTY OWNER:** \_\_\_\_\_

*\* A separate application is required for different registered property owners.*

*All parcels included in part 1 of this application must have the same registered property owner(s).*

**2. b) IF THE APPLICANT IS A PERSON:**

For the applicant person, provide on a separate sheet and attach:

1. the parcel number and acreage of each parcel of land\* in the Province in which the applicant and his minor children hold an interest, including land\* held by way of lease.
2. if the applicant or his minor children hold more than 5% of the shares\*\* for any corporation owning or leasing land within the Province, provide:
  - (i) the total number of shares\*\* issued by the corporation;
  - (ii) the total number of shares\*\* owned by the applicant and his minor children; and
  - (iii) the parcel number and acreage of each parcel of land\* in the province now owned or leased by the corporation.

**2. c) IF THE APPLICANT IS A CORPORATION:**

For the applicant corporation, provide on a separate sheet and attach:

1. the parcel number and acreage of each parcel of land\* in the province now owned or leased by the applicant corporation
2. the total number of shares\*\* issued by the applicant corporation;
3. the names, addresses and number of shares held by shareholders, both corporate and individual, owning more than 5% of the issued shares of the applicant corporation;
4. for the shareholders listed in 3 above, provide:
  - (i) the parcel number and acreage of each parcel of land in the province now owned or leased by each shareholder (including holdings of minor children); and
  - (ii) the parcel number and acreage of each parcel owned or leased by any other corporation in which each shareholder owns more than 5% of the shares, total number of shares issued by that corporation and number of shares owned by that shareholder;
5. if the applicant corporation owns more than 5% of the shares in any other corporation(s), provide the following for each corporation:
  - (i) the percentage of shares owned by the applicant corporation; and
  - (ii) the parcel number and acreage of each parcel of land owned or leased.

*\* The Prince Edward Island Lands Protection Act excludes any parcel that existed on May 1, 1995, of less than one acre that is located in a city or town.*

*\*\* "share" means*

*(i) in relationship to a partnership or co-operative association, a unit representing a proportion of the ownership of the partnership or association;*

*(ii) in relation to a corporation, an issued share carrying voting rights under all circumstances or by reason of the occurrence of an event that has occurred and that is continuing, and includes*

*(A) a security currently convertible into such a share, and*

*(B) currently exercisable options and rights to acquire such a share or such a convertible security.*

## 2. d) DECLARATION

*I certify that the landholding and shareholder information provided herein is true and accurate. I acknowledge that any changes to my aggregate land holdings may result in subsequent changes in the maximum land eligible for exemption. I will advise the Island Regulatory and Appeals Commission of any changes to my aggregate land holdings.*

*I authorize The Island Regulatory and Appeals Commission to disclose to the Department of Agriculture and Forestry, the maximum acreage I am/my corporation is eligible for pursuant to Section 35 of the Prince Edward Island Lands Protection Act Exemption Regulations.*

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Signature of applicant/authorized signing officer

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Date

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Name of signatory (please print)

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Telephone

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Address

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Email address

### RETURN **BOTH PART 1 AND 2** OF THIS COMPLETED FORM TO:

The Island Regulatory & Appeals Commission  
Suite 501 – 134 Kent Street  
P. O. Box 577  
Charlottetown PE C1A 7L1

Telephone: (902) 892-3501 or  
1-800-501-6268 (Toll Free in PEI and  
NS)  
Fax: (902) 566-4076  
Website: [www.irac.pe.ca](http://www.irac.pe.ca)

<p>Information on this Form is collected under Section 31 (c) of the <i>Freedom of Information and Protection of Privacy Act</i> R.S.P.E.I. 1988, C f-15-01 as it relates directly to and is necessary for the purposes of this application.</p>
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