

EC2024-80

EDUCATION ACT

STUDENT REGULATIONS

AMENDMENT

Pursuant to subsection 26(2) and section 107 of the *Education Act* R.S.P.E.I. 1988, Cap. E-.02, Council made the following regulations:

1. **Clauses 6(2)(a), (b) and (c) of the *Education Act* Student Regulations (EC531/16) are revoked and the following substituted:**
 - (a) \$10,600 for a school year;
 - (b) \$5,300 for a semester of a school year.
2. **These regulations come into force February 10, 2024.**

EXPLANATORY NOTES

SECTION 1 revokes and replaces clauses 6(2)(a), (b) and (c) of the regulations to set out a tuition fee for a school year and a tuition fee for a semester of a school year.

SECTION 2 provides for the commencement of these regulations.

EC2024-81

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION AND EARLY YEARS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDMENT # 1 TO THE CANADA-PRINCE EDWARD ISLAND
 EARLY LEARNING AND CHILD CARE AGREEMENT)
 WITH
 GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Education and Early Years to enter into Amendment #1 to the Agreement with the Government of Canada, as represented by the Minister of Employment and Social Development Canada, and as represented by the Minister of Families, Children and Social Development, effective upon the last signature being affixed until March 31, 2026, such as more particularly described in the draft agreement.

EC2024-82

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION AND EARLY YEARS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDMENT #3 CANADA – PRINCE EDWARD ISLAND
 CANADA-WIDE EARLY LEARNING AND CHILD CARE
 AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Education and Early Years to enter into Amendment #3 to the Agreement with the Government of Canada, as represented by the Minister of Employment and Social Development Canada, and as represented by the Minister of Families, Children and Social Development, effective upon the last signature being affixed until March 31, 2026, such as more particularly described in the draft agreement.

EC2024-83

EXECUTIVE COUNCIL ACT
 MINISTER OF FISHERIES, TOURISM, SPORT AND CULTURE
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (AMENDMENT #1 RURAL GROWTH FUNDING AGREEMENT)
 WITH
 THE RURAL MUNICIPALITY OF MILTONVALE PARK

Pursuant to clause 10(c) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Fisheries, Tourism, Sport and Culture to enter into Amendment #1 to the Funding Agreement with the Rural Municipality of Miltonvale Park, to update outdoor community infrastructure under the Rural Growth Initiative program, effective upon signing to July 31st, 2024, such as more particularly described in the draft agreement.

EC2024-84

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (MEMORANDUM OF AGREEMENT
 CANADIAN CHRONIC DISEASE SURVEILLANCE SYSTEM)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health and Wellness to enter into an agreement with the Government of Canada, as represented by Public Works and Government Services Canada, on behalf of the Public Health Agency of Canada, to set out terms and conditions for the Province's participation in the Canadian Chronic Disease Surveillance System for the period November 29, 2023 to March 31, 2028, such as more particularly described in the draft agreement.

EC2024-85

EXECUTIVE COUNCIL ACT
 MINISTER OF HEALTH AND WELLNESS
 AUTHORITY TO ENTER INTO A
 MEMORANDUM OF UNDERSTANDING
 (VASCULAR SURGERY SERVICES)
 WITH
 THE PROVINCE OF NEW BRUNSWICK
 AND
 REGIONAL HEALTH AUTHORITY A DOING BUSINESS AS HORIZON
 HEALTH NETWORK
 AND
 REGIONAL HEALTH AUTHORITY B DOING BUSINESS AS VITALITÉ
 HEALTH NETWORK
 AND
 HEALTH PEI

Pursuant to clause 10(b) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Health and Wellness to enter into a Memorandum of Understanding with the Province of New Brunswick, as represented by the Minister of Health; Regional Health Authority A, doing business as Horizon Health Network; Regional Health Authority B, doing business as Vitalité Health Network; and, Health PEI, such as more particularly described in the draft agreement.

EC2024-86

FINANCIAL ADMINISTRATION ACT
 SPECIAL WARRANT
 (SUPPLEMENTARY CAPITAL EXPENDITURE
 FOR FISCAL YEAR 2022/23)
 DEPARTMENT OF FINANCE

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund (Capital) for the Department of Finance as follows:

Account Class	Account Name	Amount
	Equipment	
1120-5024	Corporate Systems Upgrades	<u>460,000.00</u>
	Total	<u>\$460,000.00</u>

EC2024-87

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2022/23)
DEPARTMENT OF FINANCE

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Finance as follows:

Account Class	Account Name	Amount
	Amortization/Amortization of Capital Assets	
1251-2936	Amortization of Capital Assets	<u>1,645,000.00</u>
	Total	<u>\$1,645,000.00</u>

EC2024-88

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2022/23)
DEPARTMENT OF JUSTICE AND PUBLIC SAFETY

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Justice and Public Safety as follows:

Account Class	Account Name	Amount
	Emergency Measures Organization/Office of Emergency Management	
0240-4322	Grants	<u>5,277,000.00</u>
	Total	<u>\$5,277,000.00</u>

Further, Council noted that this amount will be fully offset by revenue.

EXECUTIVE COUNCIL _____ 30 JANUARY 2024

EC2024-89

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2022/23)
FORMER DEPARTMENT OF SOCIAL DEVELOPMENT AND HOUSING

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund (Capital) for the former Department of Social Development and Housing as follows:

Account Class	Account Name	Amount
	Capital Improvements	
1125-5003	Housing Construction	<u>1,608,400.00</u>
	Total	<u>\$1,608,400.00</u>

EC2024-90

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2022/23)
FORMER DEPARTMENT OF SOCIAL DEVELOPMENT AND HOUSING

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the former Department of Social Development and Housing as follows:

Account Class	Account Name	Amount
	Seniors and Planning, Policy and Innovation/Planning, Policy and Innovation	
0901-4026	Grants	<u>1,061,000.00</u>
	Total	<u>\$1,061,000.00</u>

EC2024-91

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY CAPITAL EXPENDITURE
FOR FISCAL YEAR 2022/23)
DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund (Capital) for the Department of Transportation and Infrastructure as follows:

Account Class	Account Name	Amount
	Capital Improvements - Highways	
0359-5010	Bridges	<u>1,677,400.00</u>
	Total	<u>\$1,677,400.00</u>

EC2024-92

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2022/23)
DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Transportation and Infrastructure as follows:

Account Class	Account Name	Amount
	Highway Maintenance Operations/Highway Maintenance Administration	
0770-2951	Materials, Supplies and Services	6,933,000.00
	Highway Maintenance Operations/Confederation Trail - Maintenance	
0703-2907	Materials, Supplies and Services	347,000.00
	Capital Projects Division/Capital Projects Administration	
0859-2904	Materials, Supplies and Services	185,100.00
	Highway Maintenance Operations/Provincial Highway Maintenance Operations	
0272-2951	Materials, Supplies and Services	<u>4,114,000.00</u>
	Total	<u>\$11,579,100.00</u>

EC2024-93

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2023/2024)
DEPARTMENT OF AGRICULTURE

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Agriculture as follows:

Account Class	Account Name	Amount
	PEI Agriculture Insurance Corporation/General	
0023-4139	Grants – AgriInsurance Program	<u>15,216,000.00</u>
	Total	<u>\$15,216,000.00</u>

EC2024-94

FINANCIAL ADMINISTRATION ACT
SPECIAL WARRANT
(SUPPLEMENTARY EXPENDITURE FOR FISCAL YEAR 2023/2024)
DEPARTMENT OF SOCIAL DEVELOPMENT AND SENIORS

Pursuant to subsection 37(1) of the *Financial Administration Act* R.S.P.E.I. 1988, Cap. F-9, Council ordered that a Special Warrant do issue authorizing a supplementary payment out of the Operating Fund for the Department of Social Development and Seniors as follows:

Account Class	Account Name	Amount
	Social Programs	
0917-4012	Grants – AccessAbility Supports	8,407,300.00
0916-4047	Grants – Seniors Independence Initiative	1,750,700.00
0916-4033	Grants – Social Assistance Benefits	2,416,800.00
0920-4045	Grants – Specialized Residential Supports	<u>2,109,200.00</u>
	Total	<u>\$14,684,000.00</u>

EC2024-95

**FIRE PREVENTION ACT
FIRE DISTRICT REGULATIONS
CRAPAUD FIRE DISTRICT
BOUNDARY AMENDMENT
APPROVED**

Having under consideration the recommendation of the Minister of Justice and Public Safety and Attorney General, presented pursuant to section 4 of the *Fire Prevention Act* Fire District Regulations (EC487/89), Council under authority of section 13 of the said regulations, authorized the Crapaud Fire District to amend its boundaries, deemed to be effective February 10, 2024, in accordance with the approved annexation of the following property, which was part of an unincorporated area and was not serviced by another fire department or district, into the Rural Municipality of Crapaud: Provincial Property No. 405480.

EC2024-96

**LIQUOR CONTROL ACT
APPROVAL TO LEASE PROPERTY
RE: QUEEN STREET LIQUOR STORE**

Pursuant to clause 7(g) of the *Liquor Control Act* R.S.P.E.I. 1988, Cap. L-14 Council granted approval to the Prince Edward Island Liquor Control Commission to renew for 10 years a lease agreement with Gorman Holdings Ltd. on approximately 7,095 square feet of space at Queen Street, Charlottetown at a cost of \$12.59 per square foot for an annual lease cost of \$89,355.

EC2024-97

**PLANNING ACT
SUBDIVISION AND DEVELOPMENT REGULATIONS
AMENDMENT**

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 addition of the following after clause (a):**
 - (a.01) **“accessory dwelling unit”** means an independent dwelling unit, located on the same lot or parcel of land as an existing single-unit dwelling, that is
 - (i) a garden suite,
 - (ii) a secondary suite, or
 - (iii) a supportive suite;
 - (b) **by the revocation of clause (i.3) and the substitution of the following:**

(i.3) **“garden suite”** means a self-contained accessory dwelling unit that meets the specifications set out in subsections 42(2) and (6) and that is located outside and separate from the single-unit dwelling on the same lot or parcel of land;

(c) **by the addition of the following after clause (s.2):**

(s.21) **“secondary suite”**, or in-law suite, means a self-contained accessory dwelling unit that meets the specifications set out in subsections 42(2) and (8) and that is located within a single-unit dwelling;

(d) **by the addition of the following after clause (v.2)**

(v.21) **“supportive suite”** means an accessory dwelling unit that meets the specifications set out in subsections 42(2), (2.3) and (2.4) and that is placed on a lot or parcel of land on a temporary basis;

2. (1) Subsection 42(1) of the regulation is amended

(a) **in clause (a), by the deletion of the word “and” after the words “with a farm parcel,”; and**

(b) **by the revocation of clause (b), and the substitution of the following:**

(b) as an accessory dwelling unit in conjunction with the single-unit dwelling on the lot or parcel in accordance with subsection (2);

(2) Subsection 42(2) of the regulations is revoked and the following substituted:

Accessory dwelling unit

(2) One accessory dwelling unit may be located as a second dwelling unit on a lot or parcel of land where

- (a) a single-unit dwelling already exists on the lot or existing parcel of land;
- (b) the land containing the single-unit dwelling and accessory dwelling unit are owned by the same owner;
- (c) the accessory dwelling unit has one or more rooms used or designed to be used as a residence by one or more persons;
- (d) the accessory dwelling unit is intended for domestic use and has cooking and toilet facilities;
- (e) the accessory dwelling unit has a minimum of one dedicated parking space;
- (f) the accessory dwelling unit utilizes the existing access to the lot or existing parcel of land, or an additional access is approved under the *Roads Act* Highway Access Regulations;
- (g) the accessory dwelling unit shall only be used for housing on a long-term basis in excess of 30 days and shall not serve as short-term rental or tourism accommodations;
- (h) the accessory dwelling unit and the single-unit dwelling are connected to a common water supply system and a common sewage disposal system, where feasible, and where these systems are capable of handling the increase in use;
- (i) the applicant, with the consent of the owner of the single-unit dwelling, if different from the applicant, applies for and receives a development permit for the accessory dwelling unit;
- (j) the accessory dwelling unit meets all the requirements of any applicable sections of these regulations;
- (k) the accessory dwelling unit is approved by the Provincial Fire Marshal; and
- (l) the accessory dwelling unit complies with the *Building Codes Act* R.S.P.E.I. 1988, Cap. B-5.1.

Not a change of use

(2.1) For greater certainty, the addition of an accessory dwelling unit on a lot or existing parcel of land does not constitute a change of use of the lot or parcel of land.

Exceptions and prohibitions

- (2.2) An accessory dwelling unit
- (a) is not eligible for a license under the *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3;
 - (b) is not eligible to be registered as a “vacant land unit” or otherwise pursuant to any provision of the *Condominium Act* R.S.P.E.I. 1988, Cap. C-16;
 - (c) is not permitted on a lot or parcel of land where the existing residential use is a non-conforming use;
 - (d) is not permitted on a lot or parcel of land serviced by a private road; and
 - (e) shall not be severed from the existing lot or existing parcel of land except in accordance with these regulations.

Requirements – supportive suite

- (2.3) One supportive suite may be located as an accessory dwelling unit on a lot or parcel of land where
- (a) a single-unit dwelling already exists on the lot or parcel of land;
 - (b) the supportive suite meets all the requirements of subsection (2) as an accessory dwelling unit; and
 - (c) the supportive suite utilizes the existing access to the lot or existing parcel of land.

Supportive suite - dimensions

- (2.4) A supportive suite shall
- (a) have a width no greater than 24 feet (7.31 metres);
 - (b) have a height no greater than one storey;
 - (c) have a roof pitch no greater than 4/12;
 - (d) be constructed and erected in a manner so that it can be readily removed from the site;
 - (e) not exceed 90 square metres of floor space, or shall be a mobile home or a mini home; and
 - (f) be for the sole and exclusive use as an accessory dwelling to a single-unit dwelling, mini home, or mobile home on the same lot or parcel of land by
 - (i) the parents or grandparents of the owner or the spouse of the owner of that single-unit dwelling,
 - (ii) a person who is physically or intellectually challenged, who experiences a chronic disability or who, due to illness, frailty or age, requires home care, and is under the care of the owner or the spouse of the owner of that single-unit dwelling, or
 - (iii) a caregiver for a person who qualifies under subclause (i) or (ii) and who also resides in the supportive suite.

- (3) **Subsection 42(3) of the regulations is amended by the deletion of the words “a garden suite referred to in clause (2)(e) shall be valid for two years, but may be extended provided that the garden suite” and the substitution of the words “a supportive suite shall be valid for two years, but may be extended if the supportive suite”.**

- (4) **Subsection 42(4) of the regulations is amended by the deletion of the words “garden suite no longer complies with any requirements under subsections (2) and (3), the owner of the single-unit dwelling shall, within 90 days, remove the garden suite” and the substitution of the words “supportive suite no longer complies with requirements under subsections (2.3), (2.4) and (3), the owner of the single-unit dwelling shall, within 90 days, remove the supportive suite”.**

- (5) **Section 42 of the regulations is amended by the addition of the following after subsection (5):**

Garden suite

- (6) In addition to the requirements specified in subsection (2) for accessory dwelling units, the following requirements apply to a garden suite:

- (a) the garden suite shall be located in a detached building located behind the front façade of the single-unit dwelling, unless the applicant shows there is adequate space for the garden suite in a side or front yard;
- (b) the garden suite may be attached to or within an existing accessory building;
- (c) the garden suite shall be subordinate to the single-unit dwelling in size or shall be a mobile home or mini home.

Square footage when attached

- (7) For greater certainty, where a garden suite is attached to or within an existing accessory building, the square footage of the garden suite shall be calculated net of the square footage of the existing accessory building.

Secondary suite

- (8) In addition to the requirements specified in subsection (2) for accessory dwelling units, a secondary suite
 - (a) shall be self-contained and located within the single-unit dwelling;
 - (b) is considered part of and secondary to the single-unit dwelling; and
 - (c) shall have a total floor area of all storeys that does not exceed the lesser of
 - (i) 80% of the total floor area of all storeys of the single-unit dwelling, excluding the floor area of the garage and common spaces serving both dwelling units, if any, and
 - (ii) 80 square metres.

Requirement for access permit

- (9) Where an accessory dwelling unit requires new access to a highway, or a change to an existing entrance way to a highway, the applicant, with the consent of the owner, if different, shall obtain the required permit in accordance with the *Roads Act* Highway Access Regulations prior to making an application for a development permit under this section.

3. Subsection 60(1) of the regulations is amended by the deletion of the words “garden suite” wherever they occur and the substitution of the words “supportive suite”.

4. These regulations come into force on February 10, 2024.

EXPLANATORY NOTES

SECTION 1 amends section 1 of the *Planning Act* Subdivision and Development Regulations (EC693/00) to add a definition of “accessory dwelling unit”, to clarify the definition of “garden suite” and to add definitions of “secondary suite” and “supportive suite” as additional types of accessory dwelling units.

SECTION 2 amends subsection 42(1) of the regulations as specified. It also revokes subsection 42(2) and substitutes new subsections 42(2) and (2.1) to (2.4) to set out the requirements applicable to accessory dwelling units in general and supportive suites, respectively. It then amends subsections 42(3) and (4) as specified to change the references there to “a garden suite” to references to “a supportive suite”, for consistency. Finally, it adds new subsections (6) to (9) to set out the rules applicable to garden suites and secondary suites.

SECTION 3 amends subsection 60(1) of the regulations to delete the term “garden suite” and substitute the term “supportive suite”, for consistency with the amendments made by section 2.

SECTION 4 provides for the commencement of these regulations.

EC2024-98**PUBLIC DEPARTMENTS ACT
ACTING MINISTER
APPOINTMENT(S)**

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

Honourable Jenn Redmond to be Acting Minister of Social Development and Seniors, commencing on the 6th day of February 2024, and continuing for the duration of the absence of Honourable Barb Ramsay.