

June 14, 2019

Mr. Paul Brown, Mayor
Rural Municipality of Malpeque Bay
PO Box 405
Kensington, PE C0B 1M0

Dear Mayor Brown:

Thank you for your letter dated June 3, 2019 regarding Hanna Road and the required width for road right of ways on Prince Edward Island.

The Chief Surveyor for the Province determined through a survey of the Hanna Road, between the Indian River Road (Rte 104) and the Old Princetown Road, that the width of the public right of way is 12.192M(40 ft.) This is shown on the survey plan signed and dated September 26, 2018.

This determination is not inconsistent with the Provincial legislation pertaining to the required width for road right of ways is in **Section 4 from the Roads Act** as stated below:
<https://www.princeedwardisland.ca/sites/default/files/legislation/R-15-Roads%20Act.pdf> (Roads Act link)

(4) Width of highways

(1) Except where the Minister otherwise directs, all highways shall be laid out at a minimum width of sixty-six feet.

Existing highways

(2) All highways laid out or constructed prior to August 10, 1985, shall be a minimum width of sixty-six feet unless determined otherwise by the chief surveyor for the province.
 1985, c.38,s.2; 2019, c.43s.2.

Information you are requesting with regards to the distance wells are to be from property lines will be forwarded to you from the Department of Environment, Water and Climate Change.

.../2

or email aaaitken@gov.pe.ca.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Myers", written over the printed name.

Steven Myers
Minister

cc. Hon. Brad Trivers
Hon. Mathew Mackay

June 14, 2019

His Worship Mayor Paul Brown
Rural Municipality of Malpeque Bay
PO Box 405
Kensington PE C0B 1M0

Dear Mr. Brown:

Thank you for your letter of June 3, 2019, addressed to the Minister of Transportation, Infrastructure and Energy, that was copied to the Minister of Environment, Water and Climate Change.

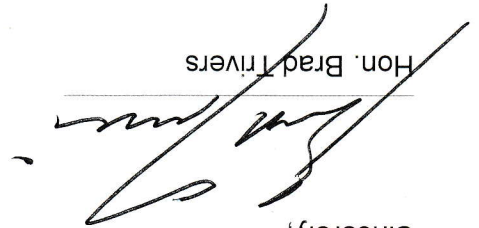
The letter raised concerns that wells have been dug immediately adjacent to roadways, and asked our department to identify the regulation concerning locations of wells relative to property lines on Prince Edward Island.

In the Water Well Regulations, Section 9 (4)(a) states, *distance from other features:*

(4) *No well contractor or well driller shall construct a well at a location that is within (a) 1.5 metres of any property boundary;*

To answer your question, wells should not be dug within 1.5 metres of roadways. I invite you to contact George Somers, Manager of the Drinking Water Management section at 902-368-5046 or ghsomers@gov.pe.ca. George can help the municipality identify and contact any well owners in the areas of concern.

Sincerely,



Hon. Brad Trivers

cc: Hon. Steven Myers, Transportation, Infrastructure and Energy
Hon. Matthew Mackay, Economic Growth, Tourism and Culture