

16 April 2024

VIA EMAIL

Island Regulatory and Appeals Commission
5th Floor, Suite 501
National Bank Tower
134 Kent Street
Charlottetown, PE

Our File: 15042-268dk

Attn: Philip J. Rafuse, Appeals Administrator

Dear Mr. Rafuse:

RE: Docket No. LA23023 I Randy Pitre v. City of Summerside

We write on behalf of the City of Summerside (the “City”) to address two important matters which have come to the City’s attention upon review of the Record filed in the above-noted matter on or about 14 November 2023 and the Record filed in appeal LA23026 on or about 27 December 2023.

Supplementary Record

We have discovered several relevant documents for inclusion in the Record related to Appeals LA23023 and LA23026. These documents are enclosed in a Supplementary Record.

Preliminary Subdivision Approval

In the interest of full transparency, we wish to advise the Commission and all participants of what we consider to be a technical procedural error with the City’s administration of the Preliminary Subdivision Approval on 18 September 2023. In short, the Council voted on one resolution that night, but arguably ought to have voted on two resolutions.

Out of an abundance of caution, the outstanding resolution was brought before Council last evening at its April Regular Meeting. The resolution confirmed the Preliminary Subdivision Approval pursuant to section 8.5 of the City’s *Subdivision and Site Development Bylaw*. This planning decision had been previously recommended by City staff and Planning Board during the meeting of 14 September 2023. The resolution was passed by a majority of Councillors present.

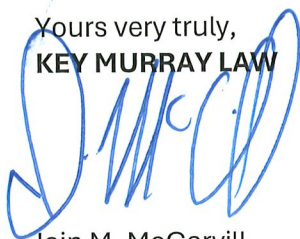
Conclusion

Thank you for your time and consideration of these matters. If there is any further information we can provide in relation to these matters, please do not hesitate to ask.

We look forward to hearing from you at your earliest opportunity to explore hearing dates.

Yours very truly,

KEY MURRAY LAW



Iain M. McCarvill

Enclosure: Supplementary Record

cc. Randy Pitre, Appellant
 Gordon MacFarlane, CAO
 Kendra Gunn, Director of HR and Legal Services
 Nathan Kember, Developer
 Andrew Campbell, Lawyer for the Developer