

Notice of Appeal

(Pursuant to Section 28 of the *Planning Act*)

RECEIVED

NOV 05 2025

The Island Regulatory
and Appeals Commission

TO: The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501, 134 Kent Street
P.O. Box 577, Charlottetown PE C1A 7L1
Telephone: 902-892-3501 Toll free: 1-800-501-6268
Fax: 902-566-4076 Website: www.irac.pe.ca

NOTE:

Appeal process is a public process.

TAKE NOTICE that I/we hereby appeal the decision made by the Minister responsible for the administration of various development regulations of the **Planning Act** or the Municipal Council of _____ (name of City, Town or Community) on the 5th day of November, 2025, wherein the Minister/Community Council made a decision to _____

(attach a copy of the decision).

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the **Planning Act**, the grounds for this appeal are as follows: (use separate page(s) if necessary)

I was told
~~Second~~ that 3 ft from the line would be
fine ~~be~~ The woman I spoke to talked to the
fire chief and he said it was OK as long as I put
a metal siding on the neighbours side

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the **Planning Act**, I/we seek the following relief: (use separate page(s) if necessary)

Please issue permit

EACH APPELLANT MUST COMPLETE THE FOLLOWING: (print separate sheets as necessary)

Name(s) of Appellant(s): Johnnie Barlow
Please Print

Signature(s) of Appellant(s): [Signature]

Mailing Address: 115 Rainbow Dr

City/Town: Tarantum

Province: PE

Postal Code: C1B 3C5

Email Address: Canadian.sand1@gmail.com

Telephone: 902-315-4328

Dated this 5th day of November, 2025.
day month year

IMPORTANT

Under Section 28.(6) of the **Planning Act**, the Appellant must, within seven days of filing an appeal with the Commission serve a copy of the notice of appeal on the municipal council or the Minister as the case may be.

Service of the Notice of Appeal is the responsibility of the Appellant

Information on this Form is collected pursuant to the **Planning Act** and will be used by the Commission in processing this appeal. For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.



31 Gordon Drive
PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Housing, Land
and Communities

Logement, Terres
et Communautés



31, promenade Gordon
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

September 24, 2025

Johnnie Barker
115 Rainbow Drive
Tarantum, PE C1B 3C5

Dear Applicant:

Re: Development application – PID #694356, Rainbow Drive, Tarantum

The Department of Housing, Land and Communities has completed the evaluation of your development permit application that you submitted January 25, 2024, requesting permission to locate a 20'x24' Residential accessory structure on property #694356 located at Rainbow Drive in Tarantum.

A. Decision

The Subject Property is within a geographic area where land use and development is not regulated by a local official plan or zoning by-law. Therefore, the Subject Property falls within the jurisdiction of this Department. Land use and development are regulated by the *Planning Act* Subdivision and Development Regulations and other provincial laws and regulations.

Pursuant to sections 3(2)(a) and 38(1)(a) of the *Planning Act* Subdivision and Development Regulations, the above noted application is Denied. The reasons for this decision are explained in detail below.

B. Reasons

***Planning Act* Subdivision and Development Regulations**

3.(2) No development permit shall be issued where a proposed building, structure, or its alteration, repair, location, or use or change of use would:

(a) not conform to these regulations or any other regulations made pursuant to the Act.

38. (1) No person shall locate a building or development closer than 15 feet (4.6 metres) to a side or rear lot line except as follows:

(a) an accessory building, if located in a rear yard, may be located no closer than 3 feet (0.9 metre) to a side or rear lot line;

As stated in section 38. (1)(a) of the **Planning Act Subdivision and Development Regulations**, a building must be located no closer than 15 feet to a side or rear yard. An accessory building may be located no closer than 3 feet to a side or rear yard, only if the building is located in a rear yard. The application is to locate the accessory building in the front yard, meaning the setback to the side yard must be no closer than 15 feet. Only a 3 foot setback is proposed to the side yard.

C. Right of Appeal

Notice of this decision will be posted on the PEI Planning Decisions website. We suggest typing "PEI Planning Decisions" into your internet search engine to link to the website.

Please be advised that pursuant to section 28 of the *Planning Act*, this decision may be appealed to the Island Regulatory & Appeals Commission ("IRAC") (PO Box 577, Charlottetown, PE, C1A 7L1: <http://www.irac.pe.ca>). An appeal must be filed within 21 days after the date of this letter or the Commission is under no obligation to hear the appeal. For more information about appeals, please contact IRAC.

If you have any questions in regards to this decision, contact me at (902) 569-0573 or smacvarish@gov.pe.ca.

Sincerely,



Sarah MacVarish
Senior Development Officer

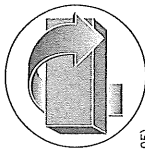


HOUSING, LAND
AND COMMUNITIES
31 GORDON DRIVE
PO BOX 2000
CHARLOTTETOWN PE C1A 7N8
CANADA

SSV68



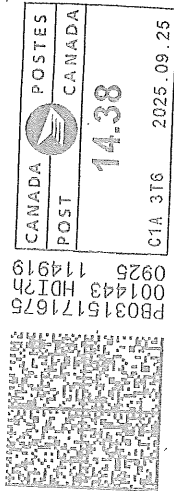
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VERSO

40-076-685 (07-05)

Johnnie Barker
115 Rainbow Drive
Tarantum PE C1B 3C5



10/15 J. Barker 236



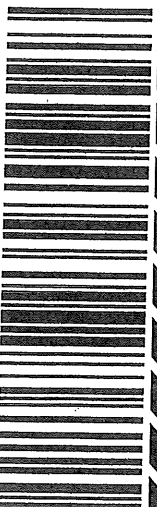
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SIGNATURE

R



TRACKING NUMBER

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N° DE REPÉRAGE

33-085-584 (17-12) L'expéditeur garantit que cet envoi ne contient pas d'objet inadmissible.
Sender warrants that this item does not contain non-mailable matter.



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C1B 1R0

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