



RECEIVED: November 10, 2025

Notice of Appeal

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

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 Warren Grove (name of City, Town or Community) on the 20th day of October, 2025, wherein the Minister/Community Council made a decision to deny the Application to rezone provincial parcel number 1187434 (formerly part of PID 248666) from single-family dwelling use only to commercial-residential.

(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)
See attached

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)
See attached

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

Name(s) of Appellant(s): Colin and Kelly Hughes

Please Print

Signature(s) of Appellant(s): 

Geoff Gibson
Barrister and Solicitor
Notary Public for the
Province of Prince Edward Island
Permanent Appointment

Mailing Address: c/o Heritage Law, 5 Prince Street

City/Town: Charlottetown

Province: Prince Edward Island

Postal Code: C1A 4P4

Email Address: ggibson@heritagelawpei.com

Telephone: 902 218 3333

Dated this 10th 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.

Notice of Appeal (Continued)

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

Name of Appellant: Colin and Kelly Hughes

Appellant's Lawyers: Geoff Gibson

Heritage Law

5 Prince Street

Charlottetown, PE C1A 4P4

Contact: Geoff Gibson - ggibson@heritagelawpei.com – 902-330-7772
Erin Mewburn – emewburn@heritagelawpei.com – 902-330-7801

(continued from previous page) **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:

The Rural Municipality of Warren Grove Council (the “**Council**”), in its decision to deny the Appellant’s rezoning request:

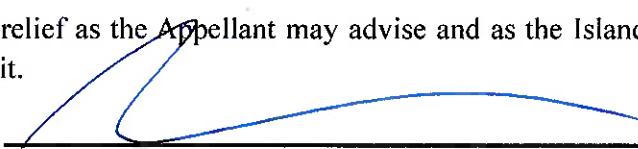
1. failed to afford procedural fairness to the Applicants, by, *inter alia*
 - a. not allowing the Applicants adequate opportunity to present their case to Council and the Community; and
 - b. not providing adequate notice of its decision as required under section 23.1 of the *Planning Act*;
2. failed to follow the principles and particulars of the Rural Municipality of Warren Grove’s bylaws and Official Plan;
3. failed to consider the application in accordance with objectives, intents and purposes of the legislative scheme and in accordance with sound planning principles;
4. failed to provide any, or adequate, reasons, for its decision; and
5. any further grounds as may become apparent and as the Island Regulatory and Appeals Commission may permit.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, the Applicants seek the following relief:

- a) the Commission should allow the appeal, quash the October 20, 2025 decision of the Warren Grove Municipal Council to deny the application to rezone parcel 1187434, and order that the application to rezone parcel 1187434 as commercial-residential be granted as requested; and
- b) such further and other relief as the Appellant may advise and as the Island Regulatory and Appeals Commission may permit.

November 10, 2025

Date



Geoff Gibson and Erin Mewburn
Lawyers for the Appellant,
Colin and Kelly Hughes



Outlook

Fw: Rezoning of PID#248666

From Geoff Gibson <ggibson@heritagelawpei.com>

Date Mon 2025-11-10 1:09 PM

To Geoff Gibson <ggibson@heritagelawpei.com>

Begin forwarded message:

From: Dean Lewis <d13lewis@gmail.com>

Date: November 4, 2025 at 9:38:48 PM AST

To: ch*****@hotmail.ca

Subject: Rezoning of PID#248666

Hello Colin

On October 20th, 2025 Warren Grove Municipal Council considered your rezoning request on parcel 248666. After some discussion, Council voted unanimously to deny your rezoning request.

I understand you attended this meeting of Warren Grove Municipal Council on October 20th. If you have any questions feel free to contact me.

--

Dean Lewis

From: [Geoff Gibson](#)
To: communityofwarrengrove@gmail.com
Cc: [Erin Mewburn](#)
Subject: Fw: Notice of Appeal - Hughes/ Rural Municipality of Warren Grove
Attachments: [Outlook-ziupiw0l.png](#)
[Outlook-yuwneyr3.png](#)
[2025-11-10 Notice of Appeal.pdf](#)

Good afternoon,

Please find attached Notice for service upon the Community Council.

Regards,



Geoff Gibson

Lawyer

Office: 902-218-3333

Direct: 902-330-7772

ggibson@heritagelawpei.com

Heritage Law

5 Prince Street

Charlottetown, PE

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From: Geoff Gibson <ggibson@heritagelawpei.com>
Sent: Monday, November 10, 2025 2:57 PM
To: appealsinquiries@irac.pe.ca <appealsinquiries@irac.pe.ca>
Cc: Erin Mewburn <emewburn@heritagelawpei.com>
Subject: Notice of Appeal - Hughes/ Rural Municipality of Warren Grove

Good afternoon,

Please find attached Notice of Appeal on behalf of our clients Colin Hughes and Kelly Hughes.

Regards,

Geoff

Geoff Gibson

Lawyer

Office: 902-218-3333

Heritage Law

5 Prince Street

Charlottetown, PE



Direct: 902-330-7772

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