

File Reference: SM4379-107

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November 19, 2025

**Via Electronic Mail**

Island Regulatory and Appeals Commission  
National Bank Tower  
134 Kent Street, 5th Floor  
Charlottetown, PE C1A 8R8

**Attention: Michelle Walsh-Doucette**

Dear Ms. Walsh-Doucette:

**Re: Appeal #LA25021 – Rudolf Aik Huang Chong v. Town of Stratford (“Town”)**

We write in response to correspondence from the Island Regulatory and Appeals Commission (“Commission”) dated November 5, 2025. We thank the Commission for the opportunity to offer the Town’s position in response to the Appellant’s request to amend the Notice of Appeal to add new appellants.

In our view, every appellant named in a notice of appeal must file a notice of appeal with the Commission within 21 days after the date of the decision being appealed.<sup>1</sup> In this case, the proposed appellants have not done so.

If the Commission were to add the proposed appellants to the Notice of Appeal now, after the appeal period has expired, the Commission would be extending the appeal period for the proposed appellants. Further, allowing such a practice would essentially be permitting one individual to file an appeal as a “placeholder” to preserve the time within which other potential appellants may consider joining the appeal. This would completely undermine the purpose of the 21-day appeal period set out in the *Planning Act*.

Finally, we note that the Commission has itself recognized that an appeal must be filed with the Commission within the statutory appeal period set out in the legislation which provides the right of appeal:

**12. Appeals**

1. *An appeal must be filed with the Commission within the statutory appeal period set out under the legislation which provides the right of appeal.<sup>2</sup>*

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<sup>1</sup> *Planning Act*, s. 28(1.3).

<sup>2</sup> Commission’s [Rules of Practice & Procedure](#), section 12.

4127-1660-5794

Island Regulatory and Appeals Commission

November 19, 2025

Page 2

We trust this sets out the Town's position with respect to the Appellant's request to amend the Notice of Appeal to add new appellants.

If, notwithstanding our submissions, the Commission determines that it will consider the Appellant's request to amend the Notice of Appeal to add new appellants, then the Town's submits that the Commission should at least require the proposed new appellants to establish that they are "aggrieved persons"<sup>3</sup> who are entitled to an appeal under the *Planning Act*.

We look forward to guidance from the Commission regarding next steps in this appeal process.

Yours truly,

Stewart McKelvey



Hilary A. Newman

HAN/dr

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<sup>3</sup> *Planning Act*, s. 27.1.