

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 City of Charlottetown (name of City, Town or Community) on the 12th day of November, 2025, wherein the Minister/Community Council made a decision to deny the request from the landowner, Nicholas Haddad, for a major variance to Provincial Parcel No. 145805 for the establishment of a 20 foot by 20 foot addition to an existing accessory structure (garage) located within the rear yard of the subject property (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)

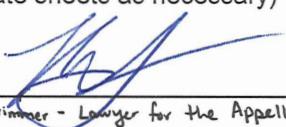
Please see attached.

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)

Please see attached.

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

Name(s) of
Appellant(s): Nicholas Haddad
Please Print

Signature(s) of
Appellant(s): 
Maggie J. Grimmer - Lawyer for the Appellant

Mailing Address: 65 Queen Street

City/Town: Charlottetown

Province: Prince Edward Island

Postal Code: C1A 7L1

Email Address: mgrimmer@csmlaw.com

Telephone: 902-892-4156

Dated this 1st day of December, 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: Nicholas Haddad

Municipal Council: City of Charlottetown

Date of Decision: November 12, 2025

Decision Under Appeal: The denial of the Appellant's application for a major variance to Provincial Parcel No. 145805 for the establishment of a 20 foot by 20 foot addition to an existing accessory structure (garage) located within the rear yard of the subject property.

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 City of Charlottetown (the "City") in its decision to deny the major variance to Provincial Parcel No. 145805:

1. Failed to follow the recommendations of the City's Planning Department and the City's Planning Board to approve the major variance. The Appellant notes that the City's Planning Board voted 8 to 0 in favour of approving the major variance;
2. Failed to consider and apply sound planning principles;
3. Failed to provide adequate reasons for its decision, contrary to the principles of natural justice and procedural fairness;
4. Made its decision arbitrarily and not based on factual evidence; and
5. Such further and other grounds as may be determined upon receipt of the complete record by the City.

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

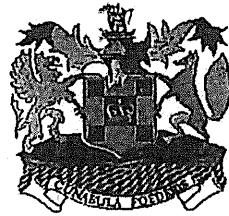
1. That the Island Regulatory and Appeals Commission allow this appeal, quash the November 12, 2025, decision of the City denying the major variance to Provincial Parcel No. 145805 for the establishment of a 20 foot by 20 foot addition to an existing accessory structure (garage) located within the rear yard of the subject property, and order that the major variance be approved as recommended by the City's Planning Board; and

2. Such further and other relief as the Appellant may advise and the Island Regulatory and Appeals Commission may permit.

DATE OF ISSUE: December 1, 2025



MAGGIE J. GRIMMER
CARR, STEVENSON & MACKAY
Barristers and Solicitors
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Charlottetown, PE C1A 7L1
(902) 892-4156
Solicitor for the Appellant
Nicholas Haddad



CITY OF CHARLOTTETOWN RESOLUTION OF COUNCIL

2025-COCR-0222

MOTION CARRIED

MOTION LOST

5-2 (Councillors
Beck and
McCabe
opposed)
J. McCabe
(Carried)

Planning & Heritage
#2 (Alternate)

Date: November 12, 2025

Moved by Deputy Mayor

Alanna Jankov

Seconded by Councillor

Julie McCabe

BE IT RESOLVED:

That the following Major Variance for the subject property identified as 566 Malpeque Road (PID# 145805) be denied:

- 1) To allow for the establishment of a 20 foot by 20 foot (400 square feet) addition to an existing accessory structure (garage) located within the rear yard of the subject property in the (R-1L) Zone as the total combined size of all existing accessory buildings and structures on the property already exceeds the maximum total combined size of 850 square feet as per Section 4.1.2.b) of the Zoning & Development Bylaw based on existing lot size for the property. Total allowable combined size of all existing accessory buildings and structures for the subject property would therefore be 1,509 square feet.