

**BEFORE THE ISLAND REGULATORY AND APPEALS COMMISSION**

IN THE MATTER OF an appeal pursuant to section 28 of the *Planning Act*, RSPEI 1988 c P-8, by Tracy Belsher against the January 9, 2026 decision of the Minister of Land and Environment to deny an application to establish a Commercial (vintage store) use on an existing Residential (single unit dwelling) use lot located at PID #215517 in North Tryon, PE.

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**RECORD OF DECISION PREPARED BY  
THE MINISTER OF LAND AND ENVIRONMENT**

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**Christiana Tweedy**  
Legal Services  
Justice and Public Safety  
95 Rochford Street, PO Box 2000  
Charlottetown, PE

**Lawyer for the Minister of  
Land and Environment**

Tracy Belsher  
Sassy Lassie Designs and Vintage  
21952 Trans-Canada Highway  
North Tryon, PE

Appellant

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| 2. | Notice of Appeal received by IRAC January 22, 2026  |
| 3. | Subdivision of Land and Change of Use Application CU-2025-031 and attached Application Sketch for PID #215517   |
| 4. | Pre-Development and Subdivision Inspection Report   |
| 5. | Interdepartmental Communications: <ul style="list-style-type: none"><li>a. Email correspondence between Brett Wallace and Sarah MacVarish dated July 23, 2025 to January 8, 2026</li></ul>  |
| 6. | External Communications: <ul style="list-style-type: none"><li>a. Email from Karen MacInnis to Tracy Belsher dated July 16, 2025</li></ul>  |
| 7. | Other: <ul style="list-style-type: none"><li>a. Geomatics – property information sheets generated on July 16, 2025</li><li>b. SSO Map generated on July 14, 2025</li><li>c. LIS Databank Search Results – Identified Land dated July 16, 2025</li></ul> |

**TAB**

**1**



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

Housing, Land  
and Communities

Logement, Terres  
et Communautés



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

January 9, 2026

Tracy Belsher  
Sassy Lassie Designs & Vintage  
21952 Trans-Canada Highway  
North Tryon, PE C0B 1A0

Dear Mrs. Belsher:

**Subject:** Application to establish a Commercial (vintage store) use on an existing Residential (single-unit) dwelling use lot.  
**Property ID #:** 215517  
**Property Location:** Trans-Canada Highway, North Tryon, Prince County  
**Our File References:** CU-2025-031

The Department of Housing, Land and Communities has reviewed your application to establish a Commercial (vintage store) use on an existing Residential (single-unit) dwelling use lot application received on July 14th, 2025, Property #215517, located in North Tryon.

**A. The Application**

**Change of Use:** The Subject Property is currently used for Residential (single-unit) dwelling use. The application was submitted to change the use of the parcel to Residential/Commercial with access off the Trans-Canada Highway.

**B. 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 clause 6(c) of the *Planning Act* and subsections 3.(1)(a), 5.(d) and 25.(2) of the *Planning Act* Subdivision and Development Regulations, the above noted application is Denied.** The reasons for this decision are explained in detail below.

### C. Reasons

The *Planning Act* Subdivision and Development Regulations provide provisions for the subdivision of land under Section 12 of the *Planning Act* Subdivision and Development Regulations. As well, Section 25 of those Regulations provide provisions for the access requirements for new, proposed lots. Property # 215517 is a 0.76-acre Residential use lot. It has been determined from the Department of Transportation, Infrastructure that this parcel cannot have legal access to the proposed use. Therefore, we have no choice but to deny the application at this time. You may contact that Department to discuss and obtain more details at 902-368-5006. Please refer to the *Planning Act* Subdivision and Development Regulations sections 3.(1)(a), 5.(d) and 25.(2).

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

**3.(1) No person shall be permitted to subdivide land where the proposed subdivision would**  
**(a) not conform to these regulations or any other regulations made pursuant to the Act;**

**5. No approval shall be given pursuant to these regulations until the following permits or approvals have been obtained as appropriate:**  
**(d) where, pursuant to the *Roads Act*, an entrance way permit or approval is required, the required permit or approval has been obtained;**

**25.(2) No person shall subdivide a parcel of land that abuts, and requires access to, an arterial highway unless an entrance way permit, where required, has been issued by the Minister responsible for the *Roads Act* Highway Access Regulations.**

### D. 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](mailto:smacvarish@gov.pe.ca).

Sincerely,



Sarah MacVarish  
Senior Development Officer

**TAB**

**2**

RECEIVED: January 22, 2026

# 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.irc.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 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, 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)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**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)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

Name(s) of Appellant(s): \_\_\_\_\_ Signature(s) of Appellant(s):   
 Please Print

Mailing Address: \_\_\_\_\_ City/Town: \_\_\_\_\_  
 Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Dated this** \_\_\_\_\_ **day of** \_\_\_\_\_, \_\_\_\_\_  
 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@irc.pe.ca](mailto:info@irc.pe.ca).

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CANADA

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

Housing, Land  
and Communities

Logement, Terres  
et Communautés



CANADA

31, promenade Gordon  
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Tracy Belsher  
Sassy Lassie Designs & Vintage  
21952 Trans-Canada Highway  
North Tryon, PE C0B 1A0

Dear Mrs. Belsher:

**Subject:** Application to establish a Commercial (vintage store) use on an existing Residential (single-unit) dwelling use lot.

**Property ID #:** 215517

**Property Location:** Trans-Canada Highway, North Tryon, Prince County

**Our File References:** CU-2025-031

The Department of Housing, Land and Communities has reviewed your application to establish a Commercial (vintage store) use on an existing Residential (single-unit) dwelling use lot application received on July 14th, 2025, Property #215517, located in North Tryon.

**A. The Application**

**Change of Use:** The Subject Property is currently used for Residential (single-unit) dwelling use. The application was submitted to change the use of the parcel to Residential/Commercial with access off the Trans-Canada Highway.

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**Pursuant to clause 6(c) of the *Planning Act* and subsections 3.(1)(a), 5.(d) and 25.(2) of the *Planning Act* Subdivision and Development Regulations, the above noted application is Denied. The reasons for this decision are explained in detail below.**

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3.(1) No person shall be permitted to subdivide land where the proposed subdivision would  
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(d) where, pursuant to the *Roads Act*, ~~an entrance way permit or approval is required,~~ the required permit or approval has been obtained;

25.(2) No person shall subdivide a parcel of land that abuts, and requires access to, an arterial highway ~~unless an entrance way permit, where required, has been issued by the Minister responsible for the *Roads Act* Highway Access Regulations.~~

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

Sincerely,



Sarah MacVarish  
Senior Development Officer

**TAB**

**3**

# Subdivision of Land And Change of Use Application

RECEIVED

JUL 14 2025

Land Division  
SUMMERSIDE



Please select the following that applies to your proposal:

- Subdivide a parcel of land into smaller lots
- Change the current use of a parcel of land
- Change the use of an approved subdivision
- Consolidate multiple lots into one
- Appendage to a parcel/lot

**PAID**  
JUL 21 2025  
Amount 110.00  
Receipt # 10047

Office Use Only	
Sub. Case File #:	
Permit #:	
PID #:	
Permit Fee:	110.00
Received:	
PIC Reviewed:	<input checked="" type="checkbox"/> Lily 2/1/25

### Property Information:

Property Tax Number: <u>215517</u>	Community Name: <u>Albany North Tryon</u>
Civic Address Number: <u>21952</u>	Street Name: <u>Trans Canada Highway</u>
Route No:	Lot Number— if applicable: <u>99-1</u>

### Property Owner Information:

Full Legal Name: <u>Tracy Arlene Belsher</u>		
Company Name: <u>Sassy Lassie Designs &amp; Vintage</u>		
Street Address: <u>21952 Trans Canada Highway</u>		
Community: <u>Albany</u>	Province: <u>PE</u>	Postal Code: <u>C0B1A0</u>
Email: <u>tracybelsher@yahoo.ca</u>	Phone: <u>506-297-4197</u>	

### Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	

### What is the property currently used for?

- Residential (Single-unit)  Residential (Duplex)  Residential (Multi-unit)  Rental Accommodation
- Commercial  Industrial  Institutional  Agriculture  Aquaculture/Fisheries  Forestry
- Recreational  Resource  Home-Based Business  Vacant  Other: \_\_\_\_\_

### Proposed use of the land:

Small Art gallery / Book store / vintage shop in barn. Open seasonally June - ~~to~~ Sept. wed - Sun. 11am - 4pm.

**CU-2025-031**

**A. SUBDIVISION OF LAND SECTION:**

How many lots are you looking to create? \_\_\_\_\_

If 1 to 5 lots—please see detailed Additional Requirements listed in Section 1 on the next page

If 6 to More lots—please see detailed Additional Requirements listed in Section 2 on the next page

Will the proposed subdivision require the creation of a new driveway or the relocation of an existing driveway to the road/highway?  Yes  No

How will the proposed subdivision receive sewer service?

New on-site septic  Existing on-site system

Municipal wastewater treatment  Private Central Wastewater Treatment

How will the proposed subdivision receive its water supply?

New on-site well  Existing on-site system  Municipal water  Private Central water system

Are there Environmentally sensitive features located on the proposed lot(s)? i.e. Wetland, watercourse, sand dune, other: \_\_\_\_\_  Yes  No

Is this property identified under the PEI Lands Protection Act?  Yes  No

**B. CHANGE OF USE SECTION:**

Are you looking to change the current use of the land to a new use? (i.e. Residential to Commercial)

Yes  No

If yes, what would the new use of property be?

Residential (Single-unit)  Residential (Duplex)  Residential (Multi-unit)  Rental Accommodation

Commercial  Industrial  Institutional  Agriculture  Aquaculture/Fisheries  Forestry

Recreational  Resource  Home-Based Business  Other: \_\_\_\_\_

If you selected Industrial, Commercial, Industrial or Recreational please answer:

- What will be the hours of operation? 11am - 4pm wed-Sun.

- How many staff are you intending on having at this location? 2-3 (me, my husband, and a student helper)

- Will there be onsite parking for staff?  Yes  No  N/A

- Will there be shipping and/or receiving operations?  Yes  No  N/A

Please describe the business operations you will be undertaking on this site:

The shop is small and in the 1st half portion of our barn = It features local art, artisans, books/publishers, and vintage decor.  
we have space for up to 5 cars to park.

1-800-260-4111

## **SUBDIVISION OF LAND—REQUIREMENTS**

### **1) Five (5) Lots or Less—(1 to 5 lots)**

With the completed application the following is required:

- a. Completed sketch of the property as outlined on page 5 showing the true shape and dimensions of the property being subdivided. The lot(s) must be indicated on the map, outlined in red and displaying the dimensions of the lot(s) and size of the lot(s) in acres or square feet. All proposed access roads or rights-of-way to the lot(s) must be shown on the map.**

### **2) More than Five (5) Lots —(6 or more lots)**

With the completed application the following is required:

- a. Preliminary Survey plan completed by a surveyor. Ensure the surveyor shows the following information in their Preliminary Survey Plan:**
  - the true shape and dimensions of the property being subdivided and the proposed lots
  - all proposed access roads or rights-of-way to the lots
  - a key plan indicating the general location of the proposed subdivision
  - a North point indicator and the scale of the plan
  - the location of all existing buildings or structure on the lots being proposed, or within 100 feet (30.4 metres) of the proposed subdivision
  - existing and proposed services, including central or municipal waste treatment systems, and central or municipal water supply systems
  - proposed or existing private right-of-ways or easements, and proposed or existing entranceways to a highway
  - land proposed for buffers, walkways, open space, recreation areas, parks, or other public use
  - watercourses, wetlands, beaches, sand dunes, forested areas, designated natural areas, or conservation zones on, or adjacent to, the proposed subdivision
  - elevation contours and the drainage pattern within the proposed lots, and within 300 feet (91.4 m) of the boundaries of the proposed subdivision
  - the proposed use of the lots
  - proposed stormwater drainage patterns for water within and leaving the subdivision

**Please Note:** Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid.

**For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies before contacting the applicant to advise the status and required next steps.**

**Declaration**

I, Tracy Belsher hereby certify that I am (select one)

the registered owner of the land proposed for development

authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

**Signatures**

Registered Owner(s)

Belsher

Date: July 14, 2026  
~~June 13, 2025~~

or

Shunzi

Date: July 14, 2026

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

\_\_\_\_\_

Date: \_\_\_\_\_

Applicant:

Belsher

Date: July 14, 2026  
~~June 13, 2025~~

**Submit Applications to a Land Division office located at:**

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O’Leary – 45 East Dr, O’Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only	
<b><u>SUBDIVISION AND CHANGE OF USE FEES</u></b>	
Subdivision of Land (\$110 for the first lot).....	= _____
Additional Lots (\$55 for each additional lot).....	= _____
Change of Use (\$110 for the first lot).....	= _____
Change of Use for Additional Lots (\$55 for each additional lot).....	= _____
Total _____	= _____

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or [landdivision@gov.pe.ca](mailto:landdivision@gov.pe.ca) for more information.

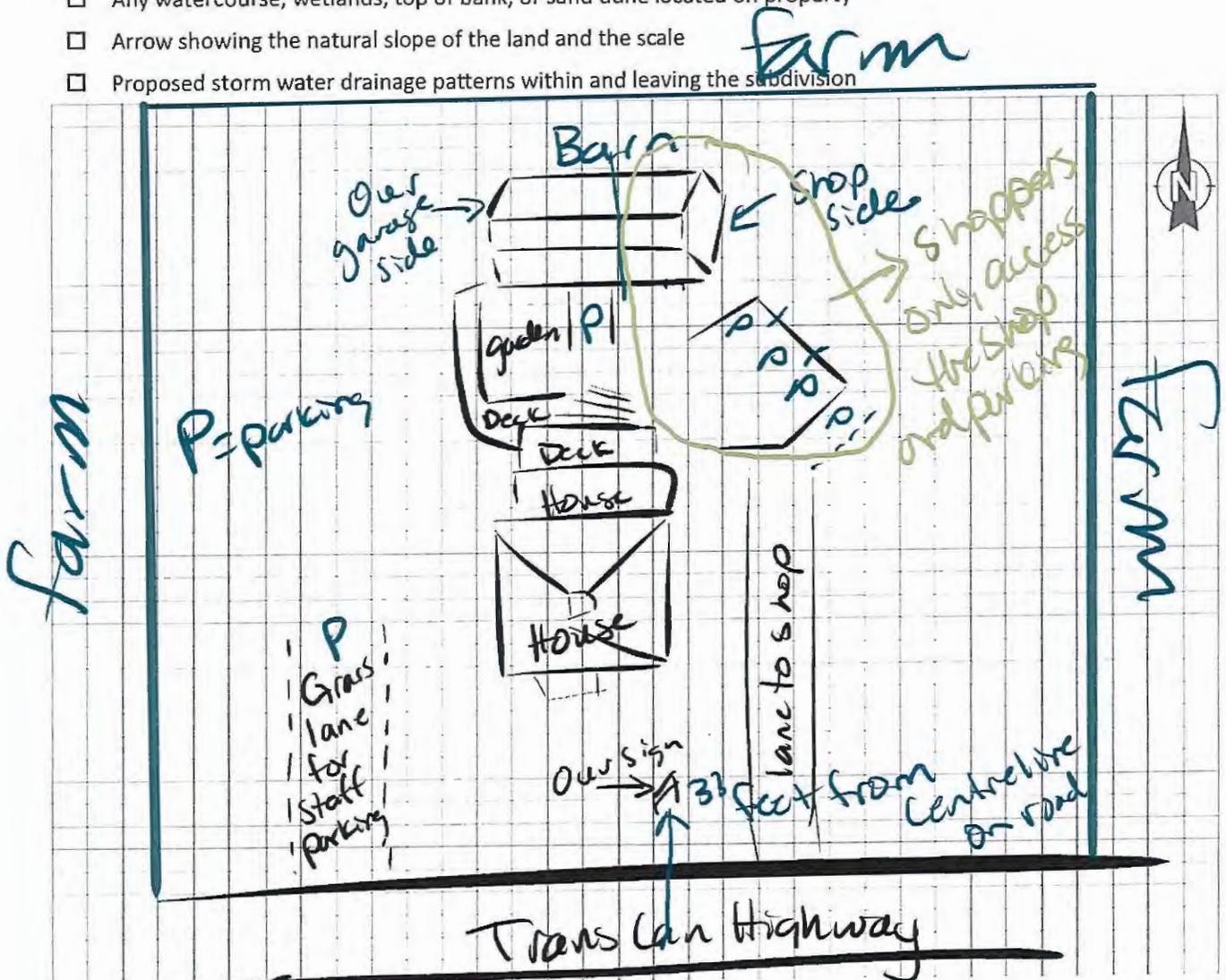
Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.

Subdivision of Land (5 Lots or Less) or Change of Use Application Sketch

Pursuant to the Planning Act

This sketch below needs to show the true shape of the property and include all existing or proposed:

- Property lines with their lengths (ft)
- Road(s) including their name(s)
- Location of driveway(s)
- Distance from centre of driveway(s) to the nearest neighbouring property line (ft)
- Right-of-ways on or adjacent to property
- The location and current use of all existing buildings or structures and within 100ft of the site
- All land proposed as open space, parks, recreation or other common areas
- Any watercourse, wetlands, top of bank, or sand dune located on property
- Arrow showing the natural slope of the land and the scale
- Proposed storm water drainage patterns within and leaving the subdivision



*[Signature]*  
 Property Owner's Signature or Applicant

*[Signature]* July 19, 2005  
 Date

**TAB**

**4**



PRE-DEVELOPMENT AND SUBDIVISION INSPECTION REPORT

(updated July 18-2024 v1.2)

Section 1 – General Information

APPLICANT: Tracy Belsher
SUBDIVISION CASE # CU-2025-031
PROPERTY # 215517

LOCATION: North Tryon
DEVELOPMENT PERMIT #
DATE OF INSPECTION

Section 2 – Property Information - FLEXVIEW

- 1. Is the property identified? Attach confirmation. IRAC
2. Is the property in a Special Planning Area?
3. Is the property in a municipality with its own official plans and bylaws?
4. The property has a: stream, wetland, watercourse, pond, primary sand dune, secondary sand dune, Other:
5. Does the property have poorly or imperfectly drained soils?
6. Are there any existing structures on the property?
7. Existing land use Residential Proposed land use Residential/Commercial
8. Is the lot existing? (created before 1979)
9. Was the lot approved previously?
10. Is a Coastal Hazard Assessment required?
11. Reference Cases:

Section 3 – Soil & Septic Information - ENVIRO

- a) What is the soil categorization? N/A Permit #
b) Previously Assessed? Case # Assumed Permeable Soil Assessor Registered Document #
c) If multi-lot subdivision, has an SSA been submitted for each lot?
d) Is there an existing septic system on site?
e) Has a Sewage Disposal Form been submitted?
f) Does the existing septic exceed 1500 gallons / day

Section 4 – Road Information - DTI MAP

- a) Name of highway Trans Canada Route #
b) Highway classification Arterial, Arterial 2, Seasonal, Collector, C1, C2, C3, Subdivision, Heritage, Private, Infilling, Other:
c) Is an EWP required? (Seasonal/Arterial)
d) Is the proposal to access a new private road?
e) # of lots approved of private road since 2009?
f) Highway access (culvert) new culvert required, existing entrance, relocate existing entrance

Notes:
TIE cannot issue EWP for proposed use, Section 20.(1)(a) of HAR'S

**Section 5 – Building Information**

- a) Will the proposal meet the minimum building setbacks?  No  Yes
- b) Will a variance be required?  No  Yes

**Section 6 – Comments**

Was the subdivision proposal sent out to corresponding departments? – See Department Comment Sheet

- a. Coastal Properties  No  Yes  N/A Notes:
- b. Fire Marshal's Office  No  Yes  N/A Notes:
- c. Environment  No  Yes  N/A Notes:
- d. Environmental Health  No  Yes  N/A Notes:
- e. Transportation  No  Yes  N/A Notes: deny
- f. Planning  No  Yes  N/A Notes:
- g. Building Code  No  Yes  N/A Notes:
- h. Water Quality  No  Yes  N/A Notes:
- i. Other: \_\_\_\_\_  No  Yes  N/A Notes:

**Section 6 – Additional Information**

- a) Does the proposal exceed 2 lots since 1993?  No  Yes
  - a. If yes, has the proposal been circulated to the Hydrogeologist?  No  Yes
- b) Does the proposal exceed 5 lots since 1993?  No  Yes
  - a. If yes, there may be requirements for incremental subdivision. Open Space, etc.
- c) Is a survey plan required?  No  Over 10 acres  Yes
- d) Will this plan supersede or supplement a previously approved file?  No  Yes Plan: \_\_\_\_\_

Notes:

**Section 7 – Decision and Sign Off**

- a) Immediately prior to final approval, has the identification status been confirmed?  Yes
- b) Decision:  Approve  Deny

- a. 

If Denied: Please indicate which sections of PASDRs:  
denied on Sections 3.(1)(a), 5.(d) and 25.(2)

  
\_\_\_\_\_  
Officer

Jan 9<sup>th</sup> 2026  
\_\_\_\_\_  
Date

**TAB**

**5**

**TAB**

**A**

## Sarah MacVarish

---

**From:** Brett Wallace  
**Sent:** Thursday, January 8, 2026 4:47 PM  
**To:** Sarah MacVarish  
**Cc:** Eugene Lloyd  
**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

Thanks Sarah,

If this parcel was not used for commercial use when the regulations came into effect, then yes, as per Section 20(1)(a) of the HAR's our staff would not be able to approve the change of use.

Regards,

**Brett A. Wallace, P.Eng.**  
Traffic Operations Engineer  
Transportation & Infrastructure

---

**From:** Sarah MacVarish <[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)>  
**Sent:** Thursday, January 8, 2026 2:20 PM  
**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Cc:** Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>  
**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

I do not have any information that would allude to it being commercial before. It appears this has been a residential property from the get go.

Would this mean your department is recommending a denial as a change of use is not possible?

Thanks,

**Sarah MacVarish, BCD**  
Senior Development Officer  
[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)  
Phone: 902-569-0573  
Fax: 902-368-5526

Housing, Land and Communities  
Government of Prince Edward Island  
31 Gordon Drive  
P.O. Box 2000  
Charlottetown, PE C1A 7N8  
[www.PrinceEdwardIsland.ca](http://www.PrinceEdwardIsland.ca)

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**From:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Sent:** Thursday, January 8, 2026 10:06 AM  
**To:** Sarah MacVarish <[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)>  
**Cc:** Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>  
**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

Hi Sarah,

Our definition of a “home occupation” says:

**“home occupation” means a business within a single family residential dwelling where at least fifty percent (50%) of the employees live within the dwelling on a permanent basis, the total area occupied by the business is no more than the greater of twenty-five percent (25%) of the total floor area of the dwelling or sixty-five square metres (65 m<sup>2</sup>) and the business would be consistent with any applicable zoning regulations or bylaws;**

Based on this definition, the proposed use would not meet the definition of a home occupation for two reasons:

1. Under our definition of a home occupation, the business needs to be within the family residential dwelling, which this is not, and;
2. The total area cannot be more than 65 square metres (700 square feet), and based on your comment below it appears that they use around 750 square feet.

Because the proposed use does not meet our definition of a home occupation, this would be considered a Change Of Use, which our staff could not approve under Section 20.(1)(a) of the Highway Access Regulations, which says:

**20. (1) The Minister may issue an entrance way permit to authorize placement of a new entrance way or a change of use of an existing entrance way, to a portion of an arterial highway outside of an area that has been designated for infilling in Schedule A-3, except no entrance way permit shall be issued:**  
*(a) to establish a commercial operation, other than a home occupation, or an institutional operation on a parcel of land where there is no existing commercial operation or institutional operation respectively;*

The only exception to this would be if this parcel was already being used for commercial use back on February 3, 1979 when this portion of Route 1 was designated as an arterial highway. Can you confirm if this would be the case?

Regards,

**Brett A. Wallace, P.Eng.**  
Traffic Operations Engineer  
Transportation & Infrastructure

---

**From:** Sarah MacVarish <[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)>  
**Sent:** Thursday, January 8, 2026 8:46 AM  
**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

Hi again Brett,

Another question for you, the home based business is located in the garage. Do you require it to be within the home?

Thanks,

**Sarah MacVarish, BCD**  
Senior Development Officer

[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)

Phone: 902-569-0573

Fax: 902-368-5526

Housing, Land and Communities  
Government of Prince Edward Island  
31 Gordon Drive  
P.O. Box 2000  
Charlottetown, PE C1A 7N8  
[www.PrinceEdwardIsland.ca](http://www.PrinceEdwardIsland.ca)

---

**From:** Sarah MacVarish

**Sent:** Tuesday, December 23, 2025 9:36 AM

**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>; Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>

**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

Good morning Brett,

This change of use application was originally made for a residential/commercial use. We have just been told by legal that we cannot approve mixed uses on a property so it will have to be a home based business instead, meaning the parcel will remain residential. I will have them apply for the development permit and gather more information.

It appears they are using half of the barn for the business which would roughly be about 750sq ft. is there any other information you would need?

Thanks,

**Sarah MacVarish, BCD**

Senior Development Officer

[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)

Phone: 902-569-0573

Fax: 902-368-5526

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---

**From:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>

**Sent:** Monday, December 15, 2025 10:42 AM

**To:** Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>

**Cc:** Sarah MacVarish <[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)>

**Subject:** RE: 2025-031 - PID 215517 - North Tryon (4805.30/2025-P-020)

Hi Eugene,

Sorry for not getting back on this one earlier. As you know, our definition of a Home Occupation is different from HLC's, so we will need to know a little more information like the total area of the dwelling and the percentage that will be used for the business in order to assess whether it meets our definition. However, before we get into that,

how does HLC assess this use? Would you consider this to be a Home Based Business, or would it fall under something else?

Thanks,

**Brett A. Wallace, P.Eng.**  
Traffic Operations Engineer  
Transportation & Infrastructure

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**From:** Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>  
**Sent:** Monday, December 15, 2025 10:11 AM  
**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Subject:** Fw: 2025-031 - PID 215517 - North Tryon

Good morning Brett,

Do you have any concerns or comments for this one?

We'd appreciate a response as soon as possible.

Thank you

**Eugene Lloyd**  
Manager of Development Control  
[emlloyd@gov.pe.ca](mailto:emlloyd@gov.pe.ca)  
Phone: 902-368-4465  
Fax: 902-368-5526

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[www.PrinceEdwardIsland.ca](http://www.PrinceEdwardIsland.ca)

---

**From:** Sarah MacVarish <[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)>  
**Sent:** Monday, December 15, 2025 10:06 AM  
**To:** Eugene Lloyd <[EMLLOYD@gov.pe.ca](mailto:EMLLOYD@gov.pe.ca)>  
**Subject:** FW: 2025-031 - PID 215517 - North Tryon

Have sent him 3 emails since July.

Thanks,

**Sarah MacVarish, BCD**  
Senior Development Officer  
[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)  
Phone: 902-569-0573  
Fax: 902-368-5526

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[www.PrinceEdwardIsland.ca](http://www.PrinceEdwardIsland.ca)

---

**From:** Sarah MacVarish  
**Sent:** Thursday, September 4, 2025 9:53 AM  
**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Cc:** HighwayAccess <[HighwayAccess@GOV.PE.CA](mailto:HighwayAccess@GOV.PE.CA)>  
**Subject:** FW: 2025-031 - PID 215517 - North Tryon

Any updates on this one?

Thanks,

**Sarah MacVarish, BCD**  
Senior Development Officer  
[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)  
Phone: 902-569-0573  
Fax: 902-368-5526

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[www.PrinceEdwardIsland.ca](http://www.PrinceEdwardIsland.ca)

---

**From:** Sarah MacVarish  
**Sent:** Wednesday, July 23, 2025 11:30 AM  
**To:** Brett Wallace <[bawallace@gov.pe.ca](mailto:bawallace@gov.pe.ca)>  
**Subject:** 2025-031 - PID 215517 - North Tryon

 [Change of Use 2025-031.pdf](#)

Good morning Brett,

Wanted to start with your comments on this as it will access off the Trans Canada Hwy. They are looking to establish a home based business in the existing barn on site.

Thanks,

**Sarah MacVarish, BCD**  
Senior Development Officer  
[smacvarish@gov.pe.ca](mailto:smacvarish@gov.pe.ca)  
Phone: 902-569-0573  
Fax: 902-368-5526

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**TAB**

**6**

**TAB**

**A**

## Change of Use

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From Karen MacInnis <kxmacinnis@gov.pe.ca>

Date Wed 7/16/2025 9:51 AM

To tracebelsher@yahoo.ca <tracebelsher@yahoo.ca>

 1 attachment (702 KB)

Tracy Belsher.pdf;

Good morning,

I am reviewing your Change of Use application for PID 215517 at 21952 TCH- Albany for a home-based business. Your application is incomplete. Page 5 was left blank. Can you please indicate on it the "See Attached" sign and date the bottom since you submitted your own site plan sketch, I will need that signed and dated as well.

Will you have signage on your property? If so, where? Are there washroom facilities in this barn? I've attached these in this email for your convenience, Please send back to me here if that is easiest for you. I look forward to hearing from you at your earliest convenience.

Thank You

**Karen MacInnis**

Permit Coordinator

Land Division, Development Control

Housing, Land and Communities

120 Heather Moyse Drive

Summerside PE | C1N 5Y8 Canada

Phone (902) 374-1599 | Fax (902) 888-8059

[kxmacinnis@gov.pe.ca](mailto:kxmacinnis@gov.pe.ca)

**TAB**

**7**

**TAB**

**A**

Parcel	Original Parcel Number	Map #	Property Location	Owner Name & Mailing Address
215517	N/A	11L057A2	21952 TRANS CANADA HWY - RTE 1 NORTH TRYON	SHAWN & TRACY BELSHER 21952 TRANS CANADA HWY - RTE 1 NORTH TRYON PE C0B 1A0
<b>School District:</b>	1143			
<b>Work Unit:</b>	1143			
<b>Lot/Township #:</b>	28			
<b>School Unit #:</b>	3			

Parcel & Lease	Acreeage	Assessment Values (2025)	Taxable	Designated Taxpayer & Mailing Address
<b>Account Status:</b> A	0.76	<b>Commercial:</b> \$0.00	\$0.00	SHAWN & TRACY BELSHER
<b>Farm Quality:</b> N		<b>Non-Commercial:</b> \$329,100.00	\$313,800.00	NORTH TRYON PE
<b>Municipality:</b> Crapaud		<b>Residential:</b> \$329,100.00	\$313,800.00	C0B 1A0
<b>Region Number:</b> 1		<b>Farm:</b> \$0.00	\$0.00	<b>Dates</b>
<b>Assessor:</b> KELLY JOHN MICHAEL		<b>Buildings</b>		<b>Last Inspection:</b> 03-APR-12
<b>% in Municip:</b> 100		<b>Line No: Building Type:</b>		<b>Last Owner Chg:</b> 31-OCT-24
<b>Spec Prop Code:</b>		6 02-015 Patio		<b>Initially Filed:</b> 01-JAN-00
<b>MHI Number:</b>		0 02-001 Res. Structure - 1478		<b>Dormant:</b>
<b>Owner ID Code:</b>		0 02-023 Hobby Barn		
<b>Ownership Code:</b> A01		2 02-012 Porch Open		
<b>Tax Exempt Code:</b>		3 02-015 Patio		
		1 02-013 Porch Glazed - 330		

**Map**



**Parcel**

215517

**Original Parcel Number**

N/A

**Property Location**

21952 TRANS CANADA HWY - RTE 1

**Owner Name**

SHAWN & TRACY BELSHER

**Acreage**

0.76

**Disclaimer**

Efforts have been taken to provide high quality information from the data available to the Department. However, the user is cautioned that data may have been obtained from third party sources and it may be incomplete or inaccurate. Conditions may also have changed since the collection of the data.

Parcel	Original Parcel Number	Map #	Property Location	Owner Name & Mailing Address
215517	N/A	11L057A2	21952 TRANS CANADA HWY - RTE 1 NORTH TRYON	SHAWN & TRACY BELSHER 21952 TRANS CANADA HWY - RTE 1 NORTH TRYON PE C0B 1A0

**DOCUMENTS FILED ON PARCEL**

Year	Description	Type	Document Number	Liber/Book	Folio/Page	Consideration
2024	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	4879	3515		
2024	MORTGAGE	51	4564	3513		
2024	DEED	11	4563	3513		\$520,000.00
2022	MORTGAGE	51	1891	3446		
2012	DEED	11	758	3194		\$239,000.00
2012	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	1107	3196		
2006	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	1855	3042		
2006	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	1704	3041		
2006	MORTGAGE	51	1392	3040		
2006	DEED	11	1391	3040		\$164,700.00
2003	MORTGAGE	51	846	892	9	
2002	DISCHARGE, RELEASE OR SATISFACTION (i.e. MORTGAGE, MECHANICS' LIEN)	61	5767			
2000	MORTGAGE	51	3585	750	9	

1999	DEED	11	975	736	9	\$0.00
1997	QUIETING OF TITLES ORDER, CERTIFICATE OF TITLE	31	325	674	50	
1997	DEED	11	1305	679	19	\$0.00
1996	ESTATE DEED (EXECUTORS' OR ADMINISTRATORS' DEEDS)	12	3770	665	7	\$0.00
1979	ESTATE DEED (EXECUTORS' OR ADMINISTRATORS' DEEDS)	12	19790907	232	61	

**SURVEY PLANS**

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<b>Parcel Number</b>	<b>Plan</b>
215517	N7 18052A
215517	N8 4335

**TAB**

**B**



215517  
PP:

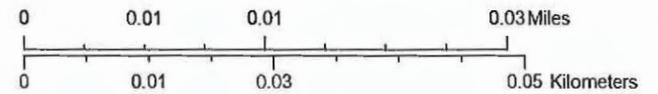
Town Center Hwy



July 14, 2025

This map is not intended for legal description or to calculate exact land dimensions.

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Scale: 1:1,075

**TAB**

**C**



PRINCE EDWARD ISLAND

Regulatory &amp; Appeals Commission

Commission de réglementation et d'appels

ÎLE-DU-PRINCE-ÉDOUARD

## Identified Parcel Search Results

**PLEASE NOTE:**

The Land Information System database is based on information filed as part of applications made under the [Lands Protection Act](#). The Commission does not warrant the accuracy of the information. Without limiting the generality of the foregoing, certain information may have changed after processing the applications including, in some cases, the assignment of new parcel numbers to identified land. The new parcel numbers are not necessarily contained in the database. The database does not include parcels that were identified prior to 1979.

Email questions to: [lpqinquiries@irac.pe.ca](mailto:lpqinquiries@irac.pe.ca).

Please enter parcel number (you must enter 6 or 7 digits):

215517

**No match found!**

