



21952 Trans Canada Highway  
Albany, PE CoB1A0

**March 11, 2026**

### **Second Appeal Letter from Tracy Belsher, Owner of Sassy Lassie Vintage**

After reviewing the Record and Response to the Notice of Appeal by the Respondent – Minister of Land and Environment, I submit my responses here.

#### **Missing Documents from the Record**

My initial appeal letter, which detailed my situation, argument, and the numerous precedents that exist on the Trans Canada Highway, has not been included in the Record, and I've attached it again to this email.

My letters of support have not been included, and I've attached them again to this email. These should not be an optional read – they are part of my defence and are of value. Note that others were also sent to my MLA, Matt MacFarlane and forwarded to you.

#### **Replying to the Submission of the Respondent and Clarification for Grounds of Appeal**

1. The Minister failed to consider that my intended use of the property is that of a small residential-based business that makes use of existing buildings and infrastructure on the property. There are no new builds.
2. The Minister failed to consider that my small residential business would have minimal impact on traffic safety concerns beyond that already associated with a single-family residence.
3. The Minister failed to consider that the location of our property is a straight stretch of road with abundant sight distance visibility, with no turns or blind hills whatsoever that could cause a safety risk for the travelling public.
4. The Minister failed to consider that my property has parking capacity safely off the highway, such that vehicles can enter and exit as necessary and not need to park or linger on the highway (signage can be erected if necessary).

5. The Minister failed to consider that my business consists of a small, seasonal niche shop that attracts a certain variety of tourists over a period of time; it is not contemplated to expand into a business that would attract large crowds, such as a restaurant or performance hall with shows, concerts, etc.
6. The Minister failed to consider that my business is not contemplated to host large events, such that there will be no “busy” periods of traffic arriving or exiting all at once; rather, the clientele arrives sporadically throughout the hours of operation
7. The Minister failed to consider the numerous and various precedent businesses existing along the Trans Canada Highway, within the area of Crapaud to Borden, and Summerside to Charlottetown, and on Rte 1, Rte 1A and Rte 2 across PEI, for businesses of a similar nature and size to mine. Also, as I noted in my initial appeal letter, many businesses much larger than mine are in operation, with much higher traffic volumes.
8. The location of my business is not in sufficient proximity to any other business such that a traffic concern would be created by allowing me the requested permit.
9. The location of my business is such that it is attractive to locals and tourists alike, being just a few minutes off the Confederation Bridge.
10. Self-sustaining and profitable small businesses such as mine are an economic driver for our province, and the government should be encouraging such entrepreneurs and small business owners and facilitating their success, for their benefit and the benefit of the province as a whole.
11. Businesses such as mine fit well with the promotion of our province’s culture and heritage which is part of our provincial tourism strategy, as confirmed by the Red Sands Shore Region description in my initial appeal letter.

Also, my application was denied under the *Roads Act* Highway Access Regulations for two specific reasons: the definition of a “home occupation” and the maximum square footage of a home occupation being 700 square feet.

I was not aware of the 700-square-foot criteria until I read through the “Record of Decision” provided by the Minister of Land and Environment. It seems our business size was guesstimated, as per Sarah MacVarish, BCD’s email to Brett A. Wallace, P. Eng, stating, “It appears they are using half of the barn for the business which would roughly be about 750sq ft.”

I don’t believe I was asked for the square footage, and no one came on-site to physically measure. The actual total is 450 square feet, which meets the criteria for both a “home-based business” and a “home occupation”. Ours is small compared to similar businesses along the Trans-Canada Highway.

The designation and definition of a “home-based business” and/or “home occupation”, regarding whether a home-based business or home occupation can only be located in a dwelling unit, or if it can be located in an accessory building to the dwelling unit, vary across government departments and regulations, which inherently causes issues.

I can only infer that this has already been an issue as per the email conversation between Brett A. Wallace, P. Eng and Sarah MacVarish, BCD, in which Wallace writes to MacVarish, “As you know, our definition of a Home Occupation is different from HLC’s...”

The various definitions and applications are supplied here:

- ***Building Codes Act Building Codes Regulations - Definitions***

1.(1) (g) “**home-based business**” means a business or service use that is located in a dwelling unit that is used or occupied as a home;

- ***Building Codes Act Building Codes Regulations – Division 3 – Application and Exemptions***

**5. Home-based business**

(1) A person shall apply for a permit to construct or renovate a dwelling unit for the purpose of accommodating a home-based business, or for a change of use for a home-based business, that would be subject to the Building Code.

**Required information**

(2) An applicant for a permit under subsection (1) shall provide the building official of the authority having jurisdiction with the plans, drawings and other information required by the building official in order to determine whether the proposed home-based business or the change of use of the home-based business will meet all of the following criteria:

- (a) the business use of the dwelling unit, an accessory building to the dwelling unit, or both, is secondary to the residential occupancy use of the dwelling unit;
- (b) at least one full-time resident of the dwelling unit where the home-based business will be located operates or will operate the business;
- (c) the proposed home-based business will not be a high-hazard or medium-hazard industrial occupancy classified as Group F1 or Group F2 under the Building Code;
- (d) the home-based business uses a total floor area of less than 50 square meters;
- (e) the home-based business uses less than 25 per cent of the floor area of the dwelling unit.

**Permit issued**

(3) Where the building official is satisfied that the applicant's proposed home-based business will meet all of the criteria specified in subsection (2), the building official shall issue a permit to the applicant that authorizes the proposed construction, renovation or change of use.

- ***Planning Act Subdivision and Development Regulations – Definitions***

1. (a) “accessory building” means a building whose use is incidental and subordinate to, and consistent with, the main or approved use of the lot upon which the building is located;

1. (j.01) “**home-based business**” means a business or service use that is located in a dwelling unit that is used or occupied as a home, or an accessory structure to the dwelling unit;

- ***Roads Act Highway Access Regulations - Definitions***

(j) “**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;

In general, I believe the designations “home-based business” and “home occupation” should be combined into a single phrase, or the definitions should be aligned and updated to match current trends in home-based businesses, for both new and retrofitted buildings. Our accessory structure should be permissible as part of our home-based business. It matches many other functioning businesses along the Trans Canada Highway. The current law regarding entrance way permits, if not being enforced across PEI, should then be amended, repealed, replaced, or exceptions granted.

I would like to be assured that I am being treated equally and fairly to the existing businesses, which I detailed in my previous letter to the Minister. If I am denied a permit, I would like to see proof that each business along the Trans Canada Highway has obtained one and is subject to the same laws I am. If they've received this permit or an exception, then I should also qualify, as my business is on a much smaller scale than others.

Home-based businesses like mine foster local entrepreneurship, enhance economic resilience, and enable flexible employment opportunities for Islanders. We contribute to the local economy by pursuing innovative, small-scale ventures while supporting and

maintaining the Island's history, culture, and character, which visitors so love. We support each other by referring visitors to the next shop down the road or by advising them on where to go next on their adventures.

**We are not competition – we are community. But we must be treated fairly and equally by our government.**

I hope to work through this roadblock with you and continue with Sassy Lassie Vintage, sharing Island arts, history, and culture via our heritage barn, with Islanders and visitors for many years to come.

January 28, 2026

To Whom it May Concern,

I am writing to explain what a tragedy it would be for your district, and for Prince Edward Island as a whole, to lose a gem like Sassy Lassie Vintage.

Working for the provincial government myself, I appreciate the rationale for zoning laws and the importance of requiring the submission of permits for transparency. But I also know that we, as public servants, represent people with unique circumstances that deserve to be considered. When the decision to grant an exception presents no harm or distress to the community and its people, but brings only prosperity and opportunity - it should be accorded. Judith, like any "CFA", has met with many challenges through her transition to Canada and PEI. Let's remove this obstacle and let her know that she is valued here.

Judith Graves came to PEI with a dream and a well-devised plan... and she executed it with near perfection! What you can "see" on paper and in person is that her beautiful shop was incredibly successful in her very first year of business. That cannot be contested. What you can not see is the way she has integrated into the fabric of life on PEI and the impact that she has had on so many individuals in such a limited time already. As an author, Judith works for a local publishing company and has participated in a number of literary events on PEI where she has gathered a devoted following of peers and fans with which to share her love of writing. As an antique collector, Judith has toured the Island to visit as many like minded shop owners as possible and to build ties within the community to ensure the exchange of ideas, goods and opportunities. As an artist, Judith loves to create and has a deep appreciation for handcrafted work. She even invites a variety of local artists to collaborate by selling their work on consignment, or by hosting pop-up events on site. And that is why, at Sassy Lassie Vintage, you will experience a perfectly curated collection of antiques along with books by local authors, and handcrafted artwork - as if they were always intended to coexist. A talent like that, with a heart like hers, and a head for business is a rarity that must be witnessed to be believed. I hope you've had the chance.

That is all.

Thank you for your attention to this matter. I know you will advocate on her behalf.

**Diana Tutty**

Curriculum Leader, French Programs, **Department of Education and Early Learning**  
Small Business owner, **Branching Out Island Artisan Market**, Cavendish & Royalty Crossing Mall



January 26, 2026

RE: Sassy Lassie Vintage

To Whom It May Concern,

We are writing in support of our member, Judith Graves, owner of Sassy Lassie Vintage. In preparation for her first operating season, Judith participated in our Peer Mentorship Program to build her confidence and gain access to relevant resources to support the successful launch of her business within her community.

Judith is a dedicated entrepreneur with a clear vision for her business. She is committed to creating a welcoming space for PEI artists to connect and showcase their work, while also promoting sustainability through the resale of thoughtfully curated, previously loved items.

We strongly believe Judith would be a valuable addition to any opportunity that allows her to further engage with and contribute to the community she is proud to serve.

Warm regards,

**Krystal Bennett**

*(She, Her, Hers)*

**Business Growth Advisor**

**PEI Business Women's Association**

January 24th, 2026

To Whom It May Concern,

I am writing to express my strong support for Sassy Lassie Vintage and to respectfully request reconsideration of the recent decision denying the rezoning application for their property.

I have visited Sassy Lassie Vintage and experienced the space as a customer, and I have since recommended it to others. It is a thoughtfully curated bookstore, gallery, and vintage shop that adds cultural value, encourages local tourism, and contributes positively to the small business ecosystem on PEI.

Sassy Lassie Vintage opened last June after the owners purchased the property with the specific intention of establishing this business. They invested significant time and financial resources renovating the barn over the winter and operated successfully through their first season. This was not a speculative or temporary venture, but a carefully planned business and the realization of a lifelong dream.

The denial of rezoning, based on the Department of Transportation, Infrastructure's decision regarding an Entrance Way Permit from the Trans-Canada Highway, places the future of this successful business in jeopardy. Without some form of exception or alternative solution, Sassy Lassie Vintage will be forced to close.

I find this particularly difficult to understand given that there are numerous businesses operating along the Trans-Canada Highway throughout Prince Edward Island. Many of these businesses rely on similar access, and it is unclear why Sassy Lassie Vintage cannot be afforded the same consideration, especially given its scale, community benefit, and proven success.

Small, independent businesses are vital to PEI's identity and economy. They create meaningful destinations, support local artists and makers, and encourage people to explore beyond large commercial centres. Sassy Lassie Vintage exemplifies this spirit, and its closure would represent a real loss to both the local community and the broader Island economy.

I respectfully urge the Department to explore any flexibility, precedent, or alternative pathway that would allow this business to continue operating safely and responsibly. A collaborative and solution-focused approach would support entrepreneurship while still addressing infrastructure and safety concerns.

Thank you for your time and consideration.

Michelle McAulay, Owner  
Destination Meetings Concierge, PEI  
[meetmichelledmc@gmail.com](mailto:meetmichelledmc@gmail.com)

January 24, 2026

To whom it may concern,

**I am writing in strong support of Judith Graves and the Sassy Lassie Vintage Shop, a thriving local venture that champions Island makers, artists, and authors, enriching our cultural landscape and stimulating our rural economy.**

It is concerning to learn that rezoning from residential to commercial is stalled due to an "Entrance Way Permit" issue regarding Trans-Canada Highway access.

Many successful PEI businesses located just off Highway 1, such as the renowned PEI Handpie Company, the Red Rooster Restaurant and others, thrive despite similar access points, adding significant value to our tourism and local industries.

Observations show the property in question has clear sight lines that appear to meet minimum distance requirements. Visibility is not the primary issue; **safety solutions** are the opportunity.

**When an entrepreneur demonstrates such passion and ability to boost PEI's local economy, it is essential that we collaborate to find a solution.** I urge a working partnership between the business owner and PEI Highway Safety to implement a safe, effective exit and entry plan—whether through signage, driveway modifications, or other mutually agreeable measures.

We must foster, not hinder, enterprises that amplify local voices and bolster our island's unique cultural economy.

Yours truly,  
Carol Rybinski

Tyne Valley Teas Café  
Tea - and Company!  
6980-A Route 12, Tyne Valley  
Prince Edward Island, Canada  
C0B-2C0  
902-831-3069

FROM THE DESK OF

# MAUREEN HANLEY

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January 25, 2026

To whom it may concern,

I am writing in support of Judith Graves and the Sassy Lassie Vintage Shop, a successful local business that promotes Island makers, artists and authors while contributing to the rural economy.

Tourism is a major industry and revenue driver for Prince Edward Island. Visitor satisfaction depends on a mix of welcoming, distinctive businesses that encourage longer stays and repeat visits. Independent shops like this one play an important role in rounding out the visitor experience and strengthening local communities.

It is concerning that the rezoning request has been denied due to an Entrance Way Permit related to Trans-Canada Highway access. This request appears reasonable and consistent with other businesses operating in close proximity along Highway 1 without issue. The business owner is simply asking for fair and equitable treatment.

Clear sight lines exist at this location and safety does not appear to be an insurmountable barrier. Rather than defaulting to a denial, this presents an opportunity for collaboration. With thoughtful planning, signage or driveway modifications, a safe and effective solution seems achievable.

When entrepreneurs invest in their communities and contribute to both economic and cultural vitality, our systems should support problem-solving, not create dead ends. I respectfully encourage all parties to work together to find a practical path forward for this thriving and successful Island business.

Best,



Maureen Hanley

COO

Navigate Food Safety Solutions Inc.

Morell, PE COA 1S0

902.327.0457

CONTACT



January 29, 2026

Honourable Cory Deagle  
Minister of Housing, Land and Communities,

My name is Judith Graves, and my husband and I live in Albany, PEI. I'm a multi-published, award-winning young adult fiction author and children's book illustrator. My husband is a teacher and basketball coach at Three Oaks High School. I own Sassy Lassie Vintage, which opened last June, and serves as my own art gallery, as well as featuring other Island artists, authors, and makers, along with vintage decor.

Our property is on the Trans Canada Highway, a red house with a red barn. You may be familiar with the century-old historic Queen Anne style "Fox House" which was indeed established by fox farmers in the early 20<sup>th</sup> century. It later became a bed and breakfast (run by the Jamie Fox family, I believe) and features a wonderfully restored historic barn. Decades of previous owners maintained the property. It has won an award via the PEI Rural Beautification Society Heritage Home Competition.

Having a small business in this location highlights Island history and demonstrates what can be done with historic properties that have been maintained or restored. As an arts and vintage-focused shop, we provide Island artists with a place to showcase their work, all while offering a sustainable, eco-friendly shopping experience.

Before we opened, I was keen to have one of the tourist destination-type signage similar to other galleries and shops on the Island. I contacted Transportation and Infrastructure and was informed that before I could be given a permit for a sign, I needed to apply for a Change in Use from Residential to Commercial. I applied in July and did not hear back from anyone. In November, I emailed to check on the application and was told a decision had yet to be made.

Then, in January, I received a registered letter that said I was denied the rezoning. Why? The Department of Transportation, Infrastructure explained that I cannot be issued an "Entrance Way Permit" granting people access to our property via the Trans Canada Highway.

At no time was I informed that there was an issue with my rezoning application, or that I needed an "Entrance Way Permit" from the Housing, Land and Communities department, or that this permit would likely not be given. Therefore, I was not given an opportunity to somehow address this issue before the decision to deny was made.

I have filed an appeal with Housing, Land and Communities. I have also contacted Matthew MacFarlane, MLA (Borden-Kinkora), to bring awareness to this situation, which is affecting a small business in his riding.

My property is located on a straight stretch of highway with good visibility in both directions. It has a long lane and five parking spaces well off the highway. My husband and I will be expanding our parking spaces to further ensure safety and easier turnarounds for visitors as they exit.

I am requesting that the decision be reviewed due to the large number of existing businesses along the Trans Canada Highway, which serve as precedent. As I'm sure you're aware, there are many similar shops and small businesses along the Trans Canada Highway.

I would like to be assured that my business is treated fairly and equally with existing businesses on the highway. I would like to establish that I am being given equal opportunities and am not being punished for attempting to follow the rule of law and seek proper permits.

Sassy Lassie Vintage is a small, seasonal, niche shop that appeals to a select slice of the tourism and culture economy: it attracts visitors looking for unique art and sustainable treasures. It is not a busy restaurant, ice cream dairy bar, or large box store that would generate copious traffic and lead to congestion or line-ups on the Trans Canada Highway, certainly no more than businesses like:

Master Packing  
Kent Homes  
Pizza & Donair Hub  
Howatt's Shell  
DM Auto Repair  
Albany Y Kennels  
Bugaboo Cottages  
Anchor Suites  
Drummond Collision Centre  
Roberts Auctioneering Services  
PEI Fox Den  
Thompson's Woodcraft  
Canada's Best Value Inn & Suites  
The Handpie Company

Lambe Concrete  
Red Rooster Restaurant  
South Shore Actiplex  
South Shore Pharmacy  
Larkin Farms  
Canada Post Office  
Home Run Pizza Eatery  
Atlantic Guns and Gear Hunting and Fishing Store  
Crapaud Public Library  
Englewood School  
St. John's Anglican Church Hall and Thrift Store  
Multiple Churches  
Coastal Escape PEI  
The Iceman  
Purolator Courier  
Leon's Warehouse  
Blue Goose Restaurant  
Car Life Museum  
Gass's General Store  
Back Home Antiques  
Tryon Blueberry U-pick  
Robin's Nest Antiques

These are just the businesses between Summerside and Charlottetown, not including Highway 1 West of Summerside and East of Charlottetown, as well as Highway 2. This list also does not include the many small produce stands or bed and breakfasts (Airbnb establishments) that also contribute to the dynamic of the island during the summer.

Many of these businesses are promoted through the province's tourism department website and social media marketing (tourismpei.com) and are hailed as destinations via the popular Island "drives". Below is text from our region's Red Sands Shore description actively encouraging stops at small shops and roadside attractions:

"The Red Sands Shore region is rich with **artisans, galleries and architecture**. Indulge in culinary, theatre and **culture**. Stop at a wharf or **roadside** produce stand for dinner essentials and discover the rolling terrain, offering the most perfect scenic tour - a favourite way to enjoy the Island's pastoral landscape."

It is my understanding that these businesses have been operating without incident relating to their highway access for an untold number of years. They must either have permits, proper zoning, or have been granted exceptions, OR be contravening the very same law that is being applied to Sassy Lassie Vintage.

I would like your assurance that these businesses are all operating with the requisite permits and zoning requirements, or have benefited from an exception that I would like considered for Sassy

Lassie Vintage. I believe it is reasonable for me to ask that we all play by the same rules. If they are in contravention of the law, it is logical to expect the same heavy hand to be applied to all businesses along the Trans Canada Highway.

As you can imagine, being denied entry to our shop is devastating. My husband and I purchased this house/barn/property a year ago with the specific intention of opening our shop/gallery. We spent last winter further renovating the barn to be shop-ready. Having a small gallery for my own work and the opportunity to promote other talent has been a lifelong dream.

We had a fantastic first season as a bookstore/gallery/vintage shop and are keen to build on this success. We will be hiring a summer student for the 2026 season. Our goals are to foster a love of Island talent, to support Island makers, artists, and authors, and to provide antique/vintage items to people seeking their aesthetic, as well as to offer more environmentally sustainable shopping experiences. We help attract people to the Island through our social media presence and raise awareness of Island history, culture, and talent. I am also developing a TV series with a local film production company based on Sassy Lassie Vintage and how our historic barn shop brings together Island talent, history, and visitors. Many artists, authors, and illustrators will be featured, along with various historical aspects of our region.

I have included several letters of support from arts and small-business organizations that have been to the shop and seen what we've accomplished in a short time. I hope you find them compelling support that Sassy Lassie Vintage plays an important role in the promotion of Island culture. I am a member of the Prince Edward Island Business Women's Association and believe in building relationships with other businesses and supporting our Island communities. It has been a goal for Sassy Lassie Vintage to promote the various businesses and communities around us when visitors come to our shop. I am illustrating a map to hand out to visitors which features these nearby locations.

I may be a come-from-away, but my family hails from Nova Scotia and Newfoundland. I lived in Summerside as a child – my father was in the forces – and Prince Edward Island was very much a part of my youth. We moved West, but the dream was always to return to the island, and I happily brought my husband back with me five years ago. Did I mention we even had an Anne of Green Gables-themed wedding, way back in the 90s when themed weddings weren't even a thing? Anyway, we love our new life in PEI.

Thank you for reviewing my appeal.

Tracy Belsher (writing as Judith Graves)  
Author / Illustrator / Sassy Lassie Vintage Shop Owner  
My website: <https://judithgraves.com/>  
Check out [Sassy Lassie Vintage](#)  
Check out my [Etsy shop](#)