

RECEIVED: March 30, 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.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 Three Rivers (name of City, Town or Community) on the 9th day of March, 2026, wherein the Minister/Community Council made a decision to approve development permit DEP 14.26 for visitor center/guardhouse at 2661 Heatherdale Rd PID 487404 ,PID 153666, Pid 759001, Pid 729939

(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)

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**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)

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

Name(s) of Appellant(s): Charlie Hicken Signature(s) of Appellant(s): C Hicken  
Please Print

Mailing Address: 1763 Rte 17 City/Town: Albion

Province: PEI Postal Code: C0A1R0

Email Address: charlieh748352@gmail.co Telephone: 902-838-2296

**Dated this** 30th day of March, 2026.  
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.

## IRAC Appeal DP 14.26

I wish to appeal this Development Permit for the following reasons.

1.

Because of the magnitude of the total project as outlined in the Master Plan it is well beyond the scope of the council's expertise so the services of a Certified Registered Professional Planner registered to practice in the Province of Prince Edward Island should have been utilized.

Re IRAC Order LA23-02 , PEI Energy Corp versus Municipality of Eastern Kings.

If a doctor, nurse , engineer or lawyer wishes to practice in PEI they are required to register to do so by their various professional bodies as does a Certified Professional Planner. The planning officer in this case may have training in foreign countries but they are not recognized in PEI.

Please refer to the Prince Edward Island Professional Planners Act.

2.

The four parcels of land Pid 483404, Pid 253666, Pid 259001 & Pid 729939 were consolidated Dec 2025 at desk level and should never have been done as the PEI Government has a moratorium on all land transactions concerning GEBIS because of an ongoing IRAC investigation re land holdings and the municipality should have honoured that moratorium.

Also the properties in question are under a Non-Development Order from IRAC . The reason for consolidation stated by the planning officer was there was no main building on the lot where the guardhouse/visitor center is proposed. This was a false statement.

The Main Multi-use Building is on this lot.

3.

The consolidation was approved at desk level on Dec11/2025 but the public was not aware until council meeting on Jan 12/2026 so the 21 day appeal window had already passed.

Also the IRAC wording states a person may appeal a decision of council but council never approved this consolidation as it was done at desk level so where does this leave a person who wishes to dispute the decision.

4.

The consolidation does not meet Development by-laws as the by-laws state there can only be one main building per lot and in this case there are a number of main buildings now on one lot. Residential buildings are not permitted in Institutional Zones. The by-laws & Official Plan define what zones and uses of accessory buildings must meet and in this case they do not meet those requirements.

5.

The accessory building plans in the application are the exact plans one would submit for a two bedroom house & if approved anyone in Three Rivers would be permitted to put a second home on their front yard . This issue was raised at the Planning Board by the Deputy Mayor but was not addressed sufficiently. Also the question of an accessory building not being allowed in the front yard was raised by a planning board member. This was not addressed sufficiently. The planning officer was using a residence on the previous adjoining lot to define the front yard.

6.

There are no official seals or signatures on the architectural drawings or survey drawings.

7.

On the development permit application two of the requirements are a perc test & an approved entranceway/culvert permit. There was no perc test included & the entranceway approval was an issue raised in the Master Plan because it was on property not owned by GEBIS & also crossed a second property not owned by GEBIS .

It was also raised that the entranceway being used was never approved by the Dept of Highways.

8.

A serviced site plan is also a requirement & as this development was originally approved by the province it now must meet all requirements of Three Rivers by-laws & Official Plan. Surface water drainage was an issue raised in the Master Plan and a holding pond on the property to the east was suggested although GEBIS did not own that property at the time. To my knowledge a formal Environmental Assessment Study was never conducted on the whole project and although I am aware that is outside your jurisdiction that is something a Registered Planner may have suggested.

9.

I feel I am an affected person.

If this permit is allowed to stand there are three houses across the road from my home and there will be nothing to stop each one from putting a doghouse in the front yard , then adding an accessory building. Once built they only need to add a bed to it & we will have two homes on each lot. The property values , lifestyle & neighbourhood atmosphere will be forever changed.