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Via Electronic Mail

Michelle Walsh-Doucette
Island Regulatory and Appeals Commission
134 Kent Street, #501
Charlottetown, PE C1A 8R8

Attention: Michelle Walsh-Doucette

Dear Ms. Walsh-Doucette:

Re: Appeal #LA2504 – John Carroll v. Resort Municipality

Please find enclosed an appeal record for filing and service on behalf of the Resort Municipality.

At this early stage, the grounds of appeal articulated in the notice of appeal are broad. The Resort Municipality responds as follows: the decision to deny the appellant's Temporary Permit Application conformed with the Resort Municipality's Land Use Bylaw in that Council, when making the decision, properly considered and applied the criteria for granting a Temporary Use permit set out at s. 4.29(6) of the Land Use Bylaw.

The Resort Municipality also notes that, although the appellant's grounds of appeal indicate a willingness on behalf of the appellant to explore alternative means of addressing specific concerns that contributed to Council's decision to deny the Temporary Use Application, none of these alternative means were presented to Council in the Temporary Permit Application.

Finally, the Resort Municipality notes that any determination by the Commission with respect to the merits of this appeal would have no practical effect, as the period for which the Temporary Use permit was sought has passed. The appeal is moot.

Yours truly,
Stewart McKelvey

Hilary A. Newman

HAN/dr

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