



June 22, 2026

VIA EMAIL

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Jonathan Chandler
33 MacWilliams Road
Charlottetown, PE C1C 1L4
Appellant

planning@charlottetown.ca

City of Charlottetown
Planning and Heritage Department
70 Kent Street
Charlottetown, PE C1A 1M9
Respondent

Toncj17@gmail.com

Tony C. Joy
Star Homes & Construction Inc.
Developer

RE: Appeal #LA26007 – Jonathan Chandler v. City of Charlottetown

The Prince Edward Island Regulatory and Appeals Commission (the Commission) received a Notice of Appeal on June 19, 2026, from Jonathan Chandler, appealing the decision of the City of Charlottetown to issue an occupancy permit to Star Homes & Construction Inc. for PID 1114354, located at 39-41 MacWilliams Road, Charlottetown, PEI.

A copy of the Notice of Appeal is attached.

On a review of the Notice of Appeal, it appears to have been filed outside the statutory timeline prescribed by the *Planning Act*, RSPEI 1988, P-8. Subsection 28(1.3) of the *Planning Act* provides that a notice of appeal must be filed with the Commission within 21 days after the date of the decision being appealed. The Notice of Appeal states that the Permit Approval was posted to the City of Charlottetown website on June 18, 2026

The matter of whether the Notice of Appeal was filed within the timeline goes to the jurisdiction of the Commission and whether the Commission can accept this Notice of Appeal. The Commission has previously held that it is without jurisdiction to hear appeals filed beyond the statutory appeal period and does not have authority to extend the time limit for appeals prescribed in the *Planning Act*.

The Commission has recently commented on the limitation period in Order LA26-05 *Emma Donovan v. Minister of Housing, Land and Communities* and Order LA26-05 *Johnnie Barlow v. Minister of Housing, Land and Communities*.

Therefore, as a preliminary matter, the Commission requests the City of Charlottetown to provide proof of compliance with section 23.1 of the *Planning Act*, including by confirming:

- . the date that notice of the decision was posted on an internet website accessible to the public; and
- . the date that notice of the decision was posted at a location accessible to the public during business hours.

Please also confirm that the content of the notice was compliant with subsection 23.1(3).

The Commission is requesting this confirmation **on or before Monday, June 29, 2026**.

Please note that, at this time, we are not requesting a copy of the City's complete record with respect to this matter. However, we ask that you please preserve all file information regarding this matter in the event a complete record is requested in the future.

IMPORTANT NOTE: Any questions or concerns can be directed to Michelle Walsh-Doucette by telephone at 902-892-3501 or email at mwalshdoucette@irac.pe.ca.



Michelle Walsh-Doucette
Commission Clerk
Email: mwalshdoucette@irac.pe.ca

C. Melanie McKenna, Counsel for City of Charlottetown

Encl: Notice of Appeal, received June 19, 2026