

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 _____ (name of City, Town or Community) on the 27 day of July, 2026, wherein the Minister/Community Council made a decision to deny the applications for two sheds (storage buildings). M-2026-0142 and M-2026-0143

(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)

Please see attachment

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)

Please see attachment

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

Name(s) of Appellant(s): David Webster, Georgia Robinso
Please Print

Signature(s) of Appellant(s):

Mailing Address: 374 Gay Road

City/Town: Pownal

Province: PE

Postal Code: C1B 3N7

Email Address: websterd@hotmail.com

Telephone: 902-628-6305

Dated this 27 day of July, 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.

Webster
PID 835033
Reference: M-2026-0142 and M-2026-0143

Attachment to Notice of Appeal

The grounds of appeal are as follows:

1. The two storage buildings are permitted under the Subdivision and Development Regulations.
2. The two storage buildings are in alignment with the Planning Act, its purposes and provincial interests, and have merit based on sound planning principles.
3. The Appellants have been subject to unlawful-like and unethical-like practices.
4. The Appellants have been subject to bias given the requirements presented to the Appellants have changed and increased throughout the process, are often beyond or in contradiction to regulatory requirements, and/or include subjective interpretations.
5. The Appellants submit that a number of factors have impacted their ability to experience a fair, efficient and professional application process, including: mistakes or intentional actions or non-actions in how the government has applied the process; the lack of timely or non-response to inquiries; and the delays in the government's managing of the process.
6. The Appellants have been selectively discriminated against and faced unfair bias given that the government is permitting other land owners to be in non-compliance with various regulations.
7. The government has not been able to provide clear and consistent information about their requirements that has meant the Appellants have not been able to make informed decisions.
8. The Appellants believe that this decision by the government will adversely impact their reasonable enjoyment of the property.

2.

The Appellants seek the following relief:

1. To allow the sheds to remain on the property without any additional requirements.
2. A refund of the building permit (\$985.)
3. Compensation for the cost of a PERC test (\$1121.25).
4. A refund of the application fee for the gazebo (\$250).
5. Compensation for the overpayment of the shed fee paid in March 2025 (\$150.)

Development Permit:

PID 835033

Date Opened 2026-06-30

Office Montague

Proposed Use Residential (Accessory Storage Building)

Permit Status Denied

Decision Denied

Development Permit:

PID 835033

Date Opened 2026-07-02

Office Montague

Proposed Use Residential (Accessory Storage Building)

Permit Status Denied

Decision Denied

PEI Building - Development Permit Status.
Website: July 22, 2026



Land and
Environment

41 Wood Islands Road
PO Box 1500, Montague
Prince Edward Island
Canada C0A 1R0

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Environnement



41, chemin Wood Islands
C.P. 15000, Montague
Île-du-Prince-Édouard
Canada C0A 1R0

July 22, 2026

David A. Webster
374 Gay Road
Pownal, PE C1B3N7

Dear Applicant:

Subject: Application to Build a Storage Building
Property ID #: 835033
Property Location: Wootten Lane, Murray Harbour, Kings County
Our File References: M-2026-0142

The Department of Land and Environment has reviewed your application to establish a storage building on Subdivision Lot #72, PID 835033 Wootten Lane, located in Murray Harbour. application received on ,June 30, 2026

A. The Application

Development Permit: The Subject Property, Subdivision Lot# 72, being approximately 1.98 acres in area, is located within the community of Murray Harbour, Kings County. The application proposes the development of a 12' x 16' storage building on the lot.

B. Decision

The Subject Property is within a geographic area where land use and development are not regulated by an 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 the *Planning Act*, as well as the *Planning Act* Subdivision and Development Regulations the above noted application is Denied. The reasons for the denial are explained below.

C. Reasons

The Application proposes building a storage building on Lot # 72, PID# 835033. With no other previous development on the lot the storage building would be establishing the Use on the lot. On November 27,1995 this lot was approved for Summer Cottage Use. Summer Cottage is considered a Single Family Dwelling. The *Planning Act* Subdivision and Development Regulations 28(1) provide provisions for the designation of permitted Use on a lot and 28(2) requires all development on the lot to comply with the approved Use.

Please refer to the *Planning Act* Subdivision and Development Regulations subsections 1 (g.1)(ii), 28 (1)(2).

1. Definitions

(g.1) “**dwelling**” means a building or portion of a building designed, arranged or intended for residential occupancy, and

ii) “**single-unit dwelling**” means a building containing one dwelling unit and does not include mobile homes, but does include mini homes, modular homes, single-family dwellings and summer cottages,

28. Designation of permitted uses

(1) Final approval of a subdivision application shall specify the permitted uses of each lot on the plan of subdivision.

(2) No person shall use a parcel for any purpose other than that which is specified on the approved plan of subdivision.
(EC693/00; 137/09)

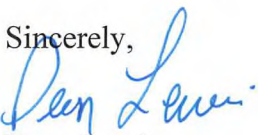
D. Right of Appeal

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 dhlewis@gov.pe.ca or (902) 361-1273.

Sincerely,



Dean Lewis
Senior Development Officer

July 22, 2026

David A. Webster
374 Gay Road
Pownal, PE C1B3N7

Dear Applicant:

Subject: Application to Build a Storage Building
Property ID #: 835033
Property Location: Wootten Lane, Murray Harbour, Kings County
Our File References: M-2026-0143

The Department of Land and Environment has reviewed your application to establish a storage building on Subdivision Lot #72, PID 835033 Wootten Lane, located in Murray Harbour. application received on ,June 30, 2026

A. The Application

Development Permit: The Subject Property, Subdivision Lot# 72, being approximately 1.98 acres in area, is located within the community of Murray Harbour, Kings County. The application proposes the development of a 8'x7' storage building on the lot.

B. Decision

The Subject Property is within a geographic area where land use and development are not regulated by an 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 the *Planning Act*, as well as the *Planning Act* Subdivision and Development Regulations the above noted application is Denied. The reasons for the denial are explained below.

C. Reasons

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Please refer to the *Planning Act* Subdivision and Development Regulations subsections 1 (g.1)(ii), 28 (1)(2).

1. Definitions

(g.1) “**dwelling**” means a building or portion of a building designed, arranged or intended for residential occupancy, and

ii) “**single-unit dwelling**” means a building containing one dwelling unit and does not include mobile homes, but does include mini homes, modular homes, single-family dwellings and summer cottages,

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(EC693/00; 137/09)

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Sincerely,



Dean Lewis
Senior Development Officer