

APPELLANT SUBMISSION

18 September 2026

Re: Appeal #LA26011

Re: Denial Decisions M2026-0142 and M2026-0143

To: The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501, 134 Kent Street
PO Box 577, Charlottetown, PE, C1A 7L1
Michelle Walsh-Doucette, Jessica Gillis
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Titan

To: Legal Services, Government of PEI
Stephen Flanagan, Christiana Tweedy, Mitchell O'Shea
sflanagan@gov.pe.ca
mxoshea@gov.pe.ca
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95 Rochford Street, 4th Floor, Shaw South

Property Owners: David Webster and Georgia Robinson
Lot 72, Wootten Lane, Murray Harbour North
PID 835033

Home Address/ Contact Information:
David Webster and Georgia Robinson
374 Gay Road
Pownal, PE, C1B 3N7
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TAB ONE



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

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

July 22, 2026

7

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)

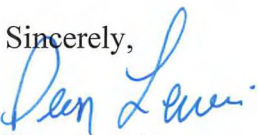
D. Right of Appeal

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

9

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

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

Development Permit:

11

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

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

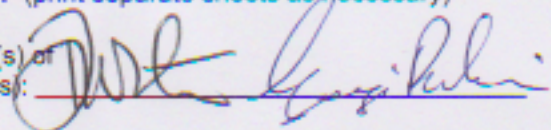
AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the **Planning Act**, I/we seek the following relief: (use separate page(s) if necessary)

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.)

Webster/Robinson Appeal #LA26011

TAB TWO

INTRODUCTION

1. **David Webster and Georgia Robinson (the “Appellants”)** acknowledge that they are not lawyers, nor do they work for the PEI Provincial Government, nor do they have any professional experience in any trades related to the development of land and/or the building of structures, nor do they have any expertise related to land use planning; and as such ask that their knowledge level related to sound planning principles and interpretation of legislative requirements, be considered as that of a lay person.

GROUND FOR APPEAL

2. **The Appellants request that the decision (permit denials for M2026-0142 and M2026-0143) be re-considered by the Commission based on the following eight arguments, individually and/or collectively, presented in further detail later in this document:**
 - a. The government has stated in their denial letters that (Appellants’ paraphrasing) the sheds (storage buildings) do not comply with the approved use of the lot. Previously, the Government has stated (meeting May 22/2025) that a cottage is required on the property in order for the sheds to be compliant citing Subdivision and Development Regulation 1.a. The Appellants submit that (a) the regulations do allow for the sheds to remain on the property without requiring the addition of a cottage structure or utilities, and (b) that the Interpretation Act, which addresses when there are multiple interpretations of regulations, also supports the allowance of the sheds to remain on the property without requiring the addition of a cottage structure or utilities. (Argument One)
 - b. The Government has stated that the sheds being proposed currently do not comply with the approved use; and previously stated (May 22/2025 meeting) that a cottage structure is required for the two sheds, currently on the property, to be compliant as accessory buildings. The Appellants submit that the Planning Act, which supersedes the Development Regulations, encourages property owners to reduce their impact on the environment by

following sound planning principles. The Appellants submit that they have and want to continue to align with the Planning Act, its objects, purposes and provincial interests. Contrary to the decision of the government in this case, and without any presentation of sound planning principles by the government, the Appellants submit that their efforts based on sound planning principles would allow for the sheds to remain on the property without requiring the addition of a cottage structure and utilities. (Argument Two)

- c. Throughout the application process over the past 20 months, the Appellants have experienced what may be considered unlawful and unethical activities from the government. While the Appellants are clear that they are in no way educated in legal matters, they do submit that there have been instances of fraud-like activities, coercion-like activities, and over-charging for application fees. (Argument Three)
- d. Throughout the application process dating back to January 2025, and more specifically since a meeting May 22/2025, when trying to determine the requirements of the government for satisfying their (government) need to have a cottage structure on the property, the Appellants feel that there has been a bias against them, and/or a purposeful attempt to negatively impact them, given that the requirements presented to the Appellants have changed and increased throughout the process, are often beyond and/or contrary to the regulatory requirements, and/or include subjective expectations of different government officials, often contradictory, at different points in time. (Argument Four)
- e. The Appellants submit that a number of factors have impacted their ability to experience a fair, efficient and professional permit application and approval process, including: the (potential) mistakes and/or intentional actions and non-actions in how the government has applied the application/approval process; the lack of timely and/or no response to inquiries from the Appellants; and the delays in the government's managing of the process. (Argument Five)
- f. In making several development and building permit applications, the Appellants submit that they have been discriminated against and have been

faced with unfair prejudice and bias based on “trying to do the right thing” while other Island property owners, even in the same subdivision, are permitted to be in non-compliance with various regulations and/or be provided with exemptions. (Argument Six)

- g. In response to the direction by the government to build a cottage structure, or renovate a current shed into a cottage structure, as the options to being able to keep the sheds, the Appellants have been unable to gather accurate and/or consistent information from government sources that would be required to make an informed decision about the requirements related to these options, and/or whether other options exist. (Argument Seven)
 - h. In considering the options to either remove the sheds or add a cottage structure to the property as the result of directions and decisions made by the government, the Appellants feel the government’s decision will adversely affect their reasonable enjoyment of the property; and as included in the Planning Act (Part V – Appeals), asks for a decision from the Commission that would allow for the sheds to remain on the property without the need to build a cottage structure or add utilities. (Argument Eight)
3. The Appellants seek the following relief:
- a. to allow the sheds to remain on the property without additional requirements;
 - b. a refund of the building permit fee (\$985.);
 - c. compensation for the costs of a PERC test (\$1121.25);
 - d. a refund of the application fee for the gazebo (\$ 250.);
 - e. compensation for the overpayment of the shed fee paid in March 2025 (\$ 150.).

4. The Appellants note that there are several misleading statements made in the Minister's Submission, and as such ask the Commission to review in detail this complete (Appellant Submission) document.

OVERVIEW

The History

5. The Appellants suggest that the short version of this history, as presented in the Minister's Submission, does not provide adequate detail to fully represent the history of this complete process; and as such, requests that the Commission carefully review the Appellants' version for more context.
6. On January 26/2025, the Appellants, in trying to do the right thing, made an initial development application for a gazebo to be built on their property.
7. In reviewing the development application for the gazebo, it was recognised by the government that there were two sheds on the property.
 - a. As the Appellants, after reviewing government materials at the time of building the sheds (spring 2022), and rightly or wrongly did not understand the need for submitting a development application for those sheds (email March 4/2025), filed a second development application for one of the sheds as directed by the government (email March 6/2025).
8. At the request of the Appellants, a meeting was held with government officials on May 22/2025, with the hope that the government could clarify the situation triggering the need for the installation of a septic system. The government stated that the issue was not related to the gazebo, but rather that the shed was not in compliance (stating that the shed was an accessory building, and as such required a primary building to be an accessory to). The government stated that the Appellants had a choice to either remove the shed or build a primary building, in this case a cottage structure given the zoning of the property. The government did not make a formal decision at this time beyond a verbal instruction.

9. The Appellants note that, from the date of this May 22/2025 meeting, the focus of any communications from the Appellants had been an attempt to gather information on the minimum requirements the government had for constructing a cottage structure. As such, the Appellants believe that the responsibility lay with the government to clearly articulate what they wanted, not with the Appellants to guess at what the government wanted.
10. Shortly after the May 22/2025 meeting, in an effort to keep their sheds and maintain the usefulness of their property, the Appellants emailed the government (May 28/2025 and June 2/2025) indicating that they would proceed (in principle) with adding a cottage structure to the property.
 - a. The Appellants withdrew their application for the gazebo (email May 26/2025) given that either of the options presented by the government would not allow the gazebo to be built due to costs involved.
 - b. Between the meeting on May 22/2025 and the submissions on September 14/2025, the Appellants made multiple attempts to gather more information about the minimum requirements that would satisfy the government for building a cottage structure with septic system, including requesting information directly from the government and conducting their own research. Despite not having enough information, the Appellants (again) stated that they agreed in principle (email September 14/2025) to constructing a primary building with a septic system.
11. The Appellants filed a submission on September 14/2025 in order to get some form of response from the government for what they expected as the minimum requirements for a cottage structure. This submission included updated development permit applications and a building permit application that would meet the development department's requirements to have a septic system on the property connected to a primary building that would meet the NBC requirements of the building department. The government did not provide any formal decisions on these applications.
12. In a response to an email from the government (email October 22/2025), the Appellants submitted an additional document (Appendix E) on November 6/2025. While there has been no response to this document, the Appellants do note that

government officials had received it and asked for an internal review (Minister Record of Decisions, Tab 29-I).

13. After several more emails back and forth, with the government indicating that further changes were needed for any permit applications to be considered, the Appellants submitted revised applications on December 1/2025.

- a. Again, the Appellants had used the permit applications as an attempt to get a response from the government on their minimum expectations for a cottage structure. And again, the government did not provide any formal decisions on these applications.
- b. While the government, in the Minister's Submission (item 10), stated that the development application submitted in December was the third development permit, the Appellants clarify that there had been six development permits and two building permits submitted by that time.

14. At a brief meeting on January 21/2026 at the request of the government, the Appellant met with the government to review the nine applications that had been submitted (and had not yet received any decision) to confirm which ones would be considered moving forward. The government, given their apparent confusion, asked the Appellant for help in identifying the status of each of the applications, leaving the Appellant to respond with the responses he had been provided with by the government. Of the various applications reviewed, the results were:

- a. Development Application for Gazebo (submitted on January 26/2025) – would be removed as the government stated they will not consider any applications for secondary structures until the primary structure was built (with the Appellant noting that they had already withdrawn this application - email May 26/2025).
- b. Development Application for a 12x16 Shed One (submitted on March 6/2025) – would be removed as the government did not like this proposal, and would be replaced with the permit application submitted on December 1/2025 (to renovate this shed into a primary building).

- c. Development Application for a Shed One, Primary Building and Sunroom (submitted on September 14/2025) - all three applications would be removed as the government did not like the proposals (without providing specific explanations). The shed the government identified in their Minister Submission (item 8) as being 7x8 was actually 8x10.
 - d. Building Application for a Primary Building – new build (submitted on September 14/2025) - this would be removed as the government did not like the proposal (without providing specific explanations other than it did not fit the intent).
 - e. Development Application for Primary Building – renovation to 12x16 Shed One (submitted on December 1/2025)- this would move forward.
 - f. Building Application for Primary Building – renovation to 12x16 Shed One (submitted on December 1/2025) - this would move forward and be submitted to the building department for consideration.
15. The Appellants received official notice of the approval for the development of one residential structure on January 22/2026, using the current 12x16 shed. An updated building permit application, with edits as required by the building department was submitted to the building department, and the application fee was paid (January 22/2026).
16. At the time of submitting the first Appeal (February 3/2026), the Appellants had:
- a. Received a development permit approval for the primary building (Appendix F).
 - b. Received two emails (January 29/2026) from the government indicating that significant work and additional cost would be needed in order to have the primary building permit approved (leaving the Appellant with the need to consider a new build), contrary to the approved development permit.
 - c. Been told that the application for a sunroom (submitted September 14/2025), and a decision on the smaller shed, would not be reviewed until after the primary building was completed.

17. Providing further explanation and clarification to the Minister Submission (item 36) statement that the Appellants disagree that they are required to have a septic system installed, the Appellants note:

- i. They do disagree with the interpretation of the regulation that requires them to have a cottage structure (that would include a septic system).
- ii. They do believe that a septic system is not warranted given their intended use of the property.
- iii. However, they had agreed to having the 12x16 shed re-purposed to include a septic and toilet (application submitted on December 1/2025 and approved on January 22/2026).
- iv. That it wasn't until emails were received from the building official (January 29/2026) indicating significant additional costs that the Appellants determined that building a cottage structure would not be possible (given the costs).

18. From the May 22/2025 meeting until the date of the first appeal, there had been more than 90 emails, 3 meetings and multiple applications all as attempts by the Appellants to identify and clarify the minimum requirements and costs in order to satisfy the government's concerns regarding their issue of compliance. At the time of the first appeal, it was still unclear what the government wanted, noting that responses were still not clearly detailed or consistent between the various government officials.

19. While the government, at the May 22/2025 meeting, stated that the Appellants had two choices, to either remove the sheds or build a cottage structure, the Appellants, through their own research over the year, found that:

- a. The regulations did support the Appellant's situation in that the sheds could remain without any additional requirements.

- b. That there was a third option to either removing the sheds or building a cottage structure, and that was to submit an appeal.
- 20. The Appellants note that this was the first time (January 2026) in the process that the government had provided a formal decision on any permit application, and as such became the first opportunity they had to formally submit arguments through the appeal process.
- 21. The Appellants note that, in order to reach this point of being able to submit the first Appeal, they had followed the processes as directed by the government, had paid permit application fees and paid for a PERC test, and had spent significant time in researching and responding to information requests. Even at the point of having an approved development permit, the Appellants were being directed to make a decision without knowing (a) if the building permit would be approved after significant additional work and expense, and (b) if there would be any additional costs and what they might be, related to inspections of the current shed being re-purposed to a residential structure. The Appellants also note that this first Appeal was submitted more than one year after the first application was submitted for a simple gazebo.
- 22. In short, at the time of the first appeal, in order to environmentally steward the property and enjoy the property recreationally as they have wanted, the Appellants had built two sheds with the intent of using the property as a day-use park experience. In order to continue to use the property as they wanted, the Appellants now had to consider either removing the two small sheds or adding a cottage structure in some form yet to be made clear by the government, and at significant but unknown cost.
- 23. The Appellants did receive an approved building permit on February 3/2026, however note that the increased requirements within the building permit were contrary to those agreed upon by the development official, were in some cases contrary to the building code, and were at a significant cost.
- 24. The Appellants also note that, even though the government had approved the development permit, the various applications did not reflect what the Appellants wanted but rather was based on what the government had directed.

25. In an email from IRAC (February 9/2026), it was clarified that, while the Appellants could proceed with the Appeal, the resulting decision from the Commission would be focused on the approved development permit (for a cottage structure) rather than on the actual issue of having sheds on the property.
26. The first attempt to focus the appeal on the actual issues was for the Appellants to request the government make a decision on the original development permit submitted in March 2025. The government responded that they would not (email February 25/2026).
27. The second attempt to focus the appeal on the actual issues was for the Appellants to submit two new applications, one for each of the sheds on the property (submitted on March 11/2025 and April 15/ 2026).
28. In addition, the Appellants submitted a letter to the Minister and MLA, both positions held by Hon Darlene Compton (April 1/2026, Appendix I), asking for her support in clearing a pathway for the IRAC appeal process to continue with a focus on the actual issues. There has not been a response. The Appellants do acknowledge that the Minister has a conflict of interest as she is also the MLA for the community where the property is located; however, did block the right to be heard by the government with their non-response.
29. In response to an email from the government (April 15/2026), the Appellants clarified their position through an email on April 15/2026:

Since our meeting in May 2025, we have been trying to find out from you what is needed to meet your requirement to have a cottage on the property. This was done through a meeting, many emails and several applications. Now that you and Trevor have finally stated what you expect in a cottage through the approved permits you provided in January 2026, we can now make the decision that we are not able to renovate one of the sheds into a seasonal use dwelling (M2025-0024).

It is worth noting that, with your approved permits, you still don't agree with each other, and there are expectations above the building code requirements - shooting the costs of the required renovations, and the additions of things like piped water supply and the hydro required to operate that system, and other pieces that we still don't know yet pending inspections, well beyond what makes any sense for our wish to have a day-park experience.

In May, you provided us with 2 options - remove the sheds or build a cottage. Over the year we have been advised that there is a third option - to appeal the need to remove the sheds or build a cottage. That is what we are trying to do now. The first time that we have had to make an appeal is with your January approved permit.

However, the way that you have handled the permit process is preventing us from having a clean appeal process. By not providing a decision on the March 2025 permit to have the 2 sheds, and by inserting the december application into the march permit application, we would therefor be appealing the approved permit. In doing so, the appeal could proceed, the arguments would be public to anyone who follows appeals, workload for you and IRAC, however any ruling by IRAC would not address the real issue, and that is the two sheds on the property.

You have a copy of the appeal by now, so you see our many arguments and evidence that we argue would allow us to have the sheds on the property.

We see two possible pathways forward:

- 1. You could provide us with an approved permit, based on the recent application, and based on the merits of the appeal, to allow the two sheds on the property without any other requirements, eliminating the need for an appeal.*
- 2. However, at the very least, we are asking for a decision/denial of the recent application to allow the two sheds on the property, so that we can proceed with an IRAC appeal that would allow IRAC to rule on the real issue you have with the two sheds being on the property... expecting IRAC to rule that the sheds must be removed or can be permitted to stay.*

30. The government replied (email June 1/2026) that they would not process the new applications until the (first) appeal was dealt with. This meant that the Appellants could either proceed with the first appeal (knowing that, according to IRAC, it would not allow for a ruling from the Commission focused on the actual issue of the sheds, and would create heavy workload for the Appellants, government and the Commission officials) or rescind the appeal. The Appellants, in order to proceed, had no real option other than to rescind the appeal under the conditions proposed to and by the government (email June 8/2026).

31. The Appellants rescinded the first appeal (June 10/2026). Once the appeal was rescinded, the government proceeded to process the two new permit applications for the sheds.
32. On July 27/2026, the decision of the government was to deny permits for both development applications.
33. On July 27/2026, the Appellants submitted a second appeal, now properly focused on the issue of having the two sheds on the property.

Introductory Key Point One

34. The government led and controlled this complete process, having control over what was done, how it was done and the timelines, for all of the actions and non-actions between the first application in January 2025 to the denial decision letters issued on July 22/2026, and ultimately to the (second) appeal.
 - a. The Appellants followed the directions of the government in good faith.
 - b. The government are the experts in their daily work, and by providing the options at the May 22/2025 meeting that included building a cottage structure, would be expected to be the most knowledgeable about what they wanted in the minimum requirements for building that cottage structure.
 - c. The Appellants questioned the government throughout the process and had limited (or no) responses to their questions and concerns.
 - d. The decisions the government made on behalf of the Appellants were often made without informing the Appellants and/or involving the Appellants in those decisions.
 - e. The process the government used often prevented the Appellants from having any formal right to be heard.
 - f. The government chose actions and non-actions that the Appellants question as following proper processes.

- g. The length of time from the first application (January 2025) to the actual denial decision letters, a span of 18 months, was all at the pace set by the government.
- h. The way the government led this process in many ways was detrimental to the Appellants. When it came to the direction by the government of the option to build a cottage structure, the Appellants believe that the government should have provided leadership, which they did not do. The government set the requirement to build a cottage structure, and as such, should have provided clarity on the minimum development and building requirements needed to meet that option.

Introductory Key Point Two

- 35. While the government's decision letters have stated that the applications which have been denied are for "proposed" storage buildings, the Appellants want to be clear that these two sheds are currently on the property.
- 36. While the Appellants understand that this current (second) appeal was initiated based on the denial of applications submitted on March 11/2026 and April 15/2026 (not on June 30/2026 as the decision letter states), the Appellants submit that the history related to this current (second) appeal extends back to January 2025, and as such, have included information and evidence from the very first development permit application, through the first appeal, to these two more recent development applications and this current (second) appeal. The Appellants provide the following as evidence that connects the time periods pre and post the submission of these most recent applications and the (denial) decision letters for them:
 - a. The permit applications for the two sheds denied at this time, are the same two sheds that were identified on the property in March 2025 (email March 4/2025). All communication over the past 20 months has been about these same two sheds.

- b. The Appellants consider the statement made by the government at a meeting May 22/2025 (either remove the sheds or build a cottage structure) the same as the current decision (denial to keep the sheds in their current state); and also consider the approved development permit (issued January 22/2026 to build a cottage structure with conditions using the same shed) the same as the current denial to keep those same sheds in their current state.
- c. The permit applications submitted on March 6/2025 and March 11/2026 were for the same shed. The government chose the path to manage the development application the first time, which eventually led to the first appeal (submitted to IRAC February 3/2025), and has continued to this second appeal (submitted to IRAC on July 27/2026).
- d. The government officials told the Appellants (email November 18/2025) that they will consider any other “appropriate” accessory buildings (i.e. the sunroom application, submitted September 14/2025, and the smaller shed) after the primary building is completed, further connecting the complete timeline of the activities before and after the submission of the March/April 2026 applications.
- e. Due to the manner in which the government managed this process, the first appeal would not have allowed the Commission to provide a decision related to these two sheds in their current form. The government’s managing of the process created the situation where permit applications and decisions needed to continue after the first appeal, still focused on the original sheds.
- f. The government required the rescinding of the first appeal (email June 1/2026) and withdrawal of the approved development permit (call June 30/2026) in order to process and provide decisions on the two most recent applications. This rescinding was after the two most recent permit applications were submitted. The appeal and development permit were for the same sheds identified in March 2025 and the subject of the current decision letters. If the first appeal and its history were not connected to these current applications, the government would not have required the appeal and permit to be rescinded.

g. In addition, when asked by the government to rescind the first appeal in order to process the two newest permit applications (submitted on March 11/2026 and April 15/2026), the Appellants responded with concerns (email June 8/2026), and provided two conditions to be agreed on by the government before they would rescind the first appeal:

i. *Given our lack of trust and faith in the planning department after the past 16 months of interactions, and the fact that we are again applying for a permit for a shed that was originally submitted more than a year ago, we have been advised that, should we decide to withdraw the current appeal, the following conditions need to be in place in order to proceed with your most recent suggestion to move forward:*

a. *Given that this process is a continuation of a process that began in January 2025, any and all information from the current/first appeal (February 3 2026) may be used and will be considered relevant and applicable in a new appeal should we wish to submit a second appeal;*

b. *Given that this process is a continuation of a process that began in January 2025, and that there have already been multiple permit applications that have been ignored, and that the new applications were submitted on March 11 and April 15 (2-3 months ago), a decision (approved or denied) on the two newest permit applications (to have our two sheds on the property without any additional requirements) will be provided by the government within 30 days.*

ii. The response from the government (email June 10/2026) to the Appellant's email (June 8/2026), while vague in nature, has at minimum acknowledged that there is a history linking the activities of the first appeal to the second appeal.

a. *I appreciate your response and your questions.*

b. *For your first question, any new applications will be evaluated on its own merits but as part of the research into the application we would often refer to previous applications and decisions in order to effectively render a new decision. As that research is included in the new*

application file, then that information would be available for discussion in future appeals,

c. For your second question, we would certainly commit to ensuring that the new applications are processed in a very timely manner and decision rendered within 30 days from the fee paid date.

h. Both the Minister's Record of Decision and Minister Submission documents contain multiple references that date back to the first January 2025 application.

Introductory Key Point Three

37. While the Appellants understand that IRAC considers appeals focused on development permits, the Appellants believe that the activities related to both the development and building applications have been intertwined and cannot be separated. The Appellants are not disputing the actual building codes, but it is the interaction of the various government officials and their interconnectedness to the development permit process that links the development and building evidence. For example:

- a. It was the development department staff that presented the requirement to the Appellants to build a cottage structure, triggering the need for a building permit.
- b. Given the option to build a cottage structure came from the government, the Appellants believe that it is the government's responsibility to provide details on the minimum requirements they want the Appellants to build.
- c. The Appellants note that, even if they did add a septic system to their current structure that would meet the government's requirement for a cottage dwelling according to development officials, the structure would still not meet the definition of a cottage structure within the regulations without the building requirements being incorporated.

- i. The regulations require permits from both development and building officials in order to meet the regulations as presented by the government, linking the activities of both development and building officials.
 - ii. To be identified as a cottage (renovated or built new) requires involvement, approval and agreement of both development and building officials to determine the needed characteristics.
- d. It was the development official who recommended that the Appellants contact the building official in order to seek information that would help in determining how to proceed with the need to build a cottage structure.
- e. While the Appeal is focused on the results of the decision on development applications, the government officials (both development and building officials) have been included in emails (emails August 28, September 1, 2, 8, 14, 21, 22, 26, October 22, 23, November 6, 18, 29/ 2025) and all have been aware of the Appellants' attempts to gain clarity on the minimum requirements the government wanted in a cottage structure.
- f. After many attempts by the Appellants to gain clarity on the minimum requirements for a cottage structure, the building official (email September 2/2025) directed the Appellants to determine those requirements from the development official, stating "decide what you are doing and straighten your property out with Development first". This further links the development activities and the building activities, given that the building official referred the Appellants to the development official to determine the minimum requirements for a cottage structure.
- g. In a response to one set of development and building applications as an attempt by the Appellants to seek answers (September 2025, Appendix O), it was the development official who responded (email October 22/2025) by asking for more information related to how the Appellants would satisfy the requirement for a housekeeping unit that would meet building codes, demonstrating that the development official was involved in building requirements. Both officials were provided this response from the Appellants.

- h. In an email between government officials (Minister Record of Submissions, Tab I), the building official emails another official, copied to the development official, asking “Jon, can you look into this with Dean on Monday, there is no permit application as far as I am aware and Dean is not giving him a development permit for what he built there already without approval”, with a copy of the response (Appendix E) included as an attachment. Again, there is a linkage between the development and building officials.
- i. Following one application by the Appellant (Appendix O) as an attempt to gain clarity on the requirements of a cottage structure, the development official responded with a comment about the proposal not meeting the intent of what a cottage structure is meant to be (email November 18/2025), again addressing building code issues and demonstrating the link between the development and building officials and activities.
- j. In an email between government officials (Minister’s Record of Decision Tab I), one official states to another “he has been dealing with Trevor also, making things complicated”. The Appellants note that the development officials are speaking about the building official’s involvement; and as mentioned earlier, it was the development official who directed the Appellants to contact the building official.
- k. In the meeting held on January 21/2026, when reviewing the various permit applications, the development official stated that he would remove one of the building permit applications from consideration, additionally linking the development official with the building application process.
- l. The government’s own website links the purpose of a development permit (“a development permit specifies how land will be used ... how the structure is to be serviced for water ...”) with the requirements of water as presented by the building official.
- m. It is the government’s subdivision regulation (4.1) that further links the development permits to other acts, including the building code act, indicating that a development permit may be made subject to conditions to ensure compliance with other acts.

- n. The Appellants note that the building and development functions are found within the same government ministry, led by the same Minister.

Introductory Key Point Four

38. The Appellants note that the Minister's Record of Decision does not accurately include all communication records and documents that have formed this complete process.

- a. The Appellants have identified approximately 70 emails/calls in their own records that are not recorded by the Minister in their Record of Decision.
- b. The Appellants have identified the following documents that have not been included in the Minister's Record of Decisions:
 - i. Submission at request of Government (Appendix E).
 - ii. Appeal One (hand-delivered to the government February 3/2026).
 - iii. Letter to Minister (Appendix I).

39. The Appellants find it suspicious that, over the 20-month period, there are only 3 emails within the Minister's Record of Decision where government officials have communicated with each other outside of the communications with the Appellants.

- a. One example is an email sent on November 7/2025 with one official asking for a review of a document by another official, without any form of response to that review.
- b. A second example is an email from one official to another (November 18/2025) where the first official states "...we do not permit bunkies at this time ..". Given that the term "bunkee" was only used in the March 2025 application, the Appellants question where the official found this term.

40. As the government has not provided all email communications in their submission, the Appellants ask the Commission to review their own version of communication history in detail (Appendix B).

41. As the government has not provided details on all communications, the Appellants request that the government confirm that there are no other communications that have occurred between government officials, that have not included the Appellants, that are not included in their submissions. If there are additional communications, the Appellants request the right to review those items and provide comment on them.

Introductory Key Point Five

42. In their Minister Submission (item 29), the government states “it was only after the Appellants made it clear they would not accept any of the options offered by the Minister that the Minister denied the 2026 applications”. As well, an email from one government official to another (Minister’s Record of Decisions, Tab I) states that “he’ll need to agree to what you’ve suggested, or we will begin...”.
43. These statements are misleading, as the Appellants note that they have been trying to work with the government since that May 2025 meeting.
- a. The Appellants believe that it has been the government officials who have created roadblocks in the process, noting that the Appellants have agreed in principle multiple times to explore the requirements the government had for a cottage structure, and had communicated more than 90 times trying to determine clear and consistent expectations from the government.
 - b. While a third option was made available in November 2025 (to re-purpose one of the sheds into a cottage), the Appellants note that there had been only 2 options provided until then – to remove the sheds or add a cottage structure – as stated in the May 22/2025 meeting.
 - c. The Appellants want to be clear that while they do not want a cottage structure for reasons outlined in this appeal document, they did agree in principle (emails May 28/2025 and September 14/2025) to exploring adding a cottage structure as one of the options presented by the government at the May 22/2025 meeting.

- d. After multiple communications, after multiple applications, and after paying for a PERC test, the Appellants did receive approval for a residential dwelling for summer use only (Appendix F).
 - e. However, it was not until the Appellants received the second portion of the requirements for that cottage structure that they determined they would not be able to add a cottage structure (construct or re-purpose) to their property (emails January 29/2026).
 - f. It was at this point that the Appellants filed their first appeal (February 3/2036); and later, given the manner in which the government led this complete process, requested the government to provide decisions on new applications in order that they could appeal the actual issue the government had with the sheds.
44. The government, in their Minister Submission (item 29) state “The Minister took these steps despite the fact that the Appellants had already erected multiple structures on the Subject Property without first receiving the necessary development permits, in contravention of subsection 24(2.1) of the Act. To clarify and provide context, the Appellants submit:
- a. The Appellants did their best to understand the requirements before building their sheds (Spring 2022).
 - b. The Appellants did apply for the gazebo (January 2025).
 - c. The Appellants did apply for the shed (March 2025) without hesitation, at the direction of the government.
 - d. The Appellants have been, in good faith, trying to work with the government since that point.
45. The Appellants consider the comments related to the shed being identified as a “bunkee”(Minister Submission item 33.) as being no longer relevant, and misleading.
- a. The Appellants used that term to help search out design options for the shed.

- b. While they did have two beds for use in 2023, they have only used them for 5 nights while renting equipment for Fiona clean-up.
- c. The beds are no longer in the shed.
- d. The bunkee terminology was used on the January and March 2025 applications; and have not been used on any applications since then; although there has been reference to sleeping on more recent applications because of the requirement to build/re-purpose a cottage structure.

Introductory Key Point Six

46. The Appellants have not made this decision (to initiate a second appeal process) lightly; however, despite efforts to work with the government, the Appellants feel that there are numerous legitimate arguments with evidence to support an appeal that will be demonstrated in this document. Whether in greater detail in one or more arguments, and/or woven throughout the eight arguments and appendices, the Appellants feel that their arguments meet the requirements for consideration based on:

- a. The definition of “aggrieved persons” (Planning Act 27.1).
- b. The application of practices and procedures and regulations, including the adherence to the principles of natural justice and fairness and the law in general.
- c. The application of sound planning principles.

47. Should the government provide any further responses and/or submissions, the Appellants request the right to provide additional responses as well.

BACKGROUND

48. The Appellants purchased the property known as Lot 72, Wootten Lane, Murray Harbour North on/about October 2021.

- a. The Appellants had been searching properties for several years prior to this purchase, and chose this property because:
 - i. It had been sitting vacant for many years (the subdivision survey map indicates it had been approved as far back as 1995).
 - ii. The property was remote (at the end of Gladstone Road on Wootten Lane suitable for smaller vehicles only at the time), surrounded by other vacant properties.
 - iii. There is a designated open area on one side of the property.
 - iv. There was a combination of waterfront, marsh, and heavily treed areas as part of the property.
 - v. There were no utilities available for the lots.
 - vi. There are several properties within the area owned by the Island Nature Trust.

49. The Appellants were, and still are, not interested in having a cottage structure on the property, but instead remain passionate about taking a damaged property and creating an environmental legacy by transforming the property into a healthy and diverse habitat in keeping with such best practices as shared by local and international experts including those associated with MacPhail Woods, the Island Nature Trust, and Douglas Tallamy.

50. Before and after Fiona, the Appellants have:

- a. Remained committed to having a small footprint of man-made structures.
- b. Not graded the property following Dorion and Fiona damage, but rather have left in-ground stumps in the ground.
- c. Spent personal time and more than \$19000. in equipment rentals and contractors to clean the property of Dorion and Fiona damage.

- d. Invested personal time and funds (more than \$6,000) for more than 100 plants and trees from local and Maritime sources to steward the property, including choosing and planting new trees/shrubs/plants/ground cover that:
 - i. Are more resilient to PEI's weather and winds.
 - ii. Are more diverse than the original mono-culture spruce forest.
 - iii. Are drought-resistant nitrogen fixers that attract pollinators.
 - iv. Encourage the return of bio-diversity.
 - v. Encourage the return of native species and discourage invasive species.
 - vi. Are organic and without pesticides.
- e. Continued to water all new plants and trees through drought periods in 2024 and 2025.

51. Beyond finding a property that could be stewarded to better environmental health, the intent of the family in purchasing this property was to have a location that provided for a day-use park, to enjoy activities such as swimming and kayaking.

52. The first 10 months were spent cleaning the property of the significant damage left from the Dorion storm. In the same period of time, the Appellant built (1) a 12x16 shed and (2) a 7x8 shed. While appearing somewhat fancy in design, they share similar features to other sheds being sold at lumber/hardware stores. The sheds were built with the following considerations:

- a. While not required to be built to PEI's building codes because of their sizes, and without any trade skills, the Appellants did their best to understand/interpret the building codes, and design and build the sheds to meet those code requirements.
- b. In order to disturb the environment to the lowest level possible, the Appellants chose smaller sizes for the sheds, with colours that blended in with the forested surroundings at the pre-Fiona time period, and with placement in areas cleared of Dorion's damage.

- c. In consideration of PEI's climate and weather-related challenges, the Appellants chose more expensive design features (e.g. sloped metal roof for shedding snow and rain, vinyl siding) for the sheds.
- d. The intended purposes of building the 12x16 shed included:
 - i. Having a place to store sports/recreation equipment (e.g. kayak paddles, lifejackets, lawn chairs, kayaks in winter).
 - ii. While the original intended purposes included having a place to sit inside to avoid bugs (mosquitos and wasps among others), rain, sun and heat, and having a place to change into sports clothing (e.g. swimsuits), the submissions for the gazebo (January 2025) and sunroom (September 14/2025) were meant to provide dedicated space for those needs.
 - iii. Having used the term "bunkee" in searching the internet for design option, and while not intending to stay overnight given their home is in Pownal, the Appellants have only stayed overnight no more than 5 times in 2023 and 0 times since then, with those times in 2023 connected to the need to stay on the property with rental equipment such as chippers, splitters and an excavator.
- e. The intended purposes of building the 7x8 shed included:
 - i. Having a place to store property-management tools (e.g. shovels, rakes, garden tools, lawnmower, brush cutters, chainsaws, rainwater pails in the winter).

53. By September 2022, the Appellants and family had cleared the property of most of the Dorion damage (Appendix A, Exhibit One) and had built the outer structures of the sheds (Appendix A, Exhibit Two). Fiona then arrived on PEI and took down almost every tree on the property (Appendix A, Exhibit Three). Even given the devastating impact of this damage to the complete subdivision, the Appellants confirmed that their original commitments to and intentions for using the property remained.

54. The Appellants do observe that some of the factors that are an issue throughout this appeal are a result of differing opinions, assumptions and judgements (noted below as 'opinions'), for example:

- a. Varying opinions of what a cottage is, from a lot on water for day use to a multi-million-dollar home, used occasionally, to a full-time residence.
- b. Differing opinions on how to meet the province's purposes and interests within their Planning Act related to increasing environmental health and reducing destruction of land.
- c. Differing opinions on the need for reducing reliance on the Island's electrical grid already at capacity.
- d. Differing opinions on reducing use of water given increasing periods of drought.
- e. Differing opinions on the need for which facilities appropriate to the Appellant's planned use of the property; including as one example, cooking facilities versus packed lunches especially considering that hydro is not required or available and the cooking facilities have to be within the building, ruling out common cottage elements like barbecues.
- f. Differing opinions, even when recognizing that there are some broad limits, on the rights of property owners to be able to use their property as they wish.
- g. Differing opinions on the enforcement of government regulations, with the Appellants noting the common practice on PEI of only dealing with non-compliance that comes from a complaint:
 - i. The Appellants would have been better off not making applications and proceeding with the builds.
 - ii. Many houses and properties, while they may have been in compliance on the day of original inspections, are permitted to exist in non-compliance from any day after that.

55. The Appellants also note the following examples that question the common sense related to several of related regulations:

- a. It is OK to have a box lunch if a property is vacant, but if there is a shed, then there has to be a dwelling with a cooking unit that will not be used to eat a boxed lunch.
- b. It is OK for Islanders to change in the open if there is a vacant property, but if there is a shed to change in, there needs to be a cottage structure with utilities.
- c. It is OK for Islanders to take water bottles on day trips, but if there is a shed on the property, there needs to be piped running potable water.

ARGUMENTS

Argument One

56. The Appellants first note that these sheds are currently built and in place on the property. They are not “proposed” as stated in the denial decision letters.

57. The Government’s Subdivision and Development Regulation (1.a) states that an accessory building is defined as “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”.

- a. In a conversation with the Senior Development Officer (May 22/2025), the Officer has interpreted this regulation to mean that an actual cottage building is required – essentially that an accessory building (the shed) requires a dwelling (in this case, a cottage as the property is zoned for cottage use) to be an accessory to.
- b. In an email from the Senior Development Officer (November 18/2025), the officer stated that “All accessory buildings must be associated and consistent with, as well as ancillary and subordinate to, the main building already existing on the parcel”.
- c. In addition, the government stated in their denial letters (July 22/2026) that all development must comply with the approved use, that being for summer cottage use in this case; and also that a shed being built before the cottage would establish the use on the lot.

58. Regarding the Regulation 1.a, the Appellants submit that:

- a. The statement by the government (decision letters July 22/2026) that the shed (storage building) would be establishing the use of the lot is inaccurate, and contradictory with their own statement that the property is already established for summer cottage use. The Appellants submit that any building being added to a property, regardless of the order, does not in itself change the designated use of the property. This leads to questioning what the actual

reason for the denial decision is: if the established use of the property is based on the zoning approval for that property, then the sheds cannot re-establish that use.

- b. In addition, in their denial decision letters, the government does not provide any clarity on what the use of the property would become if the sheds do remain on the property. In not saying what the use would be, then there appears to be no real support that the sheds would change the use of the property other than as it is currently zoned.
- c. The Subdivision and Development Regulation does not specify that an actual cottage structure is required, but the regulation instead speaks to the intent of the zoning and the use of the property, and that the buildings (or the Appellants' sheds) are subordinate to that use, not specifically to another building.
- d. The Appellants note that there is no actual definition of "cottage use" in the regulations, but do notice that other definitions tied to "use" within the regulations focus on buildings being tied to, or subordinate to, the "use of the land" rather than to other buildings on that land, and suggest that the same interpretation fits for properties designated for cottage use:
 - i. 1.e.1 commercial; means the use of a building or lot for the storage, ...
 - ii. 1.e.3 commercial tourist use; includes the use of any land, building or structure for the storage, ...
 - iii. 1.j.3 light industrial use; means use of lands or buildings for ...
 - iv. 1.q.1 recreational use; means the use of land or buildings for passive or active recreational ...
 - v. 1.r.2 resource use; means the use of land or buildings for the production and harvesting or ...
 - vi. and 1.s rural tourism use; means the use of a building or land for non-recreational commercial use related to
- e. There are several features that are generally accepted as being consistent with cottage properties, such as storage sheds and gazebos. There are various opinions, all generally accepted, that cottages can fit a range of

identities from being a vacant lot used occasionally as a day camp to a multi-million-dollar home used as the primary residence for 6-12 months.

- f. In a meeting held with the Senior Development Officer on May 22/2025, the officer stated that the gazebo was not the issue. If the gazebo is classified in the subdivision regulations (1.c) as a building, and the gazebo and sheds are both classified as buildings, then the Appellants suggest that the sheds should also not be an issue.
- g. In addition, the Appellants observe that properties zoned for cottage use that are vacant are in compliance without the need for a cottage being built, demonstrating that the intent of the regulation is more than the government's interpretation that a cottage structure must be built. The Appellants could not identify any examples across the Island where the government is forcing those owners who have a vacant property zoned for cottage use to build an actual cottage structure.
- h. In addition, there appears to be no statement in the regulations that requires that a cottage structure, if required, must be in place on the property as the first building, other than as implied by the government in the decision letters. Further, there is precedence that other forms of structures can be approved and in place before a primary building is constructed without changing the use of the property.
 - i. Examples of multiple permits being approved at the same time (see item 143).
 - ii. Examples of permit approvals for travel trailers to be used while another structure is being built. (see item 142 e).
- i. In addition, the Appellants note that, within the same subdivision and on Wootten Lane, there is evidence of permanent residences having existed since the subdivision was approved in 1995 and as recently as 2024, further demonstrating that properties zoned for cottage use do not require a cottage building that will only be used in the summer.
- j. In addition, PEI's website (Online Services – Search Civic Address Information) states that “a civic address is assigned to any improved property

having a specific assessed value in livable dwelling, accessory buildings/barns, well/septic, etc.” While the Appellants acknowledge that the lot in question does not have a civic address, the statement seems to indicate that a property could have just an accessory building on it as one of the items/examples listed in the statement on the website; and by extension, supports the Appellants’ submission that the sheds in question could be on the property without having a cottage building.

59. In addition, the government has provided a copy of their policy (Minister’s Record of Decision, Tab 11) for Accessory Buildings and Sea Can Usage Policy 3.1, which states: “in the past these buildings were allowed to be placed on a vacant parcel of land where there was no main building or use establishing or existing. The definition contained in the Subdivision and Development Regulations provides some clarity, but interpretation of the meaning and general intent/purpose may have been misconstrued”.

60. Regarding the above policy, the Appellants submit that:

- a. Contrary to the statement made in the Minister Submission (item 31), that “The Minister also satisfied the second part of the Test, as the Decisions were made in accordance with the Act, the Regulations and the Policy, and were based on sound planning principles”, the Appellants submit that this is misleading.
 - i. The Planning Act (6.c) notes that the Minister shall “generally, administer and enforce this Act and the regulations” without mention of policies.
 - ii. The Appellants would suggest that the Minister must rely on the law (Act and Regulations) to inform its decisions, and not on policies that are written and implemented by staff. This would mean that the definition within the policy, different from the regulation, is not applicable.
- b. The Appellants note the following alignment of dates that would support a decision to allow the sheds to remain on the property.

- i. The government has not previously provided a copy of this policy to the Appellants.
 - ii. The effective date of this policy was August 19/2025.
 - iii. The sheds were built in spring 2022 (Appendix A) prior to the August 2025 effective date.
 - iv. The initial application for the shed was made in March 2025, prior to the August 2025 effective date.
 - c. The Appellants suggest that policies are written and implemented by staff. Given the examples provided in Argument 5, there is clear evidence that staff have the ability to flexibly implement policies.
 - d. The Appellants note that the statement from the policy is a clear indication that there have been multiple interpretations of the regulation that has required a policy to help clarify, and therefor is connected to the Appellants' items focused on the Interpretation Act within this argument, and Argument Two.
61. In addition, the Appellants note that the government officials themselves have used different definitions that demonstrate that they have made subjective interpretations for both the Subdivision and Development Regulation 1.a and the requirements for a cottage structure (see item Arguments Four and Seven).
- a. The government has introduced terms such as “intent” and “appropriate” (email November 18/2025) to define their expectations.
 - i. The Appellants would suggest that, even if the practice of the government has been to require a cottage structure be built, their interpretation does not mean that another interpretation, such as the Appellants' interpretation, is wrong. Using an example, “I never said he lied”, there are five possible interpretations, all correct, dependant on which of the five words is emphasized.
 - b. The use of a term such as “intent” is in itself an admission that the regulation has not been clearly written, leaving it open to interpretation.

- c. The Appellants would suggest that, if the government is permitted to interpret the regulations as written, then so should the owner of a property. At the very least, the regulations in question should be better written to avoid any interpretations that the government may not intend, and the Appellants should not have to pay the consequences because they were not written well. The issue then, is not what the Appellants have done, but that the regulation in question was not written well-enough to state clearly the government's intentions.

62. In addition, the Appellants suggest there is a disconnect between the government's interpretation of the regulations, their decisions based on how they subjectively interpret those regulations, and the Planning Act to which the regulations are subordinate to. These subjective interpretations, if used, must link back to both the Act to which they are sub-ordinate to, and to sound planning principles (see Argument Two).

- a. The PEI Interpretation Act, 11.2 (Remedial Construction) states "Acts and regulations shall be construed as being remedial and shall be given the fair, large and liberal interpretation that best ensures the attainment of their objects".

63. The Appellants submit that the subdivision regulations as written support that having a shed on the property falls within the intended use; and have provided significant justification for this belief.

64. The Appellants submit (a) that their interpretation of the subdivision regulations support that having a shed on the property falls within the intended use, and (b) given that PEI's Interpretation Act allows for multiple interpretations to exist, and (c) given that when there are multiple interpretations the one that is the larger and has more liberal interpretation (as would be the Appellants' interpretation) is considered, that the Appellants' interpretation would be an acceptable application of the regulation.

65. Therefore, the Appellants believe that having sheds on a property zoned for cottage use, without having an actual cottage structure and all utilities, would be consistent and compatible with the Planning Act and the Subdivision and Development Regulations.

Argument Two

66. The Appellants believe that having their sheds as support to their efforts to steward the property do satisfy the requirement for compatibility with sound planning principles. While the government has not mentioned sound planning principles as an issue or as a reason for denying the sheds on the property, the Appellants submit that any decisions must be made with those principles in mind.
67. The Appellants note that the government has not provided to the Appellants any justification that connects their initial direction (to build a cottage with all utilities) or their current decision (to deny the sheds on the property) with sound planning principles, and instead has made their decision based only on their interpretation of a development regulation (1.a). The Appellants further note:
- a. The government has not provided any justification that connects their direction or decision to having the sheds as having a detrimental impact on their property and/or to the subdivision.
 - b. While the government does mention the use of environmental personnel from within the department (Minister Submission item 27), they have not provided any evidence that they have consulted professional planners in their decision-making process.
68. The Appellants note that the Commission has frequently stated in other appeals that the concept of sound planning principles must be considered in any decision-making process, citing their two-part test to guide its consideration of an appeal (e.g. *Dennis*, LA21019, Commission Order, para. 52).
- a. The Minister, in another submission (*Arsenault*, LA 21024, Minister Submission, para. 33), has stated that “sound planning principles are a guard against arbitrary decisions making, and the Commission has previously commented that sound planning must be a common feature of development through PEI”.
 - b. The Commission, in their order, states that “procedural fairness requires, and the Commission expects, that every municipal council provide sufficient reasons, based on sound planning principles, to justify its decisions”

(*Dennis*, LA 21019. Commission Order, para 50). The Appellants suggest that this statement also applies to any geographical jurisdiction.

- c. The Commission, in their order, states that “the Minister made a substantive error when he based its decision on considerations other than sound planning principles” (*Arsenault*, LA 21024, Commission Order, para 46).

69. In addition, there have been variances in the definitions used by the government, variances in the language used, and variances in the interpretations between the government and the Appellants, which the Appellants submit should have prompted the government to consult with professional planners in the application of sound planning principles to their decision.

- a. The Subdivision and Development Regulation (1.a) states that an accessory building is defined as “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”.
- b. The government, at the meeting held on May 22/2025, stated that he has interpreted this regulation to mean that an actual cottage building is required – essentially that an accessory building (the shed) requires another building (in this case, a cottage as the property is zoned for cottage use) to be an accessory to.
- c. The government, in an email (November 18/2025) stated that “as discussed, the main building on the lot must be consistent with the approved use of the lot”.
- d. The government, in an email (November 18/2025), stated that “the main use must be established before an accessory building can be built. All accessory buildings must be associated and consistent with, as well as ancillary and subordinate to, the main building already existing on the parcel.”
- e. The Appellant, at a meeting (May 22/2025) and through multiple emails (May 22/2025, May 28/2025) has questioned the accuracy of the government’s interpretation of the regulation.

- f. The government has used terms not identified in the regulations:
 - i. In the denial decision letters, the government has replaced the Appellant's term "shed" with "storage building", a term not found in the regulations.
 - ii. The government has used the term "cottage use" not defined in the regulations (item 58 d).
 - g. The government knew that there was a difference in opinion and interpretation of the regulation 1.a. between government officials and the Appellants.
 - h. Whether or not this is considered a discretionary interpretive provision of legislation, the Appellants suggest that the Commission's statement "The Commission understands the Minister may not have planning professionals on staff, but when interpreting discretionary interpretative provisions of legislation, he must solicit advice from accredited professionals to ensure decisions are made in accordance with the Act, Regulations and sound planning principles" (LA 21024 *Arsenault*, Commission Order, para 45.) would apply here.
70. In addition, knowing that there had already been one appeal submitted, and knowing that there would be a second appeal, the Appellants suggest that the government should have provided explanation for their decision based on sound planning principles.
71. In addition, the Appellants note that the government officials have introduced the terms "intent" and "appropriate" (emails November 18/2025) in providing direction to the Appellants. As such, the Appellants submit that, where subjective interpretation of regulations is being used, any interpretation must also link back to the Act to which the regulations support.
- a. The Planning Act (2.c) states that one of its' purposes is to "protect the natural and built environment of the province".

- b. In addition, the Planning Act identifies several matters of provincial interest it considers in carrying out its responsibilities in relation to planning matters, including:
 - i. (2.1.1.a) The protection, conservation and management of resource lands.
 - ii. (2.1.1.b) The protection, conservation and management of coastal areas.
 - iii. (2.1.1.c) The protection, conservation and management of ecological systems.
 - iv. (2.1.1.d) The prevention of fragmentation of land and of loss of natural habitat connectivity and biodiversity.
 - v. (2.1.1.r) Adaptation to a changing climate.
- c. The Appellants recognize some connections between various government acts and regulations, formally identified as stated in the Planning Act (8.1.h.i), and informally as being associated with common focus areas:
 - i. While not directly related here, the Appellants note:
 - i. That the PEI Lands Protection Act (1.1.c) also has, as a piece of their purpose ...“the fragile nature of the province’s ecology, environment, and lands and the resultant need for the exercise of prudent, balanced, and steadfast stewardship to ensure protection of the province’s ecology, environment and lands”.
 - ii. That the PEI Environment Protection Act (2.) has as its purpose ... “to manage, protect and enhance the environment”.
 - ii. Anecdotally, the environment staff who visited the property two times as part of the environmental check, told the Appellants that she liked what they had done to begin restoration after Fiona damage.
 - iii. In addition, also while not directly related here, the government’s State of the Island Report (Executive Summary, 2024) identifies the need to protect wildlife and the ecosystem, and to mitigate the impact of development on the natural environment.

72. While the Appellants appreciate that the Planning Act's purposes and provincial interests are meant to guide the Minister in developing regulations, the Appellants submit that their actions to steward the property and maintain as much as possible the natural environment with the least disruption from man-made activities (see Background Section), are:

- a. Well-aligned with the Planning Act.
- b. Well-aligned with sound planning principles of protecting, conserving and encouraging healthy environmental and wildlife habitats.
- c. More in alignment with the Planning Act and sound planning principles than the requirement to build a cottage structure with septic as was one of the options presented by the government at a meeting held on May 22/2025, and/or with all utilities, as stated by the government in various emails and the approved building permit (February 3/2026, Appendix G).

73. The Appellants note that the government's decision is based on "proposed" sheds rather than on the sheds currently in place on the property. As such, the Appellants suggest that the decisions of the government, while considering sound planning principles and detrimental impact, should also consider the potential impact on the Appellants' property as well as the properties within the subdivision for any actions required to remove those sheds.

74. The Appellants submit that the government should consider some discretion in making its decisions.

- a. In the Commission's response to an appeal made by *Arsenault* (LA21024, para 43), the Commission notes that "sound planning principles require regulatory compliance but go beyond merely insuring compliance and require discretion to be exercised in a principled and informed manner. Sound planning principles require the decision maker to take into consideration the broader implications of their decisions." (*Stringer* LA17-06, Commission Order, para. 64)".

- b. The Minister, in their submission for *Arsenault*, (LA 21024, para. 42) stated “in contrast, the Commission has recognized many times that planning decisions involve an exercise of discretion” (*Stringer* para. 64, *Moerike* para. 51, *Pine Cove* para. 48).
 - c. The Commission has noted (*Stinger*, LA 15010/LA17-06, para 63) “the adherence to sound planning principles is especially important where, as here, the legislation has not addressed a particular type of development”. The Appellants have noted the use of the terms “storage building” and “cottage use” (see item 163 a) as not being defined in the regulations.
75. When considering if the government’s decision to deny the placement of the sheds on the property has been made based on sound planning principles rather than strictly following its’ interpretation of a regulation, the Appellants suggest that, while having a cottage structure with sheds and all utilities is in alignment with the Planning Act (given the zoning of the property), having just the two sheds without a cottage structure and its utilities on the property, and the disruption to the right-of-way and surrounding properties by introducing various utilities, has less detrimental impact on the environment, and would meet the standard required based on sound planning principles. The Appellants note that:
- a. The government has previously approved the sheds on the property if one of them is re-purposed into a cottage structure.
 - b. The government has indicated that they would approve the sheds if a new cottage structure is built.
76. The Appellants also note that their efforts to steward the land and enjoy their property as a day-use park with just their sheds is also more aligned with PEI’s Subdivision Regulation 3.2 (“No development permit shall be issued where a proposed building, ... would (d) have a detrimental impact ...”) than with the addition of a cottage structure, septic system, and all the supporting infrastructure/utilities. The Appellants note that the sheds, having been approved by the government with additional utilities, do not therefor pose a detrimental impact without those more-invasive utilities.

77. The Appellants note, as an example, that the addition of a septic system would be considered as more detrimental to the environment than not having the system:

- a. The installation of man-made plastic pipes and a tank into the ground.
- b. The disruption of the property in installing the system (e.g. digging for the septic system, compacting where driving heavy equipment) will negatively impact the regenerative work completed to date in restoring the property.
- c. The addition of truckloads of topsoil required for the installation risks the introduction of new invasive plants.
- d. The requirements for winter maintenance of the system (e.g. chemicals needed to guard against pipe freezing) introduces toxins to the property.
- e. The disruption for the wildlife already being accustomed to the post-Fiona landscape.

78. The Appellants note that, given that the application for a gazebo (January 2025) was withdrawn (email May 26/2025) given the statements at the May 22/2025 meeting, and that the government will not provide a decision for the application for a sunroom (September 2025), having a vacant property that doesn't allow for protection from rain, heat, sun and bugs, and that leaves the property owners with no place to change in private, goes against the government's (Planning Act) provincial interest of providing "protection of public health and safety".

79. In addition, should the Government, in their decision-making process, have considered that the Planning Act's provincial interests related to health and safety be used as a factor requiring the need for a septic system as one of the utilities, the Appellants would note that they have been using the property for a day-use park experience; and being similar to any daytrips on the Island made by other Islanders, tourists and road crews, would use their home base for any significant bathroom requirements before leaving and/or returning from their trip, and/or use facilities such as gas stations, donut shops and provincial parks during their outings.

80. In addition, the Appellants suggest that there is no detrimental impact on their property or to the subdivision if the sheds are permitted to remain on the property in their current form; but there will be a detrimental impact to both the property and the subdivision if their removal is required (see Argument 8).
81. As stated earlier and also relevant here, the PEI Interpretation Act, 11.2 (Remedial Construction) states “Acts and regulations shall be construed as being remedial and shall be given the fair, large and liberal interpretation that best ensures the attainment of their objects”.
82. Therefore, the Appellants submit that having their sheds on the property without any additional requirements is in alignment with the Planning Act, is in alignment with sound planning principles, is compatible with other properties in the subdivision, and is in greater alignment with the Act and sound planning principles than to add a cottage structure and additional utilities and services.

Argument Three

83. While acknowledging that they are in no way educated about legal matters, the Appellants do question how close various actions of the government over the past 20 months border on being unlawful and/or unethical.
84. While the Appellants may seek legal advice and action outside of this IRAC appeal process to determine if there has been actual unlawful activity, and while the Appellants acknowledge that it is not the role of the Commission to determine a ruling that falls within another jurisdiction other than to consider if the government followed the proper process and procedure, the Appellants present this argument as, at the very least, evidence of how the government did not follow the principles of natural justice and fairness and the law in general.
85. “Fraud occurs when a person by deceit, falsehood or other fraudulent means, defrauds the public or any person, whether ascertained or not, of any property, money or valuable security or any service. Fraud comprises all acts, omissions, and concealments designed to deceive others, with the intent of obtaining an advantage, avoiding an obligation or causing a loss to another party ... associated with false pretence which is a representation of a fact either present or past, made by words or otherwise, that is known by the person who makes it to be false and that is made with a fraudulent intent to induce the person to whom it is made to act on it” (PEI Fraud Awareness and Reporting, June 2024).
86. The Appellants submit that there have been fraud-like activities related to the collection of fees related to the (approved) development permit (January 22/2026) and building permit (February 3/2026).
- a. In trying to determine the requirements to satisfy the government for both development and building permit approvals (according to their May 22/2025 direction), the Appellants have relied on the direction provided by the multiple government officials. The government led the process.
 - b. Both development and building officials have been included in the same emails (Emails August 28, September 1, 2, 8, 14, 21, 22, 26, October 22, 23, November 6, 18, 29/2025) and have all been aware of the Appellants’ questions and intentions.

- c. The development officer stated that he would approve a development permit that required a septic system, toilet and counter. This email (November 18/2025) was copied to the building official and development control official, and was pending the completion and satisfactory results of a PERC test. In good faith, the Appellants had a PERC test completed.
- d. After the completion of a PERC test, the development officer signed off on a permit application (Appendix Q) for the shed (January 22/2026), which included a list of items that would not be required by the Appellants. As well, the approved development permit said that the development was approved based on that submitted application document.
- e. The development official knew that he was signing an application with the Appellants' added document that contained details that, while aligned with the building code requirements, were different than some of the earlier requirements of the government officials, and would not likely be approved by the building official.
- f. The next step as directed by the government was to pay the building permit application fee. In good faith, the Appellants did this on January 22/2026.
- g. Once the building application fee was paid, the building official stated (email January 29/2026) that there were additional requirements, with the Appellants noting that these requirements were contrary to those identified on the development application (and included on the building application) and approved by the development officer, and in contradiction of the building codes. The building permit, approved by the same building official (February 3/2026), also noted requirements contrary to those identified on the development application approved by the development officer, and contrary to building codes.
- h. In summary, following the direction from one government official for a proposal (December submission), the approval by that development official of the conditions presented in the application, the government then collected fees knowing that, based on the communications and history, the submission would not likely be acceptable.

- i. The Appellants have paid \$1121.25 for a PERC test and \$985. for a building permit.

87. In addition, after the building official had reviewed the December 2025 submission, the official recommended that the Appellants remove the statement about wall insulation (email January 29/2026). The Appellants submit:

- a. In doing so, the government was suggesting that the Appellants provide false and/or misleading information.
 - i. Planning Act (24.4) states that “no person shall knowingly give false information in any application, return or statement made to the Minister ...”
 - ii. Building Act (10.4) states that “a building official may revoke a permit issued under this Act (a) if it was issued based on mistaken, false or incorrect information....”

88. “Coercion involves compelling someone to act against their will through force, threats or undue pressure” (legalclarity.org)

89. The Appellants submit that there have been coercion-like activities connected to how the government would not process the most recent development applications (submitted on March 11/2026 and April 15/2026) until the first appeal was withdrawn and additional payments were made.

- a. The initial/first appeal was submitted on January 22/2026.
- b. IRAC informed the Appellants (email February 9/2026) that, while they could proceed with their appeal, it would not provide the results the Appellants wanted as the focus would be on the approved permit rather than on the actual sheds at issue.
- c. The Appellants requested the government provide a decision on the original March 2025 shed application (emails February 13 and 22/2026).

- d. IRAC sent an email (February 23/2026) to the government indicating that they were waiting for a decision from the government on that original March 2025 application.
- e. The government indicated to the Appellants that the original March 2025 application has been re-purposed to become the approved January 2026 permit.
- f. The Appellants submitted a new application for the same shed (email March 11/2026, Appendix R).
- g. IRAC sent an email (April 1/2026) to the government indicating that they were waiting for a decision on this latest application.
- h. The Appellants sent a letter to the Minister (April 1/2026, Appendix I) asking for her assistance in directing her department to provide a clear pathway that would allow the appeal process to focus on the actual issues. There has been no response from the Minister.
- i. The Appellants (email April 15/2026) explained to the government the inability of the Appeal process to address the actual issues, specifically the sheds being able to remain on the property.
 - i. As an example, excerpt from email April 15/2026:

However, the way that you have handled the permit process is preventing us from having a clean appeal process. By not providing a decision on the March 2025 permit to have the 2 sheds, and by inserting the december application into the march permit application, we would therefor be appealing the approved permit. In doing so, the appeal could proceed, the arguments would be public to anyone who follows appeals, workload for you and IRAC, however any ruling by IRAC would not address the real issue, and that is the two sheds on the property.
- j. At the request of the government, the Appellants filed a separate application for the smaller shed (email April 15/2026, Appendix R).

- k. The government responded (email June 1/2026) that they would not make a decision on the new (shed) applications until the Appeal was either dealt with or if the Appeal was removed, providing no reason on why they needed the first appeal to be removed before they do their work.
 - i. There appears to be no formal regulation requiring the Appellants to remove the first appeal, suggesting that this was a technical practice that the government could have chosen to manage differently.
- l. Given the government's response (email June 1/2026), the Appellants could either proceed with the first appeal (knowing that, according to IRAC, it would not allow for a ruling from the Commission focused on the actual issue of the sheds, and would create heavy workload for the Appellants, government and IRAC officials), or rescind the appeal. The Appellants, in order to proceed, had no real option other than to rescind the appeal under the conditions proposed to the government (email June 10/2026).
- m. In not providing a decision on the two permits until the first appeal was withdrawn:
 - i. The Appellants do acknowledge that the government did provide an option to proceed with the appeal; however, doing so would have cost significant time and expense for all parties that would not provide any Commission ruling that would focus on the actual issues of the sheds.
 - ii. The government had good reason to believe that a second appeal would be submitted.
 - iii. The Appellants do note that there has been precedence of replacing an older application with a newer one (email February 25/2026), which could have been done in this case if there were no other concerns.
 - iv. A government official stated in an email (June 1/2026) that "after much thought ...". This would seem to indicate that the intent in not

providing a decision on the permits until the appeal is removed is more than following some administrative or process requirement.

- v. While the Appellants could only speculate, they submit one interpretation could be that the government is indirectly admitting that they have made errors in the way in which they have processed the Appellant's application process since January 2025, and are were at the time trying to prevent that history from being used as evidence in this (second) appeal.
- vi. It was the manner in which the government managed the process from the beginning that has led to this current situation and the need to attempt to correctly administer the process a second time.
- vii. The government has made their decision known as stated in the May 22/2025 meeting (to remove the sheds or build a cottage) and was only being requested in March/April 2026 to provide that decision through the proper process of either accepting or denying an application.
- viii. The government required payments as if these were new applications for new sheds, and collected those payments knowing that the sheds in question have been the issue from the beginning, and knowing that their decision was determined well before these applications were filed.

90. In addition, the Appellants note that the decision letter provided by the government states that the applications propose the construction of storage buildings (or sheds as was identified on the application forms), when it has been well established that these sheds have already been in place, and have been the center of the government's concerns since March 2025. The Appellants question if this was an intentional choice of language to separate the first and second appeals.

91. The Appellant's question the fees they have been charged for various permits. The government's subdivision and development regulations state that the fee for a permit application for a shed is \$100.

- a. On March 10/2025, the Appellants paid \$500, \$250 for a shed and \$250 for a gazebo as directed by government officials.
- b. On May 26/2025, the Appellants withdrew their permit application for the gazebo. This has not been refunded.
- c. On June 30/2026, the Appellants paid \$250 for each of the two shed permit applications. When the Appellants questioned the customer service official about the fee (paying \$100 for the sheds as indicated in the fee structure within the regulations), she said that was not an option. When the Appellants mentioned the fee amounts to the development control official, that official confirmed that the sheds should have fees of \$100 each, not \$250 (email June 30/2026). A refund of \$300 was provided to the Appellants on July 6/2026.
- d. The Appellants paid fees for the same shed twice (March 2025 and March 2026), only because the government re-purposed the March 2025 application (see email February 25/2026).

92. More specifically to the principles of and adherence to natural justice and fairness and the law in general, the Appellants note:

- a. There has been a lack of information shared about the issues, and a lack of information shared about expectations that would allow for reasonable decision making.
- b. There has been a limited ability to be heard in that there have been limited responses to questions, and there have been no formal responses to many applications.
- c. There has been bias through evolving goalposts (Argument Four) as well as treatments compared to other property owners (Argument Six).

93. The Appellants believe that these experiences, at a minimum, qualify as examples of where the government did not apply the principles of natural justice and fairness in their actions, and may not have followed the law.

Argument Four

94. Aligning the current denial decisions and the statements made at the meeting held on May 22/2025 by government officials, and the statement of a different version of the regulation (email November 18/2025), that the sheds currently on the property are not permitted to stay as they are without adding a cottage building, the Appellants have been faced with a bias towards them and/or a purposeful attempt to negatively impact them.
95. The changing goalposts as presented by the government have driven the process and connected the history from the first application, through to the first appeal, into the current applications with denial letters, and are now one of the arguments of this second appeal.
96. The Appellants, as stated earlier, submit that:
- a. The government officials have interacted with each other and have been interconnected in the development permit process.
 - b. Having provided the option to build a cottage structure, the government would be expected to be the most knowledgeable about the expectations they had for the minimum requirements for building a cottage structure, and would also be expected to provide that clarity for the Appellants.
97. As a reminder, the Appellants note that they have only been researching the minimum requirements the government has to build a cottage structure as the government told them at the May 22/2025 meeting this was one of their options; and for the Appellants, the least-worst option presented at that meeting.
98. The Appellants have been faced with waffling and changing goalposts and, throughout the 8 months between May 2025 and January 2026, have been faced with the challenge of trying to guess at the minimum requirements that would satisfy the government. Even when trying to present solutions that would meet a government officials' expectations at any point in time (hence the multiple questions and applications), have had to adapt their responses and submissions throughout this process when the expectations have been misleading and/or altered. In addition, even with approved development (January 22/2026) and

building (February 3/2026) permits, the government officials still could not agree on the minimum requirements. The expectations the government has had for a primary building (cottage structure) have varied:

- a. From a shed (below regulation/NBC levels) to a building that exceeds these regulations/NBC.
- b. With requirements that are contrary to and/or above the NBC regulations.
- c. With the introduction of new definitions not found in the regulations/NBC.
- d. With the introduction of various opinions and judgements based on subjective interpretations of intent and what is appropriate, often changing at different times and/or conflicting between the government officials.

99. The Appellants note that, in an email on November 18/2025, the government has introduced the notion of “intent”. Even when the Appellants have met all regulations and NBC Code requirements, the introduction of “intent” without any definition of what that intent is in the context of those regulations and codes, makes it very difficult for the Appellants (or any builder/owner) to determine what the government’s interpretation is. If “intent” is now one of the criteria the government uses in making its decisions, then the Appellants question (a) whether a definition/description/interpretation of intent exists, and (b) why this definition is not made available to the Appellants, let alone any owners/builders.

- a. In addition, the use of language such as “intent” and “appropriate” leaves the obvious opportunity for the government officials to make their own subjective judgements on the regulations and the application of those regulations, as well as their own speculation/biases about the intent of the Appellants in how they want to use their property. This is very clear when the judgements of government officials have been both different and in contradiction with each other.

100. In addition, the Appellants feel that they have had to provide additional support material that other applicants have not had to provide, requiring additional time to research and prepare that others have not had to do. These additional materials (Appendices D and E) and hurdles have all had to do with

proving to the government that the Appellants' plans to build/renovate were being done to meet the PEI regulations and NBC requirements. Even with those submissions proving such, the government still introduced other requirements (see Argument Four) to limit the Appellants from moving forward.

101. A development permit for a residential structure was approved and issued on January 22/2026 (Appendix F) and was based on the details within the application (Appendix Q). However, the building permit was issued on February 3/2026 (Appendix G) with additional requirements contrary to both the approved development permit and the building codes – see Arguments Three and Four.

102. At the time of submitting the first appeal (February 3/2026) and continuing to the second appeal, the Appellants have lost faith and trust that the government will not revise their expectations again in the future, given both the changing goalposts they have faced as presented in this argument, and the lack of clarity and agreement in the information provided to them by the government (see Argument Six). Even after the communication over the past year, and even after both the building and development officials being included in communications dating back to June 12/2025, the significant variances between the approval of the development permit and the expectations of the building official are clear examples of why the Appellants would be wise to mistrust.

103. These changing “goalposts” of what the government has expected the Appellants to build as their minimum requirements include:

a. The identification and requirements for a primary building:

Development Coordinator Email May 12/2025	<i>Either of the original sheds could be the primary building.</i> Appellant Note A: The government is essentially approving the use of either of the current sheds (12 x 16 and 7 x 8) as primary buildings.
Government Submission Item 36.	<i>Neither of the Appellants' storage buildings contain a septic system ... these storage buildings are therefor not summer cottages.</i>

	Appellant Note B: While the Appellants don't disagree with this statement, they do note that the statement implies adding septic to either of the sheds (12x16 and 7x8) would qualify as a cottage.
Senior Development Officer Meeting May 22/2025	<i>There is no minimum size requirement for the building.</i>
Development Coordinator Phone Call approximately May 12-13/2025	<i>The features needed inside the building include toilet and counter.</i>
Development Coordinator Email May 12/2025	<i>The features inside the building need to include septic and water.</i>
Building Official Email June 12/2025	<i>The primary building needs to be built to NBC.</i> Appellant Note C: This statement rules out the smaller original 7x8 shed, and perhaps the larger original 12x16 shed depending on the ability to pass inspections and the contents required (sheds under 215 sq feet are not required to be built to NBC)
Senior Development Officer and Development Coordinator Meeting August 27/2025	<i>The Development Official stated that the very minimum for a development permit is to add septic;</i> <i>The Development Official responded to questions stating that a dwelling needs cooking and toilet, 1 room is permitted, there is no minimum size requirement, the Appellants may be able to use the current 12x16 building with a limited inspection, sleeping may be waived, and recommended asking the Building Official if a toilet can be in a separate building.</i> Appellant Note D: If the building can be one room and have no minimum size requirement, there is a limit to what features can be included depending on the building's size.

	Appellant Note E: The government has now introduced the term “dwelling” to replace the term “primary building” that they have been using.
Building Official Email September 2/2025	Building Official says <i>that the building must meet NBC</i>. Appellant Note F: The Appellants sent an email to the government officials (September 8/2025) asking if their option to build a new primary dwelling, 8x10, with toilet, sink and connected to septic would work, noting that his description fits all of the requirements presented to date. There had been no answer until November 18/2025. Having had no response, the Appellants submitted a new proposal (September 14/2025) that would include a new primary building (8x10) that would house a counter, a toilet, and be connected to a septic (Appendix O). In this submission, the Appellants included a document of their research that demonstrated how this proposal does meet NBC (Appendix D).
Senior Development Officer Email September 26/2025	In a response to Appellants’ emailed request for an update, the government responded ... <i>there are still significant challenges with your</i> (September 14/2025) <i>proposal</i>. Appellant Note G: Even after sending emails asking for clarification (September 26/2025 and October 22/2025), the government has not responded to identify what those significant challenges are.
Senior Development Officer Email October 22/2025	Government Official to Appellant: <i>A single unit dwelling is a self-contained housekeeping unit with cooking and toilet facilities. The toilet facilities must be attached to an approved septic system. Please clearly demonstrate how your proposal contains a housekeeping unit with cooking and toilet facilities in one building. The building will need to meet the standard found in the Building Code.</i> Appellant Note H: The government has now added “a housekeeping unit” to the requirement.

	Appellant Note I: This email statement rules out the original 7x8 shed and potentially the 12x16 shed (as stated in email May 12/2025) given that the space requirements for additional features would exceed what could be placed in a 7x8 shed, and likely exceed what could be placed in the 12x16 shed, and b) potentially both of the original sheds depending on their ability to pass inspections. The Appellants sent emails (October 22/2025, October 23/2025, November 6/2025) asking for clarification but have not received any responses. The Appellants submitted another document (November 6/2025) responding to this request for more information, indicating how his proposal meets the NBC and other elements in the Government's definition (Appendix E).
Senior Development Officers Email(s) November 18/2025	The government provided a response to a couple of the questions asked earlier, often repeating the same statements. The Appellants asked further questions for clarification that have not been answered. The government stated that <i>he could likely sign off on the use of the current 12x16, with counter, and with added toilet/septic.</i> The government also stated: <i>that a building 8x10 with a toilet and a kitchen unit with the intent of calling it a dwelling unit is not in keeping with the intent of the regulations.</i> Appellant Note J: The government is now contradicting itself with earlier statements (<i>any size, one room, toilet and counter</i>) indicating that this 8x10 (or smaller) proposal would not be suitable, but a 12x16 building with the same features would be acceptable. Appellant Note K: Even when the Appellants meet all regulations and NBC Code requirements, the government has now introduced "intent" as a way to determine

	whether the Appellants have met the government's requirements. As in Argument One, there is no clear definition of "intent" leaving the regulations and NBC open to multiple interpretations. The government also stated: <i>The main use must be established before an accessory building can be built. All accessory buildings must be associated and consistent with, as well as ancillary and subordinate to, the main building already existing on the parcel.</i> Appellant Note L: The government has now altered the definition of an accessory building from what is documented in the regulations (see Arguments One, Two and Seven) and from what they have stated earlier by creating this new definition. Appellant Note M: As introduced earlier, the government is again stating that the use of a property is established by a building rather than by the approved zoning. Appellant Note L: The Appellants responded to the above definition ... <i>If the cottage as proposed meets the requirements you have for a dwelling, and the sheds do not meet those requirements, does that not mean that the sheds are ancillary and subordinate to the cottage? Do you have an issue(s) that you are trying to address by including these statements? If not, why can't you approve the current sheds and gazebo (pending the completion of the cottage dwelling)?</i> ... This has not been answered by the government. Appellant Note N: The government has stated that the main use must be established before an accessory building can be built. The Appellants would suggest that the main use is already established by the subdivision zoning, as cited by the government.
Email December 1/2025	At the recommendation of the government, the Appellants submitted another set of applications (December 1/2025) to both the development and building officials based on revising the current shed (12x16) to include a counter, a

	toilet connected to a septic system, and 2 beds (Appendix P).
January 22/2026	A development permit was approved, and the website “status check” was updated.
January 22-23/2026	The development department forwarded the building permit application (originally submitted to both the development and building officials on December 1/2025) to the building department; and the Appellants also re-submitted the building application to the building department.
Building Official Email (1) January 29/2026	<i>“For this to be approved as a residential dwelling, potable water must be provided on site or by agreement from adjacent property and be connected and running at the time of inspection.”</i> Appellant Note O: Even though NBC doesn’t require a piped potable water supply (see Appendices D and E), and the development permit was approved based on the Appellants bringing potable water from home if needed, the government has now increased the requirement for a piped potable water supply. Appellant Note P: In addition, in order to provide a piped water supply, there is now the need to provide hydro and plumbing utilities, also not required by NBC (see Appendices D and E) and at a significantly increased cost for the Appellants. The development permit was approved without the building having hydro and/or any other utilities. The Appellants responded through email (January 29/2026) to all concerns presented by the government, noting information that has been provided earlier to the government, and with references to the NBC; and asked for clarification on all the new expectations. <i>“If this is a seasonal dwelling only then remove the insulation and vapour barriers from the details.”</i> Appellant Note Q: The Appellants responded, confirming that it is a shed for summer use only as stated in the

	application, reminded the government that this shed is already built, and asked for clarification if the insulation already in place in the floors, walls and roof need to be removed (given that NBC allows it). Appellant Note R: Linked with Appellant Note BB, the Appellants note that the government has asked the Appellants to remove the mention of having insulation already installed in the shed. The Appellants question what the implication would be on the Appellants in providing misinformation or misleading information, and/or the implications for the government in asking the Appellants to do so. Appellant Note S: Linked to an earlier item where the building code speaks to insulation, the Appellants submit that insulation is also very useful for keeping heat and humidity out of a building. <i>“The 2x6 roof rafters at 16” o/c appear to be over spanned Provide new detail for roof showing span, dimension of lumber to be used and spacing of rafters. Engineered trusses can be used, but you will need to provide truss layout and shop drawings.”</i> Appellant Note T: The Appellants responded with a reminder that this shed is already built, indicated how the spans and dimensions were calculated, and asked for clarification (a) if the Appellants had to remove and rebuild their roof system with reference to what criteria/dimensions, and (b) if they were required to invest in professional drawings for something that was already built. There has been no answer. Appellant Note U: The requirements of the building official are in contradiction to the approved development permit, including: piped potable water, hydro, plumbing and any additional requirements (such as the roof re-build).
Building Official Email (2) January 29/2026	<i>“To be used as residential dwelling you will need a kitchen area with a sink and a counter. No appliances no issue.”</i>

	Appellant Note V: The inclusion of a sink has been added even though it is not required by NBC (see Appendices D and E). <i>“Existing buildings are not automatically approved for building code if you are changing the use. A shed does not become a residential dwelling without NBC compliance. Some allowances may be made based on the construction.”</i> Appellant Note W: The Appellants are fully aware that the existing buildings would not be automatically approved - that’s the reason they have been trying for the past 8 months to understand what the minimum requirements would be to satisfy the government. Appellant Note X: While the Appellants are aware that they are re-purposing the shed to a dwelling and know that there may be additional requirements, the government has stated here and at the meeting (August 27/2025) that exceptions/allowances may be made, without any indication yet for what those may be, leaving the Appellants unsure of what additional work and expenses would be required. <i>“This building would be used a seasonal dwelling and no heat source will be provided as it will not meet the energy code requirements. Insulating indicates to us that you will be using this as a normal residential dwelling and thus would require proper insulation values and vapour barrier with mechanical ventilation.”</i> Appellant Note Y: The Appellants have no intention of using this building as a normal year-round residential dwelling, and have been clear about that from the very beginning. Appellant Note Z: The Appellants note that the government is now making (incorrect) subjective assumptions on what they believe the Appellants want to do with their property as a way to judge whether or not they are building to NBC requirements.
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	Appellant Note AA: Even if the Appellants were to use this shed as a normal residential dwelling, the subdivision zoning does not allow this (even though there are other 4-season homes on Wootten Lane); nor does the condition of the subdivision itself allow for 4-season access, nor are utilities and utility infrastructures readily available. The Appellants have noted about their intended use of the property; and further note that if they did want a 3 or 4-season cottage, they would have chosen another location. Appellant Note BB: The shed was originally built in a forested area. Following Fiona when all trees were blown down, the Appellants added wall insulation to help reduce the impact of heat given the shed, originally under tree cover, was dark grey in colour with a metal roof and now totally exposed to the sun. <i>“If you choose to apply spray foam or rigid insulation in the walls, floor and ceiling whatever level you want, that is up to you. No batt insulation and no vapour barrier is to be applied without mechanical HRV unit, but it will not be accepted in the future if you choose to change this to a year-round occupancy. This must not be shown on the plans as this does not meet seasonal approved dwellings which are not insulated.”</i> Appellant Note YCC: The Appellants have no intention of changing the zoning for the property to a year-round occupancy (see above). Appellant Note DD: NBC states that cottages without a heat source are not required to be insulated or have vapour barriers, not that they are not permitted to have them (see Appendices D and E). Appellant Note EE: NBC states that ventilation during a non-heating season can be by natural means such as openable screens/doors (see Appendices D and E). Appellant Note FF: The Appellants note that the government has again asked the Appellants to remove the mention of having insulation already installed in the shed. The Appellants again question what the implication would
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	be in providing misinformation or misleading information for the Appellant, and/or the implications for the government in asking the Appellants to do so. <i>“You are expected to have potable water, not wanting to drill a well does not omit this requirements. See 9.31”</i> Appellant Note GG: The Appellants note that potable water is not required by NBC (see Appendices D and E); and the development permit was approved without the need for potable water from on-site. <i>“The snow load for the area dictates the Table you are in and if the snow load is in between then you either use the most restrictive or interpolate as base as possible ...”</i> Appellant Note HH: There has yet to be an issue with snow on the roof, let alone any significant accumulation of snow, given the roof is metal, dark grey and south-facing. The Appellants also note that, given the sheds are being used for summer use only, there is no potential harm to humans.
Building Permit (Approved with conditions) February 3/2026	<i>All plumbing, electrical must be installed or roughed in.</i> <i>The permit is for a seasonal unheated and uninsulated dwelling only.</i> <i>Potable water must be available, connected to well or permanent water source.</i> Appellant Note II: These requirements have been mentioned earlier as beyond or in contradiction to the building code, and in contradiction to the approved development permit.

b. The status of the proposed gazebo and current two sheds:

Senior Development Officer and Development	<i>“The proposed gazebo is not the problem”.</i>
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Coordinator Meeting May 22/2025	Appellant Note JJ: If the gazebo is not an issue, then why is one building OK and another building not? (see Argument One). Appellant Note KK: If the gazebo is not the problem, then one assumption would be that once a primary building application was approved, the gazebo application would be approved. <i>The current sheds require a primary building to be an accessory to.</i> Appellant Note LL: One assumption would be that, once the primary building application was approved, then the remaining buildings would be identified as being accessories to the primary building.
Senior Development Officer Emails October 22/2025 and November 18/2025 and meeting January 21/2026	<i>A decision on the gazebo would not be made until after the primary building is built (October 22/2025).</i> <i>When the dwelling unit is complete, we can then consider any appropriate accessory buildings (November 18/2025).</i> Appellant Note MM: The government has now introduced the word “appropriate” leaving options for the government to again make judgements/interpretations on the regulation’s descriptions. Appellant Note NN: The statement on not approving the sunroom until the primary building was completed leaves the possibility that the sunroom and current sheds may never be approved, leaving the Appellants without the structures that they had originally applied for. Appellant Note OO: Further, given that the option for the 12x16 shed to be re-purposed and would no longer have space for multiple people to sit, and has lost winter storage space, the need for a sunroom would now be more important than before should a cottage be required. Appellant Note PP: Further, given that the one 12x16 shed is being re-purposed and no longer has space for storage, the existing sheds are now more important than before

	Appellant Note QQ: As earlier stated, there are many examples of multiple permits being approved at the same time.
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104. The Appellants have faced an evolving “goalpost” of what is required to satisfy the government, without any clear and consistent expectations provided, making it difficult to develop a plan that would meet their (government’s) evolving needs and creating a relationship without any trust and confidence that the government will not impose additional requirements in the future. The history of the government’s evolving expectations and requirements have been part of the complete process history, and have contributed to the need for the Appellants to submit two appeals. It is the Appellants’ view that this history is clear evidence of how they have been treated unfairly with bias.

Argument Five

105. The Appellants note that the Government of Canada's *Principles of Procedural Fairness* describes how parties to an administrative process are given certain protections related to the principles of fairness and justice. In addition, the Appellants note that the Commission has considered the principles of justice and fairness and the law in general in many of the appeals it has reviewed.

106. The Appellants submit that a number of factors have impacted the Appellants' ability to experience a fair, efficient and professional permit application and approval process. The Appellants note that some of these protections have not been granted in this process, including but not limited to:

- a. The (potential) mistakes and/or intentional actions and/or non-actions in how the government has applied the application/approval process.
- b. Decisions being made in a biased manner.
- c. A lack of information being provided to the Appellants.
- d. The Appellants not being provided with (timely) responses.
- e. The Appellants not having the right to be heard and have their arguments considered until the approval of the final development permit.

107. The Appellants note that they have provided many examples in this section related to this argument; however would also draw attention to the communication history itself (Appendix B) where the actual conversations (email and in-person) provide much more detail and context.

Potential Mistakes and/or Intentional Actions:

108. In moving through the application and review process, the Appellants question if the proper procedures were followed by the government. Whether these are errors and/or choices related to regulations or operational policies and practices, whether they are considered individually on their own merits and/or

collectively, whether they could/would have had immediate and/or down-stream consequences, it is also the pattern and volume of mistakes that are significant.

109. While some of these mistakes may appear to be minute in nature with little impact, individually and/or collectively they have and could have had more of a significant impact on the Appellants, especially if the Appellants had not been so vigilant while moving through the process.

- a. The Appellants have spent significant time in researching policies, regulations, and codes to try to understand what the government officials were and were not sharing with them.
- b. Had the Appellants continued through the process as being directed by the government (meeting May 22/2025), the Appellants would have incurred significant work and expenses because of the government's error in identifying the sheds (email May 12/2025) as suitable primary buildings (if they are in fact required), especially considering the significant work now required by the building official that includes an almost re-build of the current shed as well as the introduction of running water and hydro to operate that water system, and other utilities (emails January 29/2026) as well as any work that may be identified by a building inspector.
- c. In addition, the Appellants question why they would want to spend money on building a cottage structure and adding a septic system and other utilities that they do not want, only to find that once completed, they may be denied the applications for the buildings they do want (as originally submitted in January and March 2025, Appendix N).

110. In addition, the Appellants link these potential mistakes and/or decisions by the government to alter the requirements of the application processes to Argument Six where the Appellants identify numerous examples of where the government has chosen to treat the Appellants differently by choosing to follow, implement or ignore different process steps and regulations.

111. In addition, the Appellants note that, if the examples provided are not mistakes but rather are choices made by the government, then it appears that the

government does have the ability to make choices on the use and implementation of its regulations and practices, linking this Argument with Argument Six.

112. If the government knows that their regulations, as well as those of the NBC, are not written well enough to describe what their intent is of those various policies, then the Appellants believe that the government should re-write the policies, and/or provide additional support material for those who, like the Appellants, have to follow them.
113. In addition, had the government managed the process correctly the first time, the Appellants question if the need to start the process over again after the removal of the first appeal is some form of admittance by the government that they did indeed manage the process incorrectly.
114. The government, once they identified that the two sheds were on the property (email March 4/2025), proceeded with several actions as if there was going to be a cottage structure built, before identifying for the Appellants the issue they had with the two sheds in their current state, before discussing the options available to the Appellants, and before the Appellants gave approval to do so.
 - a. The government, knowing that they would not allow the shed as there was no cottage structure for it to be an accessory to (according to their interpretation of the regulations), still requested the Appellants submit an application for that shed (email March 6/2025).
 - b. The government, knowing that there were two sheds on the property, only requested the Appellants to submit an application for one of them (email March 6/2025), demonstrating that they have some flexibility in administering the process, and/or that they are able to make exceptions in the requirement to have a permit.
 - c. The government, knowing that the 12x16 shed would not be approved in its current state, directed the Appellants (email March 10/2025) to proceed through the development process (i.e. payment, environmental inspection) as if it would be.

- d. The government proceeded with arranging for an environmental review of the property before determining which structure, if either of them, would become the primary building.
 - e. The government asked (email May 12/2025) which of the current sheds (either the 7x8 or 12x16 sheds) would be identified as the main building (cottage structure) when neither of them would be able to pass through the development or building permit processes nor meet building code requirements (see email January 29/2026), nor meet the interpretation of what the development staff felt a cottage structure should be (email November 18/2025).
 - f. The government proceeded with directing the Appellants to the next steps in the process (completing a PERC test and beginning arrangements for septic installation) knowing that the current building/shed would not meet development requirements or building code requirements and/or may not even be the final primary building (email May 12/2025).
 - g. The government wanted to go ahead with the PERC test for a septic system when the location of the primary building site was still in question, and therefor the site of the septic field had not been established and then approved by the environmental assessment staff, leaving the possibility that an additional PERC test may be required at additional cost to the Appellant (email May 12/2025).
115. The meeting held on May 22/2025 was at the request of the Appellants to gain clarity on why the government was proceeding with certain actions, such as completing a PERC test.
- a. This was the first time the government identified there was an issue.
 - b. The government did not disclose this issue until asked by the Appellants.
 - c. This was the first time that the government stated that they did not have an issue with the gazebo, but did have an issue with the sheds given their interpretation that the sheds were accessory buildings that required a

primary building to be assigned to, and gave the Appellants the option to remove the sheds or build a cottage structure with utilities.

- d. The options provided by the government were to either remove the sheds or build a cottage structure, when before (and later) there was an option to renovate one of the sheds into a cottage structure.
- e. The government did not provide a formal notification about their issues, nor did they identify that there was a third option (to appeal a formal notification), leaving the Appellants without that opportunity to respond through the formal appeal process (removing the opportunity to be heard).

116. The Appellants note that until January 2026 there had not been any formal decision on the various applications, and as such, no opportunity to submit an appeal. The Appellants note, from the Government of Canada's *Principles of Procedural Fairness*, that parties to an administrative process are given certain protections, one of which is the right to be heard. For the Planning Act, the Appellants submit that this is identified as the right to appeal.

- a. At a meeting on May 22/2025, held at the request of the Appellants, the government provided only a verbal statement that the Appellants had to either remove the sheds or build a cottage structure. The government (a) did not provide a third option, that being that they could appeal, nor (b) did the government provide a formal decision that would have identified the right to appeal and provided that opportunity.
- b. There have been no formal decisions, or at a minimum any detailed information regarding their reasons for not finding suitability, for the applications submitted in March 2025, September 2025, and/or December 2025. Even though the Appellants needed to use the submission of applications in an effort to gain some response from the government about what their minimum requirements were; and given that it is established practice that the government will provide a decision for development permit applications, they did not do so.
- c. The government chose to alter the March 2025 application to use for the December 2025 application, removing the option to be heard on a ruling of

that March application, and created the situation that the “right to be heard” was about an approved permit rather than about the actual issues the government had with the original shed applications.

- d. Despite requests to do so, the government would not provide a decision on the March 2026/April 2026 applications (noting that the March 2025 and March 2026 applications were for the same shed) until the Appellants either proceeded with the first appeal or rescinded that first appeal.
- e. The Appellants note that, until they received (denial) decision letters that stated there is a right to appeal, or until a decision was posted on the government’s status-check or approved planning permit websites, the only way the Appellants knew that they had a right to appeal was by researching the Planning Act itself. The government did not pro-actively and openly share information about the right to appeal until they had made a denial decision.

117. As presented in Argument Three, the government required a PERC test in order to approve a development permit (January 2026) based on an application submitted December 1/2025 (Appendix P), and then required the payment of a building permit application fee, knowing that, according to the history of communications, the building permit would not be approved (or would be approved with significant conditions contrary to the development application).

118. In addition, the Appellants provide the following observations that bring into question the actions (or non-actions) taken by government officials:

- a. The government did not receive the Appellants’ first application (submitted January 26/2025) until the Appellant questioned them (email February 24/2025).
- b. The government charged the Appellants the same fee for both the shed and gazebo, knowing that they are identified differently and have different fees according to the regulation’s fee structure.
- c. After asking for the withdrawal of the gazebo application (email May 26/2025), there has not been a refund from the government for that withdrawn application.

- d. In the meeting held August 27/2025, the government (development official) recommended the Appellants not ask the building official for all the basic information about minimum requirements that would have helped in the Appellants' understanding of what was required.
- e. In addition, the Appellants note that the government (meeting August 2025, pictures taken May 25/2025, and site visit May 22/2025) knew that there were other structures, and did not ask for the Appellants to submit additional permits.
- f. In addition, in an email (October 22/2025), the government indicated that a decision had not yet been made on the applications, but did note that there would not be a decision on the sheds and sunroom until the dwelling unit was established on the land as the main use?
 - i. If the gazebo (submitted January 2025) was not a problem earlier, why was it (identified as a sunroom in September 2025) an issue now?
 - ii. If the sheds required a primary building to be compliant, and the application was for a primary building, why would the other structures not be addressed/approved at the same time?
- g. The government, knowing that the (September and December 2025) submissions, even if aligned with PEI's regulations and NBC codes as written, would not meet their interpretation of the "intent" of the policies, asked the Appellants to submit extra information (email October 22/2025 and Appendix E), creating more unnecessary work for the Appellants.
- h. If a 12x16 building with a toilet and counter was an option (emails November 18/2025 and August 27/2025 meeting) and eventually approved, then why is an 8x10 building with a counter and toilet and sink not an option (see email November 18/2025), when any size would be accepted (meeting August 27/2025)?

- i. Related to changing goalposts (Argument Four), the government created a new definition/requirement for the Appellants to meet in satisfying the government's direction to build a new building (email November 18/2025).
- j. Related to changing goalposts (Argument Four), the government increased the expectations for a building and property above, beyond and contrary to the NBC.
- k. If the government approved a building based on 12x16 with toilet and counter (January 22/2026), then why did they require the Appellants to submit multiple documents/applications over the past year based on their requirement (May 22/2025 meeting) to either remove the sheds or build a cottage structure, when simply adding a toilet/septic to the application in March 2025 would have been suitable to them (the Appellants note that the "simple additions" have since proven to be not so simple)?
- l. If a development permit was approved based on email conversations between the Appellants and both the development and building officials dating back to June 12/2025, and with multiple applications (Appendices O and P) based on the government's recommendations at any time, and with additional supporting information (Appendices D and E):
 - i. Why had there been increased expectations for the building that were not identified earlier?
 - ii. Why were there no concerns about the current shed/renovation shared before the Appellants had paid for a PERC test and a building permit application?
- m. The status-check website updated in January 2026 indicated that the March 2025 submission was approved, when it was the December 2025 submission that was actually approved.
- n. The government requested the Appellants to complete a PERC test (email May 12/2025) before approving a permit when the permit approval form indicates that the determination of a suitable site for the septic system would happen following the permit approval. In addition, the Appellants note that, given that the development permit was approved based on adding a

toilet and septic to the current shed, and the building official stated that additional utilities would be required that may lead to a new build, the location of the septic system may need to change, potentially requiring additional costs related to permits and a second PERC test.

- o. While the government proposed adding a toilet and septic system to the current shed because it was the easiest option (email November 18/2025), the government now requires adding significantly more utilities including running water with the utilities such as hydro to operate the water system, as well as additional repairs to the current shed such as the roof (emails January 29/2026).
- p. In addition, after the Building Official had reviewed the December 2025 submission, the Official recommended that the Appellants remove the statement about wall insulation (email January 29/2026). The Appellants question:
 - i. In doing so, is this an example that the government does have flexibility in its approval process related to building codes?
 - ii. In doing so, is there a possibility that the building inspector will later determine that the submission and the actual building do not align?
 - iii. In doing so, is the government asking the Appellants to commit fraud by knowingly providing incorrect information?
- q. In addition, the Appellants question that if the government officials had been involved well before the final December submission (emails dating back to June 12/2025), had commented on the previous submissions, and been provided with supportive material (Appendices D and E), why would they propose a final plan based on revisions to the current shed, require a PERC test (cost to Appellant approximately \$1000.) and collect the permit fee (cost to Appellant approximately \$1000.) only to turn around and state that the building will not meet the requirements without significant expense and work? (See Argument Three).
- r. Connecting to Argument Three, the government required the first appeal to be withdrawn in order to process the two newest applications the subject of the denial decisions, when those applications could have been easily processed with the appeal in place?

- s. While the overpayments made in June 2026 were acknowledged and refunded in part, the overpayment made in March 2025 has not been refunded in part, with the Appellants noting that the different government employees treated the sheds differently when collecting those fees.
- t. The government made multiple mistakes associated with the (denial) decision letters?
 - i. The decision letter states that the two sheds are being proposed, when it is well-established that they are already built.
 - ii. The government has used the term “storage building” instead of shed, a term not defined in the regulations.
 - iii. The decision letters stated that applications were received on June 30/3036, when they were actually submitted on March 11/2026 and April 15/2026.
 - iv. The decision letter, dated July 22/2026, was emailed on July 24/2026, reducing the 21-day opportunity for submitting an appeal as stated in that same letter.
 - v. The on-line status check website indicate that the files were opened on June 30/2026 and July 7/2026, contrary to when the applications were submitted, and contrary to the date on the decision letters.
 - vi. As presented in Argument Two, the government has not made any connection to their denial decisions with sound planning principles or detrimental impact.
- u. In addition, the Appellants note the following mistaken information found within the Minister’s Record of Decision and Minister’s Submission documents:
 - i. The government has inaccurately recorded the 12x16 shed as a 2-bedroom structure (Minister’s Record of Decisions Tab 12-B) when it is only 1-room.
 - ii. The government has continued to use the term “bunkee” (Minister’s Submission item 33) when the Appellants have only used this term as associated with the March 2025 application, and not with any other applications including the March/April 2026 applications; and have

been clear that they want to use the property as a day-use park experience.

- iii. The government implies that the Appellants have been the instigator by not agreeing to the options presented by the government officials (Minister's Submission item 29) , when the Appellants have followed the process led by the government and have yet to receive clear and consistent and detailed responses on the government's options.

Lack of Response:

- 119. Both the Development Process Guide and the Government's website state that "permit coordinators are available provincewide as the first point of contact for all permit and property related requests and to provide one-on-one support by answering questions and assisting with the permit application process".
- 120. The government's website containing information related to building permits also states that anyone with questions should contact the building department's phone or email.
- 121. The Appellants have had an expectation that the government is in place to support Island residents. The following examples of when the government has not responded is evidence of not providing that support in a professional and respectful manner. These examples of not responding have had an impact on the time delays in the process, the lack of clarity on what the government requires, and the costs to the Appellants.
- 122. The Appellants note that, according to the Canadian Government's "principles of procedural fairness" website, those engaged in an administrative process "must be given enough information about the matter being considered and the decision being made to participate meaningfully in the decision-making process". The lack of response to questions has meant that the Appellants have not had this experience of procedural fairness.
- 123. The Appellants note that, in one case, the conflict of interest for the Minister, in that she is also the MLA for the community where the property is located, may

have been the reason that prevented the Appellants from receiving any acknowledgment and/or action by their elected official.

124. The Appellants note the following examples when there has been no response from the government:

- a. The Appellants made the initial development application on January 26/2025. There was no response from the development department until the Appellants questioned the progress of the application (email Feb 23/2025), at which time the development department indicated that no staff had noticed the application.
- b. In trying to determine information on the requirements and progress of the environmental assessment for the property, the Permit Coordinator sent the Appellants to the Environment Office. In doing so, the Appellants sent two emails (April 23 and 29/2025) to, and left a phone message (April 23/2025) with, the Environmental Assessment Officer, to which there has been no response.
- c. While trying to understand the options as presented by this order, the Appellants had asked several questions through multiple emails in the period from May 22 to May 28/2025 and had not received any response from the government until a meeting on August 27/2025.
- d. Following the meeting held with the Permit Coordinator and the Senior Development Officer (May 22/2025), the Appellant sent further questions to the Building Department that were directed to a Building Official (see emails June 11-12/2025). As of August 26/2025, those questions had not been completely answered.
- e. At a meeting held on August 27/2025, between the Appellant, the Senior Development Officer and the Permit Coordinator, several outstanding questions were answered and additional questions were asked; however, for any questions related to the building of a dwelling, the Senior Development Officer referred the Appellants to the Building Official.

- f. On September 7/2025, the Appellants emailed the Senior Development Officer asking for advice on next steps to find information, given that the Building Official redirected the Appellants back to the development staff. The Senior Development Officer has not responded.
- g. On September 8/2025, the Appellants emailed government officials to update them on the Appellants' intent to submit applications based on the government's directive to build a cottage structure and add a septic system, and asked the government officials to confirm that this was suitable. There has been no response.
- h. On September 14/2025, having had no response, the Appellants submitted development and building applications in an attempt to get a response from the government about the government's expectations.
- i. On October 22/2025, after hearing from the government officials that information was missing or not clear, the Appellants asked the officials for details on what information they felt was missing. To date, there have been no replies to emails sent on October 22, 23 and November 6/2025. The Appellants then submitted additional detailed information (Appendix E) and again requested clarification on the government's statements. There has been no response to this document, and while referred to in the Minister's Record of Submission (Tab I), the document has not been included in the government's submission.
- j. Several emails were sent by the Appellants on November 18/2025 asking for more information, clarification and direction – while the government responded to a few of the questions, many went unanswered. Without responses to many questions, the Appellants filed another set of applications on December 1/2025 in order to get some response about the government's expectations.
- k. In trying to seek some form of intervention from the Minister and MLA to assist in the processing of the two newest applications (March 11/2026 and April 15/2026, Appendix R), the Appellants did receive an acknowledgement of the receipt of the email but did not receive any response from the Minister/MLA about the content of that letter.

125. In addition, the Appellants note the following examples of when one government official sent the Appellants to another government official, only to be sent back to the original government official. This form of redirection, in the Appellants' minds, is also a form of choosing to not answer the Appellants' questions.

a. Environment

- i. The Appellants asked the Permit Coordinator for an update (email April 22/2025) – the Permit Coordinator referred the Appellants to the Environment Office (see email April 22/2025).
- ii. Without having a response from the Environmental Assessment Officer, the Appellants contacted the Permit Coordinator (see email April 29/2025), who provided a second contact at the Environment Office (email 29/2025).

b. Septic

- i. During a meeting between the Appellant, the Senior Development Officer and the Permit Coordinator (May 22/2025), the Senior Development Officer referred the Appellant to the Septic Coordinator to answer some of the questions asked by the Appellant (email May 22/2025).
- ii. While the Septic Coordinator did answer some questions, he did refer the Appellants back to the Development staff for answers to many of the questions (email May 23/2025).

c. Building

- i. During the meeting between the Appellant, the Senior Development Officer and the Permit Coordinator (August 27/2025), the Senior Development Officer referred the Appellant to a Building Official to answer many of the questions asked by the Appellant (emails August 28/2025 and September 1/2025).
- ii. The Building Official referred the Appellants back to the Development Officials to answer most of the questions (email September 2/2025), stating “decide what you’re doing, and straighten your property out with Development first”. These questions (related to the minimum

requirements for a cottage structure) remain unanswered. Ultimately, this lack of response led to the Appellants paying for a PERC test and a building permit application only to find out that the government has still not agreed on the minimum requirements they had for the Appellants.

Delays in Process:

126. The PEI government's website states that ... "A decision as to whether a permit is denied or approved may be issued within 30 days for some routine residential developments". The Appellants consider that decisions on a gazebo and two sheds would have been considered routine.

127. While the Appellants appreciate that the government officials likely have workload demands, it is the Appellants' views that any delays in processing these applications have been due to delays created by the government. The government's lack of response and delays in responding, on top of their lack of clarity and consistency in those responses, have led to this very lengthy process, now 18 months between the submission of the first application to the decision on the two most recent development permits.

- a. The Appellants note that this complete process has spanned two complete spring/summer/fall years where the Appellants have been on-hold and prevented from making additional environmental investment as they wait for resolution.

128. The Appellants have identified the following delays in processing the applications:

- a. The Appellants submitted the original application (January 26/2025) following the directions on the development department's website. Having had no response, the Appellants contacted the development department again. At this point, the development department admitted that they missed the application. This resulted in a delay in processing of approximately 28 days.

- b. In processing the application, several emails indicate delays in getting the environmental assessment completed, starting on March 10/2025 and ending on May 12/2025 when it was confirmed that the assessment was completed. This processing of the environmental assessment took approximately 60 days.
- c. The Appellants submitted several questions over multiple emails to both the development and building officials between May 23/2025 and June 12/2025. It wasn't until August 27/2025 when, at a meeting between the development officials and the Appellant, that the development-related questions were answered. This represented a delay of approximately 10-12 weeks. It is worth noting that the Permit Coordinator asked if the Appellants had made a decision, implying that the government was waiting for the Appellants' reply, when rather, the Appellants were waiting for responses from the government.
- d. The Appellants submitted several more questions over multiple emails to both the development and building officials between August 27 and September 13/2025, without or with only partial responses. This represented a delay of approximately 17 days.
- e. The Appellants submitted revised applications to the development and building department officials on September 14/2025. Having had no response, the Appellants sent an email to the government officials on September 28/2025 asking for a status check on the submissions. The government officials responded that they would contact the Appellants when a decision was made.
- f. After another 25 days from the September 14/2025 submission (October 22/2025), the Appellants again asked the government officials for a status check on the submissions. The government official responded (email October 22/2025) that they needed additional information from the Appellants. This response came within an hour of the Appellants' request, which would seem to imply that the government officials had discussed the submissions, and had for some reason not yet sent a response.
- g. The Appellants did respond to the government's request for more information by asking questions (emails October 22, 23 and November

6/2025) to try to understand what the government officials were asking. After waiting 15 days, the Appellants submitted a document (Appendix E) on November 6/2025 providing their guess at the information being asked by the government.

- h. In asking for supporting documents (email October 22/2025) requesting the Appellants provide information that connected their applications to the regulations and NBC, and in knowing that there is no way for the Appellants to know, even when meeting those regulations and NBC requirements the Appellants would not be able to provide information that links the applications to the government's interpretation of the intent of those regulations and NBC, the government has then created a situation of more delay.
- i. At the direction of the government, the Appellants submitted revised applications on December 1/2025. After a meeting on January 21/2026 with development officials, 51 days after the application was submitted, one development permit was approved. The development official indicated that the building permit would then be submitted to the building department. A building permit was approved shortly after (February 3/2026).
- j. Once the first appeal was submitted (February 3/2026), and after clarification from IRAC that the appeal would not result in a decision related to the issues of the sheds, several opportunities were provided for the government to respond with a proper decision on the actual sheds. The time between when the government was first told about the issues (April 1/2026) to the time when the first appeal was rescinded (June 10/2026) was approximately 67 days.
- k. The applications that have been denied were submitted on March 11/2026 and April 15/2026. The decision letter was dated on July 22/2026. This represents more than 4 months taken to process the applications about the sheds that the government had known about since March 2025.
- l. From when the first appeal was rescinded (June 1/2026) to when the government provided a decision on the latest/updated development permits (July 22/2026), approximately 61 days had passed. The Appellants question

why this took so long, given the government knew their decision ahead of time.

- m. In processing the most recent applications (March/April 2026), the development control official questioned the Appellants (email June 29/2026) why they had not yet paid the application fees. The Appellants responded that they were waiting for the government to receive their payments. The development control official did apologize, noting that he thought someone would have been in contact by this time.
- n. In preparing the document for the appeal record submission, the government requested additional time to do so. Given that the government was familiar with this 18-month process, and had known that there was a strong likelihood that there would be this (second) appeal, the government could have been preparing earlier; however, in not doing so, they still spent 7 weeks in preparing their documents and again lengthened the time for this complete process to 20 months at the time of their submission on September 14/2026.

129. In addition, the Appellants note the link between having had no response to questions and the process delays. As an example, the Appellants had asked about having a PERC test completed (emails September 8 and 14/2025) and the response from the government (email November 18/2025) where they have asked if one had been done. Had the government responded to the request from the Appellants, the PERC test would have been completed in a more-timely manner.

130. It has been the expectation of the Appellants that the government would conduct its business in a professional manner according to established procedures and practices; however there have been apparent errors, actions and non-actions made by the government throughout the processing of these applications and the mis-directions given to the Appellants in following those procedures and practices.

131. The Appellants submit that the manner in which the government chose to manage the process has a had negative impact on the Appellants. Whether considered individually on their own merits, or collectively, all of these errors,

actions and non-actions have created undue hardship and cost additional expenses that didn't need to happen.

Argument Six

132. While (a) “trying to do the right thing” in applying for the first development permit (January 26/2025), through the various other applications and up to the most recent applications (March 11/2026 and April 15/2026) (b) identifying examples across the Island of what the Appellants believe to be property owners in non-compliance with development regulations and/or offered exemptions, and (c) not being provided with the same considerations as other property owners given the denial decision letters (July 22/2026), the Appellants submit that they have been unfairly discriminated against and selectively treated with bias.
133. The Appellants are not making a complaint about any individual property owner that may or may not be in compliance with any government regulations, but rather are having issue with how the government is treating the Appellants differently than other property owners.
134. The Appellants note that, to their knowledge, there have been no complaints from other property owners in the subdivision about their property and the sheds currently on it. They also note that there are empty lots on all three (land) sides of their property.
135. When the Appellant asked if withdrawing the permit application for the shed (meeting May 22/2025) was a possibility, the Appellant was told that it was not possible to do so as the government now knew that the building (shed) existed, stating “what am I supposed to do with this information?”.
136. The Appellants question why the government is choosing to use the Appellants’ information when the government has not taken any action, to their knowledge, on the many other Island properties that appear to be not in compliance according to what the government officials have said. While this is a decision the government can choose to make, the Appellants note that this option is not being considered for their property, submitting that if government can choose what actions or non-actions to take for who, they can also choose what actions or non-actions they can take for the Appellants.
137. In addition, the Appellants question if the government would have otherwise been fine with the Appellants’ buildings, as it appears that the only reason the

government has taken action in May 2025 and provided denial decisions in July 2026 is because the Appellants submitted applications, again supporting either a bias towards the Appellants, and/or the ability for the government to make exceptions.

138. In addition, the government knew that there were two sheds on the property (email March 4/2025), and later identified additional structures on the property (site visit May 22/2025 site visit and May 25/2025 pictures); however have not asked for an application for more than just the one shed, again indicating the possibility of their ability to make exceptions.

139. In addition, the Appellants question that if the government can make exceptions in the application of the process, then why would they not be able to make an exception on their need for a primary building.

140. In an email to the government (May 15/2025), the Appellants first mentioned possible examples of non-compliance on other properties. In both meetings (May 22 and August 27/2025), the Appellants again provided examples of properties that appeared to be in non-compliance, and when asked if they were in compliance or had some form of exemption, the Senior Development Officer said that they were not in compliance.

141. The Appellants note that there may be at least six examples of development activities within their subdivision that do not have any corresponding notification on the government's approved-permit website, and also appear to be in non-compliance given what the government has said about the Appellants' property and others.

- a. When the government met with the Appellant at the property (August 27/2025), (a) the Appellant noted that there were potentially other properties with non-compliance issues within the subdivision, and (b) the officials would have noted any issues as they drove through the subdivision.
- b. The Appellants note that, in both the Minister's Record of Decision (Tab 5) and the Minister's Submission (item 27), there is reference to multiple visits to the property, when the government officials would have noticed other development activities in the subdivision.

- c. While the Appellants are not technically aware of any non-compliance issues in the subdivision, nor are they complaining if there are any issues of non-compliance, the Appellants are questioning that, especially if the officials were made aware by a drive-through in the subdivision, why the Appellants are being treated differently.
 - d. This is information that the government officials now have, yet contrary to their statement at the May 22/2025 meeting, they have chosen to do nothing with that information.
142. The Appellants provide the following as examples of properties that appear to be in non-compliance according to what the government officials have stated. These examples were identified by the Appellants during their routine travels, and/or through searches on publicly available websites such as MLS listings and Air B and B.
- a. The Appellants note examples of properties that appear to be either in non-compliance with, or have been provided with exemptions to, development regulations that are frequently witnessed by the Appellants in their travels (some are included in Appendix J).
 - b. In addition, the Appellants note that there are examples of individual vacant properties that exist apparently with only accessory buildings (Appendix K).
 - c. In addition, the Appellants note that there are examples of individual properties that exist with buildings that are not connected to a septic system (Appendix L).
 - d. In addition, the Appellants note that there are examples of individual properties that exist with buildings not connected to hydro (Appendices L).
 - e. In addition, the Appellants note that there are examples of individual properties that have connections available for trailers/RV's and/or evidence of RV's/trailers being used as primary/seasonal residences (Appendix M).

143. In addition, in response to the statements that the sheds and gazebo would not be approved until after the primary dwelling is established, the Appellants note:
- a. That other property owners have had multiple permits approved at the same time (after spending only 5 minutes, the Appellants note the following very small sampling from the government's permit decisions website: PID's 80972, 882571, 298240, 1077544 and 1164011).
 - b. The Appellants note that the Policy provided in the Minister's Record of Decision (Tab 11) states that there is allowance for multiple permits to be issued at the same time.
144. In the case of this property, the statement "the applications for the sheds and gazebo will not be decided until after the cottage is established" (email November 18/2025) actually puts an unfair bias on the Appellants when, even after establishing a primary building to satisfy the government in order to have the sheds and gazebo, the Appellants are potentially left in a situation where, if the sheds and sunroom are not approved, they have a primary building that they don't want without the sheds and sunroom that they do want in the first place.
145. The Appellants note that the system itself appears to be biased against those who choose to try to follow the correct process, in that there seems to be no consequence for those who do not follow the legislation unless a complaint is filed. Had the Appellants not made applications, then they would have been able to have the two sheds and gazebo, without any further requirements for a cottage structure with utilities, without any consequence.
146. Anecdotally, the Appellants question how many sheds purchased from stores such as Kent and Home Depot, and/or from individual small businesses and side-gig operations, have been placed on properties without a permit; and then, what actions have been taken by the government related to what the government is considering non-compliance.
147. Anecdotally, in sharing their story with others, the Appellants have heard many times of similar issues others have had with the PEI Planning Permit process and decisions made by the Planning Department; and have been told by others

that the Appellants should never have applied for a permit. The Appellants note that this is an interesting message about what Island residents can expect from their government.

148. The government appears to accept and/or approve that some property owners can be in non-compliance or provided with some form of exception not offered to the Appellants. While the Appellants are not concerned with compliance of any particular landowner, they do have issue with the government's actions in treating them differently. Quoting Premier Lantz from an un-related matter (CBC story related to health care), "this is an inequitable practice".

Argument Seven

149. Following the May 22/2025 meeting when the government provided the Appellants with two options (remove the sheds or build a cottage structure), the Appellants chose to explore building a cottage structure as the least of the two bad options.
150. Without a formal decision in May 2025, the Appellants equate the options presented on May 22/2025 as being the same as the July 2026 denial decision letters – that the two sheds currently on the property are not permitted to stay in their current form.
151. As stated earlier, following the May 22/2025 meeting, the Appellants' purpose in seeking information was no longer about asking permission to use the property as the Appellants wanted, but was now focused on identifying the minimum requirements for a cottage structure that would satisfy the government's demands, and would be completed according to the requirements of the development officials, the building officials, the provinces acts and regulations, and the national building codes. In trying to understand those minimum requirements, the Appellants have been unable to gather clear, specific and consistent information that would allow for a reasonable person to make an informed decision on whether or not the option to build a cottage was still the best choice.
152. As a reminder, the Appellants submit:
- a. The government officials have interacted with each other and have been interconnected through the development permit process.
 - b. The government, having provided the option to build a cottage structure, would be expected to be the most knowledgeable about the expectations they had for their minimum requirements for building a cottage structure, and would be expected to provide that clarity for the Appellants.
153. The Appellants feel that all communication between government officials, more than 90 emails, 3 meetings and multiple applications leading up to the first appeal (Appendix B), had been based on their attempts to gather information. This

high volume of communication, in the view of the Appellants, could have been significantly reduced had the government officials offered clear and consistent responses, and done so much earlier in the process. At the time of the first appeal, and shortly after with the approved development permit (January 22/2026) and building permit (February 3/2026), there are still many outstanding questions based on non-answers and conflicting information.

154. In an email between government officials (Minister's Record of Decisions Tab I), one official states "I see many reasons suggesting he does not necessarily agree with our requirements". The Appellants note that while this is partially true (see item 17), it is not accurate as the government has yet to provide clarity and consistency in stating what those requirements are.
155. The Appellants have shared their frustrations in not being able to obtain useful information from the government in an email to the Senior Development Officer (September 2/2025): "I don't suspect a loans officer would say yes to "I need a loan between 20,000 and 200,000 for I don't know what, that I don't want, and I suspect would be considered a lost investment, let alone being able to afford it in the first place".
156. In addition, the Appellants have been frustrated by what seems to be an attitude of government officials that the Appellants should keep guessing at what the government wants until they get it right, rather than the government being clear about what they want. Multiple attempts to gather information and clarification from the government have been ignored. The government's inability to provide sufficient, clear and consistent information has contributed to the complete process taking 12 months to the date of the first appeal, and increasing to a total of 18 months to the submission of the second appeal.
157. In addition, the Appellants note that the government (building official) stated in an email (September 2/2025) that the Appellants and the development official should straighten out what is wanted first before contacting the building official again. The Appellants question how they are to come to agreement with any of the government officials when those officials can't come to agreement themselves, and/or won't provide answers to the questions they have the expertise in, and/or won't respond to the questions asking for clarification of their own requirements.

158. Again, the Appellants consider the direction of one government official to build a cottage structure as assuming responsibility for defining their requirements in doing. Contrary to the statement made by one official to another email (Minister's Record of Decisions, Tab I) "its not our responsibility to deal with plumbing or electrical but I'm sure the building officials could weigh in on his other BNC comments", the Appellants believe that the requirements of both development and building officials are intertwined.
159. The Appellants note that they have no formal training or education in any trades, and as such, are not familiar with the details of the 1500+/- pages of the National Building Code; and as lay people, expected that those in authority would have provided more detailed information as requested, and would have better knowledge of those required regulations and codes.
160. After having no or limited responses from the government to the Appellants' inquiries, the Appellants conducted their own research and submitted a document (Appendix D) with their September 14/2025 applications. Further, the Appellants completed additional research that was submitted to the government in response to their request for more information in an October 22/2025 email (see Appendix E). Much of this research is cited below.
161. The Appellants note that, in trying to clarify information, the NBC has been adopted by the PEI government and is included in its building codes and regulations.
162. The Appellants also note that the government's use of terminology not found in the regulations and/or code (see item 163a) has made it even more difficult to determine the exact minimum requirements that would satisfy the government, including how to interpret and align the government's language with the regulations and/or code that they have directed the Appellants to use.
163. The Appellants have identified the following examples of conflicting information that they have encountered while trying to determine the minimum requirements needed to satisfy the government, noting the conflicting information between different government officials, and/or between the government officials and the various regulations/codes:

a. **Terminology:**

Terms used by government officials and found in the PEI Regulation's Definitions: <i>Dwelling, building, accessory building, dwelling unit, summer cottage, shed, and structure</i>
Terms used by government officials but not found in the PEI Regulation's Definitions: <i>Primary building, primary structure, residential structure, accessory structure, storage building, and housekeeping unit (this term is identified but not defined)</i>

b. **Types of structures:**

Source	Content
Permit Coordinator Email (May 12/2025)	<i>"The proposed 12 x 16 structure (gazebo) falls under the definition of an <u>accessory structure</u>. In order to have an accessory structure, there first needs to be a <u>Residential unit as the primary structure</u>. At the time of the (environment) site visit, there were two structures present. Which structure on your property would be the <u>primary structure</u>?"</i> Appellant Note RR: The 2 structures are 12x16 and 7x8 sheds, leaving the Appellant wondering if either could physically qualify as a residential unit and/or meet any other requirements.
Subdivision and Development Regulation 1.a	An <u>accessory building</u> 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.
Subdivision and Development Regulation 1.d.3	A <u>shed</u> means an <u>accessory building</u> under 215 square feet intended for residential storage, but does not include a car port, pergola, <u>gazebo</u> , doghouse, trellis, arbour or garage.

	Appellant Note SS: Sheds and gazebos are defined differently.
Senior Development Officer Email (October 22/2025)	Senior Development Officer identified the current buildings as “<i>accessory buildings such as the sheds and gazebos</i>”. Appellant Note TT: Sheds and gazebos are defined the same.
Senior Development Officer in meeting (May 22/2025)	The Senior Development Officer, in the meeting with the Appellant, indicated that the <u>gazebo</u> was not the issue, but the sheds, as <u>accessory buildings</u>, required ... Appellant Note UU: Sheds and gazebos are defined differently.
Development Permit Guide	In the payment section, there are different fees for: <u>Residential ... accessory</u> - \$250. <u>Sheds</u> under 215 sq ft - \$100. Appellant Note VV: Sheds are separated from accessory buildings. Appellant Note WW: The Appellants were asked to pay \$250. for each of the gazebo and the shed (March 10/2025), and as such, question if the shed is considered a residential accessory building and/or a shed; or why the Appellants were charged the same (higher) price for both structures? Appellant Note XX: When asked to pay \$250. for each of the sheds (phone call June 23/2026), the Customer Services Officer responded that \$250 was the fee she needed to charge. Appellant Note YY: When questioned by the Appellant in an email (June 30/2026), the Manager of Development Control clarified that the fees for the sheds should have been \$100.

Appellant Note ZZ	The Appellants question, because the permit application fees separate sheds from accessory buildings, why the sheds currently on the property are defined by the government as accessory buildings as the argument they have for adding a new building (May 22/2025 meeting), rather than with separate definitions as seen on the payment schedule.
Appellant Note AAA	The Appellants note that permits have been approved for a “ <u>non-commercial storage building</u> ”, a term not identified in the Subdivision regulations (e.g.s Appeal - Squires/ McQuillan, May 2022; and PID1077544 Legacy), and question why this is not an option in their case.
Building Official (Email June 12/2025)	<i>A building that meets the national building code 2020 edition would be required. This can be a certified manufactured home or site built.</i>
PEI Building Code Regulation 1.1.b	<u>Building</u> means any structure used or intended for supporting or sheltering any use or occupancy.
Subdivision and Development Regulation 1.c	<u>Building</u> means any structure having a roof supported by columns or walls intended for the shelter, housing or enclosure of any person, animal, or chattel, and includes a mini home or mobile home.
Subdivision and Development Regulation 1g1	A <u>dwelling</u> is defined as “a building or a portion of a building designed, arranged or intended for residential occupancy.
Subdivision and Development Regulation 1g1i	<u>Dwelling unit</u> means one or more rooms used or intended for domestic use of one or more individuals living as a single housekeeping unit with cooking and toilet facilities.
Subdivision and Development Regulation 1g1ii	<u>Single dwelling unit</u> means a dwelling containing one dwelling unit and does not include mobile homes, but does include mini homes, modular homes, single family dwellings and <u>cottages</u> .

Subdivision and Development Regulation 1.v.2	Summer cottage means a <u>single-unit dwelling</u> that is intended to be occupied primarily during the summer months.
Senior Development Officer (Meeting Aug 27/2025)	In a meeting the government said: - <i>that a <u>dwelling</u> only needed cooking and toilet facilities;</i> - <i>there may be an expectation that there be sleeping space;</i> - <i>the building could be one room only;</i> - <i>that there were not any minimum size requirements;</i> - <i>that it may be possible to use one of current buildings (if it meets code);</i> - <i>that the building official may consider a permit with limited inspections.</i>
Senior Development Officer Email (October 22/2025)	The definition within this email, asking the Appellants to confirm they were building according to NBC, used the definition of dwelling unit as found in the Subdivision Regulations.
Appellant Note BBB	The Appellants did ask the Development Officials if it was possible to separate the dwelling unit between two buildings (emails May 22 and May 28/2025) ... there had been no response until the August 27/2025 meeting when the official referred the Appellant to the building official.
Appellant Research/Note CCC: National Building Code	A dwelling unit is a suite operated as a housekeeping unit, used or intended to be used by one or more persons <u>usually</u> containing cooking, eating, living, sleeping and sanitary facilities. Appellant Note DDD: This definition uses the language “usually”, leaving the option that a dwelling unit is not required to have each of these features. Appellant Note EEE: If “usually” applies to one feature (e.g. sleeping may be waived as stated in meeting August 27/2025) then why can’t it apply to all features?

Senior Development Officer Email November 18/2025	<i>All accessory buildings must be associated and consistent with, as well as ancillary and subordinate to, the main building already existing on the parcel.</i> Appellant Note FFF: This latest definition is not the same as the definition documented within the various regulations.
Meeting January 21/2026	Appellant Note GGG: If the 12x16 shed with a counter, toilet and attached to a septic system was approved, then why would the 8x10 shed with the same features, given that size doesn't matter, not be approved?

c. Exceptions:

Source	Content
Senior Development Officer (Meeting Aug 27/2025)	When asked if there are any exceptions to the requirements for a septic, the Officer stated that he cannot make an exception (<i>"we have boxes that we need to check off"</i>).
PEI Government Website: Online Services Planning Decisions	Appellant Note HHH: Permits have been approved for "seasonal campers" (e.g. PIDs 834473 and 1024256), a term not found in the Subdivision and Development Regulations.
Appellant Note III:	The Appellants have noted that, found on the MLS Real Estate website, there are several listings that note the ability to connect trailers/RV's for use on their individual properties (Appendix M), again demonstrating flexibility.
Appellant Note JJJ:	The Appellants have noted that there are existing examples of travel trailers being used for accommodation on individual properties (Appendix M).
Appellant Note KKK:	The Appellants note that permits have been approved for a non-commercial storage building (e.g.s Appeal - Squires/ McQuillan, May 2022; and PID1077544 Legacy).

Appellant Note LLL:	The Appellants note that there are MLS listings indicating properties with sheds as the only structure (Appendix K).
Appellant Note MMM:	The Appellants question whether an “approved variance” could be permitted.
Appellant Note NNN:	There are a number of instances where the Appellant submits that the government did not process the application(s) correctly (see Argument Five); and as such questions if the government actually does have the ability to make certain exemptions and/or be flexible in its application of the process/requirements.

d. **Services:**

i. **Services in general:**

Source	Content
Permit Coordinator (Email May 12/2025)	<i>The residential structure would require services such as septic and water.</i>
Bldg. Code Official (Email June 12/2025)	<i>There are no seasonal dwellings as they all must meet the energy code and be ventilated with an HRV.</i>
Appellant Research/Note OOO : National Building Codes A-9.1.1.1 (1)	Application of Part 9 to Seasonally and Intermittently Occupied Buildings: The National Building Code does not separate requirements which would apply to seasonally or intermittently occupied buildings. Without compromising the basic health and safety provisions, however, various requirements in Part 9 recognize that leniency may be appropriate in some circumstances. (see Appendices D and E).

ii. **Heating/ventilation:**

Source	Content
Building Permit Application	What type of heating source will this building use? Electric, oil, propane, solar, other?

Appellant Research/Note PPP: NBC Illustrated Users Guide: Table 9.1.A	This article requires that all residential buildings continually occupied in winter months be equipped with heating systems. (and then, those that are not occupied in winter months do not require heating systems). Appellant Note QQQ: Their property is zoned for summer use only.
Building Official (Email June 12/2025)	<i>There are no seasonal dwellings as they all must meet the energy code and be ventilated with a HRV.</i> Appellant Note RRR: This statement is contrary to NBC statements.
Canada Building Code Regulations 6.3.1.3 (Natural Ventilation)	The ventilation required by Article 6.3.1.1. shall be provided by mechanical ventilation, except that it can be provided by natural ventilation or a combination of natural and mechanical ventilations in ... (c) seasonal buildings not intended to be occupied during the winter.
Appellant Research/Note SSS: NBC Illustrated Users Guide: 9.3 2.1.2	Every residential occupancy must be ventilated during the non-heating season by natural means (openable screened windows/doors) or by a mechanical ventilation system.
Appellant Research/Note TTT: NBC Illustrated Users Guide Table 9.1.A:	If there are no electrical services, no mechanical ventilation is required (Article – Clause 9.32.1.2.(1) b).
Appellant Research/Note UUU: NBC: Notes to Part 9: A.9.1.1.1 (1)	Articles 9.25.3.1 and 9.25.4.1 require that insulation is to be installed in walls, ceilings and floors with separate heated space from unheated space. Cottages intended for use only in the summer and which, therefor, have no space heating appliances, would not be required to be insulated. Should a heating system be installed at some later date, insulation should be installed at the same time.

Appellant Research/Note VVV: NBC Illustrated Users Guide: Table 9.1.A	If there is no heating system, no thermal insulation is required (Article 9.25.2.1).
Appellant Research/Note WWW: Notes to NBC A.9.1.1.1.(1)	Articles 9.25.3.1 and 9.25.4.1 require the installation of air barrier systems and vapour barriers only where insulation is installed. Dwellings with no heating system would thus be exempt from these requirements.
Appellant Research/Note XXX : NBC Illustrated Users Guide: Table 9.1.A	If there is no heating system, no air barrier system is required (Article 9.25.3.1).
Appellant Research/Note YYY : NBC Illustrated Users Guide: Table 9.1.A	If there is no thermal insulation, no vapour barrier is required (Article 9.25.4.1).
Appellant Note ZZZ:	The use of the language “not required” does not mean that it can’t be used.
Conflicts between government officials	Development permit (January 2025): As a seasonal property there are no heating, cooling or other HVAC systems. Ventilation will be with natural means (windows and doors). Building Permit (2025): This permit is for a seasonal unheated and uninsulated dwelling only, not approved for year-round use. Appellant Note AAAA: While these seems to agree with each other, the building official has added the requirement to remove all insulation, contrary to what he said (email January 29/2026), contrary to the approved development permit, and contrary to the building code.

iii. **Electrical Services:**

Source	Content
Building Permit Application	What type of electrical service are you proposing? 100 AMP, 200 AMP, other?
Building Code Regulations (Electrical Facilities – Required Facilities) 9.34.1.2	Where electrical services are available, electrical facilities shall be provided for every building.
On-Site Septic Coordinator (Emails and Phone - May 22-23/2025)	<i>Power is not needed for the septic.</i>
Appellant Research/Note BBBB: NBC: Notes to Part 9: A-9.1.1.1 (1)	Electrical fixtures are only required where electrical services are available (Article 9.34.1.2).
Appellant Research/Note CCCC: NBC Illustrated Users' Guide	Table 9.1.A: If there are no electrical services, no electrical facilities are required (Article 9.34.1.2).
Senior Development Officer Email (October 22/2025)	In the email asking for additional information from the Appellant, the Senior Development Officer notes the definition of a dwelling from the Subdivision Regulations that state cooking facilities are required (in the building).
Appellant Note DDDD:	That the Tourism Regulations do seem to allow sites where cooking activities can be performed outside of the building/structure.
Appellant Note EEEE:	Given the expectation of the government officials that the new building contains cooking facilities (email October 22/2025) the Appellants question whether that is possible/required given there is not a requirement for hydro or plumbing and water (NBC).

Appellant Note FFFF:	Given that plumbing facilities are not required if there is no piped water (NBC Illustrated Guide Table 9.1.A), the Appellants question if water for cooking and washing is not needed, then why would a cooking device be needed.
Appellant Note GGGG:	While the government has stated that the dwelling requires a cooking device inside the building, the Appellants question that if a cooking device is truly needed, why a device such an outdoor barbecue wouldn't be an option.
Appellant Note HHHH:	Given potential safety issues, and with there not being a requirement for electricity, the Appellant asked the government (email November 18/2025) what alternatives would be considered for a cooking device ... there has been no response.
Appellant Note IIII:	Given that electrical services are not required, a refrigerator would not be an option even if it is required, and as such, without food storage, there would be no reason to have a cooking feature.
Building Official (Emails January 29/2026)	<i>For this to be approved as a residential dwelling, potable water must be provided on site or by agreement from adjacent property and be connected and running at time of inspection.</i> Appellant Note JJJJ: Given that the government now states that it needs to have running potable water (contrary to NBC), there is now the need for adding hydro to the property (also not required by NBC).
Conflicts between government officials	<i>Development Permit January 2025 (Appendix F): There is no hydro/electrical service to the property, and as such there are no electrical facilities in the building: cooking, if/when needed, will be done on either a barbecue and/or camp stove outside the building.</i> <i>Building Permit (January 22/2026): All plumbing, electrical must be installed or roughed in.</i>

	<i>Building Permit (February 3/2026): Potable water must be available, connection to well or permanent water source is required. Potable running water to be inspected at final inspection.</i> Appellant Note KKKK: The building official, through the permit, is contradicting what the development official has approved.
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iv. **Water Services:**

Source	Content
On-Site Septic Coordinator (Emails and Phone May 22-23/2025)	<i>You can hand pump the water (for septic) and it would only need to be potable if you are going to consume it.</i>
Building Official (Email June 12/2025)	<i>Potable water is required by well or public utility or sewage system or connection to local services is required.</i> Appellant Note LLLL: There are examples of potable water being provided by the province to homeowners, such as in the community of Hazelbrook.
Subdivision and Development Regulations 21(1)	Where a lot is intended for any non-residential use where water and sewage services are not required for the proposed development, the Minister may approve an exemption from the requirements of section 23.
Appellant Research/Note MMMM: NBC Illustrated Users Guide 9.31.4.1	Not every house is connected to a piped-in, potable water supply ... houses are permitted to be without piped water, provided that an alternative source is available to provide suitable drinking water. In such cases, the only practical alternative may be to transport potable water to the dwelling unit. Such cases are relatively rare, but when they occur, the requirements for providing fixtures for sanitary purposes are waived.

Building Official (Email January 29/2026)	<i>For this to be approved as a residential dwelling, potable water must be provided on site or by agreement from adjacent property and be connected and running at time of inspection.</i> Appellant Note NNNN: This statement is both contrary to NBC and contrary to the development permit that has been approved for the Appellant to bring potable water from home if needed.
Conflicts between government officials	<i>Development permit (January 22/2026): There is no piped water available to the property, and as such: potable water, if/when needed, will be brought from home; water for toilet to be sourced from either well and/or rainwater and dropped in by bucket or suitable container; no plumbing facilities/fixtures are required other than what is required to service the toilet connection to the septic system (i.e. no sinks)</i> <i>Building Permit (January 2025): potable water must be available, connection to well or permanent water source is required. Potable running water to be inspected at final inspection</i> Appellant Note : The building official requires utilities that are in contradiction to what the development permit has approved.

v. Plumbing Services:

Source	Content
Permit Coordinator (Phone Call approximately May 12-13/2025)	<i>You would need a toilet and a kitchen counter.</i>
Building Code Regulations (Required Facilities) 9.31.4.1	A kitchen sink, lavatory, bathtub or shower, and water closet shall be provided for every dwelling unit where a piped water supply is available.

Building Code Regulations (Hot Water Supply) 9.31.4.2	Where a piped water supply is available a hot water supply shall be provided in every dwelling unit.
Appellant Research/Note OOOO: NBC Notes to Part 9: A-9.1.1.1.(1)	Plumbing fixtures are only required where a piped water supply is available (Subsection 9.31.4).
Appellant Research/Note PPPP: NBC Illustrated Users Guide: Table 9.1.A:	If there is no piped water supply, no plumbing fixtures are required (Article 9.31.4.1).
Appellant Note QQQQ:	If plumbing is not required (NBC), then why does there need to be a sink?
Appellant Note RRRR:	If plumbing is not required (NBC), then why does there need to be a toilet/septic?
Building Official (Email January 29/2026)	<i>For this to be approved as a residential dwelling, potable water must be provided on site or by agreement from adjacent property and be connected and running at time of inspection.</i> Appellant Note SSSS: The government's requirement for having (running) potable water is in contradiction to both the NBC codes and to the approved development permit.
Conflicts between government officials	<i>Development Permit (January 2026): No plumbing fixtures/facilities are required other than what is required to service the toilet connection to the septic system (i.e. no sinks).</i> <i>Building Permit (February 2026): All plumbing, electrical must be installed or roughed in. Potable water must be available, connection to well or permanent water source is required.</i>

	Appellant Note TTTT: The building permit requirements are in contradiction to the approved development permit.
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vi. Septic Services:

Source	Content
On-Site Septic Coordinator (Emails and Phone Call May 22-23/2025)	<i>The only advice I can give you is that a 2-bedroom sized septic system is the minimum requirement for any type of residential development and this would be the cheapest overall option to service the lot and would not require electricity to operate.</i>
On-Site Septic Coordinator (Emails and Phone Call May 22-23/2025)	<i>You can hand pump the water and it would only need to be potable if you are going to consume it.</i>
Senior Development Officer (Meeting May 22/2025)	<i>There are no exceptions that allow for compost toilets.</i>
Senior Development Officer Meeting May 22/2025)	<i>There are no exceptions that allow for the use of a port-a-potty.</i>
Appellant Note UUUU:	MLS listings with indication of not a having septic system, and/or with using a compost toilet or port-a-potty (Appendix L).
Appellant Note VVVV:	If plumbing is not required (NBC), then why does there need to be a toilet/septic?
Appellant Note WWWW:	If sleeping may be waived, then why would septic be required if there are no overnight stays?
Conflicts between government officials.	Development Permit (January 2026): Water for toilet will be sourced from either well and/or rainwater and dropped in by bucket or suitable container; no plumbing fixtures/facilities are required other than what is required to service the toilet connection to the septic system.

	Building Permit (February 2026): All plumbing, electrical must be installed and roughed in. Potable water must be available, connection to well or permanent water source is required. Appellant Note XXXX: The building permit requirements are in contradiction to the development permit.
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164. While there are many conflicting pieces of information, it does seem that there are options that would support the ability to have multiple sheds on a property without a primary building and/or without a septic system and other utilities, especially given the intended use of the Appellants.

165. The Appellants have been unable to obtain accurate and consistent information from various government sources that would allow a reasonable person to make an informed decision about (a) which of the government-proposed options to take (build a cottage structure or remove the existing buildings), and/or (b) what utilities and features would be required if building a new structure or renovating a current structure.

Argument Eight

166. The Planning Act (Part V – Appeals – 27.1.d) defines an aggrieved person as *“an individual who in good faith believes the decision will adversely affect the reasonable enjoyment of the individual’s property or property occupied by the individual”*.

Detrimental Impact

167. The property was purchased with an inheritance gift. It has been the hope of the Appellants that their work in stewarding the property to better health would result in an environmentally significant gift for their children and grandchildren.
168. The Appellants note that this complete (all-too-consuming) experience over the last 20 months has caused the family a high level of stress that has taken away from their ability to enjoy the property as they intended. What was supposed to be a retirement project to remain physically active and improve the environment has become a nightmare. Ironically, the purchase of the property to help reduce stress has now increased that stress.
169. The ability for the Appellants to continue with and plan future environmental rehabilitative projects has been on hold during this process, now two complete summer seasons. Given their physical ability and age, the Appellants have a limited window of time to complete any building projects (if required) and to manage the property and any new plantings until those plants/trees can take care of themselves.
170. The Appellants understand the definition of detrimental impact as meaning any loss or harm suffered in person or property in matters related to public health, public safety, protection of the natural environment and surrounding land uses, but does not include potential effects of new subdivisions, buildings or developments with regard to (1) property value, ii competition with existing business, iii viewsapes, or iv development pursuant to subsection 9.1 of the Environment Protection Act.
171. The original intent of the Appellants to use the property as a recreational day-use park, while at the same time making efforts to improve the ecological health

and bio-diversity of the property's natural environment, remains. The sheds are critical tools/facilitators to support the Appellants' activities on the property.

172. Should the appeal be denied and the removal of the sheds required leaving a vacant lot, the recreational enjoyment of the Appellants and their family will be compromised. The Appellants:

- a. Would not have a place for changing clothes and/or sheltering from poor weather and insects (mosquitos and wasps) potentially increasing the risk of individual harm, contrary to Planning Act's provincial interest related to the protection of public health and safety.
- b. Would not have a place to store tools that would be needed to maintain walking paths that would help reduce the potential harm from ticks, and help facilitate movement around the property.
- c. Would not have a place to store recreational equipment such as kayaks, paddles, lifejackets, chairs.
- d. Would not have a place to store items such as towels, mosquito repellant, and other personal items.

173. Should the appeal be denied and the removal of the sheds required leaving a vacant lot, the ability of the Appellants to efficiently and effectively steward the property to better environmental health will be compromised. The Appellants:

- a. Would not have a place to store equipment such as watering containers, whipper snippers, brush cutters, chainsaws, lawnmower, clippers, tree stakes and wire cages.
- b. Would be less able to restore and promote positive environmental growth of the property with the potential consequence being a property that is not maintained, that (like other lots in the subdivision) would become saturated with invasive trees and plant life that is less diverse, healthy and resilient.

174. In addition, without the sheds for storage, any equipment used for recreation and/or environmental stewardship would need to be brought from home each trip.

The Appellants would be limited to, and have to make choices about, what to bring in their vehicle on each trip:

- a. Bringing the basics of chairs, tent gazebo and lunch cooler would limit what could be brought for either recreational or stewardship activities.
- b. Bringing tools for environmental rehabilitation would restrict the opportunity to bring two kayaks and gear for recreational activities, and vice versa.
- c. There would be an increase in the number of trips and the cost of gas for those trips.

175. While the Appellants understand the needs for regulations, the Appellants feel frustrated, given their intended purpose of using the property for day-use park experiences, that the government's interpretation of a regulation requires them to either remove the cottages (denial decision) or add a cottage structure with utilities in order to keep the sheds (statement May 22/2026).

- a. The Appellants note that the government has not provided any indications that the sheds in their current state are harmful, nor have they provided any indications how the property would be improved if the sheds were removed.
- b. The sheds do not pose a detrimental harm to the property, and the sheds align with sound planning principles.

176. The Appellants have invested more than \$50,000. in building the sheds, in Dorion and Fiona storm recovery activities, and in new planting and property maintenance. Should the sheds be removed, the ability to maintain the property will be compromised, and that investment will be lost. Even if the government's decision to deny the sheds were reversed and the sheds were permitted, the potential to recover the expenses already incurred would not likely be possible.

177. Should the ability to recreationally enjoy the property as intended and the ability to steward the property to improved environmental health both be compromised, the Appellants would need to consider selling the property. Given the investments they have made, the sale price for the then-vacant lot would be

much less than the combination of the purchase price and investments made, creating a loss for the Appellants.

178. While the Appellants understand that the definition of detrimental impact does not include the effects of subdivision development on real property value, the Appellants do have the opinion that leaving the property in its current state (with the sheds as the only structures) is a much wiser financial and investment decision than further developing the property with the addition of the cottage structure and utilities, as suggested by one of the options from the government (May 22/2025 meeting).

- a. At the time of purchasing the property, there was significant Dorion damage. Following Fiona, the entire subdivision has been severely damaged. While a few of the landowners have attempted to improve their lots, many of the property owners have left their properties in a damaged state that would negatively impact property values in the subdivision.
- b. While Wootten Lane, at the time of purchase, was so dense that only smaller vehicles could access the properties, the damage from Fiona has meant that high-clearance vehicles are now required.
- c. There appear to be no plans of neighbouring lot owners to invest further into their own properties other than the developments they have already completed.
- d. Any work required on Wootten Lane that would be needed to service the Appellant's lot would be a cost solely to the Appellants given other owners do not require those services.
- e. Any work required on Wootten Lane (as the right-of-way) would impact other owners' properties, including the actual owners of the right-of-way.

179. The current decision by the government to deny the sheds on the property is similar to the earlier options presented by the government, to remove the sheds or build a cottage structure to be a primary building. In considering those options presented at the May 22/2025 meeting and tied to the current denial decision

letters, the Appellants investigated the potential expenses, as well as the various impacts to themselves and to the other property owners in the subdivision.

- a. The Appellants began seeking cost estimates as early as June 2025.
 - b. The Appellants note that this process was not about choosing the best option to move forward, but about choosing the least-worst option.
180. The Appellants are very aware that, being in their mid-late sixties with declining health and abilities that come with aging, any future demolition work to dismantle the sheds, or any work to move the sheds, will be increasingly more difficult to accomplish on their own, and would likely require additional labour costs. The Appellants note that the possibility of building a gazebo (original application January 2025) or a sunroom (application September 14/2025), if approved at some point, would no longer be possible on their own.

Option to move/dismantle the sheds

181. Should the Appellants be required to remove the two sheds, there will be significant financial cost:
- a. The Appellants have paid \$7K to move a shed 4 feet back onto its foundation following Fiona damage. The Appellants are making an assumption that the cost to move the shed in this case would start at \$7K and increase from that point to load, remove from the property, and re-locate elsewhere.
 - b. The Appellants would need to cut trees along Wootten Lane to widen the lane in order to accommodate the large truck/crane, noting that (1) the lane belongs to another landowner, (2) cutting trees along the lane would impact several property owners, and (3) the process, rights and obligations for completing work on a subdivision right-of-way owned by one owner remain unclear.
 - c. In speaking with Shaw's Towing, and given the height of one of the sheds, the Appellants would need to fill and grade along Wootten Lane in order to

accommodate the large turning radius and low ground clearance of the appropriate truck/trailer.

- d. All of these actions would cost the Appellants a significant amount for a one-time move of the sheds.

182. The Appellants have considered dismantling the sheds for removal to a dump. While this is still possible, the cost of both dump fees and wasted investment would be too emotionally and financially significant.

Option to build a cottage (and/or re-purpose the current shed) on the property

183. The Appellants note that, even with the approved development and building permits issued in January and February 2026, there remains confusion about the actual requirements of that structure, and as such, have only been able to determine potential costs:

- a. Development and Building permit application fees and inspections.
- b. PERC test.
- c. Septic
 - i. The Appellants have obtained a quote for a septic system at approximately \$16,000, and with the additional cost of a plumber to install a toilet, would reach \$ 20,000.
- d. Water
 - ii. While there is an old well with a hand pump, there would be a cost to installing equipment to treat/filter the water if required to have an on-site source of potable water, to pump the water to the building, and to install hydro to operate the pump system.
- e. Hydro
 - iii. Maritime Electric has said that they cannot provide any quote/estimate until the landowner is ready to go-ahead with the installation.

- iv. The nearest hydro pole on Gladstone Road is approximately 1200 feet from the property.
- v. In order to install hydro poles/lines, trees would need to be cut along Wootten Lane on the right of way and potentially properties owned by other landowners.
- vi. The costs for the hydro would not be shared with any other landowners (as there are none that would be interested).

f. Wootten Lane

- i. Wootten Lane is a narrow sunken 2-track path filled with roots. Any need for a larger roadway in order to have utilities installed would require cutting a significant number of trees on the right-of-way and/or filling/grading the lane itself (also owned by someone else).
- ii. There are no other property owners who would share this cost.
- iii. In addition to the services potentially required, the approval and the building of the cottage structure to required codes requires specific tradespeople as identified on the Building Permit Application, furthering the expenses: Engineer, Architect, General Contractor, Heating Contractor, Electrician, Plumber, Septic Contractor and Various Inspectors.

g. Building renovations

- i. The Appellants will need to hire an engineer and pay for professional roof drawings to satisfy the building permit; and then will need to remove and rebuild the roof.
- ii. The Appellants would need to add all the services mentioned in the Building Permit, and in item 183.
- iii. The Appellants will need to complete any additional work that a building inspector may require.

184. The Appellants believe that the actions and expenses required to (a) move the sheds, (b) dismantle the sheds and/or (c) add a cottage structure with utilities, makes no sense given their intended use of the property – essentially, to store equipment in two sheds requires a complete cottage structure at a cost of more than \$200,000.

185. The Appellants believe that the actions and expenses required to (a) move the sheds, (b) dismantle the sheds and/or (c) add a cottage structure with utilities would create undue hardship.
186. The Appellants believe that the actions required to (a) move the sheds or (b) add a cottage structure with utilities would increase the detrimental impact to the property and the subdivision, more than leaving the sheds in their current state.
187. As an aside, as taxpayers, the Appellants are disgusted at the amount of resources, used very inefficiently over the last 20 months, that the government has put into the processing of an application for a 12x16 shed due to their inability to provide clear and consistent information from the beginning, especially considering that there have been no complaints about the Appellants' property. Again, all of this turmoil has happened because the Appellants were (a) trying to do the right thing for the property, and (b) tried to do the right thing in applying for a gazebo.

APPENDIX A: PHOTO EXHIBITS

Exhibit One: Property at time of purchase with Dorion damage:



Exhibit Two: Property after Dorion clean-up, with shed built:

(note tree marking that demonstrates exhibits one and two are taken from the same location)



Exhibit Three: Property immediately after Fiona storm:



APPENDIX B: COMMUNICATIONS HISTORY

The following is a full listing of emails and communications with government representatives, from the first application submission (January 26/2025) to the submission of the second appeal (July 27/2026).

The Appellants note that they do not have access to any emails and other forms of communication between government officials, other than what was provided in the Minister's Record of Decision.

The Appellants note that this history contains communications (more than 70) that have not been provided in the Minister's Record of Decision.

The Appellants note that they have not included any emails after the submission of the second appeal given that all parties (Appellants, Commission and government) have been included in those communications.

1. January 26, 2025: The original development permit for the gazebo was submitted to the government's email as per the instructions on the website.
2. February 23: Having had no response, the appellant submitted an email asking for a status check on the application.
3. February 24: (Marilyn to David)
*This is the first time I am seeing this application.
Has anybody been in touch with you about this application in the past? The Lands email account is accessed by multiple offices, so I just want to make sure it is not being processed through a different location.*
4. February 24: (David to Marilyn)
Thanks for the reply - I haven't had any response from anyone ... So, next steps?
5. February 24: (Marilyn to David)
I will pass the application onto the Property Inquires Coordinator.

She will be in touch if she requires any further information.

When she is done going over this part of the approval process, she will give it back to me and then I will be in contact for the payment of the application and then the application will be moved to the Property Development Officer for final approval.

6. March 4: (Cindy to David)

We are reviewing your Development Permit Application and would like you to provide the permit information for the 12 x 16 existing structure containing the 2 beds. If you have any questions, please contact. Thank you

7. March 4: (David to Cindy)

At the time I built the 12x16 "wooden tent" I was with the understanding that I did not need a development permit.

If I did misunderstand the situation/regulations in place at the time, I do apologize. Would you like me to submit an application for it?

8. March 6: (Cindy to David)

Yes, we will need you to complete a Development Permit Application for that structure. I have attached the application to this email. Thank you.

9. March 6: (David to Cindy)

Please find attached a completed application as requested.

Again, please accept my apologies for my misunderstanding - I am trying to do this the right way but obviously mis-read something somewhere.

10. March 6: (Cindy to David)

Thank you for completing the application. We will be in touch. Take Care

11. March 10: The Development Coordinator called the Appellant in order to process payment for the two applications.

12. April 8: (David to Cindy)

I wanted to ask how long permits usually take to be approved?

I made my payment on March 10th, so we are almost at the month mark. I am hoping to purchase supplies before the spring price increases and any tariff-related price increases.

The webpage (permit status) says there is no activity yet

13. April 8: (Cindy to David)

We are waiting for comments from Environment. I will send a follow up email to see if they have any timeline to give you.

14. April 8: (Cindy to David)

Environment confirmed they will be doing a Spring visit before providing us with comments. Hopefully, Spring will be coming soon.

15. April 22: (David to Cindy)

Thought I would check in again on the progress of my permit.

With my first application submission back on Jan 26, and then again on Feb 24th when you determined it was missed the first time, we never thought it would take this long for approval of a simple gazebo - and we had hoped to have had our gazebo built by now.

We are also curious about why the Environment people need to have a visit for a gazebo in the middle of the property well away from the buffer? And why their visit is taking so long when spring has technically arrived back in March?

Your website may need to be updated: A decision as to whether a permit is denied or approved may be issued within 30 days for some routine residential developments.

Thanks for checking on the progress of the permit.

16. April 22: (Cindy to David)

Feel free to contact Environment at 902-368-5049. Thank you

17. April 23 (contacted by phone and email – David to Dale)

Further to the message I just left on the phone 902-368-5049.

I wanted to check the status of our permit application to build a small gazebo on our property - when I emailed Cindy MacMillan yesterday, she gave me your phone number.

The original permit application was made on Jan 26 for the gazebo, the development people didn't see the email so they didn't get started on it until Feb 24 ... And shortly after that they wanted me to submit a second application for a small bunkee, which I did (at the time of building the

bunkee, I didn't know I needed a permit). We had hoped that, by applying in January, we would have had the gazebo built by now before the bugs are out.

Cindy mentioned in the email that "environment is now reviewing the application" - so we are curious about what you were reviewing ... And then if there are any questions you may have for more information, did you want us to meet you there if you are doing an on-site visit ... and what your timeframe is?

18. April 28: (David to Dale)

Checking in again about our permit application...

As below, we first applied January 26 for a development permit for a gazebo, which we had thought would have been approved so we could have had it built by now.

We are curious about why environment is involved in what we thought would be a simple approval for a small gazebo?

And we would appreciate a timeline for when you expect to have your review completed ... and offer to answer any questions you may have.

19. April 29 (David to Cindy)

I have tried several times to reach Dale Thompson (the person assigned to the number you gave me) and am not getting any response.

I am trying not to be the "annoying person who keeps bothering you", but still have questions - is there someone else who can answer one or more of these questions, and/or I should visit?

First - we are curious about why environment is involved in the permit process for a simple gazebo?

Second - when do they think they will do their survey, and we can get our permit approved?

Third - are there any questions we can answer to move things along?

20. April 29: (Cindy to David)

The other Environment number is 902-368-5700. I have attached a map of your property showing the area of wetland. As part of our approval process when there is the presence of wetland, we require comments from the

Department of Environment before proceeding. I am unable to give you a specific timeline as my understanding is that the assessment cannot take place until the weather conditions permit the testing. Take Care

21. April 29: (David to Joe-Anne)

I was given your number by Cindy MacMillan (permit coordinator), but I am not sure if you are the right person to help me - if not, could you please pass this request to the right person on your team.

Our original development permit application was made approx. January 26th, to build a gazebo on our summer property. We had hoped to have had the gazebo built now, before mosquitoes and other bugs, before spring price increases on the materials, and now before tariff-related price increases.

The latest response from Cindy is that "environment wants to do a review" of the application, and likely a site visit once spring arrives.

We're hoping to hear a couple things:

First, we are curious about why environment wants to review for a gazebo proposed in the middle of the property well away from shoreline, wet area and buffer? and ask if there is any information we can provide you to help in getting an approval? Would you like us to be at the property when the visit is conducted?

And secondly, now that spring has been here over a month, when might we expect the review to be conducted and permit hopefully approved?

Thank you for any information/help you can provide!

22. April 30 (Anita to David)

I will be the technician reviewing your file. I'm planning to drop out by the end of the week for review. I can reach out should I have any delays or questions for you.

We are wanting to do a site visit to confirm the wetland edge. I'll stake out the buffer zone of the wetland when I'm on site.

Don't hesitate to reach out if you have any further questions.

23. May 8: (David to Cindy)

I thought I would check in on progress with our permit - Anita (environment technician) did her on-site review a week ago and said everything was fine

from her point of view -are we just waiting for her report to make its rounds to get to the application-approval person?

24. May 12: (Cindy to David)

As part of the application review, we consider the approved use on the parcel of land and the proposed structure(s). Your lot was approved on November 27, 1995, as Residential (Summer Cottage Use). The proposed 12 x 16 structure (gazebo) falls under the definition of an accessory structure. In order to have an accessory structure, there first needs to be a Residential unit as the primary structure. At the time of the site visit, there were two structures present. Which structure on your property would be the primary structure?

25. May 12: (David to Cindy)

I am not sure I would call anything a residential unit ... However, the 12x16 bunkee has 2 beds and storage - a "wooden tent" - no utilities ... So that would be the closest option.

26. May 12: (Cindy to David)

The Residential structure will require services such as septic and water. Before the septic system can be installed a site suitability assessment (perc test) will need to be completed.

27. May 13: (David to Cindy)

Can you please give me the name/email of the senior development officer you forwarded my name to? I would like to ask him/her for an in-person meeting with them to sort through all of this.

28. May 13: (Cindy to David and Dean)

The Senior Development Officer name is Dean Lewis and his email is: dhlewis@gov.pe.ca

29. May 13: (David to Dean)

As you know Cindy MacMillan gave me your contact information.

*There are a number of issues regarding our development permit applications - **I am requesting a meeting with you** to better understand the issues we both have, as well as hopefully come to a solution that works for all of us.*

I can be available to meet with you anytime - please let me know a date, time and location.

30. May 15: (David to Dean and Cindy)

Respectfully, we would again like to request an in-person meeting with you, and ask that you schedule a day/time/location at your convenience, letting us know as soon as you are able to schedule something. We expect you are busy, and that you don't consider our request a priority, but acknowledging our request with a date, even if not right away, would help reduce our growing frustration.

We are looking for your help in understanding the complexities related to our applications, and your help to identify what options we have for moving forward.

Some background for you:

We are trying to be patient - when we first submitted our application for a gazebo, we went by your website that said that most applications are processed in 30 days.... We are now at 99 days.

The process is absolutely more complicated than we had expected, and hope that one of the things we discuss is what else is coming as part of this complex approval process for a gazebo, and the associated timelines.

We had hoped to have the gazebo built:

- *Before the bugs are out*
- *In time for our daughter and family (an NP hoping to return to Montague after her maternity leave) to spend time with their newborn*
- *Neither of these hopes look like they will happen*

Our original intent (that still remains) in purchasing the property was to:

- *Have a quiet place for us (our family) to relax in our retirement, enjoy the outdoors, kayaking, swimming, reading and such*
- *We saw the property as a day-camp environment, with the occasional overnight visit (last year, as an example, we stayed overnight no more than 5 times - we live only 40 minutes away)*
- *We wanted to be unplugged, without utilities, much like the camping experiences we had as children*
- *We wanted to have a small imprint on the environment, and when building our first shed, we sought out an already-open space within a well-treed lot so as to not disturb the environment*

- *While Fiona has taken down 99% of the trees, we still want to have as little imprint on the environment as possible, and have spent the last 2 years using our own sweat equity to plant new shrubs and trees, of appropriate varieties to better survive PEI's weather systems, as our commitment to regeneration of a healthy environment, and with hopes of encouraging the return of wildlife*

When we built the first shed, we wanted a place to get out of bad weather, to store things like deck chairs, and in the rare case of staying overnight, a couple small beds. We have since learned about the active bugs, and now wish to have a gazebo that allows us to remain outside while being protected.

Cindy has now indicated the need for having a building designated as a residential structure, with services such as septic and water. This is something we have never thought to have, cannot afford, nor have any desire to build/disturb the property to the extent that will be required to have those utilities.

Regarding a septic system:

- *We use the property for a day-camp - we go to the bathroom before we leave home in the morning and when we arrive home later that day - if we do have to go pee, we either do so old-style (find a dead tree stump) or pee in a bucket to be brought home and dumped in our toilet.*
- *We cannot afford the cost of a septic system, especially one that we have no need for*
- *Even if we could afford a septic system, we would then have to build and pay for something to connect to it (a shed to hold a toilet) - more cost for something we don't need*
- *On top of this, we would then have to have a water supply - another cost we cannot afford nor do we need*
- *As well, we would have to pay for hydro to come to the property - a cost we can't afford, a service we don't need; and we don't want to cause disruption to neighboring properties by clearing trees on the right-of-way owned by someone else*
- *Further, the trucks/equipment needed to install any of these services would require that we clear the right-of-way (now suitable for a single small vehicle), again disrupting neighbour properties, and again doing work on the right-of-way owned by someone else*
- *and we would not wish to have further disruption to our property itself in digging a hole, and then replanting above the hole*

Regarding water:

- *We use water to drink, and bring it in thermos/tubs depending on what we need for the day*
- *We collect rainwater and use that for rinsing our feet after a swim, or for watering plants*

Regarding electricity:

- *We use battery-operated equipment (e.g. flashlights)*

We are asking for the meeting, and your help, in identifying alternative options that will allow us to use the property as we had hoped, without the requirements and associated costs that come with what you have indicated.

When we meet, with the qualifier/acknowledgement that you know much more than we do about options for moving forward, and what is written and not written in the regulations, we would ask if any of these are options, and/or if there are any other options available to us:

In no particular order:

- *We withdraw our permit applications?*
- *We ask for a "change of use", which in reading the subdivision guidelines, looks like we may be able to do - could we ask to re-zone our "cottage summer use" property to another one that allows us to enjoy the property as we had hoped? Would "recreation use" (...use of land or buildings for passive or active recreational ...) work?*
- *We ask for an exemption from the requirement to have utilities on the property, as indicated as a possibility (21-1)?*
- *Instead of building our own gazebo, stronger and better suited for the weather and winds on the property, would purchasing a gazebo at Home Depot or other store be considered as something "manufactured" that does not require a permit (31-2), and then we keep replacing them when they get damaged?*
- *Can we have an exemption (or re-definition) of the utilities, that would allow us to (a) bring in water as we do now, (b) use batteries as we do now, and/or (c) use something like a camp-potty found at camping stores?*

As I said to Cindy before, we are trying to do the right thing. However, we now know why so many people told us to avoid applying for a permit; and if we did apply, plan to frequently pester the department to get their attention.

Having been through the subdivision regulations in the recent months, we are continuously surprised by what we believe are violations - maybe your department has exempted the owners, maybe the enforcement isn't happening... not our business. But when we see things like cabins being built real close to, if not in buffer zones, primary residences on a private summer road, multiple travel trailers in place being used regularly as family's summer camps ... The list goes on... We have to believe that, rightly or wrongly, we are being targeted for trying to do the right thing.

Again, we are trying to remain patient and accept that this is a very complex process for a gazebo, however look forward to a meeting when we can get clarity to help us determine our next steps

31. May 16: (Dean to David)

I can meet Thursday May 22, 9:15 am at the Access PEI site in Montague.

32. May 22: (David, Dean and Cindy)

Meeting in person with the Development Coordinator and the Development Director, at the appellant's request, to better understand the process and requirements for approval of the development permit applications (for the gazebo and shed).

The Development Director stated that, in order for the shed, an accessory building, to remain on the property, it needed a dwelling to be an accessory to, and given the zoning of the property for cottage use, a cottage would be required (or the shed needs to be removed).

The appellant asked if there were any exemptions that would allow for maintaining the shed in place without building a cottage, and was told no.

a. Exemption

b. *Subdivision regulations 21(1) "lots not requiring water and sewage" where a lot is intended for any non-residential use where water and sewage are not required for the proposed development, the Minister may approve an exemption for the requirements in section 23*

- c. *Dean says not applicable to us*

The appellant asked if there was any re-zoning that would allow for the maintaining of the shed in place without building a cottage, and was told no.

- a. *Change of Use*
- b. *Subdivision Regulations – 21(2) to “recreational” use of land or buildings for passive or active recreational entertainment, pursuit or sport, including but not limited to ...”*
- c. *Dean says we can’t change use*

33. May 22: (David to Dean and Cindy)

We are trying to connect with Scott as suggested, but in the meantime, in terms of understanding fully our options (as the regulations don't tell the full story), we have a few more questions:

1. *Can you please confirm that regulation 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" actually requires that the accessory buildings have to align with an actual built building (cottage in this case) and not the lot itself (so that sheds and other structures, often found on a cottage lot, can't be placed here in our case until there is a cottage)?*
2. *For regulation 1.6.1.ii, "dwelling unit means one or more rooms used or intended for domestic use of one or more individuals living as a single housekeeping unit with cooking and toilet facilities"*
 - a. *Our shed is likely too small to add in a toilet and still have room for a kitchen and chairs, let alone cots for the few nights each year we stay over, so we would likely have to build another building to act as a dwelling - is that another permit?*
 - b. *If the shed (new or current) is to become the dwelling unit, are there then additional requirements and/or permits needed because it will be a dwelling (even if still under 200 sq ft to minimize the disruption to the property)? What else is required to be approved as a single housekeeping unit for the purpose of this property?*
 - c. *Guessing that the dwelling has to be all in one building? Can we split the dwelling into two buildings (kitchen/seating and storage in one, with toilet in another)?*

3. *If I understood correctly, you mentioned that we need water and septic:*
- a. *We'll see when we talk to Scott, not our expertise, but does either septic or water require power to operate (so we do need hydro to the property)?*
 - b. *When we need water ... is that to operate septic and/or for drinking (and if for drinking, does our current practice of using thermos not count?) And I am guessing, having water will require more additional work and structure and hydro to bring water from the current well to the place it is needed to do what the regulation says we need to do with it? With ongoing maintenace for the well and pump...?*

5. *If we do get to the point where we choose to have septic/water on site, what comes next in the development application process? What other things will need to be done in order to be approved?*

Again we are trying to do what's right, and trying not to get angry while we try to find some way to enjoy the property as we had hoped without all of the extras in utilities and disruption to the environment, even if the legislation says that we need to.

Once we hear back from Scott, and have answers for you for the above, we should be a lot closer to being able to decide on whether or not we remove/dismantle the shed and give up on the gazebo, or bring the shed to compliance with utilities we don't need but require

34. May 22: (David to Scott)

I have your name from Dean Lewis.

I am hoping to have a conversation with you about our pending development permits, and complications we have run into.

We purchased a property in the Murray River Area (PID 835033) with the intention of having a place for our family to spend some time enjoying nature, recreation like kayaking and swimming, We had intentions of using this lot for (off-grid) day-camp experiences. We bring in water to drink when we need it, we use batteries (flashlites) when we need them for the few nights we may stay overnight.

We did build a shed on the property before realizing that we needed a development permit. We found that out when we now have also filed a permit application for a gazebo.

To keep the story short, because the property is zoned for cottage use: the gazebo, as an auxiliary building, needs a dwelling to be an auxiliary to; the shed is not compliant as a dwelling unit that includes septic and water as per the cottage zoning (but in our minds is compliant with the regulations that says it needs to be consistent with the approved use of the lot, rather than with an actual building.

I am still unclear if we need hydro as well? We do have an old well on site.

Since Fiona has removed almost every tree, we have been doing a lot of work re-planting to bring the property back to life for plants and wildlife. When we consider the purposes of the planning act, keeping to our shed and gazebo is much less disruptive to the environment than what will happen by installing some form of septic system/tank ... and if that system requires hydro to work, then even more disruption to our property, the right-of-way and other properties.

Dean has told us that, unless there is another option that you may have, we need to have septic system/tank (according to your recommendation) and water installed; or remove the shed to make it an empty lot.

So, can we have a phone call (let me know a day/time to call you) to discuss any other options you may have:

- Can we get an exemption for water and septic as we will not use them, that will allow us to have the shed and gazebo without a dwelling unit that includes those utilities?*
- If we do need a septic something, what would be the option that is least invasive on the property and least cost, and wouldn't require hydro?*
- Is it possible to change the use of the lot to something else that would also a shed and gazebo without the need to have utilities?*
- Any other ideas you might have?*

35. May 23: (Scott to David)

Hi David. Most of your questions would be better answered by Dean or his section. I deal with septic licensing and compliance so the only advice I can give you is that a 2 bedroom sized septic system is the minimum requirement

for any type of residential development and this would be the cheapest overall option to service the lot and would not require electricity to operate.

36. May 23: (David to Scott)

Sorry (Scott), but another couple questions

- *Do we need water to make the septic system work, or for a toilet to work?*
- *Did you say that we could hand-pump water into the system?*
- *And does the water need to be potable*

37. May 23: (David to Dean and Cindy)

I just spoke with Scott:

He says:

- *The minimum septic system we would need, which is the minimum for any residential property, is what would work for the volume of waste from a 2-bedroom unit*
- *The other option of a holding tank would be more expensive to install*
- *There are no regulations that allow something like a compost toilet*
- *Power is not required for the septic system*
- *Water can be hand pumped as an option (which is what we currently have on our old well is an old-fashioned handpump)*
- *We would have to have a septic contractor visit the site and give a quote to determine what would be required in terms of location and cost*

I forgot to ask him, and have emailed ...

- *How does water connect to the system (between toilet and the septic field)*
- *And does the water have to be potable*

I have added a couple more questions to what I originally sent (embedded below): please excuse the format getting all mixed up.

Please let me know when we can talk again (hopefully soon) to work through all our questions.

At the same time, I am exploring options related to removing/destroying the shed and giving up on our dreams - with some urgency as now is the best time to sell anything we are able to.

Since buying the property, we have spent close to \$20,000 building the two sheds, and another \$15,000 and sweat equity in cleaning up after dorian, cleaning up after fiona, and planting new life with new plants and trees. Doubt that selling the property now will get back anywhere what we have invested.

38. May 25: (David to Dean and Cindy)

Please ignore these questions for now – as I learn more from others, I will be updating the list of questions for you.

I have spoken with Scott about septic, and I am trying to connect with both a shed-mover to see if that is even an option, as well as trying to connect with a septic contractor to see what those options and costs would be.

While our preference is to keep the lot, responses from these people and from you and others that we don't know yet, will determine our ultimate decision on what we do.

39. May 26: (David to Dean and Cindy)

Please accept this as our request to withdraw the application for our gazebo.

Regardless of which option we choose regarding the shed (move the shed off the property, destroy the shed and take it to dump, or build a cottage with septic), the costs associated with those options will prohibit us from being able to build the gazebo.

40. May 26: (Cindy to David and Dean)

We will cancel your Development Permit Application received February 24, 2025, for the proposed 12x16 accessory structure at Wootten Lane, Murray Harbour PID#835033.

41. May 27: (Scott to David)

You can hand pump the water and it would only need to be potable if you are going to consume it.

42. May 28: (David to Dean and Cindy)

I have some more questions (down below) to ask you about our options going forward.

To fill you in quickly:

- *we have been trying to find someone capable of moving the sheds off the property and who can give us a quote;*
- *we know that destroying the sheds and taking them to the dump will only cost us dump fees;*
- *we know that the very-best scenario for a septic will cost us a minimum of around \$12K, but could go up considerably based on a number of factors that we won't know until actual PERC test and then quotes are obtained;*
- *we are trying to get some information about the build-a-cottage option, however, we need to ask you for more information related to this option.*

First, though, I want to apologize for getting angry when we last met. While I have faced much-greater stresses in my life, the stress from this situation is hitting me harder than most.

Unfortunately, as you are in the customer-facing role representing the government, and we are angry tax payers, you get to hear our anger. I will try to keep my emotions in check in the future. However, please realize that we are not in the place to choose any good option, but are being forced to make the least-worst of only bad and painful options.

I have already shared our dreams of having a quiet place for family to spend some relax time, so I won't repeat that story for you. Not that it matters to you, but just so you know where our anger comes from:

- *Emotionally*
 - *the ability for us to purchase this land and build the sheds is because of my inheritance when my parents died - to see now that this gift could likely be ruined hurts.*
 - *To see our dreams of spending time as we wished are potentially ruined simply because we will no longer be able to store supplies (lifejackets, ...) on site, have a place to get out of bad weather or just have a nap, and not have a place to store equipment needed to manage the property ... and having to bring all of that stuff every time we go there, means the use of the property will likely be reduced*
- *Financially*

- *The investment we put into the property, cleaning up after dorion, cleaning up after fiona, building our sheds, is now potentially lost (shed to the dump, equipment purchased/rented for clean-up, ...)*
- *Given the shape of the area after fiona, the condition of neighbouring properties after fiona, the condition of Wootten Lane, the constant need (of other homeowners) to pester the roads people to maintain Gladstone - it would be impossible to sell the property to, at the very least, gain back the property purchase price, let alone everything else we have done to improve the environment*
- *While dump trips are the least financially expensive, any costs with moving the sheds, and/or building a cottage, will never be recoverable given the conditions I just mentioned - any dollars spent from this point will be the same as just throwing money away.*

We are also angry that, in trying to do the right thing, we feel we are being personally targeted while every day we see examples of owners who are appearing to be in non-compliance with various legislations and codes, and who are permitted to do so.

What makes me most angry, though, is that all of this situation is because of one poorly-written regulation (Regulation 1a) that allows for multiple interpretations; and that the interpretation you have means that we have these issues, and the interpretation we have would allow us to continue with our dream.

I am known by some as a "policy nerd". Throughout my career I have been writing policies and procedures for the organizations that I have led, and as a consultant/coach for other organizations. I continue to write policies and procedures in my retirement.

Given that you have said you need to follow the Act and regulations as you understand them, I will likely share my thoughts with those politicians and interest groups who have the power to make changes or lobby for changes. I will, however, share my early thoughts about them with you for your interest. These are only a sample of policies I have looked at, as they are likely connected to what we want in our property. In no particular order:

- *Regulation 1a: The definition of an accessory building: "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".*
 - *Cottages have sheds and gazebos, so our "sheds/buildings" would be consistent with the zoning of a cottage property*
 - *There is no mention in this regulation that a cottage needs to be built before, or if at all, any other buildings can be built*
 - *Looking to a higher level, the Planning Act:*
 - *The Act has several statements speaking to the Objects and the Provincial Interests in land management:*
 - *2c. To protect the natural ... environment*
 - *2.1.1.a ... protection, conservation and management of resource lands ...*
 - *2.1.1.b ... protection, conservation and management of coastal areas ...*
 - *2.1.1.c ... protection, conservation and management of ecological systems ...*
 - *2.1.1.p ... the adaptation of the ... natural environment to address the affects of climate change*
 - *There is some misalignment between these themes within the Act and this Regulation. In our case, I believe that our work in cleaning up after Dorion and Fiona, replanting new trees and other plant life that is better suited to the PEI climate and weather systems and encourages the return of wildlife, and living with only the small footprint of the built structures we currently have, is more in line with the intent of the Planning Act than the interpretation that you are providing where we would need to disrupt the land by installing septic and adding more built structures; and while not the same as your interpretation of the regulation, is still in alignment with that regulation.*
- *Regulation 1.m.2 "Open Space" means any outdoor amenity space for active or passive recreational use"*
 - *At first glance, this zoning would seem to be an option for us (kayaking, swimming, gardening, ...); however, knowing the challenge a neighbour has faced in having a property zoned as such, this definition is very misleading as it doesn't describe that the lot has to be available for all residents in the subdivision*

- *Regulation 1.q.1 "Recreational Use" means the use of land or buildings for passive or recreational entertainment, pursuit or sport, ..."*
 - *At first glance, this zoning would seem an option for us (kayaking, swimming, gardening, ...); however you have stated that it is not*
- *Regulation 6.1 Development Private Road "no development for any year-round use shall be permitted on a lot or parcel served by a private road"*
 - *Given all the examples of primary residences on private roads seen around the province, this regulation needs to be removed/revised*
- *Regulation 21.1 Lots not requiring water and sewage services: "where a lot is intended for any non-residential use where water and sewage services are not required for the proposed development, the Minister may approve an exemption ..."*
 - *While this is probably technically accurate, it is misleading - in our case, while we never intended to have a residential dwelling (although admittedly we have to now given the zoning), we could say that this applies*
 - *It also then raises the question, what are the options for non-residential use?*

Going Forward - Questions for you:

Also throughout my career, I have developed strategic and operational plans for organizations I have led and for others who I have consulted/coached. My planning-type head makes me want to gather as much information I can in order to make the most informed decision I can make about any situation where I need to make a decision. This is of course the same for deciding how I move forward with our property.

As part of any decision, we also need to consider the condition of our property including the need to move trees that we have planted; and/or the condition of Wootten Lane that may limit the ability for trades people to bring in machinery to do their work without having to cut down trees and/or re-grade the lane, which of course is owned by someone else, and that has many property owners along it.

Any information you can provide, in as much detail (given the regulations leave much room for mis-interpretation that we would want to avoid more of

going forward), would be sincerely appreciated. Keeping in mind, we want to keep our expenses as little as possible, and we want to have the least amount of disruption to the environment. However you wish to respond is fine with me - within the email, by phone, or in person. In no particular order:

- If we decide to proceed with the building of a cottage, or if we decide to remove/destroy the sheds, what are all the remaining process steps (what do we need approval for, what inspections might there be, what timeframes are involved, what services do we need,), just so we don't get more surprises?*
- PERC testing - while I believe right or wrong that the subdivision has had, and needs to have, PERC testing done that allows for development - given that we would need PERC testing done for our actual property, what would happen if the test results indicate that a septic system on our cottage-approved property were negative?*
- Reg 1.g.1.2 states that a cottage is included as a single-unit dwelling; and 1.g.1 defines a dwelling as a building, or portion of a building, designed, arranged or intended for residential use. Cindy, you mentioned in an email that we would require services such as septic and water; and in a call (I think) you mentioned that we would need a toilet and kitchen. So, what exactly are the services, elements or whatever you would call them, that would be needed in a cottage? And for each of these, are there any more specific details. For example, for a kitchen, we currently take up our water in a thermos/jug, and our food in a cooler - all we would need in a kitchen is a counter (which we currently have outside on a bench), but is there any requirement for something more?*
- As we understand the regulations, sheds under 215 sq ft do not require a building permit. I am assuming we would need another development permit? If we build a cottage, would a building permit be required? Would the cottage then be required to follow building regulations/codes regardless of size? And in our case, as a cottage would be defined as a dwelling, would we need to hire a contractor/builder and licensed trades people?*
- There is a regulation (31.2) that talks about the use of pre-fabricated homes. Is that an option for us? What is the actual definition for a prefab home - does it have to be built in a factory and delivered put-together? Does a shed sitting in the Kent parking lot and delivered*

count? Does a shed built in pieces in a factory and assembled on-site work?

- *Is there an option to split the cottage into two buildings - in our case, we could have the toilet in the small shed hooked to septic, while the larger 12x16 shed could be the kitchen and seating area?*
- *If the option to use our two current sheds is a possibility, would a building code/inspection be required because it is now considered a dwelling? While not required because of its size, we tried to build the sheds according to what we understand the building codes to be, we are not professionals. And if inspections are needed, we would likely have to dismantle certain parts for those inspections (while they are sheds, they are somewhat fancy with windows, vinyl siding, metal roof, fully insulated, finished walls and floors).*
- *We often see properties that have a travel/camper trailer with things like a fire pit, tent gazebo and other items that make it appear that is in one location for use of summer activities - whether nearby a home or as the only structure on a lot - we know of one example where the travel trailer is on a pad, has hydro hooked up to it, and has a permanent gazebo nearby - what exemptions have they been given, and/or what zoning do they have, that allows them to do this - and can we have the same options?*
 - *Purchasing a small trailer with utilities included would be much less expensive than building a cottage, and would disrupt the environment much less (with more alignment to the Planning Act purposes and interests).*
 - *Regulation 46.3 re mobile homes?*
- *We often see properties with only sheds/garages or large storage-type structures on them. What property zoning do they have, and/or what exemptions have they been granted, that allow them to do this? Essentially, the issue of having our two sheds on a property without a cottage and environmental disturbance would work.*

Dean and Cindy, thank you for reading this too-long email, and answering our questions. From this point forward, I am hoping that our communications will be less emotional with greater focus on moving forward.

43. May 29: (Cindy to David and Dean)

Here is the Development Permit Process information that is available for applicants:

44. May 31: (David to Cindy)

Is there a version of this document/guide for building permits? Thank you

45. June 2: (Cindy to David)

I am not aware of a version of that document for Building Permits but you can call them at 1-800-370-3977.

46. June 2: (David to lands division)

I am likely going to build a cottage. The development permit coordinator provided me with a document outlining the development permit process guide, suitable for general public.

Would you have the same thing for the building permit process?

47. June 3: (Lisa to David)

Please see the link below for your building permit application.

<https://www.princeedwardisland.ca/en/service/apply-for-a-building-permit>

48. June 3: (David to Lisa)

Thank you Lisa.

If I have questions, should I contact you or someone else?

49. June 3: (Lisa to David)

Yes, if you have any questions, please contact Lisa at buildingpermits@gov.pe.ca or call 1800 370-3977.

50. June 3: (Forwarded from David through Lisa to Justin and Trevor)

I recently received a document from the development permit coordinator that was a general-public-version of the development process. Would you have a similar version that outlines the building permit process?

51. June 3: (Justin to David)

The attached Pamphlet is probably what you are looking for.

- *Development is always first*
- *Building permits are in the context of Development approvals*
- *Building Permits come with drawings*
- *Plan review is completed to confirm NBCC compliance or actions*

- *Building Permit issued*
- *Inspections as per Building Permit*
- *Occupancy issued once completed*

That is approximately the outline of events.

52. June 11: (David to Lisa)

Thank you for helping answer these questions below, and/or re-directing them to the appropriate person.

I do have several questions, but first want to provide some context that may or may not help in answering the questions.

A few years ago my wife and I purchased a property zoned for cottage use.

Our intent for the property was to create a day-camp-like environment for our family to use to swim, kayak, relax. The following year, we built a shed to: store the play equipment (lifejackets, paddles, ...), to store the equipment we needed for property clean-up (shovels, clippers, rakes, ...), and to offer us a place to have cover for surprise rain and for bugs, and to change clothes when we swim/kayak. We live 40 minutes away, bring our food with us and take away our garbage, don't need hydro or any other utilities.

When we bought, we had lots of work to clean-up Dorion damage. Then, following Fiona, the damage to the property was extensive, but our intent for a day-park experience remained the same. Added though, following Fiona clean-up, was the opportunity to re-build the environment with plant trees/plants that would be much more suitable to PEI's weather and long-term health for both plants and the animals that travel the property.

In making an application for a gazebo this past spring, the development department has determined that, in order to keep the shed, an accessory building, we need to now build a cottage with septic. As we need storage to make use of the property, we then need to add the cottage/septic (or dismantle the shed and abandon the property).

In our mind, we would not be using the cottage for any other reason than to meet the requirement to have a cottage in order to keep our shed; noting that we may now use the toilet when we need to go pee.

Given the state of the subdivision, the damage from Fiona and the condition of neighboring properties in the subdivision, the state of the right-of-way, and who some of the neighbors are, we don't expect to ever recover what we

have spent to this point should we decide to sell the property when no longer needed by our family. Any additional costs incurred by building a cottage with septic would be even worse as lost dollars.

All to say, we are asking these questions, not to circumvent the regulations, but rather to determine (1) the least expensive option to meet the regulations, and (2) the option that will disturb the environment to the least extent.

Questions:

What are the minimum requirements to be considered as a cottage dwelling?

- *Are their minimum dimensions?*
- *The development coordinator said that all we need is a toilet and a kitchen counter, but ...*
 - *Do we need any utilities?*
 - *If there are any utilities, are there options to any of those utilities?*
 - *We currently bring in thermos/jugs with pottable water*
 - *we bring cold lunches with us so don't need hydro*
 - *The septic coordinator says we can use hand-pumped water from the well to the toilet*
- *Are there any other elements/features that are required?*
 - *Need for kitchen counter? Sink (we take our dirty lunch dishes home with us)?*
 - *Need for certain number of windows?*
 - *Need for certain designated spaces/sizes?*
- *Anything else that we need to consider when choosing a cottage option?*

What are the options for a cottage dwelling?

- *Can a prefab building be considered for a cottage dwelling?*
 - *What defines a prefab building (built in factory and delivered whole, built in factory but assembled on-site)?*
 - *Are there certain codes/designations of buildings to look for that meet building regulations?*
- *Can a travel trailer (or other forms of trailers/ mobile homes, ...) be considered as a cottage dwelling (they would certainly reduce the disruption footprint on the property, especially if their septic needs could be addressed by on-board waste management)? We certainly*

see lots of examples of these trailers being used on other properties on the Island ...

- *If a travel trailer is permissible, are there certain codes/designations to look for that meeting cottage dwelling regulations?*

I think I understand the process for gathering information before submitting permit applications given what you have provided, but, is there anything else we should consider as we think through our options?

Thank you Lisa for answering these questions, and/or forwarding them as appropriate. I am sure that there will be further questions, but this should help us determine what we can or cannot do.

53. June 11: (Lisa to David)

What part of the Island is this in?

54. June 11: (Lisa to Eugene and David)

Can you answer any of the below regarding development.

If there are further questions for building, I will forward to the appropriate BO for Building Code inquiries.

55. June 12: (Trevor to David)

David, I see most of your questions are development related and not building code. Please contact Development for their response

A building that meets the national building code 2020 edition would be required. This can be a certified manufactured home or site built. Potable water is required by well or public utility or sewage system or connection to local services is required.

There are no seasonal dwellings as they all must meet the energy code and be ventilated with a HRV. The building can rest on a foundation, frost wall, engineered slab or piers, columns or blocks on a gravel pad, the design is up to you. Construction plans that show the floor plan, elevations and section details are required and must be suitable to understand. If you are unable to provide suitable plans, then you must consult with draftsman.

You can submit the site plan and construction drawings to development and building permits at the same time, but it is 2 separate applications that are required

56. August 18: (Cindy to David and Dean)

It has been a few months since we last communicated so I am doing a follow up to see what you have decided in terms of bringing your property on Wootten Lane into compliance. Thank you.

57. August 19: (David to Dean and Cindy)

We have not made any decision yet.

We are still trying to gather information that is detailed enough, and consistent (non-conflicting) between multiple sources, from government personnel, government and private documents, and private companies, that will allow us to make an informed decision(s).

As we gather more information, we have more questions. We can send these to you in addition to the outstanding questions we have not yet had a response to (sent to you in emails May 22 and May 28) if you like.

58. August 20: (Dean to David and Cindy)

Did you receive the Development Permit Process guide, the information in that booklet should answer most of the questions regarding your development.

Your property is still in non-compliance. I thought we were clear with what needed to be done at our last meeting but if not we are willing to set up another meeting.

Please contact Cindy or I as soon as possible to set up another meeting.

59. August 20: (David to Dean and Cindy)

Yes I understand that you have stated that we are not in compliance and that we need to either remove the sheds or build a cottage.

From there, given that we need to find the least expensive way and preferably the least environmentally invasive way to meet your needs, we run into both a lack of or inconsistent information about what constitutes a cottage.

I will put together a full list of all the questions and confusing responses and bring that to a meeting as you request.

I can meet any time this coming week (week of March 25th) - let me know when... if not that week, I am likely available any time in the following weeks

60. August 20: (Cindy to Dean and David)

Would Wednesday August 27th at 10:00 am work for you?

61. August 26: (Cindy to David and Dean)

The meeting tomorrow will be on-site at 10:00 am at your property at Wootten Lane. We will be in that area doing site visits. Take Care

62. August 27 (David, Dean and Cindy)

Meeting with Appellant, Senior Development Officer and Permit Coordinator. The meeting was held at the property of the Appellant. The Senior Development Officer answered many of the outstanding questions, those related to development activities. However, the appellant was referred to the Building Official for any questions related to building activities.

The Senior Development Officer responded:

- i. For the development permit, the very minimum (remaining) requirements are that the appellant add a septic system*
- ii. That a dwelling needs cooking and toilet facilities*
- iii. Yes the building can be only one room*
- iv. No there is not a minimum size requirement for the building*
- v. Yes we could use existing buildings (may consider a building permit with a limited inspection)*
- vi. Ask building official if toilet can be in a separate building*
- vii. (regarding upgrades to Wootten Lane if needed to accommodate the provision of services to property) typically the people who use the right of way are responsible for paying for the costs*
- viii. (regarding the ability to move the sheds off the property) if a trailer is going in and out, then it should be OK for the shed to be moved*
- ix. If the cottage is built, the build will not trigger any additional costs to the appellant re municipal services*
- x. There are no exemptions that allow for sheds to be used on properties without utilities*
- xi. There are no exemptions that allow for compost toilets*
- xii. There are no exemptions that allow for a port-a-potty*
- xiii. At one time travel trailers were permitted; an owner can get a permit for a maximum 120 days to be used while building; there may be a change in the future where travel trailers can be used on a property again, however it will still need a septic system*

63. August 28: (David to Trevor, Dean and Cindy)

I met yesterday with Dean Lewis and Cindy MacMillan to discuss our development permit.

As I mentioned before, we have two sheds/buildings (both under 215 sq ft) on our property zoned as residential summer use only. We are happy with what we have now, with these sheds that help us use the property as we want, mainly for a day-camp-like experience/activities.

Dean said that, because of the zoning, we need to add a septic system in order to have the development permit approved.

Before we proceed with installing a septic system, Dean recommended that we connect with you to find out the very minimum we would need to do in order to bring either/both of the current buildings to a standard that would satisfy you and any building requirements.

I am happy to meet with you at the property if you wish, if that helps in providing us with details (just give us a day or two notice so that we can adjust anything else we have in our schedule). I am also happy to answer any questions through email.

64. August 28 (Trevor to David)

You want to turn a shed into a residential dwelling?

You will need to provide construction details for walls, floor, roof with insulation values and floor plan

Start with that along with your building permit application and I will review both and reply back if there are any issues.

65. August 28: (David to Dean and Cindy)

Keeping you in the loop with Trevor's response - I'll now work on getting as much information about what we did to give to Trevor.

66. September 1: (David to Trevor, Dean and Cindy)

I have attached some information based on what I have now.

As I mentioned earlier, we are happy with what we have now. So that any work we do from this point is to satisfy both Dean and the development department, and you and the building department.

The first question is about what I need to do in terms of identifying a building as the primary structure:

- Can I use one of the current buildings as the primary structure as it is now?*
- Can I use one of the current buildings as a primary structure with renovations?*
- Can I use one of the current buildings as a primary structure if I add more space to it with the requirements included?*
- Do I need to build a new structure?*

The second question, as I tried to ask earlier ... what are the very minimum requirements/elements I need to have in a primary structure (cottage dwelling) to meet your requirements for a summer-use only building.

Once I have some clarity, I will hopefully be able to decide what I will use as a primary structure, what I need to include as part of that structure, where I will place septic ... and then I will be able to submit a complete building application ... or if the requirements are too expensive, whether I will have to remove the current buildings and sell the property.

67. September 2: (Trevor to David, Dean and Cindy)

You do not have a Building Permit application in for review, and you have no Development Permit approval, correct?

Decide what you doing, and straighten your property out with Development first.

Any building not previously approved or accepted must meet NBC 2020 requirements.

68. September 2: (David to Dean and Cindy)

This is very frustrating - so now what do you recommend?

I am not getting answers to the simple questions (those I have asked and others you suggested I not ask yet) I need from Trevor to make an informed decision.

I don't suspect a loans officer would say yes to "I need a loan between 20,000 and 200,000 for I don't know what (that I don't want) and that I suspect would

be considered a lost investment" (let alone being able to afford it in the first place).

If I need to go through the National Building Code (1500 +/- pages) plus all the other codes and regulations for PEI and for different trades, I am still not sure that I would get answers to what I need to have in place (they may tell me how to do electrical for example, but not tell me if I need to do it). But if this is the case, then I will need time to review.

Even if I get answers, they are still open for interpretation:

- Trevor said in an earlier email that "there are no seasonal dwellings as they all must meet the energy code and be ventilated with a HRV" - so when I checked specifically about HRV, the national building code (2015) said that there is an exemption for cottages.*
- And then there is the PEI subdivision regulation 1a where you and I have interpreted differently.*

I don't want to submit an appeal that may or may not help me, but will create work for you and create ill-will between us, and will just extend this process even longer. However, if I need to continue to research options by going through all the possible codes/regulations that may apply, I will need more time.

All to say, what do you recommend as my next step ?

69. September 8: (David to Dean and Cindy)

I couldn't find on the website - can you please send me a list of the qualified site assessors and qualified engineers.

(Note that Cindy did respond same day with a link to the list)

70. September 8: (David to Dean, Trevor and Cindy)

Further to earlier emails and conversations, regarding our property on Wootten Lane, and before I proceed with all the paperwork, I wanted to ask you to confirm that our proposed plan will meet with your approval (realizing that paperwork, any required inspections, PERC and all those steps are still needed).

We would like to build a new building, to be identified as our primary dwelling unit, approximately 7 feet by 8 feet, that will house our toilet and sink, and will be connected to a new septic system.

Our current accessory building will remain as an accessory building. We may or may not proceed with another accessory building (gazebo-type building) as we had originally hoped.

Once you confirm that this is OK, I can proceed and file appropriate paperwork and proceed through all of the next steps. If this is not OK, please let me know what is missing from this plan.

71. September 14: (David to Dean, Trevor and Cindy)

Having not had a response to the email question (below), I have gone ahead and written up my development and building applications (attached) for submission.

Dean and Cindy, this will be the indication that I will proceed with adding a primary building (with septic) to the property rather than removing the current buildings.

Dean and Cindy,

I am including 3 development permit applications:

- *Application for "accessory building 1" - this is an updated application that would replace the one currently in for your review/approval*
- *Application for "accessory building 3" - this is a new building, however it would be an update to the earlier development permit that I withdrew for a gazebo - I am hoping that you will use the fee that I have already paid for the gazebo but was never refunded, for this one*
- *Application for "primary building 4" - this is the new building that will be identified as the primary building for the property (and will have the septic system attached to it)*

Trevor, I am including one building permit application:

- *You will find a building permit application tied to "building 4" (development permit application above) - this building is the new addition to the property that will become identified as the primary building, and will have the septic attached.*

Also, in reviewing every piece of relevant acts and regulations that I could find to answer my previous questions, I have attached an information sheet outlining what I found. This is all related to identifying the minimum requirements for a dwelling on a property zoned for summer cottage use.

I realize in the near future I will need to arrange for a PERC test before getting a septic system in place; however I would appreciate some indication that the plans above will work before I pay for a PERC that may or may not be in the right place if the plan above is not approved.

Awaiting your responses regarding approvals and/or next steps.

72. September 21: (David to Dean, Trevor and Cindy)

Cindy/Dean, I notice on the permit-status-website that the decision has changed to "analysis"- so things seem to be moving forward - thank you.

Please let me know when I should go ahead and arrange for a PERC (not sure the waiting times to get this done?). And let me know of anything else I can do to move this forward.

Trevor, I haven't heard anything from your department? If the process is the same as for development permits, should I be getting a contact soon (and making a payment)? Please let me know what I can do to help move this along.

73. September 22: (David to landsdivision@, Dean, Trevor and Cindy)

Hi, (building permit application email)

Please find attached my building permit application.

Note that I have had a couple emails with Trevor Eisnor about this application... he may have already started to process it?

74. September 26: (Dean to David, Trevor and Cindy)

All the change of status of your development permit means is that we are reviewing the new information you provided. I believe there are still significant challenges with your proposal. We will update you when a decision is made.

75. September 26: (David to Dean, Trevor and Cindy)

I'm doing the best I can to determine what you (collectively) need - if I am not quite there yet when you update me about your decision, I ask that you provide more details about the significant challenges and how I may address them

76. October 22: (David to Dean, Trevor and Cindy)

Now that we are into our 6th week since I submitted my applications, I wanted to check on the progress of my applications. Anything I can be doing to help move things along?

77. October 22: (Dean to David, Trevor and Cindy)

Your lot is approved for summer cottage use, which is a single unit dwelling. A single unit dwelling is a self-contained housekeeping unit with cooking and toilet facilities. The toilet facilities must be attached to an approved septic system. Please clearly demonstrate how your proposal contains a housekeeping unit with cooking and toilet facilities in one building. The building will need to meet the standard found in the Building Code.

When the dwelling unit is established on the land as the main use, we can then consider accessory buildings such as sheds and gazebos.

78. October 22: (David to Dean, Trevor and Cindy)

Once again I am confused and am left guessing at what you think is missing

...

The submissions I made on September 14th indicated that:

- I would add a new building, building #4, that would be identified as the primary building
- This primary building would have the toilet and kitchen counter/sink that you said I required
- If you need something added to cook with, we can pick up a small cooktop of some kind
- And in the submissions, I indicated that the toilet, sink and a roughed in shower (for potential future use - just easier to plumb at the same time) would be connected to a septic system
- The building would be built to NBC, noting the document I provided indicating the options for utilities in a summer use building.

Please be specific on what else you would like.

79. October 23: (David to Dean, Trevor and Cindy)

And further, for clarification, are you saying that you are not going to rule on the sheds and gazebo until the primary building is actually built?

80. November 3: (David to Dean, Trevor and Cindy)

Checking in again to see if you are able to:

- *Provide clarification on the details you are asking for - I would assume the inspector would be able to confirm that I built to code - are you asking me to provide some reference to everything I have provided (e.g. For the floor joists, if I say 2x6 at 12" o/c, do you want me to reference the span tables?)*
- *And can you please clarify - are you saying that you will not make a decision on the sheds and gazebo until after the primary building and septic are built and in place?*

81. November 6 (David to Dean, Trevor and Cindy)

Having had no response to my emails sent on October 23 and November 3, I am again requesting a response to your statement: "when the dwelling unit is established on the land as the main use, we can then consider accessory buildings such as sheds and gazebos." Please clarify, does this mean that the dwelling unit actually needs to be built with septic... before you will consider making a decision (that may be yes or no) for the sheds and gazebo?

Having no response to my emails sent on October 23 and November 3rd regarding your request for more details on my application to build a dwelling unit and my request for more details/direction on what you are requesting, I have developed a document (attached).

This document is the result of my best guess at what you are asking for: information that I have already provided you, linked to information within the NBC, demonstrating that I intend to build to NBC code. As a reminder, our conversations/emails have been about identifying the minimum requirements to have an application for a dwelling unit approved. If there is something more you need, or something different you want, or if there is something you don't agree with, please let me know in detail.

I have to say this seems like a ridiculous amount of work when the actual compliance will be determined by inspectors. It is easy to see why so many people have told me to avoid asking for permits given this work that everyone has to go through.

When you respond next time, I ask that you please consider providing me with enough details about what you need or want so that I don't have to keep guessing.

82. November 17: (Dean to David, Trevor and Cindy)

David as discussed, please see further confirmation.

Septic

Have you had your site assessment and registered septic documents completed? as discussed, this is the next step. We will need the documents to determine what area of the lot is available for development before we issue the permits.

Single Unit Dwelling

As discussed the main building on the lot must be consistent with the approved use of the lot, in your case, your lot is approved for 1 summer cottage which falls under our definition of Single Unit Dwelling.

"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,

"dwelling unit" means one or more rooms used or intended for domestic use of one or more individuals living as a single housekeeping unit with cooking and toilet facilities,

The main use must be established before an accessory building can be built. All accessory buildings must be associated and consistent with, as well as ancillary and subordinate to, the main building already existing on the parcel.

83. November 18 (David to Dean, Trevor and Cindy)

Frustrating, but here we continue ...

Your first statement about PERC/septic gives me some hope that, identifying this as the next step, that you are in agreement with my submission for the cottage building. But then the next three statements (repeating the definitions and adding another statement with new language) questions whether or not you are actually in agreement with the submissions.

Add in the history of not responding to questions and/or not providing clear and consistent responses, I am very cautious. As a reminder, we bought the property to enjoy as a day-camp ... we built the sheds to support us in doing that ... you have said that we need to build a cottage ... we have talked about identifying the minimum requirements to do so ... but to date I don't have clear and consistent responses about what those requirements are.

The only reason we are building a cottage is to satisfy your need to have it on the property. If after we build this cottage, you decide to not approve the

sheds for storage, then the whole purpose of this exercise has been missed... we will have a cottage that we don't want but need to allow us to keep the sheds, but won't have the storage sheds that we do want to support our activities on the property. I don't have an unlimited amount of money available to invest ... I certainly don't have money to waste in trying to guess what you want ... I don't know how much this will cost because I don't know all that you require ... and remain frustrated.

Septic - No I have not had a PERC done yet ... I have asked you when I should do so ... so thank you for finally responding. However, I remain concerned about doing a PERC unless you can confirm that (a) you are in agreement with the building application for the cottage, and (b) that you are in agreement that, assuming the PERC is acceptable, the septic field can go where proposed. I don't want to pay for multiple PERCs until I know I am done with trying to determine what you want in a cottage, especially if I need to build something different in a different location.

You have repeated the definitions, and have added a statement with new language about the sheds being ancillary and subordinate to the cottage. So, if the cottage as proposed meets the requirements you have for a dwelling, and the sheds do not meet those requirements, does that not mean that the sheds are ancillary and subordinate to the cottage? Do you have an issue(s) that you are trying to address by including these statements? If not, why can't you approve the current sheds and gazebo (pending the completion of the cottage dwelling)?

If you are not OK with my proposed cottage as submitted, I again would request details to what you don't find suitable and what I need to do differently. Simply repeating the same definitions without your interpretations/opinions/specifics does not help me know what I need to do to satisfy you, and doesn't help any of us come to some resolution. Having to guess at what you want through creating multiple documents, or through any future applications/submissions for another version of a cottage that may or may not meet your need, is tiring for all of us.

So, trying to keep this simple, and trying to avoid complications down the road, and before I go ahead with the next step of having a PERC done:

- 1. Are you in agreement with the cottage building as submitted?*
- 2. If you are not in agreement with the cottage building as submitted, what needs to change? And what options exist to make those changes (revise my current cottage submission, start a brand new cottage build submission, renovating my current shed ...)?*

3. *Are you in agreement with the current sheds and gazebo as submitted, pending the completion of the cottage as submitted? What are the reasons you would not approve the sheds/gazebo as submitted once the cottage is built as submitted?*
4. *NBC says that plumbing is only required where there is a piped water supply - as there is not a piped water supply, please confirm that I don't need plumbing. ... and/or, since you say that I need a toilet and septic, please confirm that this is the only plumbing I need (or tell me what else I need)*
5. *NBC says that electrical facilities are only needed where there are electrical services, so as there are no electrical services, please confirm that I don't need electrical facilities*
6. *NBC says that electrical facilities are only needed where there are electrical services, so as there are no electrical services I don't need electrical facilities ... however, since you have stated that I need cooking, and since I need to have cooking in the building (which rules out barbecues or camp stoves) please indicate my options (e.g. battery-operated hot plate, ecoflow/bluetti powered hot plate) that would satisfy your requirement to have cooking where there is no electrical service.*
7. *Your definition includes the term "housekeeping" unit. NBC seems to indicate that those features are optional. Please confirm if there are any other housekeeping features (besides toilet/septic and cooking) that I need to include.*

Once I have your responses, then I will consider my next move.

84. November 18 (Dean to David, Trevor, Cindy and Eugene)

We have the application for a building with 2 beds that we received March 10/2025. Your lot is approved for Residential Single (Summer Cottage) use. After visiting with you in the building and seeing the makings of a kitchen (cupboards/counter) I believe if you were to add a bathroom to the building and attach it to a septic system, I could issue the Development permit.

Building an 8 x 10 that includes a toilet and kitchen with the intent of calling it a dwelling unit is not in keeping with the intent of the regulations.

Its unfortunate that you proceeded with building the existing structures without permits. I am trying to find the easiest way for you to now bring them into compliance.

The season for performing perc tests is coming to a close for 2025 and the season will be closed for the winter.

85. November 18 (David to Dean, Trevor and Cindy)

OK ... so ...

If I add a toilet into the existing 12x16 shed, connected to a septic, then you'll approve a development permit?

And if I do that, I don't need to add any other services/features (as I asked about in the earlier email)?

And what happens to the building permit - will I get inspected/approved using the existing shed as you recommend?

And if I do this, will that then work for the gazebo application? And then I will have to figure out what to do for the storage that I am losing.

I'll go ahead with arranging a PERC test based on a reno to the current shed.

86. November 18: (Dean to David, Trevor, Cindy and Eugene)

We need a development permit application completed for a dwelling unit including perc test and septic documents. We will process the application when we have the information. When the dwelling unit is complete, we can then consider any appropriate accessory buildings. The building officials can help with the Building Permits.

87. November 18 (David to Dean, Trevor and Cindy)

Dean, I will work on another development permit based on using the current building .. And then get PERC and septic figured out ...

Trevor ... if I follow the plan as being recommended by Dean, what do I need to do for getting a building permit approved, and an inspection completed and approved, for using my current shed as the designated cottage?

And sorry, I have very little trust given all the changing expectations along the way, so anybody who can answer/confirm/clarify ...

1. I do not need electric services and utilities/facilities - correct?

2. *While NBC says I do not need any plumbing, you do require that I need a toilet connected to septic, but nothing else related to plumbing - correct?*
3. *You have used the term toilet up until now, and then have now used the term bathroom - so is a toilet OK as you have been indicating, or do you now need something else included?*
4. *While NBC says that I do not need electric facilities (including cooking), you do require me to have something to cook on - given there is no electric power, given that you said that we can't use something outside to cook on such as a barbecue, and given that we take cold lunches and don't need to cook anything - what are our options for meeting your need for us to have something to cook on?*
5. *According to NBC and to your septic coordinator, I can bring potable water from home to drink/clean, and I can use water from rain or our well to drop into the toilet - correct?*
6. *There are no other features/facilities that I will be required to include in the cottage other than a bed - correct?*

88. November 29 (David to Dean, Trevor and Cindy)

Please find attached my most recent, and hopefully final, development and building applications. These applications are based on Dean's recommendation to change the use of the shed to the primary (cottage) building.

PLEASE NOTE - there is a small window of time when septic can be installed now, while the ground is hard enough for the heavy equipment to not damage Wootten Lane as much, and while the ground is still soft enough to dig. Depending on your approval time, I could have the septic in shortly, or will have to wait until the ground is again suitable (later next year?).

PERC was completed on Monday Nov 24th. Dean, I know you said you wanted the PERC/septic paperwork submitted with these applications - but Mike (King's County Construction) said that he normally submits it directly. I asked him to send me a copy so I can forward to you, however you may see the paperwork as submitted by Mike before I get a copy to you.

Trevor, I am assuming that, once you approve the application, I will start with a limited inspection (not sure that's the right term) - I would want to know that the current building is suitable, or near suitable, before I go ahead with the addition of a toilet and the septic system install.

Let me know what else, if anything, I need to do.

89. January 16 (2026) (Cindy to David and Dean)

We have received the Site Suitability Assessment (perc test) for your property and would like to have a meeting to discuss the next steps. Would you be available to meet at the office in Montague on Wednesday, January 21, 2026 at 3:00 pm?

90. January 16 (2026) (David to Dean and Cindy)

Not sure what there is to discuss ...

We have submitted development and building applications based on your recommendation;

We have submitted multiple/additional information as you required;

We have had the perc test done as per your direction;

The environment on-site scan was done last spring as per your process;

So we are expecting decisions at some point on the applications.

But yes, if you need to meet again, I can be there next week.

91. January 16 (2026): (Cindy to David and Dean)

Great, we will see you Wednesday, January 21, 2026 at 3:00 pm at 41 Wood Islands Road, Montague.

92. Meeting January 21 (2026): (David, Dean and Cindy)

In-person meeting with the Appellant, the senior development officer and the permit coordinator. The meeting was held at the request of the government to determine which application would move forward.

- *The applications that the government did not like were removed; the applications related to the gazebo/sunroom were removed with the option that the Appellant could re-submit them after a toilet and septic system were added with connection to the current larger shed.*
- *The government said they would go ahead and process the applications for the upgrades to shed one, and shed two.*
- *The government said that they would now forward the building permit application to the building department, who do not consider any applications until the development department approves the development permit.*

93. January 22 (2026):

Please see the attached Development Permit Approval for your records. You can contact 1-800-370-3977 or email buildingpermits@gov.pe.ca to check

the status of your Building Permit. Feel free to reach out to me if you have any questions.

94. January 22 (2026): (David to Trevor)

I had a meeting yesterday with Cindy and Dean, who said that they would go ahead with processing my development permit, and would forward the building permit to your department. I am assuming that it will come to you as you have been copied all along regarding my property at their recommendation.

You already have a copy of the building permit - I sent it in an email to you on November 29, 2025.

I noticed this morning that the permit status has been updated to say approved.

PID 835033, Permit # 2025-0024

First Questions:

- *Approximately how long will it take to have the building permit approved?*
- *How will I know that it is approved (or not)?*

The permit application is to upgrade a current shed to include a toilet and septic system. I am assuming that, because the shed is already existing, I will need a hidden/limited inspection (if that's what you call it) ... I want to be fully aware of what I am committing to, especially if upgrades are needed to the shed to meet inspection requirements, as soon as the process allows.

Second Questions:

- *Do I need a limited/hidden inspection?*
- *How long does it take to arrange that to happen after the building permit is approved?*
- *Given that the property/shed is on a 3-season lane, with a potential of walking 1200 feet through the snow, do these inspections happen in the winter or do I need to wait?*

95. January 22 (2026): (Trevor to David)

I don't accept applications, you need to contact Buildingpermits@gov.pe.ca and determine if your application is in the queue.

96. January 22 (2026): (Marilyn to David)

Please see the attached Development Permit Approval for your records. You can contact 1-800-370-3977 or email buildingpermits@gov.pe.ca to check the status of your Building Permit. Feel free to reach out to me if you have any questions.

97. January 22 (2026): (Trevor to Lisa)

I don't see any application with this PID or his name? David Webster

98. January 22 (2026): (Lisa to David and Trevor)

The approved permit would be your development permit as we do not have a building permit application from you processed and paid for. Without payment, your application is not processed and entered into our system.

All building permit applications are required to be sent to the buildingpermits@gov.pe.ca email address.

The previous application was sent to Trevor Eisnor who forwarded it to Cindy. I did review the original application, and we still require further plans: elevation measurements, foundation plan, and a site plan. You can use the site plan provided for your development permit application.

Once you have all documentation, please forward the complete application with all plans to buildingpermits@gov.pe.ca and I will review. Once I have reviewed the application, I will forward to our intake team for entry and payment. Trevor will then complete a plan review and send approval.

99. January 23 (2026): (David to permits@ and Lisa)

I am submitting a building permit application.

The development permit was approved earlier today.

The development people had a building permit application that they said they would forward to you.

At Lisa's request, I am providing this version of the building permit application, updated given her request for additional information. (attached).

As well, Marilyn has accepted my payment (I have attached payment receipt).

100. January 23 (2026): (Lisa to David)

If you could please forward me the approved development permit and I will attach that to your application also.

I have forwarded your application to intake, and they will be in touch shortly for payment.

101. January 23 (2026): (David to Lisa)

Here is the development permit.

Marilyn called me yesterday for payment – here is the receipt.

102. Email January 24 (2026): (David to IRAC):

I will be submitting an appeal notice in the near future, and just wanted to clarify: Can I submit by email with a link to a document on one-drive (the file is too large to be an attachment)? If I submit by email, do I still need to provide 6 copies?

103. Email January 26 (2026): (Michelle to David):

In order to properly answer your questions below, can you please advise that type of appeal you are filing?

104. Email January 26: (David to Michelle):

It will be under the planning act appealing a development permit.

105. Email January 26 (2026): (Michelle to David):

To file an appeal of a decision under the Planning Act we would initially only require the attached form with the decision letter you are appealing.

Your email indicates that the material may be too large to email, if that is the case, we would ask that you send via xxx. The electronic filing is sufficient. Please also ensure that you have provided an electronic copy to the decision maker.

If you have any further questions, you can give me a call.

106. Email January 28 (2026): (David to the Minister Housing - 2 email addresses):

Mr. Deagle, I will be submitting an appeal. The appeal file is too large to be an email attachment. Would you accept if I submit an email with a link to the file in one drive? If not an email link, do you require a hardcopy? If yes, how many and delivered to where? Or do you have another way to electronically accept a file?

107. Email January 28 (2026): (David to Jewel, cc Minister):

Request as below please and thank you.

108. January 29 (2026): (Trevor to David)

The following information is required concerning your recent Building Permit Application.

1. *If this is a seasonal dwelling only then remove the insulation and vapour barrier from the details.*

2. *If this is to be used year-round then confirm and provide new section details:*

A. *the suitable R-values for the walls at R24, Roof (if no ceiling joist) R28, Floor R28.*

- Exterior walls would require furring to ensure R24 is met or spray foam can be used.

B. *Mechanical ventilation or an HRV is to be installed along with either exhaust for bathroom and kitchen area or booster switches for both.*

3. *For this to be approved as a residential dwelling, potable water must be provided on site or by agreement from adjacent property and be connected and running at time of inspection. See NBC 9.31.3.1*

4. *The 2x6 Roof Rafters at 16" o/c, appear to over spanned, with maximum permitted span of 10ft 5inches approximately. Provide new detail for roof showing span, dimension lumber to be used and spacing of rafters. Engineered Trusses can be used, but you will need to provide Truss lay-out and Shop drawings.*
5. *I am unsure as to what a 6x10" beam means? Conform description of size? It is a 4ply 2x10?*

109. January 29 (2026): (David to Trevor, Dean and Cindy)

This is very frustrating, but here goes ... Trevor:

1. **Yes this is a seasonal dwelling:**
 - a. *The application states "zoned summer cottage use" ... and as a reminder, we are using the property as a day-camp location and need the shed for storage of tools and recreation equipment. Our intent was to not ever have a cottage, but are doing this at Dean's direction.*
2. **This is an existing shed that is being re-purposed,** as the application states "change of use of existing structure". The description details and elevation pictures are of the existing structure.
3. **This development and building proposal was based on the recommendation of Dean** that the best way to move forward with having a dwelling on the property (that we don't want) that meets the very minimum for both the development and building departments, was to re-purpose the existing 12x16 shed. Based on Dean's recommendation, I have gone ahead with having a PERC completed which led to his approval of a development permit, and have gone ahead with payment for a building permit also based on his recommendation. This is money we have spent at Dean's recommendation.
4. **As a summer-use structure, insulation is not required, but it is not forbidden either:**

As I provided you in documents in September and November:

 - a. *"... NBC Notes to Part 9:A.0.1.1.1 (1) ... cottages intended for use only in the summer and which, therefore have no space heating appliances, would not be required to be insulated" ... and*
 - b. *"NBC Illustrated Guide Table 9.1.A If there is no heating system, so thermal insulation is required (Article 9.25.2.1).*

Please confirm if you require me to remove the insulation from the shed (currently in floor, walls and roof).

4. **There have been multiple conversations and emails about the requirement for potable water.** Even if there was a near-neighbor (which there is not), I have already provided you with information in September and November that states I don't need it:

a. "NBC Illustrated Users Guide 9.31.4.2: not every house is connected to a piped potable water supply ... houses are permitted to be without piped water, provided that an alternative source is available to provide suitable drinking water. In such cases, the only practical alternative may be to transport potable water to the dwelling unit. Such cases are relatively rare but, when they occur, the requirements for providing fixtures for sanitary purposes are waived".

B. NBC Illustrated Users Guide Table 9.1.A If there s no piped water supply, no plumbing fixtures are required (article 9.31.4.1)

C. NBC Illustrated Guide also says that if there is no piped water supply, then no plumbing fixtures are required (so is a septic system a plumbing fixture)?

D. And an email from your septic coordinator also stated that potable water is not needed for a septic system.

E. And Dean signed off on a development permit where I stated that potable water would be brought from home if needed.

Please confirm your expectations for having potable water.

5. **Roof rafters.** Keeping in mind that I am not a trades person, I did my best to calculate the roof joist requirements for a shed, which at the time of building, was only meant for storage and was not intended to become a cottage dwelling. However, I went with the following calculations ...

- A. Based on the front and back wall heights, and the level floor space, the span (distance on ground between walls) is 138"
- B. Based on the same calculations, for the graded roof, the span is 143"
- C. Based on 2x6 @16" o/c,
 - a. span table 9.23.4.2F says 192" (fir)
 - b. Span table 9.23.4.2.F says 181" (pine)
 - c. Span table 9.23.4.2.D says 152" (fir)
 - d. Span table 9.23.4.D says 144" (pine)

Please confirm if the spans are not correct and what reference you are using.

Please confirm that, if the spans are not what you expect, that I will need to remove and rebuild my roof.

Please confirm that you want me to hire and pay for truss lay-out and shop drawings from a professional for something that is already built.

6. 6x10 beams: These are 3 pieces of 2x10 nailed together (my apologies for how I wrote it).

110. Email January 29 (2026): (Trevor to David)

See responses below

1. *Yes this is a seasonal dwelling:*

- a. *The application states "zoned summer cottage use" ... and as a reminder, we are using the property as a day-camp location and need the shed for storage of tools and recreation equipment. Our intent was to not ever have a cottage, but are doing this at Dean's direction.*

To be used as a residential dwelling you will need a kitchen area with a sink and counter. No appliances no issue.

2. *This is an existing shed that is being re-purposed,* as the application states "change of use of existing structure". The description details and elevation pictures are of the existing structure.

Existing buildings are not automatically approved for building code if you are changing the use. A shed does not become a residential dwelling without NBC compliance. Some allowances may be made based on the construction?

3. *This development and building proposal was based on the recommendation of Dean* that the best way to move forward with having a dwelling on the property (that we don't want) that meets the very minimum for both the development and building departments, was to re-purpose the existing 12x16 shed. Based on Dean's recommendation, I have gone ahead with having a PERC completed which led to his approval of a development permit, and have gone ahead with payment for a building permit also based on his

recommendation. This is money we have spent at Dean's recommendation.

You must have residential dwelling on the property before other accessory buildings, is that correct?

4. As a summer-use structure, insulation is not required, but it is not forbidden either:

As I provided you in documents in September and November:

a. "... NBC Notes to Part 9:A.0.1.1.1 (1) ... cottages intended for use only in the summer and which, therefore have no space heating appliances, would not be required to be insulated" ... and

b. "NBC Illustrated Guide Table 9.1.A If there is no heating system, so thermal insulation is required (Article 9.25.2.1).

Please confirm if you require me to remove the insulation from the shed (currently in floor, walls and roof).

This building would be used a seasonal dwelling and no heat source will be provided as it will not meet the energy code requirements. Insulating indicates to us that you will be using this as a normal residential dwelling and thus would require proper insulation values and vapour barrier with mechanical ventilation.

If you choose to apply spray foam or rigid insulation in the wall, floor and ceiling to whatever level you want, that is up to you (No batt insulation and no vapour barrier is to be applied without mechanical HRV unit), BUT it will not be accepted in the future if you choose to change this to a year-round occupancy. This must not be shown on the plans as this does not meet seasonal approved dwellings which are not insulated.

4. There have been multiple conversations and emails about the requirement for potable water. *Even if there was a near-neighbor (which there is not), I have already provided you with information in September and November that states I don't need it:*

a. "NBC Illustrated Users Guide 9.31.4.2: not every house is connected to a piped potable water supply ... houses are permitted to be without piped water, provided that an alternative source is available to provide suitable drinking water. In such cases, the only practical alternative may be to transport potable water to the dwelling

unit. Such cases are relatively rare but, when they occur, the requirements for providing fixtures for sanitary purposes are waived".

B. NBC Illustrated Users Guide Table 9.1.A If there s no piped water supply, no plumbing fixtures are required (article 9.31.4.1)

C. NBC Illustrated Guide also says that if there is no piped water supply, then no plumbing fixtures are required (so is a septic system a plumbing fixture)?

D. And an email from your septic coordinator also stated that potable water is not needed for a septic system.

E. And Dean signed off on a development permit where I stated that potable water would be brought from home if needed.

Please confirm your expectations for having potable water.

You are expected to have potable water, not wanting to drill a well does not omit this requirements. See 9.31.

5. Roof rafters. *Keeping in mind that I am not a trades person, I did my best to calculate the roof joist requirements for a shed, which at the time of building, was only meant for storage and was not intended to become a cottage dwelling. However, I went with the following calculations ...*

- A. Based on the front and back wall heights, and the level floor space, the span (distance on ground between walls) is 138"*
- B. Based on the same calculations, for the graded roof, the span is 143"*
- C. Based on 2x6 @16" o/c,*
 - a. span table 9.23.4.2F says 192" (fir)*
 - b. Span table 9.23.4.2.F says 181" (pine)*
 - c. Span table 9.23.4.2.D says 152" (fir)*
 - d. Span table 9.23.4.D says 144" (pine)*

The Snow load for the area dictates the Table you are in and if the snow load is in between then you either use the most restrictive or interpolate as base as possible.

Table 9.23.4.2 G would apply as the snow load for the areas is at 2.7 Kpa in Table C2 Appendix C Division B

- *Rafter 38mm x 140mm at 400mm o/c is 3.28 span for 2.5 Kpa= equals 10ft 9 inches.*
- *Rafter 38mm x 140mm at 400mm o/c is 3.08 span for 3.0 Kpa= equals 10ft 1 inches.*

- *I used both to determine 10ft5inch for Span of 2x6 Rafter and your span in around 11ft6inches approx..*

Please confirm if the spans are not correct and what reference you are using.

Please confirm that, if the spans are not what you expect, that I will need to remove and rebuild my roof.

Please confirm that you want me to hire and pay for truss lay-out and shop drawings from a professional for something that is already built.

6. 6x10 beams: *These are 3 pieces of 2x10 nailed together (my apologies for how I wrote it).*

111. Email January 29 (2026): (Jewel to David):

Before I advise on next steps, are you able to let me know what type of appeal and to whom who are trying to submit it to?

112. Email January 29 (2026): (David to Jewel):

Planning Act appeal of a development permit, which I understand needs to go to the Minister. I have already contacted IRAC and am able to use their secure email system.

113. Email February 2 (2026): (David to Jewel, cc Michelle):

Checking again to see if you are able to provide directions on how you would like my appeal submitted to the Minister, given the file is too large to attach to an email. I will be submitting my appeal to IRAC today/tomorrow.

114. Email February 2 (2026): (Jewel to David and Michelle):

I followed up with staff to reconfirm our process, and I can confirm that appeals are not directed to the Minister. All appeals are submitted directly to IRAC, which is the appropriate body responsible for receiving and reviewing them.

115. Email February 2 (2026): (Michelle to Jewel and David):

The Commission accepts the appeal for filing, however, Section 28(6) of the Planning Act requires that the Appellant serve a copy of the Notice of Appeal within seven days of filing the appeal with the Commission. I believe that Mr. Webster is inquiring so that he can effect service as required by the Act.

116. Email February 2 (2026): (David to Michelle and Jewel):

That is my understanding and intention.

117. Email February 2 (2026): (Jewel to David and Michelle):

My apologies for misunderstanding. Appeals typically do not come directly to the Minister's Office; they are usually dropped off at the front desk of the Land division at 31 Gordon Drive in Charlottetown and then forwarded to us through that channel. Please drop off a copy of the appeal at 31 Gordon Drive.

118. Email February 3 (2026): (Trevor to David):

Please find attached your Build Approval Permit #BP-2026-0029 for Wootton Lane on property #835033. Please read permit carefully as it contains important inspection stages. If you have any questions please contact me at or teisnor@gov.pe.ca

119. Email February 3 (2026): (Jewel to David, Michelle and Eugene)

I've confirmed with Eugene Lloyd that it made its way to him after being dropped off.

120. Email February 9 (2026): (Michelle to David):

I am writing about the Notice of Appeal and background documents you sent to our office last week, and our subsequent call last Wednesday. From what I understand, you applied for the Development Permit so that you would have

a written decision from the Government that you would be able to appeal. However, the Minister issued you a Development Permit. By appealing this, the Commission would be limited to dealing only with the approval by the Minister allowing the construction of a residential structure, for which you have approval to build.

It seems to us that the appeal process through IRAC may not be the best route at this point to reach the remedy which you are seeking. Did you receive a letter or letters denying the application(s) for the current buildings that are located on the property? If you have a denial letter for the accessory structures, an appeal of that decision to IRAC would be the most appropriate route for the remedy you are seeking. However, please keep in mind that the Commission can only accept appeals made within the 21-day timeline prescribed by the Planning Act.

If you would like to discuss further please feel free to give me a call. You may also wish to speak with the Planning Department about the process for receiving a decision letter for your current buildings.

121. Email February 13 (2026): (David to Dean and Cindy):

I am formally requesting a Decision Letter for the development application I submitted on March 6 2025, and paid on March 10 2025, in its original form (attached).

122. Email February 22 (2026): (David to Dean and Cindy):

Again, I am asking that you issue a Decision Letter for the development application as noted below.

123. Email February 23 (2026): (Dean to David, Eugene and Cindy):

The approved permit and supporting documents were emailed to you on January 22, 2026.

124. Email February 23 (2026): (David to Dean, Eugene and Cindy):

The approved permit was for the december 1st version submission - I am asking for a decision (denial) letter based on the application as originally submitted in March .

125. Email February 23 (2026): (Michelle to Eugene and David):

The Commission has received Mr. Webster's Notice of Appeal dated February 3, 2026, seeking to appeal the Development Permit M-2025-0024 which approves an application to construct a (Single Unit) Residential structure on Provincial Parcel Number 835033, located at Wootten Lane, Murray Harbour, PEI. We understand through further discussion with Mr. Webster that he has requested a decision respecting his application for pavilion and building. The Commission will await the Minister's decision on that application before proceeding with the appeal process.

126. Email February 23 (2026): (Eugene to Michelle):

This is the response I received from staff:

The application for the pavilion was cancelled by Mr. Webster at our meeting January 21, 2026. We issued the Development Permit (M-2025-0024) for what is intended to be a single unit dwelling. I am not sure of the status of the Building permit.

Hope this helps.

127. Email February 25 (2026): (Dean to David, Eugene and Cindy):

I tried reaching you on the phone but was unable. I will give you a development permit summary.

The original application was submitted for a Pavilion Feb 24, 2025. In reviewing this application, it was determined there were already 2 structures on the property without permits. That application was then cancelled by you May 26, 2025 via email.

*Our records show that you then submitted an application on March 06, 2025. The application was for an existing building used for storage and 2 beds for overnight stay (referred to by the applicant as a **wooden tent**). That Application fee was paid on March 10, 2025.*

This lot was approved for a residential (cottage) use only.

This main application was replaced on December 01, 2025 with new information referring to the structure as a summertime or seasonal dwelling

(Residential). As this application was for the same existing building as the March 06, 2025 application the updated application information was added to the original file.

On January 08 2026 we received the SSA for the property from Kings County Construction. The application was further revised January 21, 2026 based on conversation when we met you in person at the Montague Office.

Considering the additional information, the main development permit was issued on January 22, 2026. There are no other Development Permit decisions for this existing building.

The only other active Development permit for your property is for a 7x8 accessory building submitted Sept 15, 2025 . As discussed when we met last, this application can be considered when the main use gets established on the property.

If you have any questions please let me know.

128. Email March 11 (2026): (David to Dean and Cindy):

I am submitting a new development permit application for the two sheds ` currently on our property, to remain without any additional buildings or services.

Given everything you have said and done to date, I am expecting a decision letter that will be a denial of this application.

Please let me know if I need to send this through the regular landsdivision email, or if you can accept this given that we have been involved in this process for over a year.

129. March 23 (2026): (Dean to David and Cindy)

There was a permit issued for this property, and that permit was then appealed. I cant accept any additional applications for this property until the appeal is dealt with.

130. Email April 1 (2026): (Michelle to Eugene and David):

We understand from Mr. Webster that he has made a new application that was not accepted due to the Commission's appeal process. We wish to make clear that while the Commission has receipted Mr. Webster's Notice of Appeal dated February 3, 2026, we have not yet opened an appeal file in respect the Notice of Appeal and will, instead, await a decision on Mr. Webster's new application which can then be appealed.

131. Email April 1 (2026): (David to Minister/MLA Compton):

I am writing to you asking for your assistance in resolving issues we are having with the Planning Department.

I have attached a Letter that will explain our situation and more about what we are asking of you.

*I am also providing you with a link to our Appeal.
Thank you for any assistance you can provide.*

132. Email April 2 (2026): (Mona to David):

We have received your email and will reach out to you shortly once the Minister has time to review your letter.

133. Email April 7 (2026): (Eugene to Michelle and David):

Thank you Michelle. I'll be discussing this with our Senior Development Officer in our Montague Office today to gain an understanding of what took place and what is yet to be addressed.

134. Email April 15 (2026): (Dean to David and Cindy):

*Just so I am clear and trying to find a path forward.
You re-applied for a new development permit for the same building we already issued a permit for. Please confirm that you don't intend to proceed with the permit M-2025-0024 to change the use of an existing building to a seasonal use dwelling.*

135. Email April 15 (2026): (David to Dean and Cindy):

Since our meeting in May 2025, we have been trying to find out from you what is needed to meet your requirement to have a cottage on the property. This was done through a meeting, many emails and several applications. Now

that you and Trevor have finally stated what you expect in a cottage through the approved permits you provided in January 2026, we can now make the decision that we are not able to renovate one of the sheds into a seasonal use dwelling (M2025-0024).

It is worth noting that, with your approved permits, you still don't agree with each other, and there are expectations above the building code requirements - shooting the costs of the required renovations, and the additions of things like piped water supply and the hydro required to operate that system, and other pieces that we still don't know yet pending inspections, well beyond what makes any sense for our wish to have a day-park experience.

In May, you provided us with 2 options - remove the sheds or build a cottage. Over the year we have been advised that there is a third option - to appeal the need to remove the sheds or build a cottage. That is what we are trying to do now. The first time that we have had to make an appeal is with your January approved permit.

However, the way that you have handled the permit process is preventing us from having a clean appeal process. By not providing a decision on the March 2025 permit to have the 2 sheds, and by inserting the december application into the march permit application, we would therefor be appealing the approved permit. In doing so, the appeal could proceed, the arguments would be public to anyone who follows appeals, workload for you and IRAC, however any ruling by IRAC would not address the real issue, and that is the two sheds on the property.

You have a copy of the appeal by now, so you see our many arguments and evidence that we argue would allow us to have the sheds on the property.

We see two possible pathways forward:

- 1. You could provide us with an approved permit, based on the recent application, and based on the merits of the appeal, to allow the two sheds on the property without any other requirements, eliminating the need for an appeal.*
- 2. However, at the very least, we are asking for a decision/denial of the recent application to allow the two sheds on the property, so that we can proceed with an IRAC appeal that would allow IRAC to rule on the real issue you have with the two sheds being on the property...*

expecting IRAC to rule that the sheds must be removed or can be permitted to stay.

136. Email April 15 (2026): (Cindy to David and Dean):

You will have to do a separate application for the 7 x 8 accessory building

137. Email April 15 (2026): (David to Cindy and Dean)

As requested (attachment)

138. Email May 19 (2026): (David to Dean, Cindy, Michelle, Darlene, Eugene)

I am asking for an update on our two permit applications.

As you know, the most recent application for the 12x16 shed was submitted to you on March 11; and the application for the 7x8 shed was submitted at your request on April 15.

As you are well aware, this is a continuation of a long unresolved process that began in January 2025 when we applied for a gazebo; and as you are aware we have an appeal with IRAC that is on hold pending your decision on the two shed applications.

139. Email June 1 (2026): (Eugene to Michelle and David):

After careful consideration of this matter, our Department will not be proceeding with the evaluation of any new applications for development on this property until such time as the current application for appeal has been addressed and a decision rendered.

However, if Mr. Webster wishes to withdraw his current appeal application, we would then proceed to process the new applications once the fees are paid. At which time, if Mr. Webster is dissatisfied with the outcome of any decisions arising from the new applications; he may then appeal those decisions at that time.

140. Email June 5 (2026): (Michelle to Eugene and David):

Thank you for your email. The Commission will await Mr. Webster's decision as to how he wants to proceed.

141. Email June 8 (2026): (David to Eugene and Michelle):

Given our lack of trust and faith in the planning department after the past 16 months of interactions, and the fact that we are again applying for a permit for a shed that was originally submitted more than a year ago, we have been advised that, should we decide to withdraw the current appeal, the following conditions need to be in place in order to proceed with your most recent suggestion to move forward:

Given that this process is a continuation of a process that began in January 2025, any and all information from the current/first appeal (February 3, 2026) may be used and will be considered relevant and applicable in a new appeal should we wish to submit a second appeal;

Given this process is a continuation of a process that began in January 2025, and that there have already been multiple permit applications that have been ignored, and that the new applications were submitted on March 11 and April 15 (2-3 months ago), a decision (approved or denied) on the two newest permit applications (to have our two sheds on the property without any additional requirements) will be provided by the government within 30 days.

Once we have your approval to the above conditions, we will withdraw the current appeal expecting that the process will continue as you have outlined in your June 1, 2026 email.

142. Email June 10 (2026): (Eugene to David and Michelle):

I appreciate your response and your questions.

For your first question, any new applications will be evaluated on its own merits but as part of the research into the application we would often refer to previous applications and decisions in order to effectively render a new decision. As that research is included in the new application file, then that information would be available for discussion in future appeals,

For your second question, we would certainly commit to ensuring that the new applications are processed in a very timely manner and decision rendered within 30 days from the fee paid date.

I hope that helps.

143. Email June 10 (2026): (David to Michelle and Eugene):

Given Mr. Lloyd's response, we will proceed with the plan as he suggested.

As such, we will now withdraw our current appeal (development permit M2025-0024) with the understanding that Mr. Lloyd will then process our two current shed permit applications once the fees have been paid.

144. Email June 29 (2026): (Eugene to David and Michelle):

It is my understanding that we still have not received payment for the two, newer applications. IN order to address those new applications in a timely manner, we require those fees be paid as soon as possible. It has already been 19 days since the last email and if we are to render a decision within 30 days as promised, we'll need those payments right away.

145. Email June 29 (2026): (David to Eugene and Michelle):

I have been waiting for a phone call from your department to accept the payments – this is how it has been done in the past with previous payments – I assumed it would be the same this time.

Please let me know where you would like me to make the payments, and any references that you would like me to use to connect my payments with the permit applications.

146. Email June 30 (2026): (Eugene to David and Michelle):

Sorry David. I thought someone would have reached out to you already. I'll have someone do so today.

147. Phone Call June 30 (2026): (Dean to David):

Dean stated that David would be required to rescind his currently-approved development permit before processing of the new permit applications could happen.

148. Email June 30 (2026): (David to Dean, Eugene and Michelle):

As per your direction, I am rescinding the approved development permit (2025-0024) issued on 22 January 2026.

I understand from you that this is a requirement in order for you to process the two new permit applications as per correspondence with yourself and Eugene.

Further, now that this is done, you will direct your staff to call and accept payment for the two new permit applications.

149. Phone Call June 30 (2026): (Marilyn to David):

Marilyn called asking for financial information to make payments for the two sheds. Marilyn said the fee would be \$250 each. David questioned the amount as the regulations state that the fee should be \$100 for sheds. After a pause, Marilyn returned to the call stating that the only option she had was to collect 250 each. David paid the fee, stating that he was doing so to allow the process to continue, but would deal with the variance later.

150. Email June 30 (2026): (David to Eugene and Michelle):

Marilyn just called – payment was made over the phone.

I do continue to question why the payment is \$250 for each shed when the subdivision regulations payment schedule says sheds are 100 – but to keep the process going I paid, and will deal with the variance later.

151. Email June 30 (2026): (Eugene to David and Michelle):

Thanks David. Sheds under 215 square feet are only \$100. What size are yours?

152. Email June 30 (2026): (David to Eugene):

One of them is 7x8, and one is 12x16 – both are under 215 sq feet.

153. Email July 2 (2026): (Eugene to David):

OK thank you. I'll process a refund for \$300 for you as soon as I can, as I assume you were charged \$500

154. Email July 2 (2026): (David to Eugene):

Thank you

155. Phone Call: July 6 (2026): (Marilyn to David)

Marilyn called to say that she had authorization to provide a refund of \$300.

156. Email July 24 (2026): (Marilyn to David) (x2 emails)

Please see attached Development Permit Denial letter for your records.

157. Email July 27 (2026): (David to IRAC, Michelle, Minister and Eugene):

Please find attached our Notice of Appeal form and initial supporting documents as required by IRAC in order to launch the appeal process.

Please let us know if there is any missing documentation you require at this time.

We will be submitting further supporting documents at the appropriate time.

APPENDIX C: NAMES AND TITLES OF GOVERNMENT OFFICIALS MENTIONED IN THIS DOCUMENT

Trevor Eisner, Building Official

Scott Gamble, On-Site Septic Coordinator

Dean Lewis, Senior Development Officer

Eugene Lloyd, Manager of Development Control

Lisa MacLean, Building Process Coordinator

Marilyn MacLean, Customer Services Officer

Cindy MacMillan, Permit Coordinator

Anita Masters, Watercourse Alteration Technician

Dale Thompson, Environmental Assessment Officer

Webster – Lot 72, Wootten Lane
PID 835033

Support Information to Permit Packages

12 September 2025

A dwelling on a property zoned for summer use only.

- PEI Subdivision Regulations 1.g.1: A dwelling means a building or a portion of a building designed, arranged or intended for residential occupancy ... including summer cottages.
- PEI Subdivision Regulations 1.g.1 (1): A dwelling unit means one or more rooms used or intended for domestic use of one or more individuals living as a single housekeeping unit with cooking and toilet facilities.
- PEI Subdivision Regulations 1.v.2: A summer cottage means a single-unit dwelling that is intended to be occupied primarily during the summer months.
- Email from Cindy (May 12) asking which of the two sheds (12x16, or 7x8) would be the choice for the primary building (indicating that either of the current sheds would be suitable)
- In a call, Cindy said only a toilet and kitchen counter were needed
- In a meeting, Dean confirmed that (a) there was no minimum size requirements for a dwelling, (b) that the dwelling could be one room, and (c) that the dwelling only needed a toilet and a place to cook

Existing Buildings.

- PEI Building Code Act Regulations 3.1 (1): Any building or condition of a building that lawfully existed prior to the coming into force of these regulations is not required to conform to these regulations if, in the opinion of a building official of the authority having jurisdiction, the building or condition is not unsafe.

Alterations.

- PEI Building Code Act Regulations 3.3 (3): Where, on and after the date on which this section comes into force, a permit is issued for the alteration of a building or a

part of a building, these regulations apply to the parts of the building that are altered.

Application to Existing Buildings.

- National Building Code (NBC) A-1.1.1.1 (1): This Code is most often applied to existing or relocated buildings when an owner wishes to rehabilitate a building, change its use, or build an addition ... It is not intended that the NBC be used to enforce the retrospective application of new requirements to existing buildings or existing portions of buildings, unless specifically required by local regulations or bylaws.

Application of Part 9 to Seasonally and Intermittently Occupied Buildings.

- NBC: Notes to Part 9 of Housing and Small Buildings: A-9.1.1.1. (1): The National Building Code does not separate requirements which would apply to seasonally or intermittently occupied buildings. Without compromising the basic health and safety provisions, however, various requirements in Part 9 recognize that leniency may be appropriate in some circumstances. With greater use of “cottages” throughout the winter months, the proliferation of seasonally occupied multiple-dwelling buildings and the increasing installation of modern conveniences in these buildings, the number and extent of possible exceptions is reduced.

Hydro/ Electrical.

- NBC: Notes to Part 9 of Housing and Small Buildings A-9.1.1.1 (1): Electrical fixtures are only required where electrical services are available (Article 9.34.1.2)
- NBC Illustrated Users Guide: Table 9.1.A: If there are no electrical service, no electrical facilities are required (Article 9.34.1.2)

Water.

- NBC Illustrated Users Guide: 9.31.4.1: ... Not every house is connected to a piped-in, potable water supply ... Houses are permitted to be without piped water, provided that an alternative source is available to provide suitable drinking water. In such cases, the only practical alternative may be to transport potable water to the dwelling unit. Such cases are relatively rare but, when they occur, the requirements for providing fixtures for sanitary purposes are waived.

- Scott (Septic Coordinator) said that water for septic could be hand-pumped from current well on-site, and that it did not need to be potable

Plumbing.

- NBC: Notes to Part 9 of Housing and Small Buildings: A-9.1.1.1 (1): Plumbing fixtures are only required where a piped water supply is available (Subsection 9.31.4)
- NBC Illustrated Users Guide: Table 9.1.A: If there is no piped water supply, no plumbing fixtures are required (Article 9.31.4.1)

Thermal Insulation.

- NBC: Notes to Part 9 of Housing and Small Buildings: A-9.1.1.1 (1): Article 9.25.2.1 specifies that insulation is to be installed in walls, ceilings and floors which separate heated space from unheated space. Cottages intended for use only in the summer and which, therefore, have no space heating appliances, would not be required to be insulated. Should a heating system be installed at some later date, insulation should be installed at the same time.
- NBCX Illustrated Users Guide: Table 9.1.A: If there is no heating system, no thermal insulation is required (Article 9.25.2.1)

Air Barrier Systems and Vapour Barriers.

- NBC: Notes to Part 9 of Housing and Small Buildings: A-9.1.1.1.(1): Articles 9.25.3.1. and 9.25.4.1. require the installation of air barrier systems and vapour barriers only where insulation is installed. Dwellings with no heating system would thus be exempt from these requirements.
- NBC Illustrated Users Guide: Table 9.1.A: If there is no heating system, no air barrier system is required (Article 9.25.3.1)
- NBC Illustrated Users Guide: Table 9.1.A: If there is no thermal insulation, no vapour barrier is required (Article 9.25.4.1)

Ventilation.

- NBC Illustrated Users Guide: 9.32.1.2: Every residential occupancy must be ventilated during the non-heating season by natural means (openable screened windows/doors) or by a mechanical ventilation system.
- NBC Illustrated Users Guide: Table 9.1.A: If there are no electrical services, no mechanical ventilation is required (Article- Clause 9.32.1.2.(1) (b)).

Heat.

- NBC Illustrated Users Guide: 9.33.2.1: ... This Article requires that all residential buildings continually occupied in winter months be equipped with heating systems.

Webster: November 6 ,2025

Response to Government Request for Detailed Information to: “Your lot is approved for summer cottage use, which is a single unit dwelling. A single unit dwelling is a self-contained housekeeping unit with cooking and toilet facilities. The toilet facilities must be attached to an approved septic system. Please clearly demonstrate how your proposal contains a housekeeping unit with cooking and toilet facilities. The building will need to meet the standard found in the Building Code.”

Notes:

1. I am still guessing at what you want to know, so if this is not the information/detail you are asking for, or if you have a disagreement with any comment, please let me know in as much detail as possible.
2. I am assuming you don't want me to copy the complete NBC into this document, and as such, am only referencing certain pieces that I have indicated in my submissions. I will be following the complete NBC when I build (what I do and how I do it), and assume that the Inspector(s) will be the ones to ultimately indicate that I have met code requirements.

Item	Webster Plan	Reference	Meets/Exceeds Compliance
Footings	Cement 8"x8"x4" Fill with gravel (Application – Cross Section Detail)	NBC 9.15 NBC Table 9.15.3.4 Footing for column spaced 3m (118") o/c is 0.4 sq. m (16 sq in) Webster column spaced 84" with size 64 sq in	Exceeds
		NBC Table 9.15.3.8 Footing Thickness	Meets

		Not less than 100 mm (3.9") Webster footing thickness 4"	
Posts	4 posts p/t 6"x6" 5' in ground Polyfilm between posts and cement; and around posts (Application – Cross Section Detail)	NBC 9.17	Meets
Beams	2 beams 3 pc.s 2"x8" together p/t (Application – Cross Section Detail)	NBC Table 9.23.4.2.H For supported length maximum 3.6 m (141.7"), #3 – 2x8" maximum span 2.94 m (115.7") Webster supported length: 108" Webster span: 84"	Meets
Joists	2"x6" p/t 12" o/c (Application – Cross Section Detail)	NBC 9.23.9 NBC Table 9.23.4.2.A Spacing 300mm (12" o/c) 2x6", Max span 3.23 m (9.9 feet) Webster span 84" (7 ft)	Meets
Plywood	5/8" t/g	Subfloor NBC Table 9.23.15.5.A	Meets

	(Application – Cross Section Detail)	Supporting space of 16” o/c, plywood min thickness is 15.5 mm (5/8”) Webster – supporting space is 12” o/c, T/G 5/8”	
Insulation	2 layers 2” each rigid foam @ R10 each (Application – Cross Section Detail)	NBC Notes to Part 9: A.9.1.1.1 (1): Article 9.25.2.1: specifies that insulation is to be installed in walls, ceilings and floors which separate heated space from unheated space. Cottages intended for use only in the summer and which, therefore have no space heating appliances, would not be required to be insulated. NBC Illustrated Guide: Table 9.1.A: If there is no heating system, no thermal insulation is required (Article 9.25.2.1)	Exceeds
Flooring		NBC 9.30	
Plywood	5/8” t/g (Application – Cross Section Detail)	Subfloor NBC Table 9.23.15.5.A Supporting space of 16” o/c, plywood min thickness is 15.5 mm (5/8”) Webster – supporting space is 12” o/c, T/G 5/8”	Exceeds
Underlay	(Application – Cross Section Detail)	NBC 9.30.2	Meets
Floor Cover	Vinyl-click (Application – Cross Section Detail)	NBC 9.30	Meets
Studs (shower wall)	2”x4” 12” o/c	NBC Table 9.23.10.1	Meets/Exceeds

	(Application – Cross Section Detail)	Min stud size 2x4” for 400 mm (16”) o/c to maximum height 3.6 m (141.7”) Webster stud 2x4” for 12” o/c to maximum height 108”	
Lintels	Door 36” wide Window 24” wide (Application – Elevation Drawings)	Door (36”) wide; window (24”) wide NBC Table 9.23.12.3.A #2 – 2x4” for span maximum .96 m (37.8”) #2 – 2x6 for span maximum 1.37m (53.94”) Webster plan #2 – 2x6 for span 24-36”	Exceeds
Moisture Block	Moisture block wall around shower (Application – Cross Section Detail)	NBC 9.29.2.1 Waterproofing required to height no less than 1.8m (70.87”) above floor in shower stall Webster plan, if/when installed, will be an enclosed shower stall	Meets
Studs – exterior walls	2”x4” 12” o/c (Application – Cross Section Detail)	NBC Table 9.23.10.1 Minimum 2x4” for 600mm (24”) o/c for maximum height 3.0 m (118”) Webster walls 2x4” for 300 mm (12”) o/c for maximum height 108”	Exceeds
Plywood	5/8” (Application – Cross Section Detail)	NBC 9.23.17 Wall sheathing NBC Table 9.23.17.2.A Plywood for 400mm o/c – 6.0mm thick (1/4”)	Exceeds

		Webster plan 300 mmm o/c – 5/8” thick	
House wrap	Tyvek (Application – Cross Section Detail)		Meets
Furring	1”x3” (Application – Cross Section Detail)		Meets
Vinyl Siding	(Tentative) Mitten brand (Application – Cross Section Detail)	Cladding NBC 9.27 Vinyl cladding 9.27.12	Meets
Windows/ Doors	(Application – Elevation Drawings)	NBC 9.7, 9.9	Meets
Roof System		NBC 9.26	Meets
Rafters	2”x6” 12” o/c (Application – Cross Section Detail)	NBC Table 9.23.4.2.F 300 mm (12”) o/c 2x6” Span maximum 5.37m (211.4”) Webster span 87.4”	Exceeds
Plywood	½”	NBC Table 9.23.16.7.A	Exceeds

	(Application – Cross Section Detail)	300mm (12” o/c) thickness 7.5mm (3/8”)	
Insulation	2 layers 2” each rigid foam @ R10 each (Application – Cross Section Detail)	NBC Notes to Part 9: A.9.1.1.1 (1): Article 9.25.2.1: specifies that insulation is to be installed in walls, ceilings and floors which separate heated space from unheated space. Cottages intended for use only in the summer and which, therefore have no space heating appliances, would not be required to be insulated. NBC Illustrated Guide: Table 9.1.A: If there is no heating system, no thermal insulation is required (Article 9.25.2.1)	Exceeds
Plywood	1/2” (Application – Cross Section Detail)	NBC 9.23.16 Table 9.23.16.7.A 300mm (12” o/c) thickness 7.5mm (3/8”)	Exceeds
Felt	(Application – Cross Section Detail)		Meets
Furring	1”x3” (Application – Cross Section Detail)		Meets
Metal	12” Snaplock standing seam metal		Meets

	(Application – Cross Section Detail)		
Fascia	2"x8" (Application – Cross Section Detail)		Meets
Soffits	12" overhang (Application – Cross Section Detail)	NBC 9.27	Meets
Roof Slope	Pitch 3:12 (Application – Cross Section Detail)	NBC 9.26.3 NBC Table 9.26.3.1 Minimum slope for metal roof is 3:12 Metal Roofing Company says ...3:12	Meets
All Wood		Graded to NBC Table 9.3.2.1/ Article 9.23.4.2	Meets
Ceiling Heights	84" – 108" (Application Elevation Drawings)	NBC Table 3.5.3.1 Minimum requirement 2.1m (82.7")	Meets/Exceeds
Stairs/Railings	Webster will determine and build to code once building is completed and actual measurements and	NBC 9.8/ 9.9	

	requirements can be determined		
Dwelling Unit		NBC definitions: A dwelling unit is a suite operated as a housekeeping unit, used or intended to be used by one or more persons <u>usually</u> containing cooking, eating, living, sleeping and sanitary services. Webster notes the term “usually”, which would allow for “not always” (and could actually mean all those listed are not required). In terms of identifying the very minimal requirements needed to both satisfy the PEI government and the NBC, suggests that the actual minimum requirements are based on the PEI government’s requirements. The PEI government has said that a building that meets the NBC definition (above), that includes a septic/toilet (meeting May 22), and that meets NBC codes. The PEI Subdivision and Development definition of a dwelling unit is one or more rooms used or intended for domestic use of one or more individuals living as a single housekeeping unit with cooking and toilet facilities. The PEI government has also used this definition in describing what they require in a dwelling unit. The NBC regulates “how” a building is built, and provides this option to reduce certain elements of what needs to be in a dwelling unit.	

		Further, the NBC A.9.1.1.1 (1) states: Application of Part 9 to seasonally and intermittently occupied buildings: the NBC does not separate requirements which would apply to seasonally or intermittently occupied buildings. Without compromising the basic health and safety provisions, however, various requirements in Part 9 recognize that leniency may be appropriate in some circumstances. Meeting Aug 27: Dean said that sleeping requirement may be waived. Email May 12: Cindy asked which of current sheds would I choose as the primary building. (Webster notes that one of the sheds is 7x8', which would give no space for more than a toilet and counter/sink).	
Site Setbacks		PEI Development/Sewage (Minimum) Disposal Setbacks: Septic 50' from well Septic 10' from property line Septic 15' from buildings Buildings 15' from side boundary lines Buildings 3' from accessory buildings Buildings 75' from wetland	Exceeds
Plumbing	Sink Toilet/Septic	NBC Notes to art 9: A.9.1.1.1 (1) Plumbing fixtures are only required where a piped water supply is available (subsection 9.31.4)	Exceeding NBC: Meeting PEI Gov

		NBC Illustrated Users Guide: Table 9.1.A If there is no piped water supply, no plumbing fixtures are required (Article 9.31.4.1)	
		PEI Government says the need is for toilet/septic (May 22 meeting).	
Water	Potable water brought in approved containers from home Water for toilet to be hand-pumped from on-site well (or from rainwater).	NBC Illustrated Guide: 9.31.4.1: Not every house is connected to a piped-in potable water supply ... houses are permitted to be without a piped water, provided that an alternative source is available to provide suitable drinking water. In such cases, the only practical alternative may be to transport potable water to the dwelling unit. Such cases are relatively rare but, when they occur, the requirements for providing fixtures for sanitary purposes are waived. Email and Phone (May 22/23): Scott says that water for septic could be hand-pumped from current well on-site, and that it does not need to be potable.	Meets
Septic	TBD by septic and plumbing contractors (once plan is approved) (Development Application Site Plan)	PEI Government says toilet connected to septic is required (May 22 meeting). Webster is assuming that Septic and Plumbing Contractors will build to codes, and as such has not purchased/researched specific codes related to their trades.	Meets
Toilet	TBD by plumbing contractor (once plan is approved) (Application Floor Plan)	PEI Government says toilet connected to septic is required (May 22 meeting). Webster is assuming that Septic and Plumbing Contractors will build to codes, and as such has not purchased/researched specific codes related to their trades. NBC Figure 9.31.2 Spacing for toilets	Meets
Counter	(Application Floor Plan)	PEI Government says counter is needed (Email May 12)	Meets

Sink	Webster plan to include sink. TBD by plumbing contractor (once plan is approved) (Application Floor Plan)	NBC Notes to art 9: A.9.1.1.1 (1) Plumbing fixtures are only required where a piped water supply is available (subsection 9.31.4) NBC Illustrated Users Guide: Table 9.1.A If there is no piped water supply, no plumbing fixtures are required (Article 9.31.4.1)	Exceeds NBC
Cooking	No plans currently to have cooking; unless PEI government requires it. If the PEI government requires there to be cooking, then Webster would appreciate options given the lack of utility services to operate a cooking appliance.	NBC Notes to Part 9 A-9.1.1.1 (1): Electrical fixtures are only required where electrical services are available (article 9.34.1.2) NBC Illustrated Users Guide: Table 9.1.A If there are no electrical services, no electrical facilities are required (Article 9.34.1.2) If there are no electrical services, there is no power source for cooking. If the cooking has to be within the building, then the options of an outdoor barbecue or cookstove are not a possible substitute. If there are no electrical services, then there is no ability to have a refrigerator to store food. The NBC definition of dwelling, as stated above, uses the term “usually”, which provides an option of “not always”. The current practice of Webster is to bring a cooler in order to have cold lunches on daytrips.	Meets NBC Unknown PEI Government

Heat	N/A	NBC 9.33 NBC Illustrated Users Guide: 9.33.2.1: The article requires that all residential buildings continually occupied in winter months be equipped with heating systems.	Meets
Hydro	N/A	NBC 9.34 NBC Notes to Part 9 A-9.1.1.1 (1): Electrical fixtures are only required where electrical services are available (article 9.34.1.2) NBC Illustrated Users Guide: Table 9.1.A If there are no electrical services, no electrical facilities are required (Article 9.34.1.2)	Meets
Ventilation	Natural Ventilation (openable screened door and openable screened window)	NBC 9.32 NBC Illustrated Users Guide 9.32.1.2 Every residential occupancy must be ventilated during the non-heating season by natural means (openable screened windows/doors) or by a mechanical ventilation system. NBC Illustrated Guide: Table 9.1.A If there are no electrical services, no mechanical ventilation is required (Article Clause 9.32.1.2.(1) (b)).	Meets

22-Jan-2026



Montague

Development Permit

Issued under the authority of
"The Subdivision and Development Regulations"

Permit No. M-2025-0024

Permission is hereby granted to Georgia Robinson & David Webster, applicant thereof, to construct a (Single Unit) Residential structure on Provincial Parcel Number 835033, located at Wooten Lane in the community of Murray Harbour, in accordance with the plans and information submitted, and subject to compliance with the provisions of all regulations under "The Planning Act", governing and affecting the development.

However, this permit does not in any way guarantee or ensure the title of the holder in the property described herein nor does it affect the holders liabilities, rights or privileges of ownership to such property. This Permit expires twenty four (24) months from the date of issue.

This permit has been issued in a geographic area which does not have land zoning. The area may include existing or future residential, agriculture, commercial, industrial, forestry, tourism, fishing, aquaculture or institutional uses which may influence the use of the site for which the permit has been issued.

Issuance of this subdivision approval / development permit does not imply any warranty against damages related to weather and/or climate change, including, but not limited to, coastal erosion and flooding. Government shall not be liable for any claims, demands, losses, costs, damages, actions, suits or proceedings of every nature and kind whatsoever arising out of or resulting from the issuance of this subdivision approval/development permit or which may occur to this subdivision / development as a result of damages related to weather and/or climate change.

Properties located near a watercourse and/or coastline may be subject to erosion and flood hazards. For these properties, a Coastal Hazard Assessment is included as part of the subdivision approval / development permit review process. The information contained in the Coastal Hazard Assessment should be taken into consideration in the design of the proposed subdivision / development.

If this development is to be serviced by a new sewage disposal system, you are advised not to start construction until you have contacted a licensed Septic Contractor; failure to do so may result in higher installation costs, or no suitable location on the site for the septic system.

Subject To: 1) The requirements of the Provincial Fire Marshal's Office. See attached.

2) Structure being erected in accordance with the approved application sketch and must meet the minimum development setback requirements of the Planning Act Subdivision and Development Regulations.

3) The sewage disposal system must be installed before any habitable buildings are occupied. The sewage disposal system being designed in accordance with the Category 1 requirements of the Sewage Disposal Systems Regulations, with an assumed permeable soil depth of 140 cm.

4) The Environmental Protection Act requires a minimum 15-meter buffer zone adjacent the watercourse/wetland located on this property. The applicant is advised that no development (including, but not limited to, the placement/construction of a building or other structure, the cutting of live trees/shrubs, the operation of heavy equipment and any excavation/disturbance of the ground) is permitted in a watercourse, wetland or buffer zone without a Watercourse, Wetland and Buffer Zone (WWBZ) Activity Permit. The Environmental Protection Act also provides protection for the sand dune located on this property. The applicant is advised that any activity that interferes with the natural movement of sand or destroys natural stabilizing features is prohibited. For information on permitting requirements or for assistance in determining the location of a watercourse, wetland, sand dune or buffer zone, the applicant should contact the Department of Environment, Energy and Climate Action at (902) 368-5700.

5) Note: Additional approvals and/or permits may be required prior to the start of construction. This may include the requirement for a Building Permit and adherence to the National Building Code. For further information, please contact a Building Official at 902-368-5280.

6) Any intensity of use or use contrary to the land use outlined in this approval will require additional approvals from this department.

7) Construction and maintenance of roadways and associated drainage facilities within the bounds of the private rights of way shown on this plan being the responsibility of the rights of way owners.

Approved By:

Dean Lewis
Senior Development Officer



BUILDING PERMIT

Appendix G - 1

Permission is hereby granted for:

New-Residential-Houses

BP-2026-0029

Page 1 of 2

Date of Issue: February 03, 2026

31 Gordon Drive PO Box 2000 Charlottetown PE C1A 7N8

<https://www.princeedwardisland.ca/en/information/agriculture-and-land/building-and-development-pe>

Tel: (902) 368-5590; Fax: (902) 368-5526

Applicant(s): Georgia Robinson & David Webster

THIS PERMIT MUST BE POSTED CONSPICUOUSLY ON SITE DURING THE ENTIRE UNDERTAKING OF THE WORK

Subject Property: PID# 835033 Wootton Lane, MURRAY HARBOUR

Property Owner(s): Georgia Robinson & David Webster 374 Gay Road Pownal PEI C1B 3N7

This permit is issued pursuant to the Building Codes Act R.S.P.E.I. 1988, Cap. B-5.1 (the Act) and the Regulations thereunder and is based on plans provided by the Applicant. Construction must be strictly in accordance with the approved plans, this permit and any conditions attached hereto.

Any departure from the approved plans requires submission of revised plans and the written approval of the Building Official. Onsite inspections shall prevail over the plan or contents of the Applicant's submissions.

The Applicant is responsible to ensure all construction complies with applicable federal, provincial and municipal laws as this permit addresses the requirements of the Act and Regulations only. The Applicant is responsible to obtain any other federal, provincial or municipal permits required to commence and/or complete construction of the proposed project.

In accordance with section 31 of the Act, the Applicant shall be responsible for all activities undertaken pursuant to this permit and no action lies for damages or otherwise against the persons or entities listed in section 31 of the Act with respect to the issuance of this permit.

Issuance of this building permit does not imply any warranty against damages related to weather and / or climate change, including, but not limited to, coastal erosion and flooding. Government shall not be liable for any claims, demands, losses, costs, damages, actions, suits or proceedings of every nature and kind whatsoever arising out of or resulting from the issuance of this building permit or which may occur to this development as a result of damages related to weather and / or climate change.

Responsible Contractors:

SPECIAL CONDITIONS:

- #1** This permit is issued pursuant to the Building Codes Act R.S.P.E.I. 1988, Cap. B-5.1 (the Act) and the Regulations thereunder and is based on plans provided by the Applicant. Construction must be strictly in accordance with the approved plans, this permit and any conditions attached hereto.
Any departure from the approved plans requires submission of revised plans and the written approval of the Building Official. Onsite inspections shall prevail over the plan or contents of the Applicant's submissions.
The Applicant is responsible to ensure all construction complies with applicable federal, provincial and municipal laws as this permit addresses the requirements of the Act and Regulations only. The Applicant is responsible to obtain any other federal, provincial or municipal permits required to commence and/or complete construction of the proposed project.
In accordance with section 31 of the Act, the Applicant shall be responsible for all activities undertaken pursuant to this permit and no action lies for damages or otherwise against the persons or entities listed in section 31 of the Act with respect to the issuance of this permit.
- #2** An Occupancy Permit is required before the building(s) may be occupied.
Once our Building Official staff are satisfied that no unsafe condition exist or will exist, an Occupancy Permit may be issued.
Before issuing an Occupancy Permit our staff will require the building designers to submit the Declaration of Field Review of Construction. We will also require certificates of compliance from the plumbers, electricians and carpenters etc.
- #3** Issuance of this building permit does not imply any warranty against damages related to weather and / or climate change, including, but not limited to, coastal erosion and flooding. Government shall not be liable for any claims, demands, losses, costs, damages, actions, suits or proceedings of every nature and kind whatsoever arising out of or resulting from the issuance of this building permit or which may occur to this development as a result of damages related to weather and / or climate change.
- #4** The owner or designated representative must notify a Building Official to schedule a site inspection

1. Building Envelope Inspection, PRE drywall or wall covering inspection

* All plumbing, Electrical and must be installed or roughed in.

2. Occupancy Inspection,

*Building must have all system's operable and ready to occupy

A Building Official will complete the mandatory inspection within 3 days of notification. Confirmation of inspection must be received before proceeding

Please Contact 1 800 370 3977 to schedule an inspection.

- #5 PLEASE BE ADVISED:** Grade stamped lumber must be used for this project.

ADDITIONAL CONDITIONS:

- 1- This permit is for a seasonal unheated and uninsulated dwelling only, not approved for year round use.**
- 2- The Rafter Span must meet Table 9.23.4.2G. 2x6" Roof Rafter not to exceed 10ft5inch span.**
- 3 - Potable water must be available, connection to well or permanent water source is required. Potable running water to be inspected at final inspection.**

STANDARD CONDITIONS:

Authorized By
Trevor Eisnor

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@trac.pe.ca.

David Webster/ Georgia Robinson
374 Gay Road, Pownal, PE
websterd@hotmail.com

1 April 2026

Hon Darlene Compton
MLA for Belfast-Murray River
Minister, Lands and Environment
dcomptonmla@assembly.pr.ca / MinisterLE@gov.pe.ca

RE: Webster Property Lot 72, PID 835033, Wootten Lane, Murray Harbour North

CC: Hon Rob Lantz, Premier, PE

Hon Darlene Compton

My wife and I are writing to you in hopes of gaining some resolution to an ongoing issue we have with the Planning Department regarding our two sheds located on our summer property. This resolution could come directly in allowing our two sheds to remain on the property, or could come indirectly by directing the Planning Department officials to clear a pathway to the IRAC appeal process.

We are sorry that we need to ask for your intervention, however we have tried working within the system, a system from our experience that is not working, and that has been plagued by faults that have resulted in a high volume of evidence supporting our appeal arguments.

We do appreciate your potential conflict of interest given your two roles and how you may have conflicting loyalties between the residents you serve and the government itself.

The Background

We purchased the property on Wootten Lane with the intent to use it as a day-camp experience with goals to (1) enjoy recreational activities and (2) improve the environmental health following damage from Dorian and more recently Fiona. We built the two sheds (12x16 and 7x8) to store equipment such as garden tools, lawnmower, chainsaws, chairs, lifejackets and paddles, and kayaks in the winter.

When we made an application to build a gazebo in January 2025, the planning officials noted that we had the two sheds. As we didn't know that we needed a permit to build the sheds when we built them, we submitted an application in March 2025 for one of the sheds as requested by the officials. Two months later, the officials told us we had to either remove the sheds or add a cottage. From that point in May 2025 until January 2026, we had been trying to determine (through emails, a meeting, and multiple applications) from the government what those minimum requirements of a cottage would be in order to make an informed decision on either removing the sheds or building a cottage.

When we finally had those details confirmed in January 2026, through both an approved development permit and after that with a response from the building official, we were able to determine that renovating one of the sheds into a cottage, as recommended by the government officials, with all the services they required (engineered roof drawings, remove and rebuild the roof, remove interior wall coverings and insulation, add toilet and septic system, add piped potable water, add hydro to run the piped system, and address anything else the inspectors may find) was not an option for us, nor made any sense given our intended use of the property or related to the environmental impact to our and neighbouring properties.

Essentially, in order to go for a paddle/swim and to steward the property to better environmental health, the officials are stating that we need to build a cottage and add services that will not only cost us a significant amount of money making for an expensive paddle, but also will be worse for the environment than the current situation.

Our Appeal

Throughout this ordeal, we learned that there was a third option – that being to appeal the removal of the sheds. We submitted an appeal in January 2026 to IRAC based on the approved permit to renovate the current shed as noted above given that it was the only time the government had provided a formal response. However, given the process led by the government (not providing a decision on the original shed application, substituting the March shed application with a December renovation application, and now refusing to provide a decision letter on the most recent March 2026 shed application until the appeal is dealt with), we have an appeal that, while it will allow us to share our story and it will become public to those who monitor IRAC appeals, it will provide work for the planning department officials and IRAC, and it will not lead to an IRAC decision on a relief related to the sheds.

Essentially, the government officials are blocking our path to a clean appeal that will address the issue they have with our two sheds. It is interesting to note that the ability to access an IRAC appeal that will focus on the government's application of their regulations and administration of their processing practices is being blocked by the way that the government has administered their processing practices. Our appeal is currently on pause while we determine next steps.

We believe we have significant and valid arguments that we have laid out in our appeal, introduced here very briefly.

Arguments One and Two focus on current legislation, and would directly support the right for the sheds to remain on the property:

- Argument One focuses on the government's current subdivision legislation, and with the inclusion of the Interpretation Act as well as additional evidence provided, supports that the sheds can remain without requiring additional services – essentially the government officials are contradicting their own regulations and Acts.
- Argument Two focuses on the government's Planning Act, and with evidence provided, supports our appeal in that the two sheds are more in alignment with the Act and its objects, purposes and

provincial interests, and more in alignment with sound planning principles, than the requirements of the government officials to add the additional services and infrastructure that would cause a higher level of detrimental impact to the environment.

Arguments Three through Six focus on the experiences we have had over the past year, and would indirectly support the right for the sheds to remain on the property as we have not been able to experience the professional application of processes, including the adherence to the principles of natural justice and fairness:

- Argument Three focuses on the biases we have experienced given that the government's requirements and goalposts have changed and increased throughout the process, and have often been in contradiction to the regulations/codes and between different officials. Once we had met certain expectations, they increased them, noting that the final expectations are now beyond the requirements of the codes/regulations.
- Argument Three is also where we first introduce the fraud-like activities noting that the different officials have known about the expectations they had, have known what we were looking for, and then collected the building permit application fee before providing those full requirements knowing that we would not be able to meet them.
- Argument Four focuses on the inability for us to experience a fair, efficient and professional permit process, with significant evidence of potential mistakes in the administration of the process, the lack of timely (or non) responses to questions, and the delays in administering the process.
- Argument Five focuses on the discrimination that we face given the significant evidence that other property owners (even in our own subdivision) are permitted to exist in similar situations without consequence, and that we are facing bias just by asking permission when otherwise there would be no issue if we didn't ask, and the sheds would be fine as currently situated on the property.
- Argument Six focuses on the inability for us to obtain accurate and consistent information from the government about what they require from us, citing many examples as evidence of when the officials are in contradiction with each other, and in contradiction with the regulations and codes they direct us to follow.

Argument Seven focuses on how the government's requirement to add a cottage or remove the sheds will adversely impact our reasonable enjoyment of the property.

The relief as indicated in the appeal is: that we be permitted to maintain the two sheds on the property without the requirement to build a cottage and/or renovate the existing sheds into a dwelling, and without the requirement to add utilities (including a septic system running potable water, hydro); and we receive a refund for the gazebo application that was never provided; and we receive a refund of the building application given the consideration of fraud-like activities.

Wrapping Up

Through the covering email, we have provided you with a link to the complete Appeal, including background, arguments, evidence and records; and encourage you to review it in detail to better understand all of the issues, arguments and evidence.

As a reminder, all of these issues are about two sheds that are only an issue because we asked permission, and that could have been, in our opinion, easily managed more than a year ago if the government officials had acknowledged their own regulations, Acts, practices and common sense.

As in our opening statement, we ask that you consider either:

- Given the merits of our arguments, directing your staff to provide an approved permit for the two sheds currently on the property, using the outstanding March 2026 application, and process the two refunds mentioned above, thereby removing any requirement for an appeal; or
- Directing your staff to provide a denial-decision letter for the sheds currently on the property, using the outstanding March 2026 application, thereby opening a clean pathway to an IRAC appeal.

I am open to meeting with you if that helps in your understanding of the issues we have.

Thank you for your attention to this matter and any assistance you can provide that could lead to a resolution.

David Webster

APPENDIX J: A SAMPLING OF PROPERTIES SEEN BY THE APPELLANT ON THEIR ISLAND TRAVELS

The Appellants note that these examples would not meet requirements as told to them by the government officials.

The Appellants also note that these examples are limited to those that the Appellants have (a) seen in-person or (b) found on public websites.





Buffer area cleared to the water.



Bus used as primary residence.



APPENDIX K: A SAMPLING OF VACANT PROPERTIES THAT HAVE “ACCESSORY BUILDINGS” AS DEFINED BY THE GOVERNMENT:

The Appellants note that these examples would not meet requirements as told to them by the government officials.



Escape to nearly 60 acres of peace & privacy ... Haven **ULTRA Bunkie**, made from premium-grade, ... includes a **full 120 sq ft loft with** a generous 82” ceiling height tall enough to stand in comfortably. **The ladder** is conveniently placed at the back, maximizing floor space. **Storage shed** included... Whether you re looking to enjoy the outdoors, **camp/glamp in comfort**, ...

XXXX



MLS 202619436)
.... 10'x18' cabin offers a turn key, off the grid living optionThere is an 8'x10' storage shed includedwith a compostable toilet & sink, ...

XXXX

Webster Appeal LA26011

(MLS 202407930) **Amazing waterfront Lot with bonus off grid cabin included.** ...Off Grid fully insulated Cabin(14x32) by the water with new addition that was completed in June of 2022. Cabin has a brand new (out house) completed in August 2022 with pine doors and full lighting provided by the solar power... Shore lot is a cleared lawn that could host several camper trailers or make a great cabin lot. 2 areas have been cleared to put 2 more cabins, ...

Xxxx



(MLS 202515485) Spectacular sunsets and views ... and a **50x50 RV pad**, plus a **wired utility shed with panel (not hooked up yet to pole)**. New gravel driveway recently installed, plus a grass covered driveway. ..

Xxxx



(MLS 202617517)

... is a charming 12' x 24' bunkhouse...



Xxxx

Webster Appeal LA26011



(MLS 202602420)

... The lot also includes a 10' X 12' storage shed and has served as a perfect summer destination for the current owners' camper....

XXXX

In addition, vacant properties with sheds:

20260691, 202613795, 202613004, 20252522

APPENDIX L: A SAMPLING OF (Off-grid) PROPERTIES WHERE THERE IS NO SEPTIC SYSTEM OR HYDRO:

The Appellants note that these examples would not meet requirements as told to them by the government officials.



(MLS 202426959) Escape to nature in this very private off-grid yurt nestled in the heart of PEI's beautiful and peaceful woodlands. Powered by solar energy and featuring a cozy wood stove, this retreat offers a laid back lifestyle without sacrificing modern comforts. ... a bathroom area with a compost toilet ... Powering this off-grid oasis are six solar panels on the roof of the spacious shed, along with a backup generator for added peace of mind...

XXXX



(Air B and B Hope River)

This is an off grid site with a seasonal outdoor shower and composting toilet

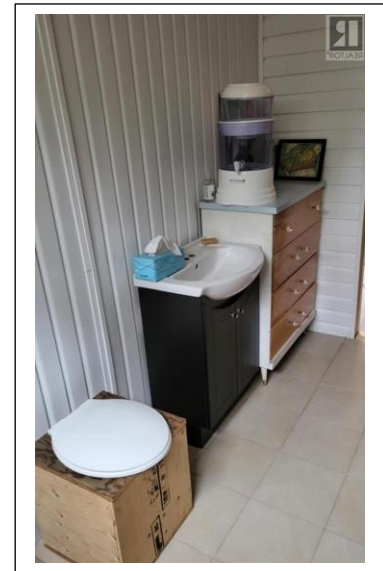
XXXX

(MLS 202511519) ... Whether you're dreaming of a rustic off-grid cottage, a personal firewood lot, or simply a quiet retreat away from it all ... Please note: this is a seasonal access property only. .. There is no electrical service available, making it ideal for those seeking an off-grid lifestyle or a peaceful getaway...

XXXX



(MLS 202425958) This off-grid cabin ... Two solar systems power the property: ... The tiled bathroom has a composting toilet and gravity-fed shower ... This property is perfect for a complete off-grid homestead or farmstead by the sea.



Xxxx xxxx

(MLS 202514766) ... Off grid container home ... solar powered well ... Solar powered for fridge, lights, well, and pump... Fully equipped with propane stove and propane Camplux on demand hot water heater, a wood stove for heat and fully functioning shower and sinks....

Xxxx

(Air B and B) ...Due to this building being off-grid there is no use of any electric heating or high power appliances;
Webster Appeal LA26011



(MLS 202527023) ... a low-headroom **sleeping loft** ... an efficient toilet (**composting option** available) ...

XXXX



(MLS 202619436)

... with a compostable toilet & sink,run by solar! Bring your own water or dig a well- the choice is yours...

Xxxxx

Several air b and b's that have compost toilets, are off-grid, and/or built as glamping domes, off grid earth homes ... that would not meet building codes nor have the appropriate amenities.

XXXX

Webster Appeal LA26011



Air B and B – off-grid tent with compost toilet

XXXX



Building actively used for maintenance of PEI trails (2025), with toilet outside

APPENDIX M: A SAMPLING OF PROPERTIES WHERE TRAVEL TRAILERS ARE BEING USED BEYOND A TEMPORARY 6-MONTH ALLOWANCE (WHILE BUILDING A PRIMARY BUILDING):

The Appellants note that these examples would not meet requirements as told to them by the government officials.



(McInnis Point Rd) ... your private waterfront retreat nestled on 3.3 acres of pristine land with an impressive 600 feet of shoreline. This exceptional property offers the perfect blend of tranquility and convenience.... A 32-foot Golden Falcon Park Avenue travel trailer with 10' x 14' sunroom and a storage shed are already on site, offering immediate use for summer getaways....

Xxxx



(MLS 202517756) Stunning ocean view, serviced, building lot ...Electrical service is connected to an onsite RV, move in condition....

Xxxx



(MLS 202516452/ 202609353) ...
This recreational retreat is ready
for immediate enjoyment,
featuring a camper and a
screened, covered deck, perfect
for relaxing or entertaining...

XXXX



(MLS 202510496) Great
opportunity ... gravel driveway
and comes with a large camper,
two sheds as well as a tarp
building. One of the sheds is
12x12 completely finished on
the inside and insulated the
other shed is 8x12 for storage,
and tarp building is 10x20.

Xxxx



XXXX

(MLS 202521259) Here is one you may be waiting for, a 0.344 cottage lot ... with a travel trailer size 8x36 with 3 slides and an electric awning. This trailer shows in very good condition with open kitchen and dining/living room along with 2 bedrooms and a 3 piece bath. ... The property has 2 out buildings, one 8x8 and the second with cement floor is 10x16. Along with this trailer there is a second trailer which is 8x28 with a large slide. Please note that both trailers have been winterized. ...



XXXX

(MLS 202520998) ... As an added bonus there's a camper bunkie for friends and family who come for the night. ...



Webster Appeal LA26011

(MLS 202511647) ... Lot 67 includes a travel trailer and a storage building with nearby services, ideal for guests, temporary use, or additional development. Zoned for flexible use with great potential for a second build, rental unit, or outdoor living expansion....

Xxxx



(MLS 202617353)

... a 2010 29-foot Puma travel trailer, which has been comfortably lived in year-round by the current owner, demonstrating the property's suitability for all-season living...

Xxxx



(Air B and B Uigg) ... Located on our property this new luxurious RV makes an ideal ...

XXXX



(MLS 202617112)

... Adding even more value, the property includes a 25' x 8' camper?perfect for accommodating additional guests or creating extra recreational space...

Webster Appeal LA26011

Xxxx



(MLS 202525051)

... an excellent opportunity to establish
your dream home or seasonal retreat

...

A 27' Travel trailer with a lean too &
large baby barn is included ...

XXXX

Additionally, the following MLS listings make reference to the use of travel trailers and
campers on personal property:

202515920, 202506008, 202513478, 202506635, 202511647, 202505288, 202512926,
202514639, 202519899, 202517929, 202512567, 202512926, 20258238, 202520375,
202505288, 202615483, 202609148, 202613703, 202609353, 202617593

Webster Appeal LA26011

Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live inside a Municipal Area with planning authority you will need to apply for a **Development Permit from that local Municipal Office**.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If yes, you are required to complete the Subdivision of Land/Change of Use Application before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033-000	Community Name: MURRAY HARBOUR
Civic Address Number: -	Street Name: WOOTTEN LANE
	Lot Number— if applicable: LOT 72

Property Owner Information:

Full Legal Name: DAVID ALLAN WEBSTER	
Company Name: -	
Street Address: 374 GAY RD	
Community: POWNAL	Province: PE
Email: websterd@hotmail.com	Postal Code: C1B 3N7
	Phone: 902-628-6305

Applicant Information if different from Owner:

Full Legal Name:	
Company Name:	
Street Address:	
Community:	Province:
Email:	Postal Code:
	Phone:



Office Use Only
Sub. Case File #:
Permit #:
PID #:
Permit Fee:
Received:
PIC Reviewed: ☐

What is the property currently used for?

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☒ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: _____

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

INDIVIDUAL FAMILY DAY CAMP (eg. kayaking, swimming, gardening)

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

12x16' BUNKER - WE CALL A WOODEN TENT - CONTAINS 2 BEDS
AND STORAGE - NO UTILITIES

What type of development or activity are you proposing? Please check all that apply:

- ☒ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☒ Other: PAVILION

Will the proposed structure be the main structure on the property? ☐ Yes ☒ No

Please describe how the proposed structure will be used in detail:

12x16' PAVILION WITH SCREENS FOR SUN + BUG PROTECTION

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☐ New on-site septic wastewater system ☐ Existing on-site system N/A
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

- ☐ Yes ☐ No ☒ N/A

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? N/A

What roofing material are you proposing for the structure? MSIAL

What are the dimensions of the structure that you are proposing?

Width (ft):	12'	Number of Storeys:	1
Depth (ft):	16'	Main Floor Area (ft ²):	192'
Height of Structure:	8'	Total Floor Area (ft ²):	192'

If your proposed development is Multi-unit residential, how many units are you proposing? N/A

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? N/A
- How many staff are you intending on having at this location? N/A
- Will there be onsite parking for staff? ☐ Yes ☐ No ☒ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☒ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

FAMILY DAY CAMP - KAYAKING, SWIMMING, GARDENING

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:	N/A		
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

- ☒ the registered owner of the land proposed for development
☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

Applicant:

David Webster Date: Jan 26/25
David Webster Date: Jan 26/25

Date: _____

Date: _____

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only	
DEVELOPMENT PERMIT FEES	
Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees _____	=
Total _____	=

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or landsdivision@gov.pe.ca for more information.

Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.

Pursuant to the Planning Act

This sketch is required as part of the Development Permit Application and must include the following:

- ☒ All Property lines with their lengths (in ft)
☒ Road(s), including their name(s)
☒ Distance from Septic Tank to Well (ft): N/A

☒ All Buildings with their sizes listed (in ft)

☒ Arrow showing the natural slope of the land

☒ Distance from Septic Field Tile to Well (ft): N/A

(NO SEPTIC TANK/FIELD)

Provide the minimum distance from your proposed structure to the following:

- ☒ Centre of Road (front yard) (ft): 163'
☒ Left Side Property Line (ft): 510'
☒ Shoreline or Top of Bank (ft): 135'
☒ Dunes (ft): N/A
☒ Septic Tank (ft): N/A
- ☐ Rear Yard Property Line (ft): 248'
☐ Right Side Property Line (ft): 451'
☐ Wetland or Watercourse (ft): _____
☐ Water Well (ft): OLD-STYLE HAND PUMP FOR PLANT WATER
☐ Septic Field Tile (ft): N/A

PLEASE SEE NEXT PAGE.



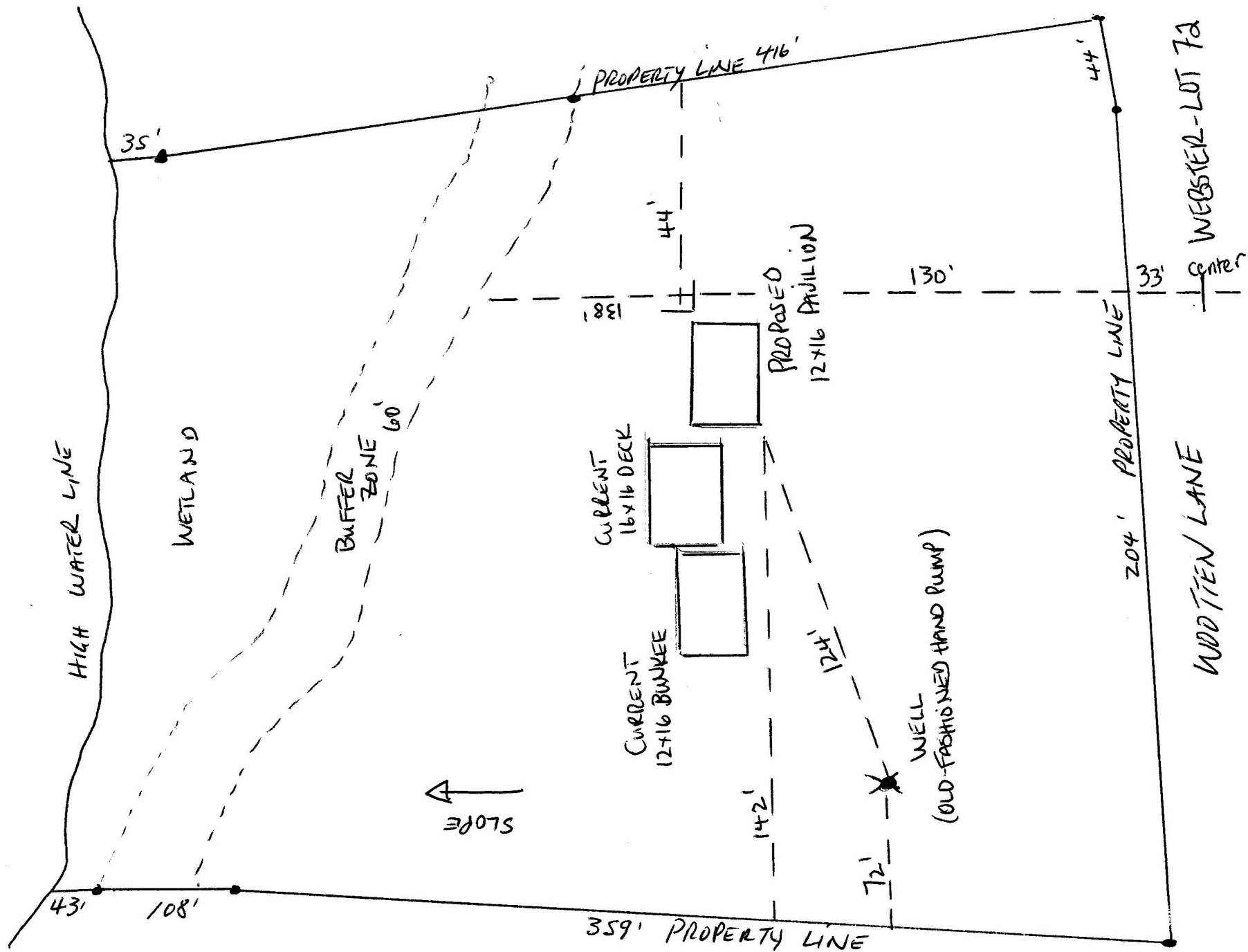
DWf

Property Owner's Signature or Applicant

Jun 26/25.

Date

NOT TO SCALE



Development Permit Application



Where you live will determine what Development Permit Application you will need to complete.

If you live **outside** of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

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- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

Office Use Only	
Sub. Case File #:	
Permit #:	
PID#:	
Permit Fee:	
Received:	
PIC Verified:	☐

If you live **inside** a Municipal Area with planning authority you will need to apply for a **Development Permit from that local Municipal Office**.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If **yes**, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033-000	Lot Number - if applicable: MURRAY HARBOUR
Civic Address Number: -	Street Name: WOOTTEN LANE (LOT 72)

Property Owner Information:

Full Legal Name: DAVID ALAN WEBSTER		
Company Name: -		
Street Address: 374 GAY RD		
Community: BOWNAL	Province: PE	Postal Code: C1B 3N7
Email: websterd@hotmail.com		Phone: 902-628-6305

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:		Phone:

What is the property currently used for?

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agricultural ☐ Aquaculture/Fisheries ☐ Forestry
☒ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: _____

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☐ New on-site septic wastewater system ☐ Existing on-site system *N/A*
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Describe the current land use in detail. If the property is used for a livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form - Commercial Livestock Operations".

INDIVIDUAL FAMILY DAY CAMP (eg. kayaking, swimming, gardening)

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

*THIS IS ALREADY BUILT AS DISCUSSED - 12x16 BUNKER -
WE CALL A "WOODEN TENT" - CONTAINS 2 BEDS AND
STORAGE (PADDLES, LIFEJACKETS...) - NO UTILITIES*

What type of development or activity are you proposing? Please check all that apply:

- ☒ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change the use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agricultural ☐ Aquaculture/Fisheries ☐ Forestry
☐ Recreational ☐ Resource ☐ Home-Based Business ☒ Other: *SHELTER*

Will the proposed structure be the main structure on the property? ☒ Yes ☐ No

Please describe how the proposed structure will be used in detail:

*12x16 FOR STORAGE AND 2 BEDS IF WE STAY OVERNIGHT -
A "WOODEN TENT"*

What are the dimensions of the structure that you are proposing?

Width (ft):	<i>12'</i>	Number of Storeys:	<i>1</i>
Depth (ft):	<i>16'</i>	Main Floor Area (ft ²):	<i>192</i>
Height of Structure:	<i>11'</i>	Total Floor Area (ft ²):	<i>192</i>

What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood Posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

If your proposed development is Multi-unit residential, how many units are you proposing? —

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at his location? _____
- Will there be onsite parking for staff? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

FAMILY DAY CAMP - Kayaking, Swimming, gardening

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:	N/A		
Septic Contractor:			
Lawyer:			
Engineer:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid

For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

I,

DAVID WEBSTER

hereby certify that I am (select one)

the registered owner of the land
proposed for developmentauthorized to act on behalf of the registered
owner of the land proposed for development

and hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s):

or

Written confirmation from the
current property owner(s)
allowing this Development
Permit Application to proceed.
This documented proof must be
supplied at time of application.

DAVID WEBSTER

[Signature]

[Signature]

Date Mar 6/2025

Date

Date Mar 6/25

Applicant:

Date

Submit Applications To:

- Land Division – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use Only**DEVELOPMENT PERMIT FEES**

Residential (\$250)	=	_____
Industrial/Commercial/Institutional/Recreational (\$600)	=	_____
Resource (\$500)	=	_____
Other Applicable Fees	=	_____
Total	=	_____

Personal Information on this form is collected under section 8 (1)(d) of the Planning Act. If you have any questions about the collection of personal information, you may contact landsdivision@gov.pe.ca for more information.

Development Permit Application Sketch

Pursuant to the Planning Act

This sketch is required as part of the Development Permit Application and needs to include the following:

- | | |
|--|--|
| <ul style="list-style-type: none"> ☒ All Property lines with their lengths (in ft) ☒ Road(s), including their name(s) ☒ All Buildings with their sizes listed (in ft) ☒ Distance from centre of road to building (in ft) (160) ☒ Distance from buildings to property lines (in ft) () ☒ Distance from septic tank/field to property lines (in ft) (N/A) ☐ Distance from well to building (in ft) (80) | <ul style="list-style-type: none"> ☒ Show any watercourse, wetlands, top of bank, or sand dune located on the property ☒ Distances from watercourse, top of bank, or sand dune to any structures (building or septic) (in ft) () ☒ Arrow showing the natural slope of the land ☒ Distance from the centre of driveway to the nearest neighbouring property line (in ft) () ☐ Distance between well and septic system (in ft) (N/A) |
|--|--|



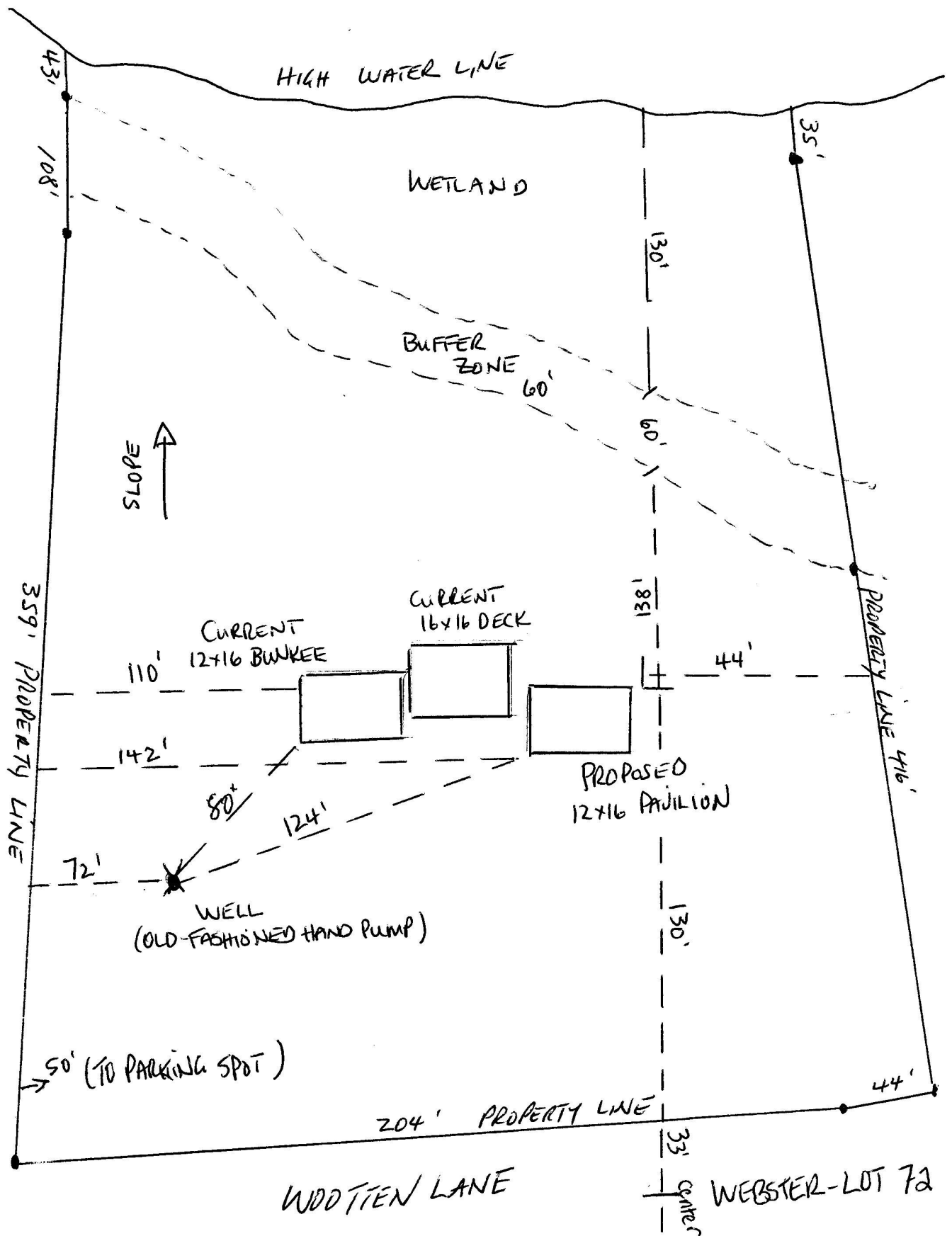
PLEASE SEE NEXT PAGE

NB. MAP HAS BOTH "CURRENT 12x16 BUNKEE" (THIS APPL.)
AND "PROPOSED 12x16 PAVILION" (PREVIOUS APPL.)

Property Owner's Signature or Applicant

March 6 / 2025
Date

NOT TO SCALE.



Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live inside a Municipal Area with planning authority you will need to apply for a **Development Permit** from that local **Municipal Office**.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If yes, you are required to complete the Subdivision of Land/Change of Use Application before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033	Community Name: MURRAY HARBOUR
Civic Address Number:	Street Name: WOOTEN LANE (LOT 72)
Lot Number — if applicable:	

Property Owner Information:

Full Legal Name: DAVID DAVID ALLAN WEBSTER		
Company Name: -		
Street Address: 374 GAY ROAD		
Community: POWELL	Province: PE	Postal Code: C1B 3N7
Email: Websterd@hotmail.com	Phone: 902-628-6305	

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	



Office Use Only	
Sub. Case File #:	
Permit #:	
PID #:	
Permit Fee:	
Received:	
PIC Reviewed:	☐

What is the property currently used for?

- ☒ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: EDDED SUMMER COTTAGE USE

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY RECREATION

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

THIS APPLICATION IS FOR THIS ALREADY-BUILT BUILDING -
STORAGE + PROTECTION FROM WEATHER + PESTS
NB ALSO A 748 SHEEP FILL
STORAGE

What type of development or activity are you proposing? Please check all that apply:

- ☒ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change of use of existing structure FOR THE CURRENT BUILDING

What will the proposed development be used for? Please check all that apply:

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☒ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: _____

Will the proposed structure be the main structure on the property? ☐ Yes ☒ No

Please describe how the proposed structure will be used in detail:

AS ABOVE

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☐ New on-site septic wastewater system ☐ Existing on-site system N/A
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

- ☐ Yes ☐ No ☒ N/A

How many bedrooms are in the proposed/existing structure? 1

Are you proposing to add any additional bedrooms? If so, how many? 1

What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What are the dimensions of the structure that you are proposing?

Width (ft):	12'	Number of Storeys:	1
Depth (ft):	16'	Main Floor Area (ft²):	192
Height of Structure:	11'	Total Floor Area (ft²):	192

If your proposed development is Multi-unit residential, how many units are you proposing? 1

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at this location? _____
- Will there be onsite parking for staff? ☐ Yes ☐ No ☒ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☒ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:	N/A		
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

☒ the registered owner of the land proposed for development ☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)



Date:

15 Sept 2025

or



Date:

15 Sept 2025

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

Date:

Applicant:

Date:

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees	=
Total	=

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or landsdivision@gov.pe.ca for more information.

Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.

Pursuant to the Planning Act

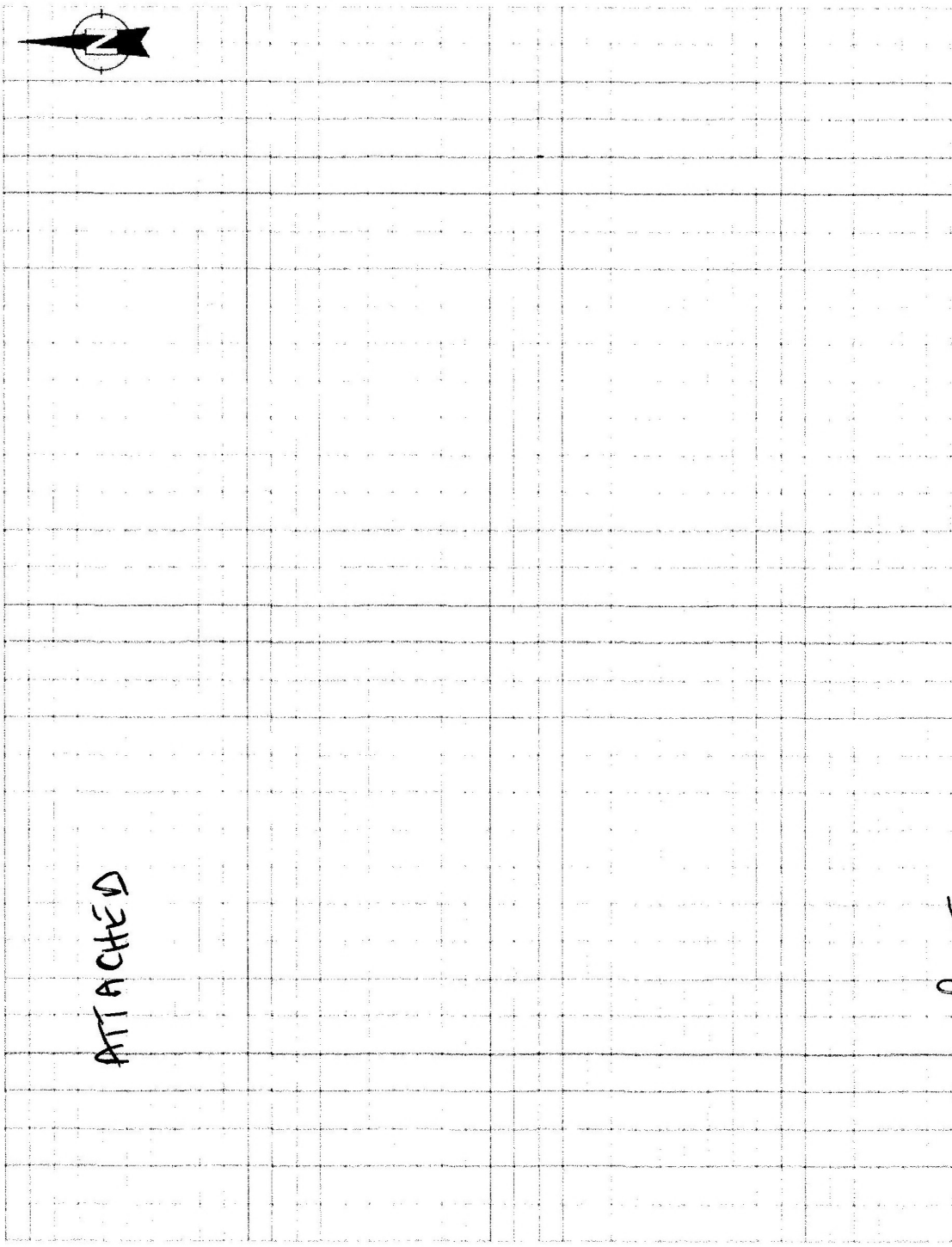
This sketch is required as part of the Development Permit Application and must include the following:

- ☒ All Property lines with their lengths (in ft) ☒ All Buildings with their sizes listed (in ft)
☒ Road(s), including their name(s) ☒ Arrow showing the natural slope of the land
☒ Distance from Septic Tank to Well (ft): _____ ☒ Distance from Septic Field Tile to Well (ft): _____

Provide the minimum distance from your proposed structure to the following:

- ☒ Centre of Road (front yard) (ft): _____ ☒ Rear Yard Property Line (ft): _____
☒ Left Side Property Line (ft): _____ ☒ Right Side Property Line (ft): _____
☒ Shoreline or Top of Bank (ft): _____ ☒ Wetland or Watercourse (ft): _____
☒ Dunes (ft): _____ ☒ Water Well (ft): _____
☒ Septic Tank (ft): _____ ☒ Septic Field Tile (ft): _____

ATTACHED

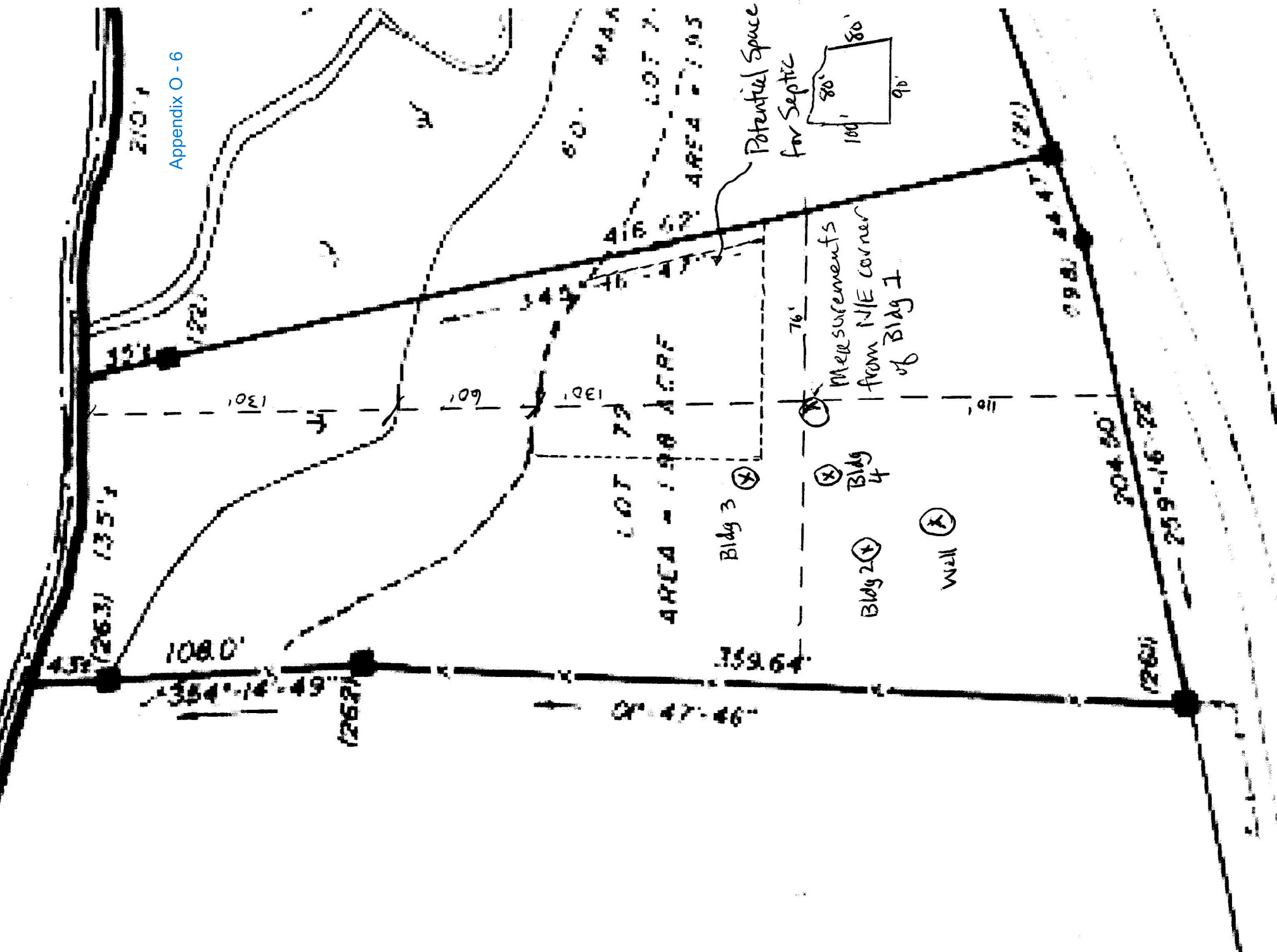


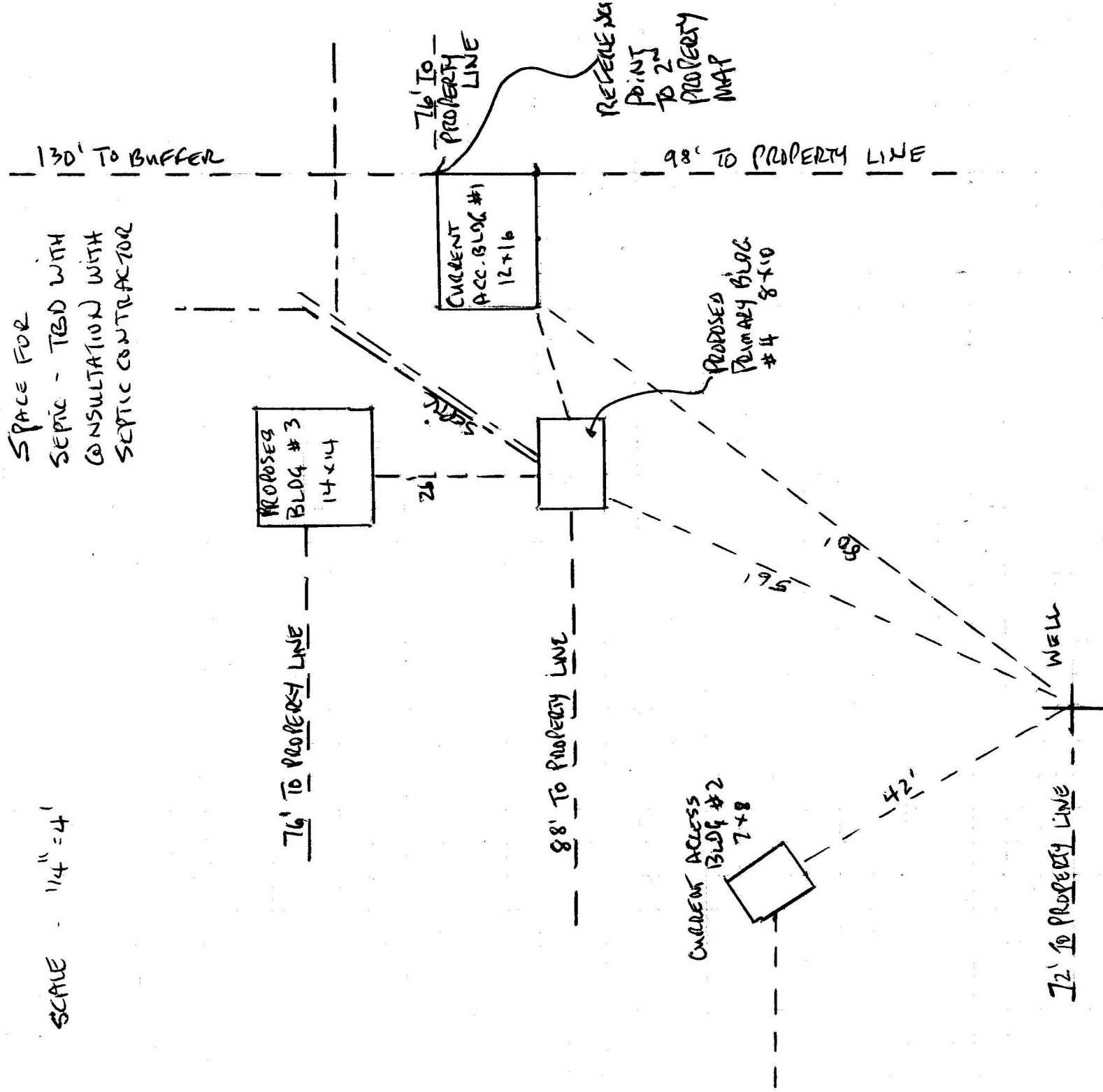
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Property Owner's Signature or Applicant

15 Sept 2025

Date





Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live inside a Municipal Area with planning authority you will need to apply for a **Development Permit from that local Municipal Office.**

Are you wanting to **subdivide your parcel of land into smaller lots or change the official use of the property?** If yes, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033	Community Name: MURRAY HARBOUR
Civic Address Number:	Street Name: WOOTEN LANE
	Lot Number — if applicable: 72

Property Owner Information:

Full Legal Name: DAVID ALLAN WEBSTER		
Company Name:		
Street Address: 374 GAY ROAD		
Community: POWNAC	Province: PE	Postal Code: A3B3N7
Email: Websterd@ntnail.com	Phone: 902-628-6305	

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	



Office Use Only
Sub. Case File #:
Permit #:
PID #:
Permit Fee:
Received:
PIC Reviewed: ☐

What is the property currently used for?

- ☒ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: 20'x30' SUMMER COTTAGE USE

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY RECREATIONAL

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

ACCESSORY BUILDING 12x16- STORAGE & ENVIRONMENT PROTECTION
(WEATHER + PESTS)

SHED 7'x8' STORAGE

What type of development or activity are you proposing? Please check all that apply:

- ☒ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☒ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: _____

Will the proposed structure be the main structure on the property? ☐ Yes ☐ No

Please describe how the proposed structure will be used in detail:

GREEN/ SUNROOM

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☒ New on-site septic wastewater system ☐ Existing on-site system
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

N/A

Was a Site Suitability Assessment completed?

- ☐ Yes ☐ No ☒ N/A

How many bedrooms are in the proposed/existing structure? _____
 Are you proposing to add any additional bedrooms? If so, how many? _____
 What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What are the dimensions of the structure that you are proposing?

Width (ft):	14'	Number of Storeys:	1
Depth (ft):	14'	Main Floor Area (ft ²):	196
Height of Structure:	10'	Total Floor Area (ft ²):	196

If your proposed development is Multi-unit residential, how many units are you proposing? _____

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at this location? _____
- Will there be onsite parking for staff ? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

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Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

- ☒ the registered owner of the land proposed for development ☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)



Date: 15 SEPT 2025

or



Date: 15 Sept 2025

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Date: _____

Applicant:

Date: _____

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- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees.....	=
Total.....	=

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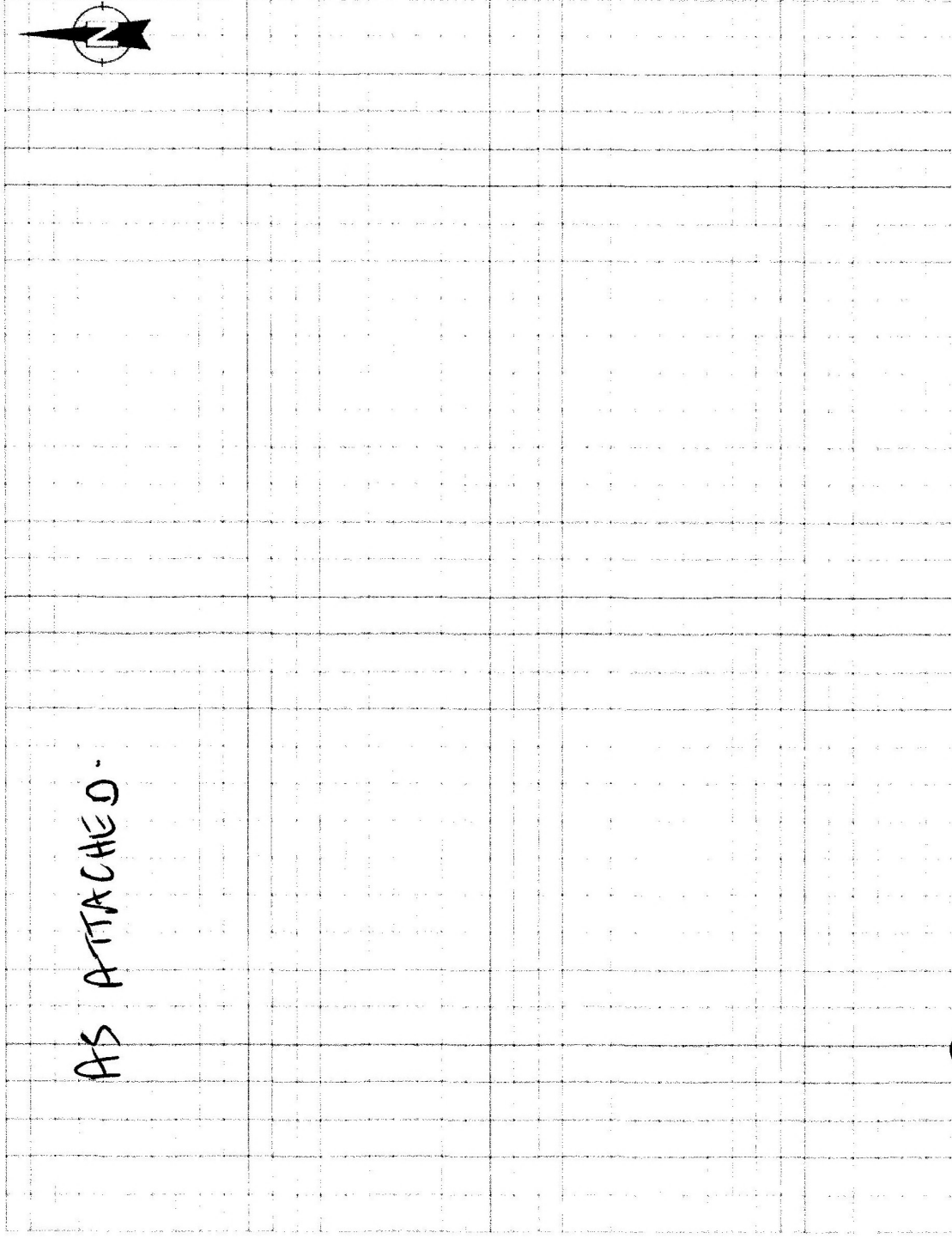
This sketch is required as part of the Development Permit Application and must include the following:

- ☒ All Property lines with their lengths (in ft)
☒ Road(s), including their name(s)
☒ Distance from Septic Tank to Well (ft): _____
- ☒ All Buildings with their sizes listed (in ft)
☒ Arrow showing the natural slope of the land
☒ Distance from Septic Field Tile to Well (ft): _____

Provide the minimum distance from your proposed structure to the following:

- ☒ Centre of Road (front yard) (ft): _____
☒ Left Side Property Line (ft): _____
☒ Shoreline or Top of Bank (ft): _____
☒ Dunes (ft): _____
☒ Septic Tank (ft): _____
- ☒ Rear Yard Property Line (ft): _____
☒ Right Side Property Line (ft): _____
☒ Wetland or Watercourse (ft): _____
☒ Water Well (ft): _____
☐ Septic Field Tile (ft): _____

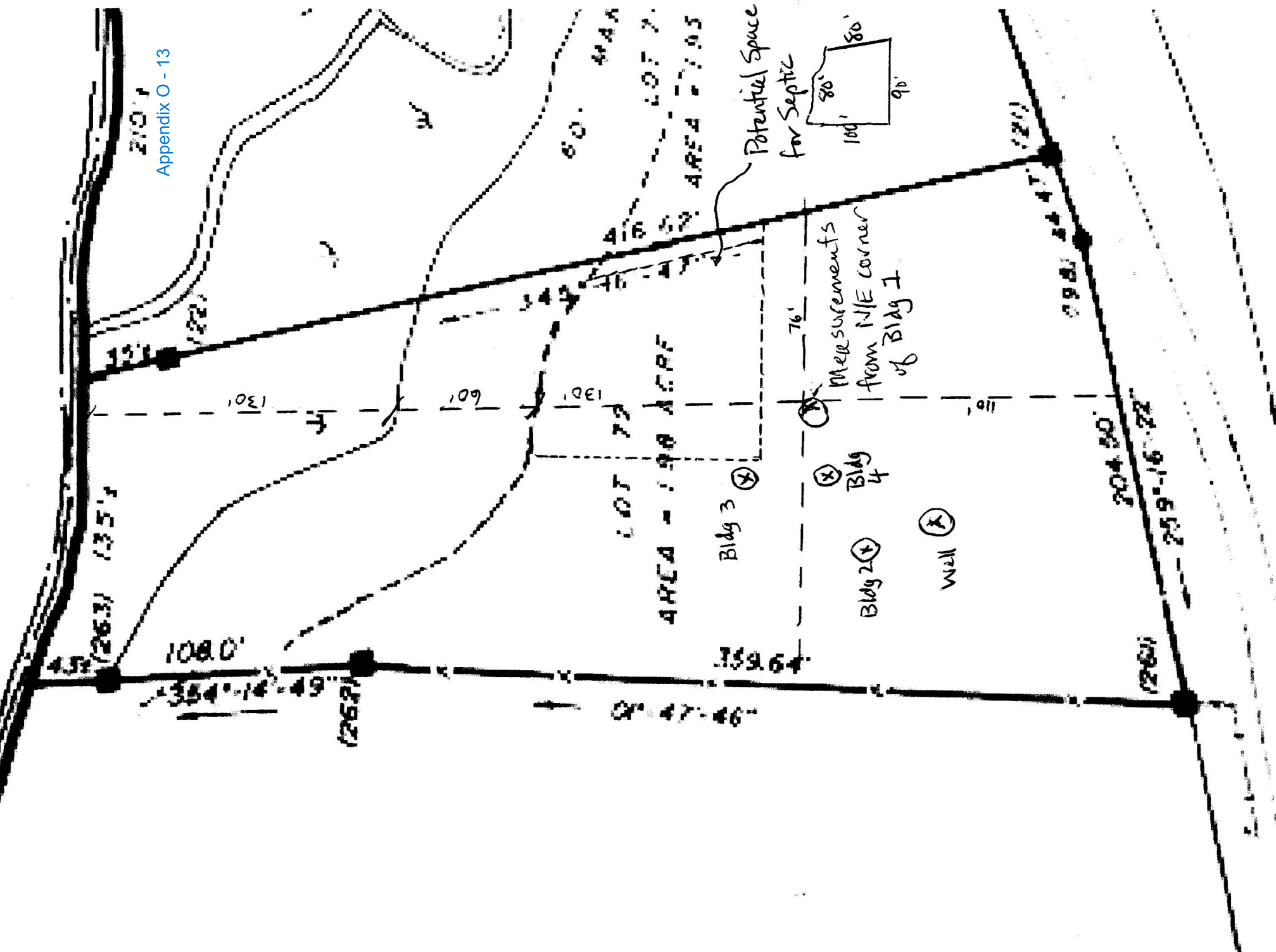
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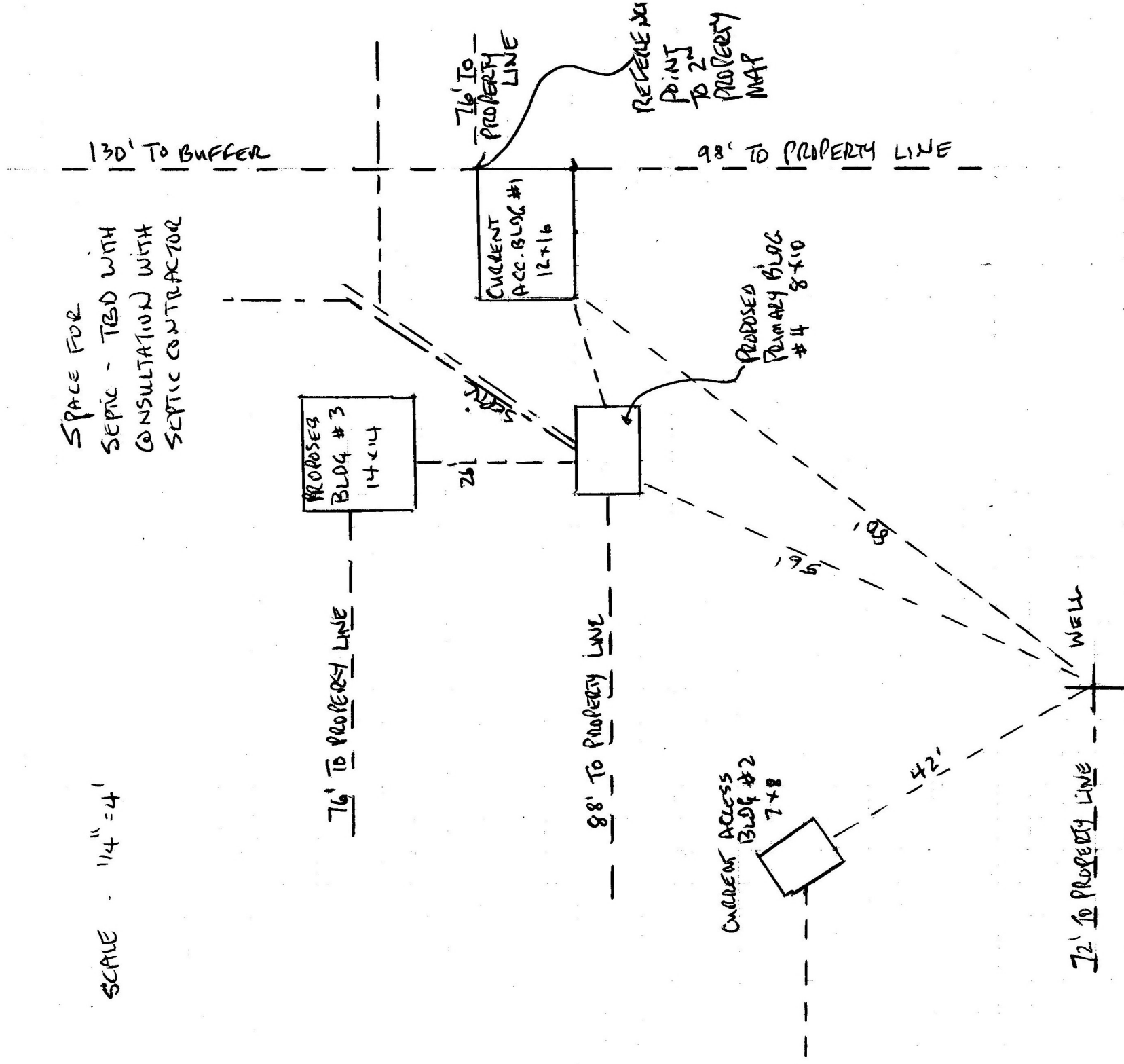


Property Owner's Signature or Applicant

15 Sept 2025

Date







Development Permit Application

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If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

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Civic Address Number:	Street Name: WOTTEN LANE
	Lot Number — if applicable: 72

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Full Legal Name: DAVID ALLAN WEBSTER	
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Community: POWWAL	Province: PE
Email: Websterd@hotmail.com	Postal Code: G1B 3N7
	Phone: 902-628-6305

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Full Legal Name:	
Company Name:	
Street Address:	
Community:	Province:
Email:	Postal Code:
	Phone:

What is the property currently used for?

- ☒ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: OWNED SUMMER COTTAGE USE

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY RECREATION

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

12x16 ACC BLDG - STORAGE + ENVIRONMENT PROTECTION
(WEATHER + PESTS)
STORAGE SHED 7x8

What type of development or activity are you proposing? Please check all that apply:

- ☒ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☒ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: _____

Will the proposed structure be the main structure on the property? ☒ Yes ☐ No

Please describe how the proposed structure will be used in detail:

BUILDING TO HOUSE TOILET + KITCHEN COUNTER

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☒ New on-site septic wastewater system ☐ Existing on-site system
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

☐ Yes ☒ No ☐ N/A WILL COMPLETE PER DRAINAGE PROCESS

How many bedrooms are in the proposed/existing structure? —
 Are you proposing to add any additional bedrooms? If so, how many? —
 What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: —

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What are the dimensions of the structure that you are proposing?

Width (ft):	10'	Number of Storeys:	1
Depth (ft):	8'	Main Floor Area (ft²):	80
Height of Structure:	10'	Total Floor Area (ft²):	80

If your proposed development is Multi-unit residential, how many units are you proposing? —

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? —
- How many staff are you intending on having at this location? —
- Will there be onsite parking for staff? ☐ Yes ☐ No ☒ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☒ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:	TBD - TENTATIVE	MACKEY SEPTIC SERVICES	
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

Appendix O - 18

DAVID WEBSTER

hereby certify that I am (select one)

☒ the registered owner of the land proposed for development

☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

Applicant:



Date:

15 Sept 2025



Date:

15 Sept 2025

Date:

Date:

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees	=
Total	=

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or landsdivision@gov.pe.ca for more information.

Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.

Development Permit Application

Appendix O - 19

Pursuant to the Planning Act

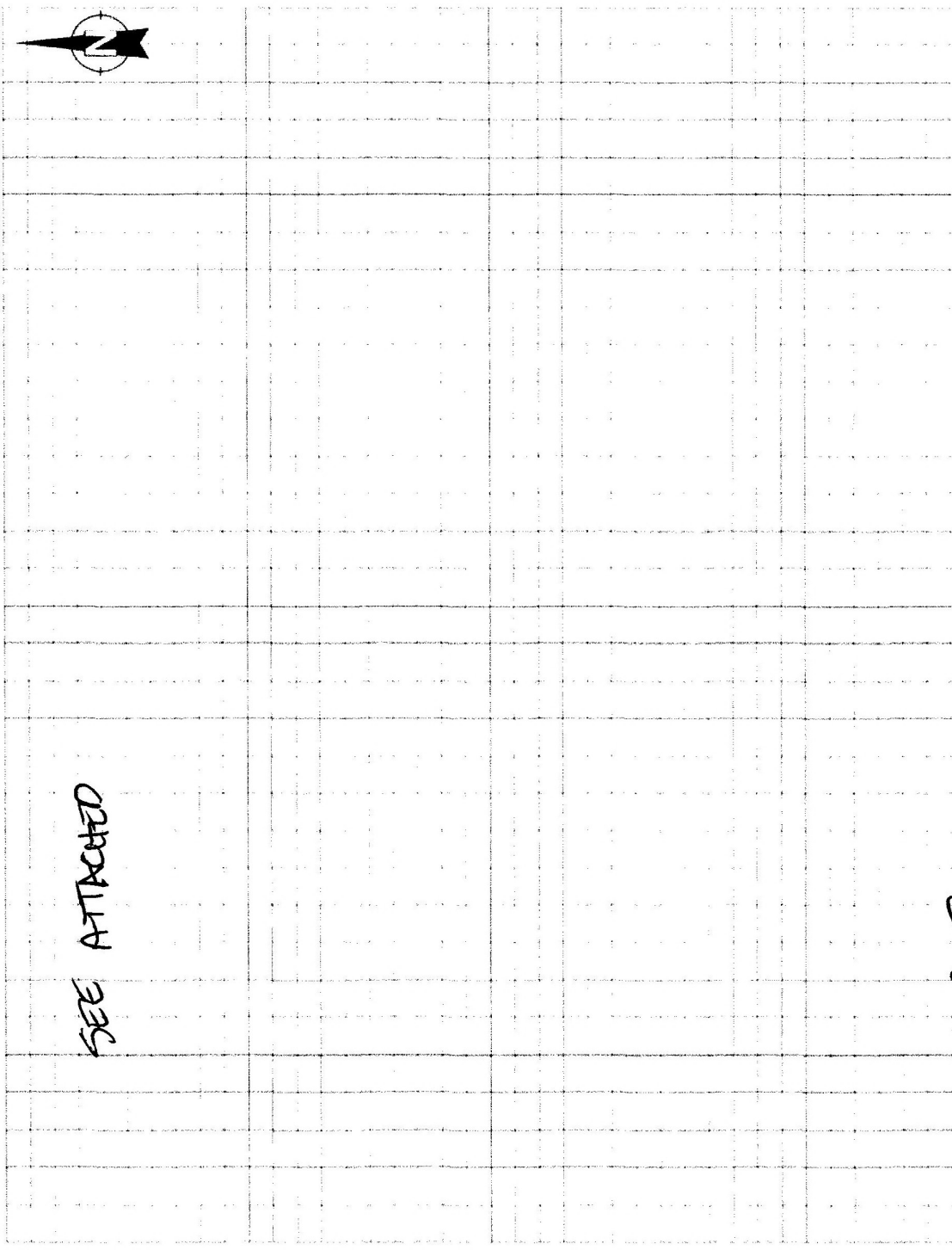
This sketch is required as part of the Development Permit Application and must include the following:

- ☒ All Property lines with their lengths (in ft)
- ☒ All Buildings with their sizes listed (in ft)
- ☒ Road(s), including their name(s)
- ☒ Arrow showing the natural slope of the land
- ☒ Distance from Septic Tank to Well (ft): _____
- ☒ Distance from Septic Field Tile to Well (ft): _____

Provide the minimum distance from your proposed structure to the following:

- ☒ Centre of Road (front yard) (ft): _____
- ☒ Rear Yard Property Line (ft): _____
- ☒ Left Side Property Line (ft): _____
- ☒ Right Side Property Line (ft): _____
- ☒ Shoreline or Top of Bank (ft): _____
- ☒ Wetland or Watercourse (ft): _____
- ☒ Dunes (ft): _____
- ☒ Water Well (ft): _____
- ☒ Septic Tank (ft): _____
- ☒ Septic Field Tile (ft): _____

SEE ATTACHED

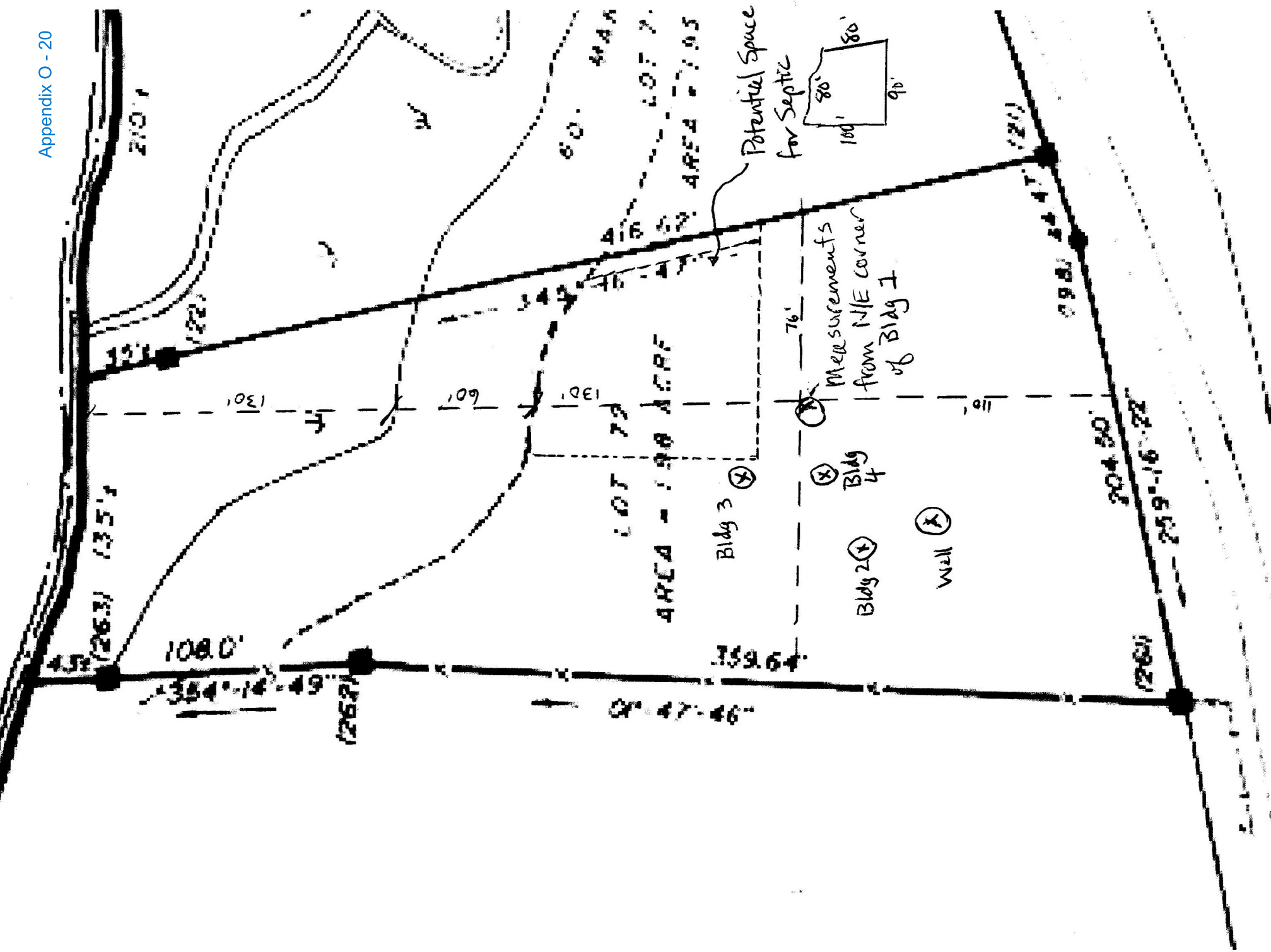


[Signature]

Property Owner's Signature or Applicant

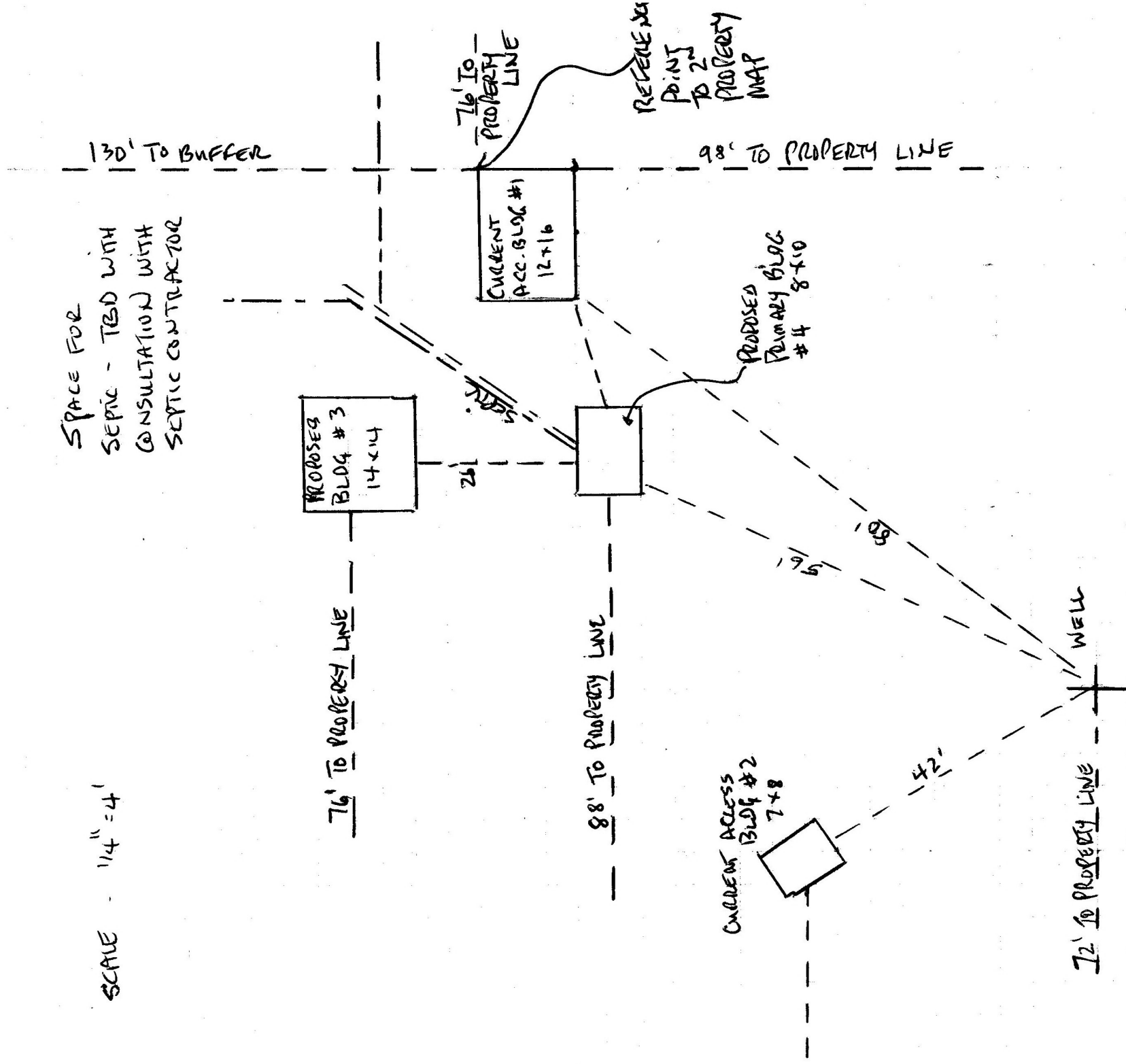
15 Sept 2025

Date



SPACE FOR
SEPIC - TED WITH
CONSULTATION WITH
SEPIC CONTRACTOR

SCALE - 1/4" = 4'



Building Permit Application



A Building Permit is required for:

- All dwellings including tiny homes and cottages
- Accessory buildings greater than 20m² (~215sqft)
- Decks greater than 50m² (~538sqft) OR 600mm (~24") above ground OR supporting any structure above
- All buildings not exempt as per the **PEI Building Codes Act, Building Codes Regulations, Section 4**

A Development Permit is required for a Building Permit Application

☐ Do you live within a Municipal Area with planning authority?

Attach your approved Development Permit from your Municipal Office.

☒ If not, please provide the date you paid for your Development Permit Application to the Province of PEI _____

Office Use Only - V2 2023	
Building Permit #:	
Dev. Permit #	
PID#:	
Permit Fee:	
Date Fee Paid:	
BPC Reviewed:	☐

The following plans are required to be submitted with this Building Permit Application:

- 1) Foundation
- 2) Front, side and rear elevations
- 3) Floor Plans
- 4) Cross-Sections
- 5) Site Plan
- 6) Truss / Structural Framing*
(*required before Framing Inspection)

Property Information:

Property Tax Number: 835033	Community: MURRAY HARBOUR	Lot Number: 72
Civic Address Number:	Street Name: WOOTTEN LANE	

Applicant Information:

Full Legal Name: DAVID ALAN WEBSTER		
Company Name:		
Street Address: 374 GAY ROAD		
Community: POWNAL	Province: PE	Postal Code: C1B 3N7
Email: websterd@hotmail.com	Phone: 902-628-6305	

Property Owner Information if different from Applicant:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:		Phone:

What is the property currently used for?

- ☒ Single-unit Residential
☐ Multi-unit Residential
☐ Institutional
☐ Commercial
☐ Industrial
☐ Vacant
☐ Agriculture
☐ Forestry
☐ Other: 2ND D LOTTAQUE USE

What type of work are you looking to complete? Please check all that apply:

- ☐ Addition to existing structure
☐ Relocation of existing structure
☐ Demolition of an existing structure
☒ New detached structure
☐ Deck
☐ Renovation of existing structure
☐ Change use of existing structure

What will the structure be used for? Please check all that apply:

- ☒ Single-unit residential
☐ Multi-unit residential
☐ Commercial
☐ Industrial
☐ Institutional
☐ Agriculture
☐ Aquaculture/Fisheries
☐ Forestry

Please indicate the number of bedrooms in the proposed structure: 0

- Are you looking to build multiple dwelling units in the residential development?

☐ Yes - indicate # of units _____ ☒ No

What are the dimensions of the structure that you are proposing?

Width (ft):	10'	Number of Storeys:	1
Depth (ft):	8'	Main Floor Area (ft²):	80
		Total Floor Area (ft²):	80

What type of foundation are you proposing for the structure?

- ☐ Standard Concrete
☐ Insulated Concrete Form (ICF)
☒ Wood Posts
☐ Other: _____

What type of basement are you proposing for the structure?

- ☐ Full Basement
☐ Frost Wall & Slab
☐ Engineered Slab
☐ Crawlspace
N/A

What type of heating source will this building use? ☐ Electric ☐ Oil ☐ Propane ☐ Solar Other: N/A

What type of electrical service are you proposing? ☐ 100 Amp ☐ 200 Amp ☐ Other: N/A

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What is the estimated value of construction? \$10,000 (+SEPTIC)

Please provide the name, email and phone number for the various individuals that may be involved in your proposed development:

	Name	Email Address	Phone Number
Engineer:			
Architect/Designer:			
General Contractor:			
Heating Contractor:			
Electrician:			
Plumber:	TBD -		

Please Note: Your application will be considered incomplete and will be returned if any of the information outlined above is missing, unclear, illegible, or if fees have not been paid.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

☒ the registered owner of the land proposed for development ☐ authorized to act on behalf of the registered owner of the land proposed for development

and hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Building Permit Application to proceed. This documented proof must be supplied at time of application.




Date 15 Sept 2025

Date 15 Sept 2025

Date _____

Applicant:

Date _____

Submit applications and required documentation to:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Building Permit and Inspection Booking Hotline: 1-800-370-3977

www.PrinceEdwardIsland.ca/Building

Office Use Only

RESIDENTIAL BUILDING PERMIT FEES*

New Dwelling - Building Area** up to 139 m² \$960)..... = _____

(Additional \$160/each additional 50 m²)

Conversion of ft² to m² (m² = ft² ÷ 10.76)

Occupancy Permit (\$25) = _____

BUILDING PERMIT FEES FOR ALL OTHER PROJECTS*

Value of Construction (VOC) greater than \$200,000..... = _____

(Permit fee equal to \$4.50 per \$1000 of the VOC)

Value of Construction (VOC) less than or equal to \$200,000..... = _____

Occupancy Permit (\$25)..... = _____

Other Applicable Fees..... = _____

REVIEW FEE (\$160) - For review of any project not otherwise listed = _____

Total:..... = _____

*Refer to Schedule C of the Building Codes Act Regulations.

** "Building Area" means the greatest horizontal area of a building above grade within the outside surface of the exterior walls or within the outside surface of exterior walls and the centre line of firewalls

OTHER RESIDENTIAL BUILDING PERMIT FEES

Addition of Living Quarters (\$640)

Attached Garage (insulated) (\$480)

Attached Garage (not insulated) (\$320)

Detached Garage (insulated) (\$320)

Detached Garage (not insulated) (\$160)

Basement Development/Secondary Suite (\$320)

Deck (\$160)

Foundation Replacement (\$480)

Modular/Manufactured Home (\$480)

IF VOC IS LESS THAN OR EQUAL TO \$200,000

Principal Building (Building Area over 20m/215ft² (\$900)
Addition (\$720)

Renovation (\$540)

Leasehold Improvements (\$540)

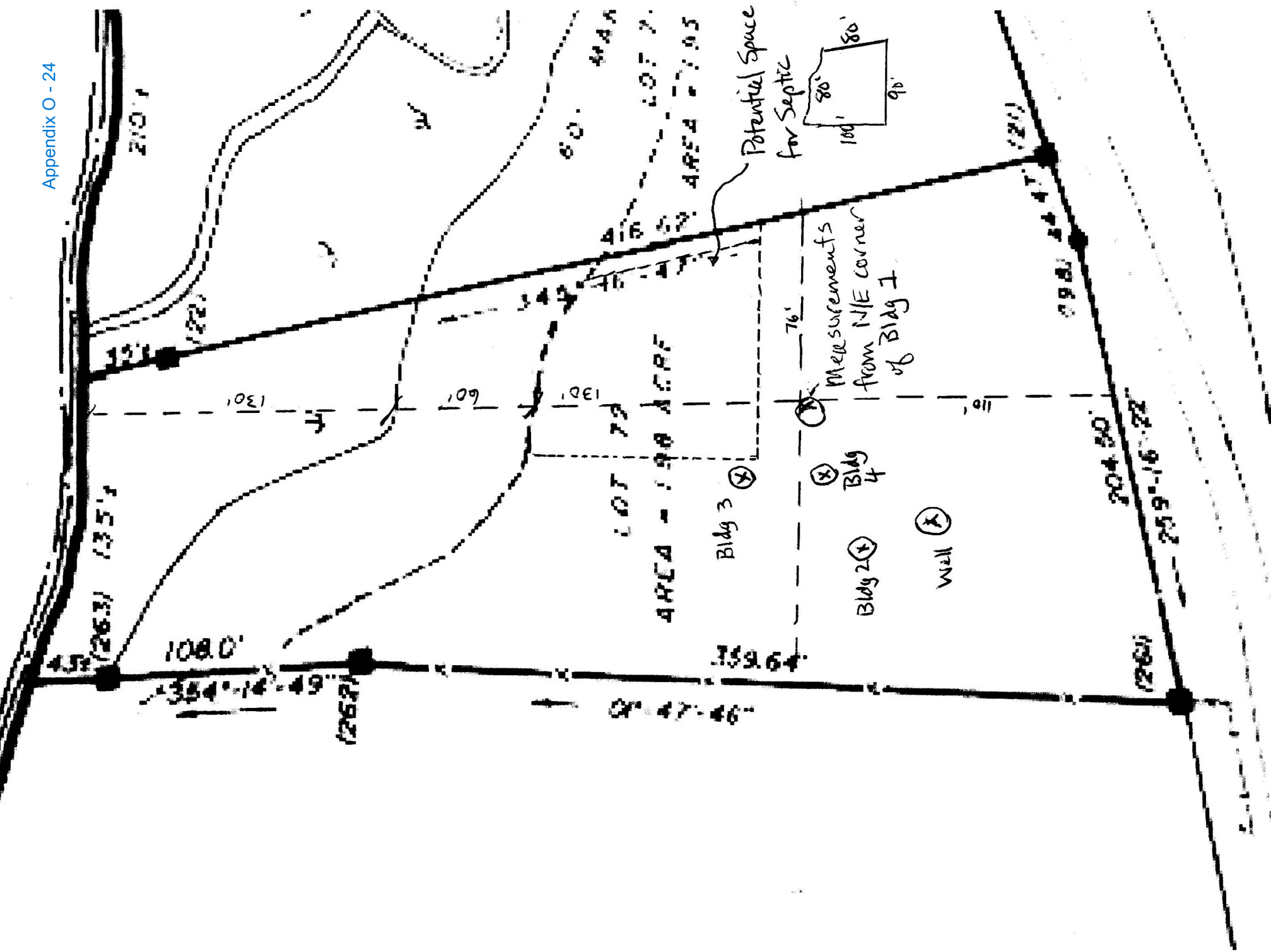
Addition (\$720)

Accessory Building (insulated) (\$540)

Accessory Building (not insulated) (\$360)

Barrier-Free Ramp (\$360)

Personal Information on this form is collected under section 10 of the Building Codes Act. If you have any questions about the collection of personal information, you may contact landsdivision@gov.pe.ca for more information.



Roof Pitch 3:12

Roof System:

- Metal (Standing Seam)
- Furring 1x3
- Felt
- Plywood 1/2"
- Rigid Foam (2 layers 2" each @ R10 each)
- Plywood 1/2"
- Rafters – 2x6 @ 12" O/C
- Fascia 2x8
- Metal trim (rain drip, fascia, gables, rain gutter/eaves)
- Soffits overhand 12"

Exterior Walls:

- Vinyl Siding
- Furring 1x3
- House wrap
- Plywood 5/8"
- Walls (2x4 Studs) 12" O/C
- (At A Later Date?)
- Insulation Fiberglass R-20
- Vapour Barrier

Interior Wall:

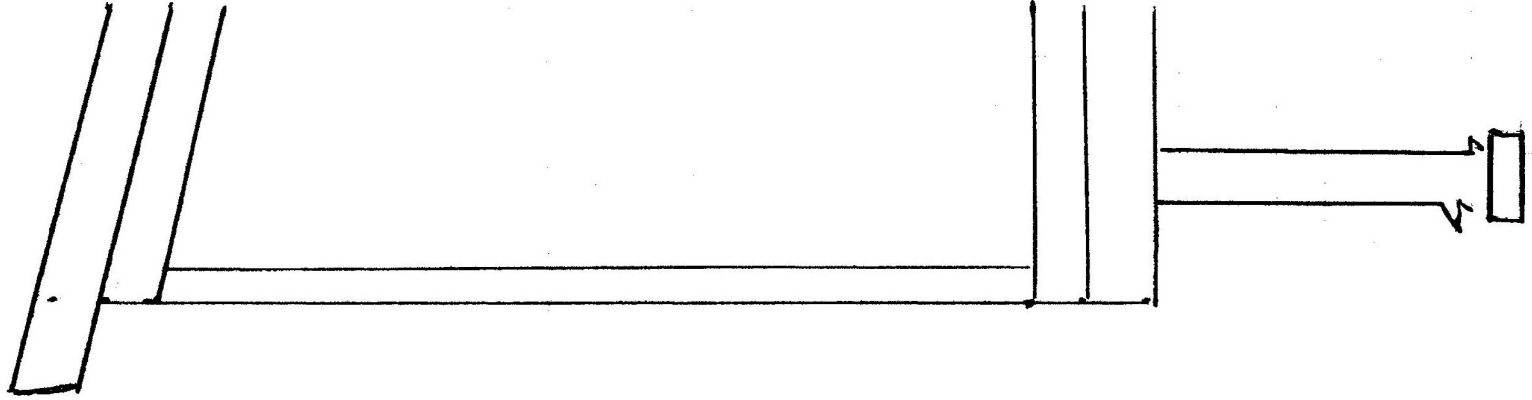
- 2x4 Studs @ 12" O/C
- Plywood
- Moisture Block around shower and toilet

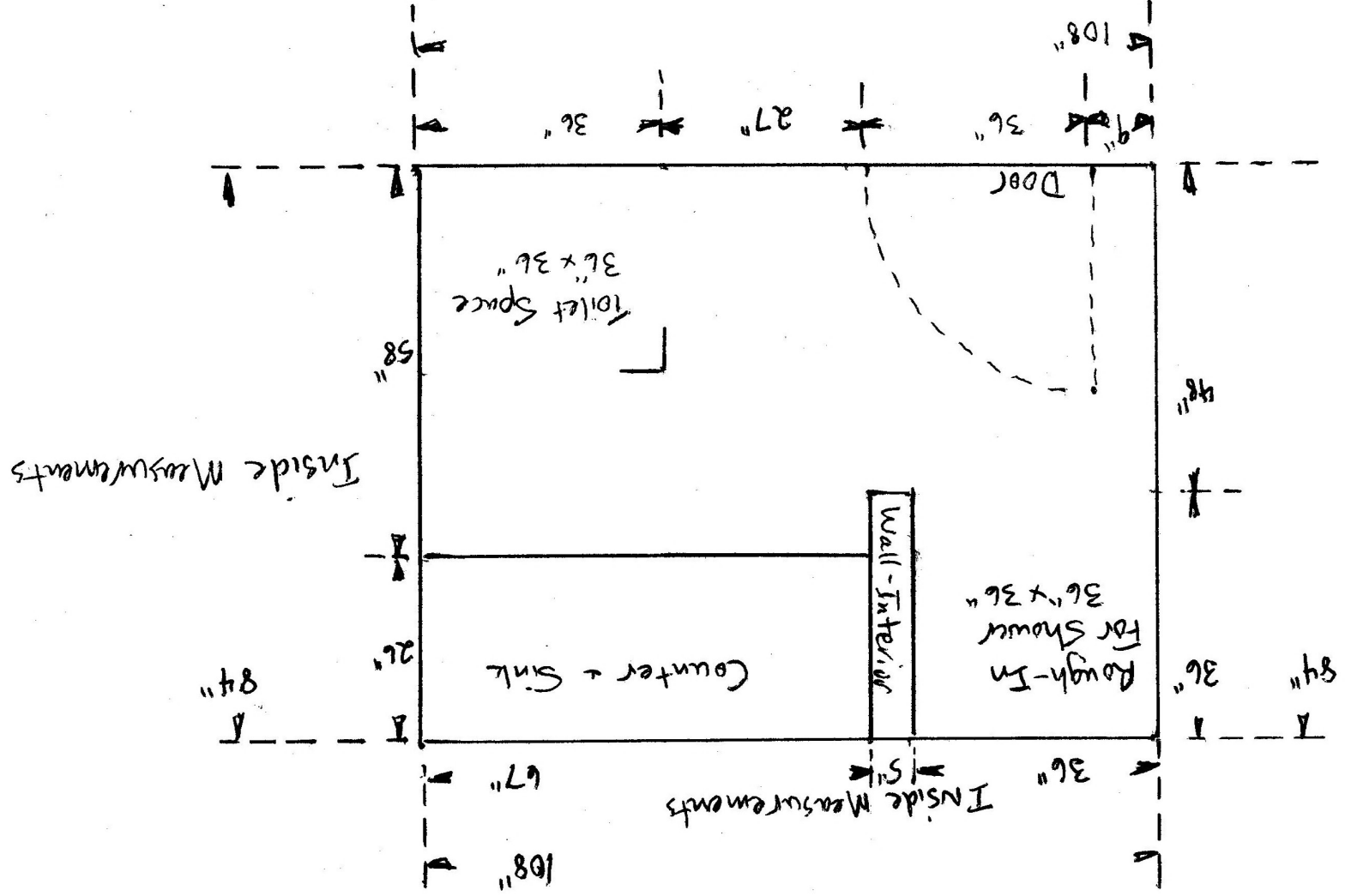
Floor/ Foundation:

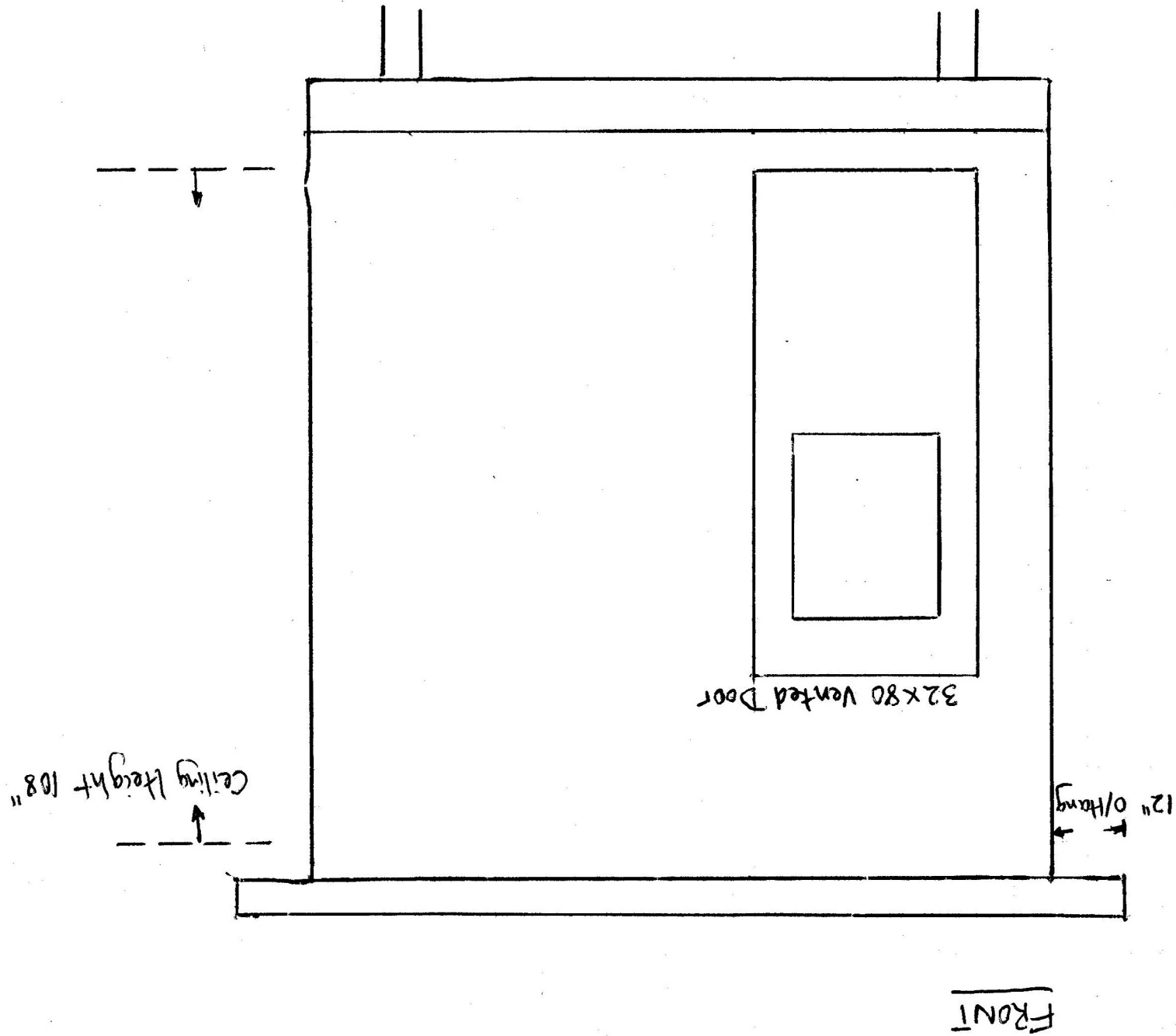
- Floor Cover (Vinyl Click)
- Floor Underlay
- Plywood T/G 5/8"
- Rigid Foam (2 layers 2" each @ R10 each)
- Plywood T/G 5/8"
- Joists (incl rim) 2x6 @ 12" O/C P/T
- Beams (#2) 3 pc 2x8 together P/T
- Posts (#4) P/T 6x6 at 5 feet underground
- Posts with polyfilm around & between post and footings
- Footings cement 8x8x4"
- Fill with gravel

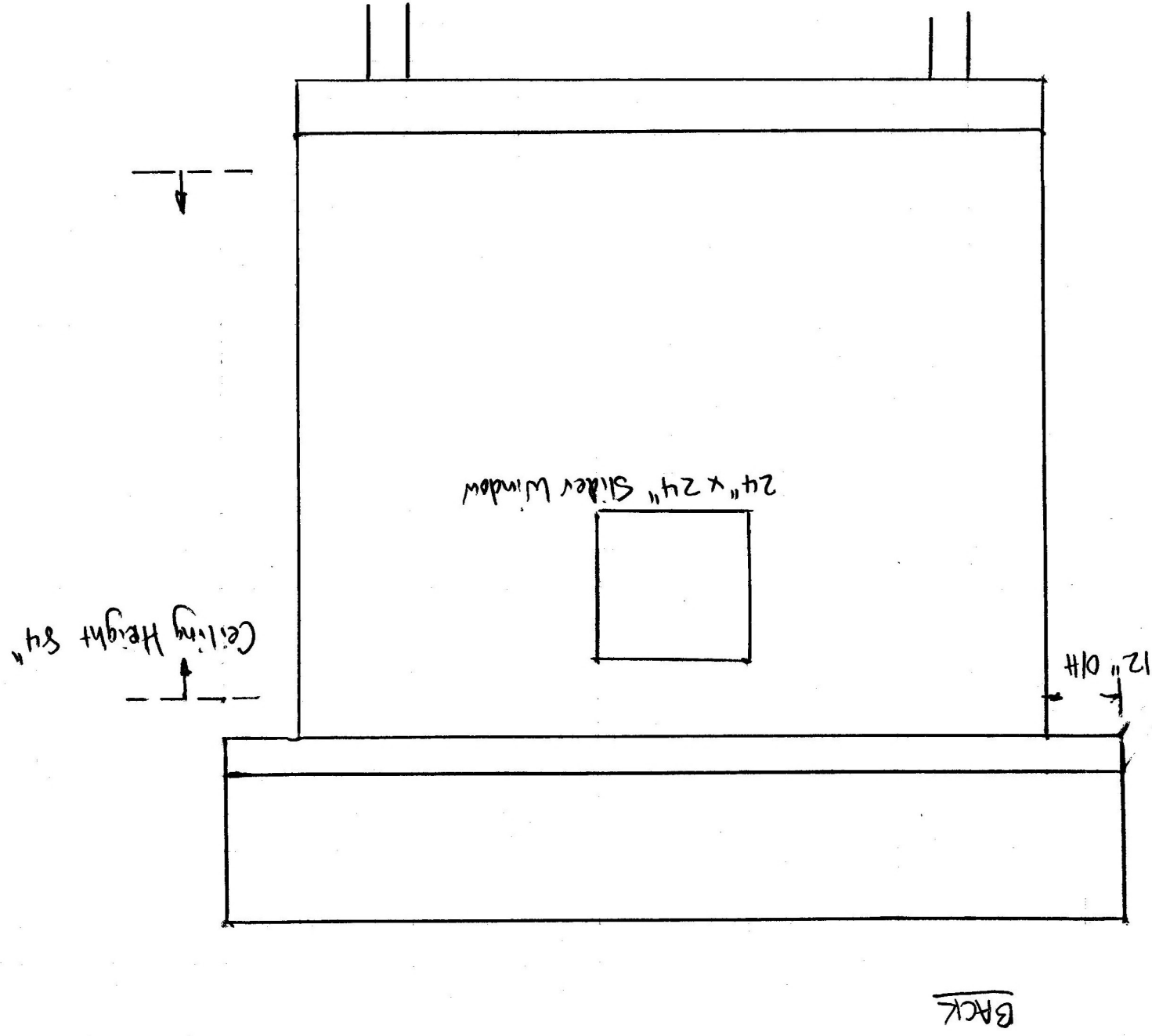
NB:

Stairs and/or Deck will be added as needed dependent on final height of door above ground







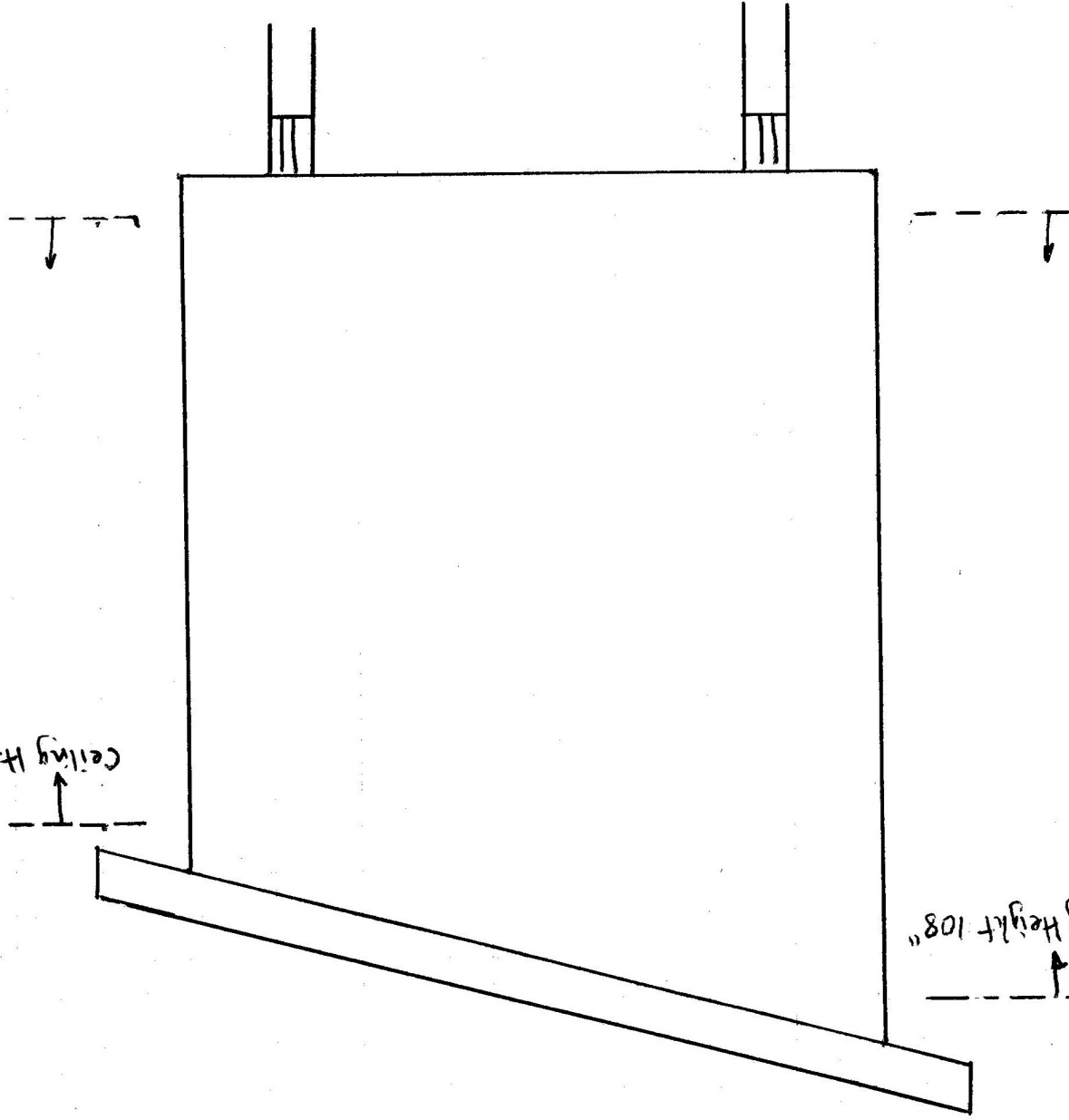


NB. Two Sides are Mirrored

SIDES

Ceiling Height 84"
↑

Ceiling Height 108"
↑



WEBSTER - REAR

Development Permit Application

Appendix P - 1



Where you live will determine what Development Permit Application you will need to complete.

If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live inside a Municipal Area with planning authority you will need to apply for a **Development Permit from that local Municipal Office**.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If yes, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033 -000	Community Name: MURRAY HARBOUR
Civic Address Number: —	Street Name: WOOTEN LANE
	Lot Number — if applicable: LOT 72

Property Owner Information:

Full Legal Name: DAVID ALAN WEBSTER		
Company Name:		
Street Address: 374 LAKE ROAD		
Community: PAUNAL	Province: PE	Postal Code: C1B3N7
Email: websterd@hotmail.com	Phone: 902-628-6305	

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	

What is the property currently used for?

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: ZONED SUMMER COTTAGE USE

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY RECREATION (e.g. kayaking, swimming, gardening)

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

TWO BUILDINGS CURRENTLY USED FOR STORAGE (12x16, 7x8).
PROPOSAL TO CHANGE USE OF 12x16 BUILDING INTO
DWELLING (SEASONAL)

What type of development or activity are you proposing? Please check all that apply:

- ☐ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☒ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☒ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: SUMMER-USE DWELLING

Will the proposed structure be the main structure on the property? ☐ Yes ☐ No

Please describe how the proposed structure will be used in detail:

AS ABOVE - SUMMER-USE DWELLING

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☐ New on-site septic wastewater system ☐ Existing on-site system N/A
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

☒ Yes ☐ No ☐ N/A

How many bedrooms are in the proposed/existing structure? SINGLE ROOM
Are you proposing to add any additional bedrooms? If so, how many? ONE
What type of foundation are you proposing for the structure?

Appendix P - 3

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What are the dimensions of the structure that you are proposing?

Width (ft):	12'	Number of Storeys:	1
Depth (ft):	16'	Main Floor Area (ft²)	142
Height of Structure:	11'	Total Floor Area (ft²):	192

If your proposed development is Multi-unit residential, how many units are you proposing? -

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at this location? N/A
- Will there be onsite parking for staff? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

N/A

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:	KING'S COUNTY CONSTR.	mdanner@eastlink.ca	402-838-2191
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

Appendix P - 4

I, DANIS WEBSTER

hereby certify that I am (select one)

☒ the registered owner of the land proposed for development

☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)




Date: 1 DEC 2025

Date: 1 DEC 2025

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

Date: _____

Applicant: _____

Date: _____

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees.....	=
Total.....	=

Personal information on this form is collected under section 31 of the *Freedom of Information and Protection of Privacy Act* for the purpose of land development and services as expressly authorized under the *Planning Act*, R.S.P.E.I. 1988, Cap. P-8. If you have any questions about this collection of personal information, you may contact the Land Division Office at (902) 368-5280 or landsdivision@gov.pe.ca for more information.

Disclaimer: This application may be transferred to the subject municipality for processing if jurisdictional planning areas change from the Province to the municipality.

Pursuant to the Planning Act

This sketch is required as part of the Development Permit Application and must include the following:

- ☒ All Property lines with their lengths (in ft) ☒ All Buildings with their sizes listed (in ft)
☒ Road(s), including their name(s) ☒ Arrow showing the natural slope of the land
☒ Distance from Septic Tank to Well (ft): 80' ☒ Distance from Septic Field Tile to Well (ft): 120'

Provide the minimum distance from your proposed structure to the following:

- ☒ Centre of Road (front yard) (ft): 110' to PROPERTY LINE ☒ Rear Yard Property Line (ft): 300
☒ Left Side Property Line (ft): 110 ☒ Right Side Property Line (ft): 76'
☒ Shoreline or Top of Bank (ft): 300 ☒ Wetland or Watercourse (ft): 170' to BUFFER
☐ Dunes (ft): - ☒ Water Well (ft): 80'
☒ Septic Tank (ft): 15' (TO BE CONFIRMED BY CONTRACTOR) ☒ Septic Field Tile (ft): 20-40 (TO BE CONFIRMED BY SEPTIC CONTRACTOR)



AS ATTACHED

[Signature]

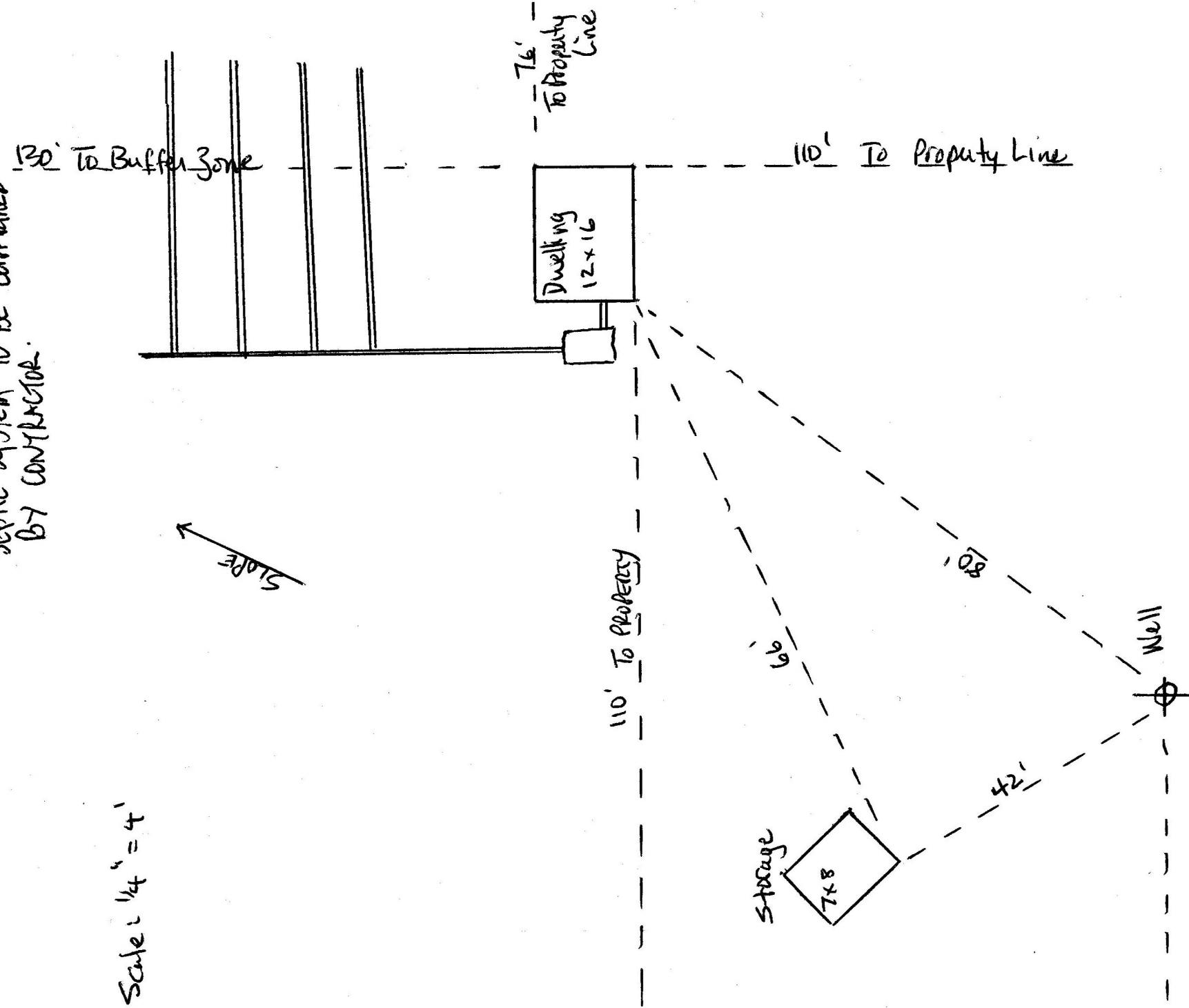
Property Owner's Signature or Applicant

1 DEC 2025

Date

NOTE: MEASUREMENTS FOR
SEPTIC SYSTEM TO BE CONFIRMED
BY CONTRACTOR.

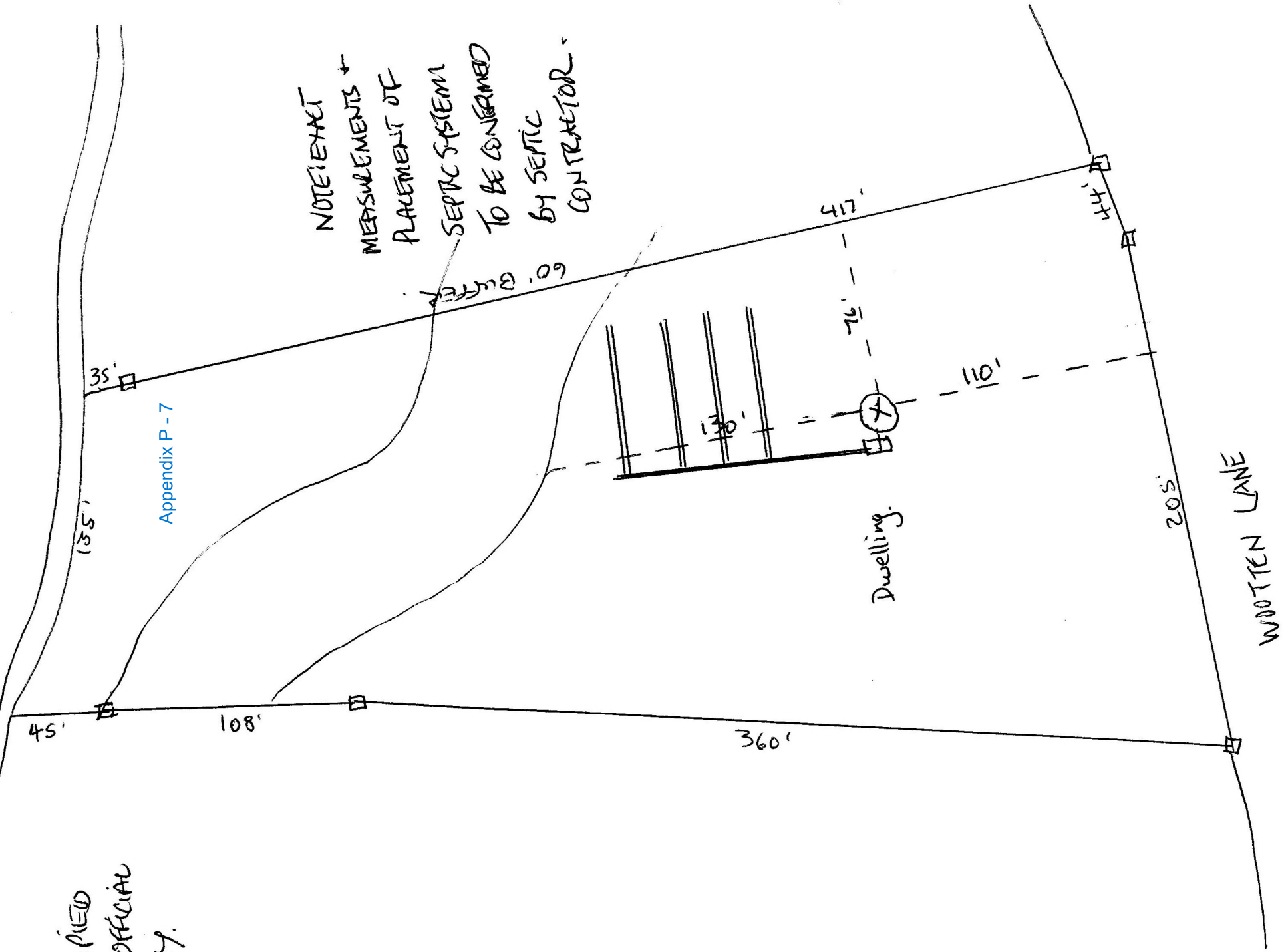
Scale: 1/4" = 4'



MAP COPIED
FROM OFFICIAL
SURVEY.

Appendix P - 7

NOTE: EXACT
MEASUREMENTS +
PLACEMENT OF
SEPTIC SYSTEM
TO BE DETERMINED
BY SEPTIC
CONTRACTOR.



Webster Submission: Notes to Permit Applications

There is no hydro/electrical service to the property, and as such there are no electrical facilities in the building:

- Cooking, if/when needed, will be done on either barbecue and/or camp stove outside of the building

There is no piped water available to the property, and as such:

- Potable water, if/when needed, will be brought from home
- Water for toilet will be sourced from either well and/or rainwater and dropped in by bucket or suitable container
- No plumbing facilities/fixtures are required other than what is required to service the toilet connection to the septic system (i.e. no sinks)

As a seasonal property and building, there are no heating, cooling or other HVAC systems.

Ventilation will be with natural means (windows and doors).

There are no additional expectations related to “housekeeping” or any other portion of the various definitions related to the building being a dwelling, other than there will be at least 1 bed.

There are no additional expectations that come as a result of how government officials interpret regulations and codes, either directly or through perceived intent.

The work will be completed within the 2-year time period allotted by the government for permits to remain valid. While it is hoped that the work will be completed earlier, there are considerations regarding the potential damage to Wooten Lane from heavy equipment that may limit the time of year the work can be completed.

Building Permit Application

Appendix P - 9



A Building Permit is required for:

- All dwellings including tiny homes and cottages
- Accessory buildings greater than 20m² (~215sqft)
- Decks greater than 50m² (~538sqft) OR 600mm (~24") above ground OR supporting any structure above
- All buildings not exempt as per the **PEI Building Codes Act, Building Codes Regulations, Section 4**

Office Use Only - V2 2023	
Building Permit #:	
Dev. Permit #	
PID#:	
Permit Fee:	
Date Fee Paid:	
BPC Reviewed:	☐

A Development Permit is required for a Building Permit Application

- ☐ Do you live within a Municipal Area with planning authority?
Attach your approved Development Permit from your Municipal Office.
- ☒ If not, please provide the date you paid for your Development Permit Application to the Province of PEI March 10, 2025

The following plans are required to be submitted with this Building Permit Application:

- 1) Foundation
- 2) Front, side and rear elevations
- 3) Floor Plans
- 4) Cross-Sections
- 5) Site Plan
- 6) Truss / Structural Framing*
(*required before Framing Inspection)

Property Information:

Property Tax Number: 835033	Community: MURRAY HARGREAVE	Lot Number: 72
Civic Address Number: -	Street Name: WOOTEN LANE	

Applicant Information:

Full Legal Name: DAVID ALAN WEBSTER		
Company Name:		
Street Address: 374 GAY RD		
Community: BUNAL	Province: PE	Postal Code: C1B3N7
Email: websterd@hotmail.com		Phone: 902-628-6305

Property Owner Information if different from Applicant:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:		Phone:

What is the property currently used for?

- ☒ Single-unit Residential
☐ Multi-unit Residential
☐ Institutional

- ☐ Commercial
☐ Industrial
☐ Vacant

- ☐ Agriculture
☐ Forestry
☐ Other:

ZONED SUMMER
COTTAGE USE

What type of work are you looking to complete? Please check all that apply:

- ☐ Addition to existing structure
☐ Relocation of existing structure
☐ Demolition of an existing structure
☐ New detached structure
☐ Deck
☐ Renovation of existing structure
☒ Change use of existing structure

What will the structure be used for? Please check all that apply:

- ☒ Single-unit residential
☐ Multi-unit residential
☐ Commercial
☐ Industrial
☐ Institutional
☐ Agriculture
☐ Aquaculture/Fisheries
☐ Forestry

Please indicate the number of bedrooms in the proposed structure: TOTAL ONE ROOM BUILDING

- Are you looking to build multiple dwelling units in the residential development?

☐ Yes - indicate # of units
☒ No

What are the dimensions of the structure that you are proposing?

Width (ft):	<u>16'</u>	Number of Storeys:	<u>1</u>
Depth (ft):	<u>12'</u>	Main Floor Area (ft ²):	<u>192</u>
		Total Floor Area (ft ²):	<u>192</u>

What type of foundation are you proposing for the structure?

- ☐ Standard Concrete
☐ Insulated Concrete Form (ICF)
☒ Wood Posts
☐ Other:

What type of basement are you proposing for the structure?

- ☐ Full Basement
☐ Frost Wall & Slab
☐ Engineered Slab
☐ Crawlspace
☐ N/A

What type of heating source will this building use? ☐ Electric ☐ Oil ☐ Propane ☐ Solar Other: N/A

What type of electrical service are you proposing? ☐ 100 Amp ☐ 200 Amp ☐ Other: N/A

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What is the estimated value of construction? 20,000 (plus septic + plumbing \$20,000) = 40,000

Please provide the name, email and phone number for the various individuals that may be involved in your proposed development:

	Name	Email Address	Phone Number
Engineer:			
Architect/Designer:			
General Contractor:			
Heating Contractor:			
Electrician:			
Plumber:	<u>(101)</u>		

Please Note: Your application will be considered incomplete and will be returned if any of the information outlined above is missing, unclear, illegible, or if fees have not been paid.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

☒ the registered owner of the land proposed for development ☐ authorized to act on behalf of the registered owner of the land proposed for development

and hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Building Permit Application to proceed. This documented proof must be supplied at time of application.




Date

1 Dec 2025

Date

1 Dec 2025

Date

Applicant:

Date

Submit applications and required documentation to:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Building Permit and Inspection Booking Hotline: 1-800-370-3977
www.PrinceEdwardIsland.ca/Building

Office Use Only

RESIDENTIAL BUILDING PERMIT FEES*

New Dwelling - Building Area** up to 139 m² (\$960)..... =
(Additional \$160/each additional 50 m²)
Conversion of ft² to m² (m² = ft² ÷ 10.76)
Occupancy Permit (\$25) =

BUILDING PERMIT FEES FOR ALL OTHER PROJECTS*

Value of Construction (VOC) greater than \$200,000..... =
(Permit fee equal to \$4.50 per \$1000 of the VOC)
Value of Construction (VOC) less than or equal to \$200,000..... =
Occupancy Permit (\$25)..... =
Other Applicable Fees..... =

REVIEW FEE (\$160) - For review of any project not otherwise listed =

Total:..... =

*Refer to Schedule C of the Building Codes Act Regulations.

** "Building Area" means the greatest horizontal area of a building above grade within the outside surface of the exterior walls or within the outside surface of exterior walls and the centre line of firewalls

OTHER RESIDENTIAL BUILDING PERMIT FEES

Addition of Living Quarters (\$640)
Attached Garage (insulated) (\$480)
Attached Garage (not insulated) (\$320)
Detached Garage (insulated) (\$320)
Detached Garage (not insulated) (\$160)
Basement Development/Secondary Suite (\$320)
Deck (\$160)
Foundation Replacement (\$480)
Modular/Manufactured Home (\$480)

IF VOC IS LESS THAN OR EQUAL TO \$200,000

Principal Building (Building Area over 20m/215ft² (\$900)
Addition (\$720)
Renovation (\$540)
Leasehold Improvements (\$540)
Addition (\$720)
Accessory Building (insulated) (\$540)
Accessory Building (not insulated) (\$360)
Barrier-Free Ramp (\$360)

Personal Information on this form is collected under section 10 of the Building Codes Act. If you have any questions about the collection of personal information, you may contact landsdivision@gov.pe.ca for more information.

Webster Submission: Elevation Pictures: Front



VINYL SIDING

METAL ROOF

WINDOWS

FRONT & SIDE
30" x 60"

BACK
36" x 30"

DOOR (VENTED)
36" x 80"

Webster Submission: Elevation Picture: Rear



Webster Submission: Elevation Picture: West Side



CEILING

↑ 130' ↓

FINISHED FLOOR

Webster Submission: Elevation Picture: East Side



CEILING

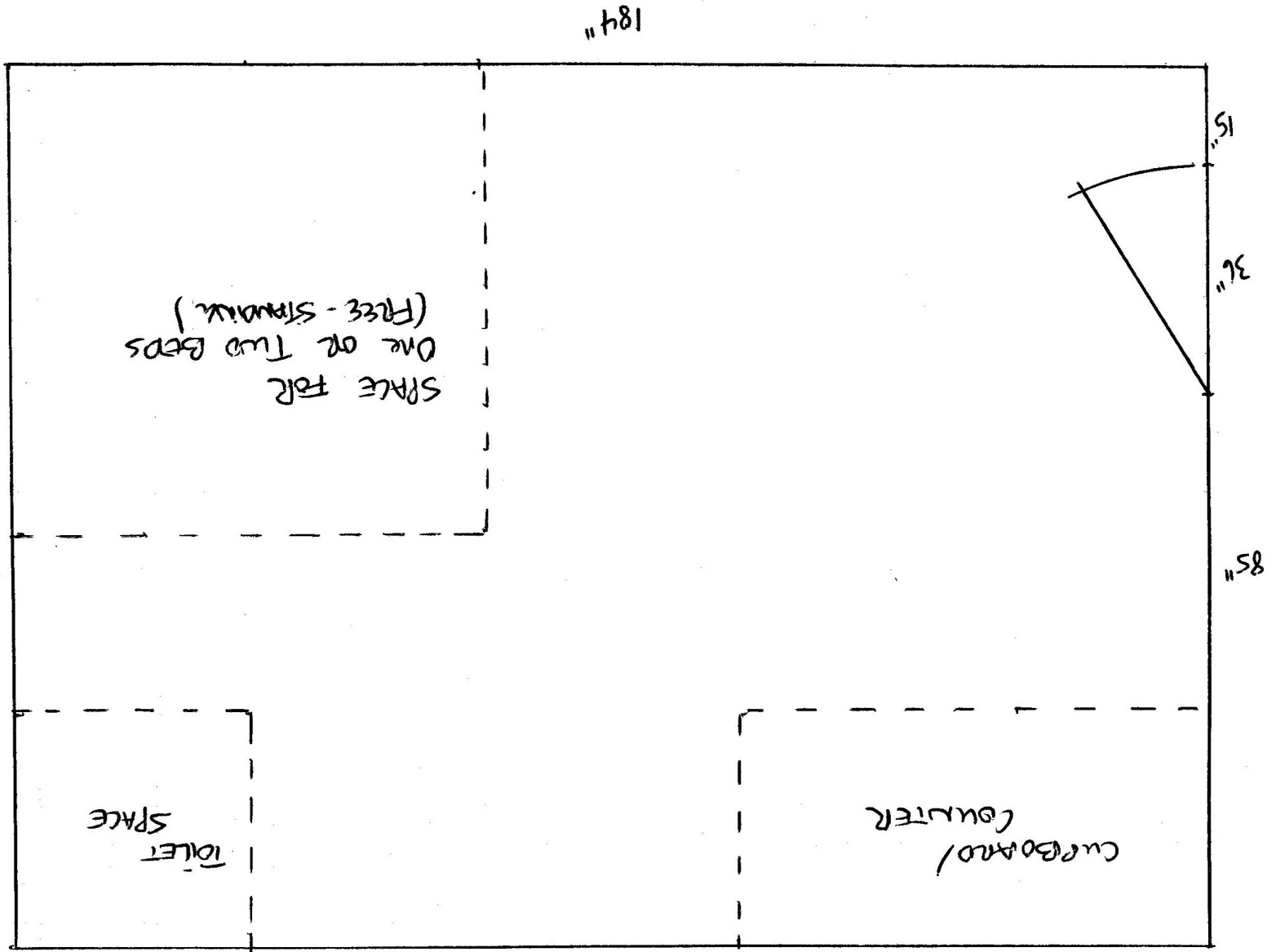
↓
92"



FINISHED FLOOR

INSIDE MEASUREMENTS

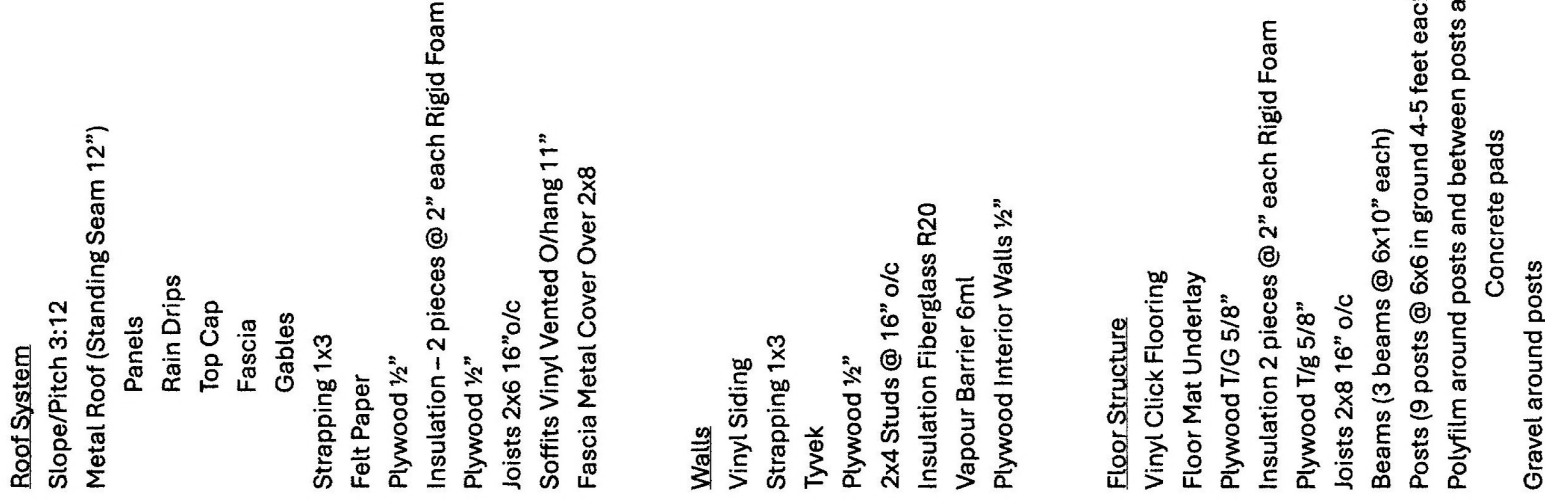
1/4" = 6"



CUBBOARD
TOILET SPACE
BED (S)

26 x 74
36 x 36
36 x 72

LOCATIONS ARE
TENTATIVE PENDING
PLUMBER CALL OUT.



Webster Submission: Notes to Permit Applications

There is no hydro/electrical service to the property, and as such there are no electrical facilities in the building:

- Cooking, if/when needed, will be done on either barbecue and/or camp stove outside of the building

There is no piped water available to the property, and as such:

- Potable water, if/when needed, will be brought from home
- Water for toilet will be sourced from either well and/or rainwater and dropped in by bucket or suitable container
- No plumbing facilities/fixtures are required other than what is required to service the toilet connection to the septic system (i.e. no sinks)

As a seasonal property and building, there are no heating, cooling or other HVAC systems.

Ventilation will be with natural means (windows and doors).

There are no additional expectations related to “housekeeping” or any other portion of the various definitions related to the building being a dwelling, other than there will be at least 1 bed.

There are no additional expectations that come as a result of how government officials interpret regulations and codes, either directly or through perceived intent.

The work will be completed within the 2-year time period allotted by the government for permits to remain valid. While it is hoped that the work will be completed earlier, there are considerations regarding the potential damage to Wooten Lane from heavy equipment that may limit the time of year the work can be completed.

Building Permit Application

Appendix Q - 1



A Building Permit is required for:

- All dwellings including tiny homes and cottages
- Accessory buildings greater than 20m² (~215sqft)
- Decks greater than 50m² (~538sqft) OR 600mm (~24") above ground OR supporting any structure above
- All buildings not exempt as per the PEI Building Codes Act, Building Codes Regulations, Section 4

Office Use Only - V2 2023	
Building Permit #:	
Dev. Permit #	
PID#:	
Permit Fee:	
Date Fee Paid:	
BPC Reviewed:	☐

A Development Permit is required for a Building Permit Application

- ☐ Do you live within a Municipal Area with planning authority?
Attach your approved Development Permit from your Municipal Office.
- ☒ If not, please provide the date you paid for your Development Permit Application to the Province of PEI MARCH 10, 2025

The following plans are required to be submitted with this Building Permit Application:

- | | | |
|---------------------------------------|-------------------|--------------------------------|
| 1) Foundation | 3) Floor Plans | 5) Site Plan |
| 2) Front, side and rear elevations | 4) Cross-Sections | 6) Truss / Structural Framing* |
| (*required before Framing Inspection) | | |

Property Information:

Property Tax Number: <u>835033</u>	Community: <u>MURRAY HARBOUR</u>	Lot Number: <u>72</u>
Civic Address Number: <u>-</u>	Street Name: <u>WOOTEN LANE</u>	

Applicant Information:

Full Legal Name: <u>DAVID ALLAN WEBSTER</u>		
Company Name:		
Street Address: <u>374 GAY RD</u>		
Community: <u>POWELL</u>	Province: <u>PE</u>	Postal Code: <u>C1B3N7</u>
Email: <u>websterd@hotmail.com</u>		Phone: <u>902-628-6305</u>

Property Owner Information if different from Applicant:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:		Phone:

What is the property currently used for?

- ☒ Single-unit Residential
☐ Multi-unit Residential
☐ Institutional

- ☐ Commercial
☐ Industrial
☐ Vacant

- ☐ Agriculture
☐ Forestry
☐ Other: ZONED SUMMER COTTAGE USE

What type of work are you looking to complete? Please check all that apply:

- ☐ Addition to existing structure ☐ Relocation of existing structure ☐ Demolition of an existing structure
☐ New detached structure ☐ Deck ☐ Renovation of existing structure ☒ Change use of existing structure

What will the structure be used for? Please check all that apply:

- ☒ Single-unit residential ☐ Multi-unit residential ☐ Commercial ☐ Industrial
☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry

Please indicate the number of bedrooms in the proposed structure: TOTAL ONE ROOM BUILDING

- Are you looking to build multiple dwelling units in the residential development?

- ☐ Yes - indicate # of units _____ ☒ No

What are the dimensions of the structure that you are proposing?

Width (ft):	<u>16'</u>	Number of Storeys:	<u>1</u>
Depth (ft):	<u>12'</u>	Main Floor Area (ft ²):	<u>192</u>
		Total Floor Area (ft ²):	<u>192</u>

What type of foundation are you proposing for the structure?

- ☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood Posts ☐ Other: _____

What type of basement are you proposing for the structure?

- ☐ Full Basement ☐ Frost Wall & Slab ☐ Engineered Slab ☐ Crawlspace N/A

What type of heating source will this building use? ☐ Electric ☐ Oil ☐ Propane ☐ Solar Other: N/AWhat type of electrical service are you proposing? ☐ 100 Amp ☐ 200 Amp ☐ Other: N/AWhat siding material are you proposing for the structure? VINYLWhat roofing material are you proposing for the structure? METALWhat is the estimated value of construction? 20,000 (Plus SEPTIC & PLUMBING \$20,000) = 40,000

Please provide the name, email and phone number for the various individuals that may be involved in your proposed development:

	Name	Email Address	Phone Number
Engineer:			
Architect/Designer:			
General Contractor:			
Heating Contractor:			
Electrician:			
Plumber:	<u>TBD</u>		

Please Note: Your application will be considered incomplete and will be returned if any of the information outlined above is missing, unclear, illegible, or if fees have not been paid.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

- ☒ the registered owner of the land proposed for development ☐ authorized to act on behalf of the registered owner of the land proposed for development

and hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Building Permit Application to proceed. This documented proof must be supplied at time of application.

[Signature]

Date 1 Dec 2025

Date 1 Dec 2025

Date _____

Applicant:

Date _____

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Conversion of ft² to m² (m² = ft² ÷ 10.76)

Occupancy Permit (\$25)..... = _____

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Value of Construction (VOC) greater than \$200,000..... = _____

(Permit fee equal to \$4.50 per \$1000 of the VOC)

Value of Construction (VOC) less than or equal to \$200,000..... = _____

Occupancy Permit (\$25)..... = _____

Other Applicable Fees..... = _____

REVIEW FEE (\$160) - For review of any project not otherwise listed = _____

Total:..... = _____

*Refer to Schedule C of the Building Codes Act Regulations.

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Addition (\$720)

Renovation (\$540)

Leasehold Improvements (\$540)

Addition (\$720)

Accessory Building (insulated) (\$540)

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Barrier-Free Ramp (\$360)

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VINYL SIDING

METAL ROOF

WINDOWS (VENTED)

FRONT & SIDE
30" x 60"

BACK
36" x 30"

DOOR (VENTED)
36" x 80"

Windows (4):

CEILING

130"

FINISHED FLOOR

Webster Submission: Elevation Picture: West Side



DOOR: VENTED
36" x 80"

CEILING

↑
130'

FINISHED FLOOR

Webster Submission: Elevation Picture: East Side



12'

1'

WINDOW: VENEER
30' x 60'

CEILING

9'

FINISHED FLOOR

CEILING

1'

130'

FINISHED FLOOR

Webster Submission: Elevation Picture: Rear



16'



WINDOW: VENTED
36" x 30"

FINISHED CEILING

92"



FAIRFAX FLOOR

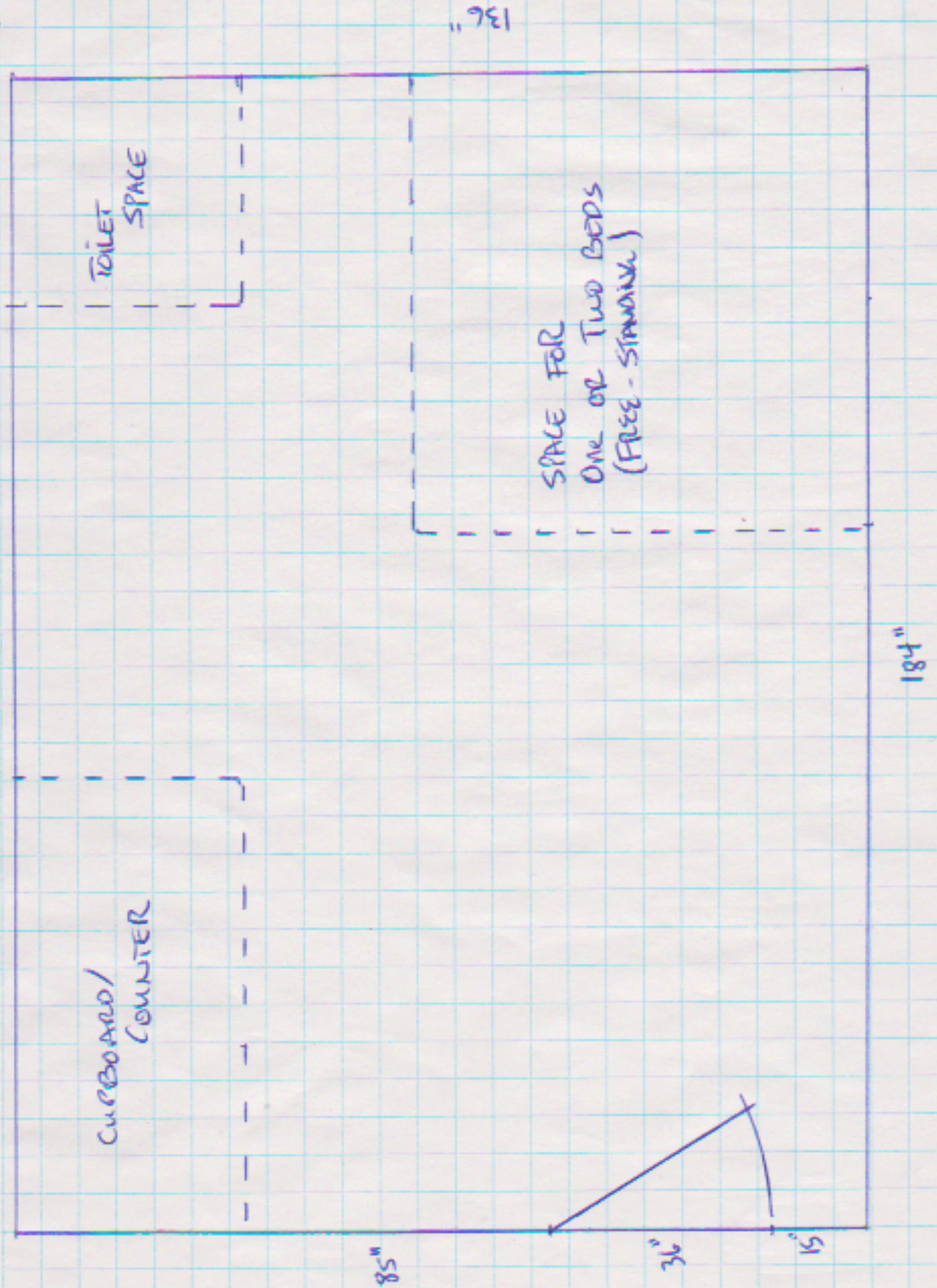
INSIDE MEASUREMENTS

1/4" = 6"

CURBOARD
TOILET SPACE
BED (s)

26 x 74
36 x 36
36 x 72

LOCATIONS ARE
TENTATIVE PENDING
PLUMBER CONFIRM.





Roof System

Slope/Pitch 3:12

Metal Roof (Standing Seam 12")

Panels

Rain Drips

Top Cap

Fascia

Gables

Strapping 1x3

Felt Paper

Plywood 1/2"

Insulation - 2 pieces @ 2" each Rigid Foam

Plywood 1/2"

Joists 2x6 16" o/c

Soffits Vinyl Vented O/hang 11"

Fascia Metal Cover Over 2x8

Walls

Vinyl Siding

Strapping 1x3

Tyvek

Plywood 1/2"

2x4 Studs @ 16" o/c

Insulation Fiberglass R20

Vapour Barrier 6ml

Plywood Interior Walls 1/2"

Floor Structure

Vinyl Click Flooring

Floor Mat Underlay

Plywood T/G 5/8"

Insulation 2 pieces @ 2" each Rigid Foam

Plywood T/g 5/8"

Joists 2x8 16" o/c

Beams (3 beams @ 6x10" each)

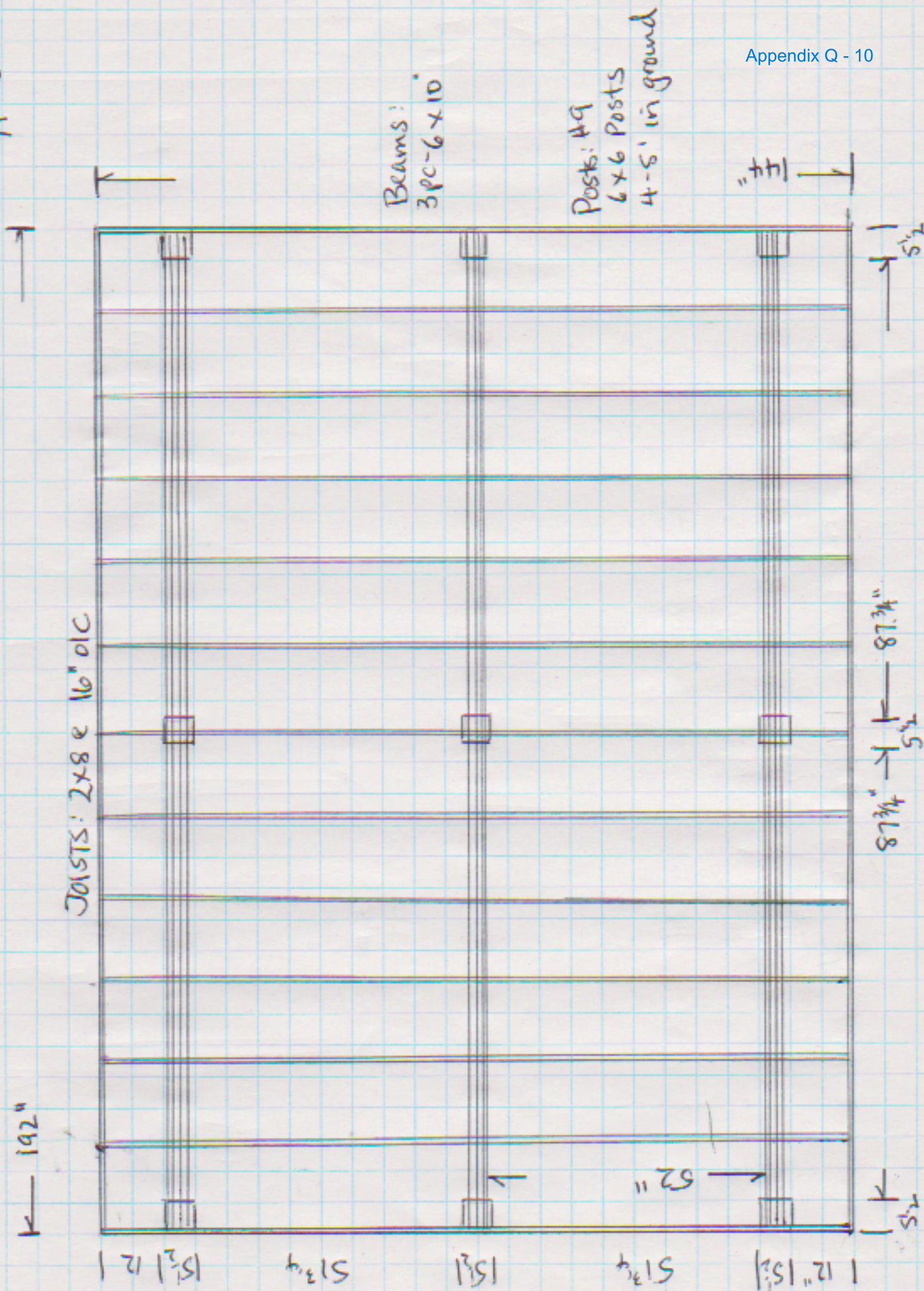
Posts (9 posts @ 6x6 in ground 4-5 feet each)

Polyfilm around posts and between posts and

Concrete pads

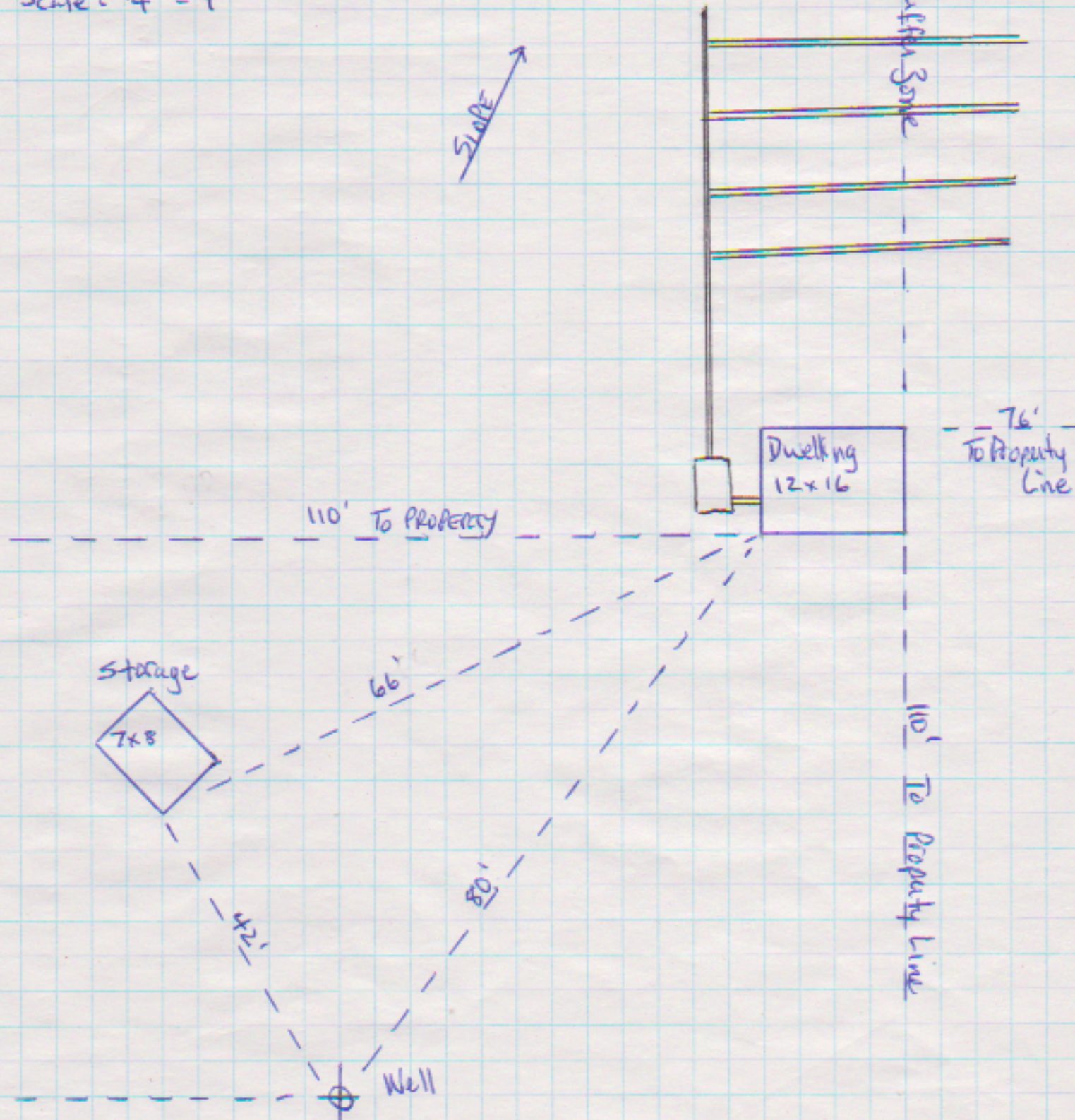
Gravel around posts

Scale:
1/4" = 6"

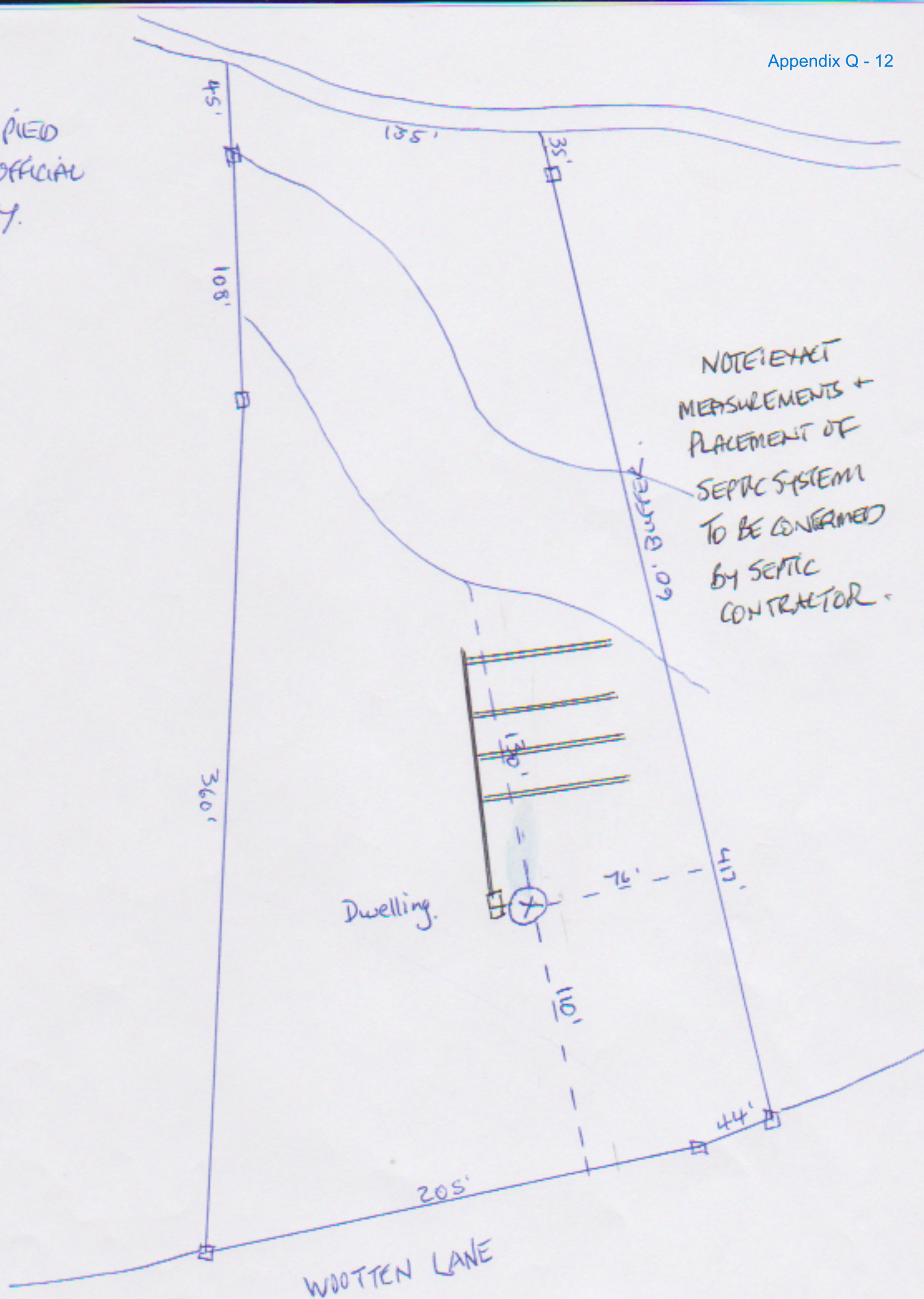


NOTE: MEASUREMENTS FOR
SEPTIC SYSTEM TO BE CONFIRMED
BY CONTRACTOR.

Scale: $\frac{1}{4}'' = 4'$



MAP COPIED
FROM OFFICIAL
SURVEY.



Webster Submission: Notes to Permit Applications

There is no hydro/electrical service to the property, and as such there are no electrical facilities in the building:

- Cooking, if/when needed, will be done on either barbecue and/or camp stove outside of the building

There is no piped water available to the property, and as such:

- Potable water, if/when needed, will be brought from home
- Water for toilet will be sourced from either well and/or rainwater and dropped in by bucket or suitable container
- No plumbing facilities/fixtures are required other than what is required to service the toilet connection to the septic system (i.e. no sinks)

As a seasonal property and building, there are no heating, cooling or other HVAC systems.

Ventilation will be with natural means (windows and doors).

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There are no additional expectations that come as a result of how government officials interpret regulations and codes, either directly or through perceived intent.

The work will be completed within the 2-year time period allotted by the government for permits to remain valid. While it is hoped that the work will be completed earlier, there are considerations regarding the potential damage to Wooten Lane from heavy equipment that may limit the time of year the work can be completed.

Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live outside of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live inside a Municipal Area with planning authority you will need to apply for a **Development Permit** from that local Municipal Office.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If yes, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.

Property Information:

Property Tax Number: 835033-000	Community Name: MURRAY HARBOUR
Civic Address Number: -	Street Name: WOOTEN LANE
	Lot Number— if applicable: 72

Property Owner Information:

Full Legal Name: DAVID ALLAN WEBSTER		
Company Name:		
Street Address: 374 GAY RD		
Community: POWWAL	Province: PE	Postal Code: A8 3N7
Email: websterd@hotmail.com	Phone: 902-628-6305	

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	



Office Use Only	
Sub. Case File #:	
Permit #:	
PID #:	
Permit Fee:	
Received:	
PIC Reviewed:	☐

What is the property currently used for?

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation
☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry
☒ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: ZONED RESIDENTIAL / SUMMER

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY DAY CAMP - SWIMMING, KAYAKING, GARDENING

Are there existing buildings on the property? ☒ Yes ☐ No

Please describe the use of each building in detail:

THERE ARE 2 SHEDS - 12x16 & 7x8
THIS APPLICATION IS FOR THESE BUILDINGS
USED FOR STORAGE

What type of development or activity are you proposing? Please check all that apply:

- ☐ New detached structure ☐ Addition to existing structure ☐ Relocation of structure
☐ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

- ☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Accessory Dwelling Unit
☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries
☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: STORAGE

Will the proposed structure be the ^{ONLY} main structure on the property? ☒ Yes ☐ No

Please describe how the proposed structure will be used in detail:

STORAGE FOR RECREATION EQUIPMENT (LIFSAVES, PADDLES, ... AND KAYAKS IN WINTER)
STORAGE FOR PROPERTY MAINTENANCE EQUIP. (LAWN MOWER, SHOVELS, TRIMMERS, ...)

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

- ☐ New on-site septic wastewater system ☐ Existing on-site system N/A
☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

- ☒ Yes ☐ No ☐ N/A

How many bedrooms are in the proposed/existing structure? 1

Are you proposing to add any additional bedrooms? If so, how many? 1

What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? METAL

What are the dimensions of the structure that you are proposing?

Width (ft):	<u>12'</u>	Number of Storeys:	<u>1</u>
Depth (ft):	<u>16'</u>	Main Floor Area (ft ²):	<u>192</u>
Height of Structure:	<u>11'</u>	Total Floor Area (ft ²):	<u>192</u>

If your proposed development is Multi-unit residential, how many units are you proposing? 1

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at this location? _____
- Will there be onsite parking for staff? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

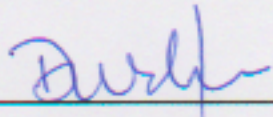
Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

I,  hereby certify that I am (select one)

☒ the registered owner of the land proposed for development

☐ authorized to act on behalf of the registered owner of the land proposed for development

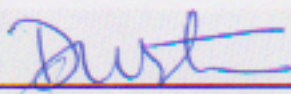
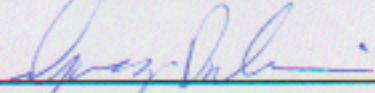
And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

Date: 11 March 2026

Date: 11 March 2026

Date: _____

Applicant:

Date: _____

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees _____	=
Total _____	=

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Development Permit Application

Appendix R - 5

Pursuant to the Planning Act

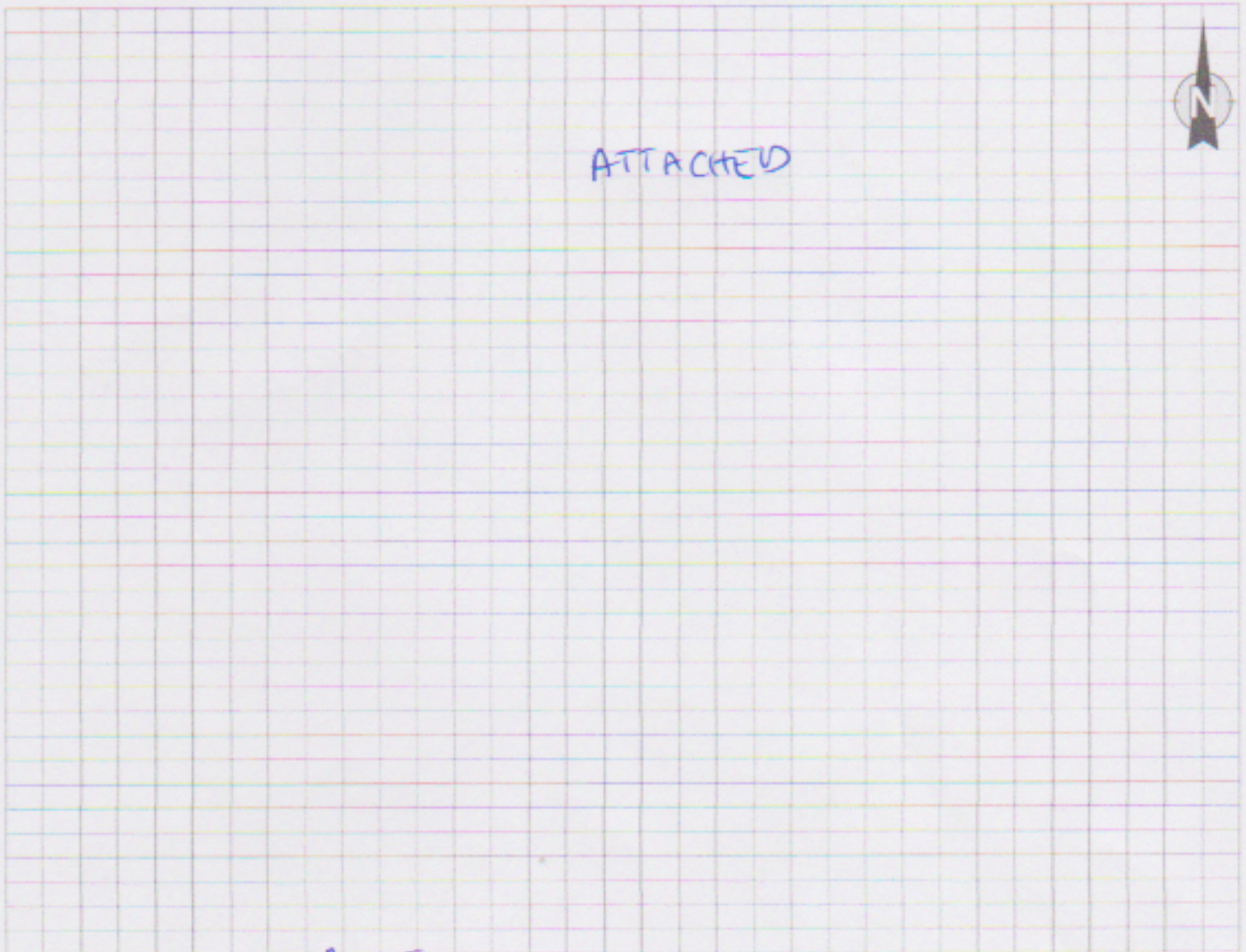
This sketch is required as part of the Development Permit Application and must include the following:

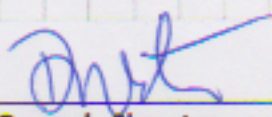
- | | |
|---|---|
| ☒ All Property lines with their lengths (in ft) | ☒ All Buildings with their sizes listed (in ft) |
| ☒ Road(s), including their name(s) | ☒ Arrow showing the natural slope of the land |
| ☐ Distance from Septic Tank to Well (ft): <u>N/A</u> | ☐ Distance from Septic Field Tile to Well (ft): <u>NA</u> |

Provide the minimum distance from your proposed structure to the following:

- | | |
|--|---|
| ☐ Centre of Road (front yard) (ft): _____ | ☐ Rear Yard Property Line (ft): _____ |
| ☐ Left Side Property Line (ft): _____ | ☐ Right Side Property Line (ft): _____ |
| ☐ Shoreline or Top of Bank (ft): _____ | ☐ Wetland or Watercourse (ft): _____ |
| ☐ Dunes (ft): _____ | ☐ Water Well (ft): _____ |
| ☐ Septic Tank (ft): _____ | ☐ Septic Field Tile (ft): _____ |

ATTACHED




Property Owner's Signature or Applicant

11 March 2016
Date



Development Permit Application

Where you live will determine what Development Permit Application you will need to complete.

If you live **outside** of a municipal area, you will need to complete this application. As per the **Provincial PLANNING ACT SUBDIVISION AND DEVELOPMENT REGULATIONS**, no person shall, without first obtaining a development permit:

- commence the construction of any building or structure;
- locate any building or structure, or change the location of any building or structure on a lot;
- make any structural alterations that will change the exterior dimensions of any building or structure;
- change the use of any building or structure or land, or part thereof; or intensify any non-conforming use;
- locate a travel trailer on any lot as the main or accessory use, other than in a travel trailer park where utility services are provided; or create a mobile home park

If you live **inside** a Municipal Area with planning authority you will need to apply for a **Development Permit** from that local Municipal Office.

Are you wanting to subdivide your parcel of land into smaller lots or change the official use of the property? If **yes**, you are required to complete the **Subdivision of Land/Change of Use Application** before completing this Development Permit Application and any Building Permit Applications.



Office Use Only	
Sub. Case File #:	
Permit #:	
PID #:	
Permit Fee:	
Received:	
PIC Reviewed:	☐

Property Information:

Property Tax Number: 835033-000	Community Name: MURRAY HARBOUR
Civic Address Number: -	Street Name: WOOTTEN LANE
	Lot Number— if applicable: 72

Property Owner Information:

Full Legal Name: DAVID ALLAN WEBSTER		
Company Name:		
Street Address: 374 GAY RD		
Community: POWNAL	Province: PE	Postal Code: A1B3N7
Email: websterd@hotmail.com	Phone: 902-628-6305	

Applicant Information if different from Owner:

Full Legal Name:		
Company Name:		
Street Address:		
Community:	Province:	Postal Code:
Email:	Phone:	

What is the property currently used for?

☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Rental Accommodation

☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries ☐ Forestry

☒ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: ZONED RESIDENTIAL / SUMMER

Describe the current land use in detail. If the property is used for livestock operation, include the type of livestock, the number of animals, whether there is a manure storage facility, and complete and attach a "Project Information Form—Commercial Livestock Operations".

FAMILY DAY CAMP - SWIMMING, KAYAKING, GARDENING

Are there existing buildings on the property? ☐ Yes ☐ No

Please describe the use of each building in detail:

THERE ARE 2 SHEDS - 12x16 and 7x8
THIS APPLICATION IS FOR THE 7x8.

What type of development or activity are you proposing? Please check all that apply:

☐ New detached structure ☐ Addition to existing structure ☐ Relocation of structure

☐ Change of use of existing structure

What will the proposed development be used for? Please check all that apply:

☐ Residential (Single-unit) ☐ Residential (Duplex) ☐ Residential (Multi-unit) ☐ Accessory Dwelling Unit

☐ Rental Accommodation ☐ Commercial ☐ Industrial ☐ Institutional ☐ Agriculture ☐ Aquaculture/Fisheries

☐ Forestry ☐ Recreational ☐ Resource ☐ Home-Based Business ☐ Vacant ☐ Other: STORAGE

Will the proposed structure ^{ONLY} be the main structure on the property? ☒ Yes ☐ No

Please describe how the proposed structure will be used in detail:

STORAGE FOR RECREATION EQUIPMENT (LIFETACKES, PADDLES... AND KAYAKS IN WINTER)

STORAGE FOR PROPERTY MAINTENANCE EQUIP (LAWN MOWER, SHOVELS, TRIMMERS...)

Will the proposed development require the creation of a new driveway or the relocation of an existing driveway to the road/highway? ☐ Yes ☒ No

How will the new proposed structure receive sewer services?

☐ New on-site septic wastewater system ☐ Existing on-site system

☐ Municipal wastewater treatment ☐ Private central wastewater treatment

Was a Site Suitability Assessment completed?

☒ Yes ☐ No ☐ N/A

How many bedrooms are in the proposed/existing structure? 1

Are you proposing to add any additional bedrooms? If so, how many? 1

What type of foundation are you proposing for the structure?

☐ Standard Concrete ☐ Insulated Concrete Form (ICF) ☒ Wood posts ☐ Other: _____

What siding material are you proposing for the structure? VINYL

What roofing material are you proposing for the structure? ASPHALT

What are the dimensions of the structure that you are proposing?

Width (ft):	<u>8'</u>	Number of Storeys:	<u>1</u>
Depth (ft):	<u>7'</u>	Main Floor Area (ft ²):	<u>56</u>
Height of Structure:	<u>8'</u>	Total Floor Area (ft ²):	<u>56</u>

If your proposed development is Multi-unit residential, how many units are you proposing? 1

If your proposed development is Industrial, Commercial, Institutional, Recreational or Home-Based Business please answer the following:

- What will be the hours of operation? _____
- How many staff are you intending on having at this location? _____
- Will there be onsite parking for staff? ☐ Yes ☐ No ☐ N/A
- Will there be shipping and/or receiving operations? ☐ Yes ☐ No ☐ N/A

Describe in detail the Industrial, Commercial, Institutional, Recreational or Home-Based Business operations you will be undertaking at this site:

Please provide the name, email and phone number for the various individuals that will be involved in your proposed development:

	Name	Email Address	Phone Number
Surveyor:			
Site Assessor:			
Septic Contractor:			
Lawyer:			
Engineer:			
General Contractor:			

Please Note: Your application will be considered incomplete and will be returned if any of the requirements outlined are missing, unclear, illegible, or if fees have not been paid. For applications to be given adequate consideration, it may be necessary for staff to consult with various departments and agencies. Staff may also carry out a site inspection.

Declaration

I, DAVID WEBSTER hereby certify that I am (select one)

☒ the registered owner of the land proposed for development

☐ authorized to act on behalf of the registered owner of the land proposed for development

And hereby declare that all statements contained within this application are complete and true.

Signatures

Registered Owner(s)

or

Written confirmation from the current property owner(s) allowing this Development Permit Application to proceed. This documented proof must be supplied at time of application.

David Webster
David Webster

Date: 15 APR 2026

Date: 15 APR 2026

Date: _____

Applicant:

Date: _____

Submit Applications to a Land Division Office located at:

- Elmer J. Blanchard Building – 31 Gordon Drive, Charlottetown, PE
- Access PEI O'Leary – 45 East Dr, O'Leary, PE
- Access PEI Summerside – 120 Heather Moyse Dr, Summerside, PE
- Access PEI Montague – 41 Wood Islands Rd, Montague, PE

Office Use only

DEVELOPMENT PERMIT FEES

Residential (\$250).....	=
Industrial/Commercial/Institutional/Recreation (\$600).....	=
Resource (\$500).....	=
Other Applicable Fees _____	=
Total _____	=

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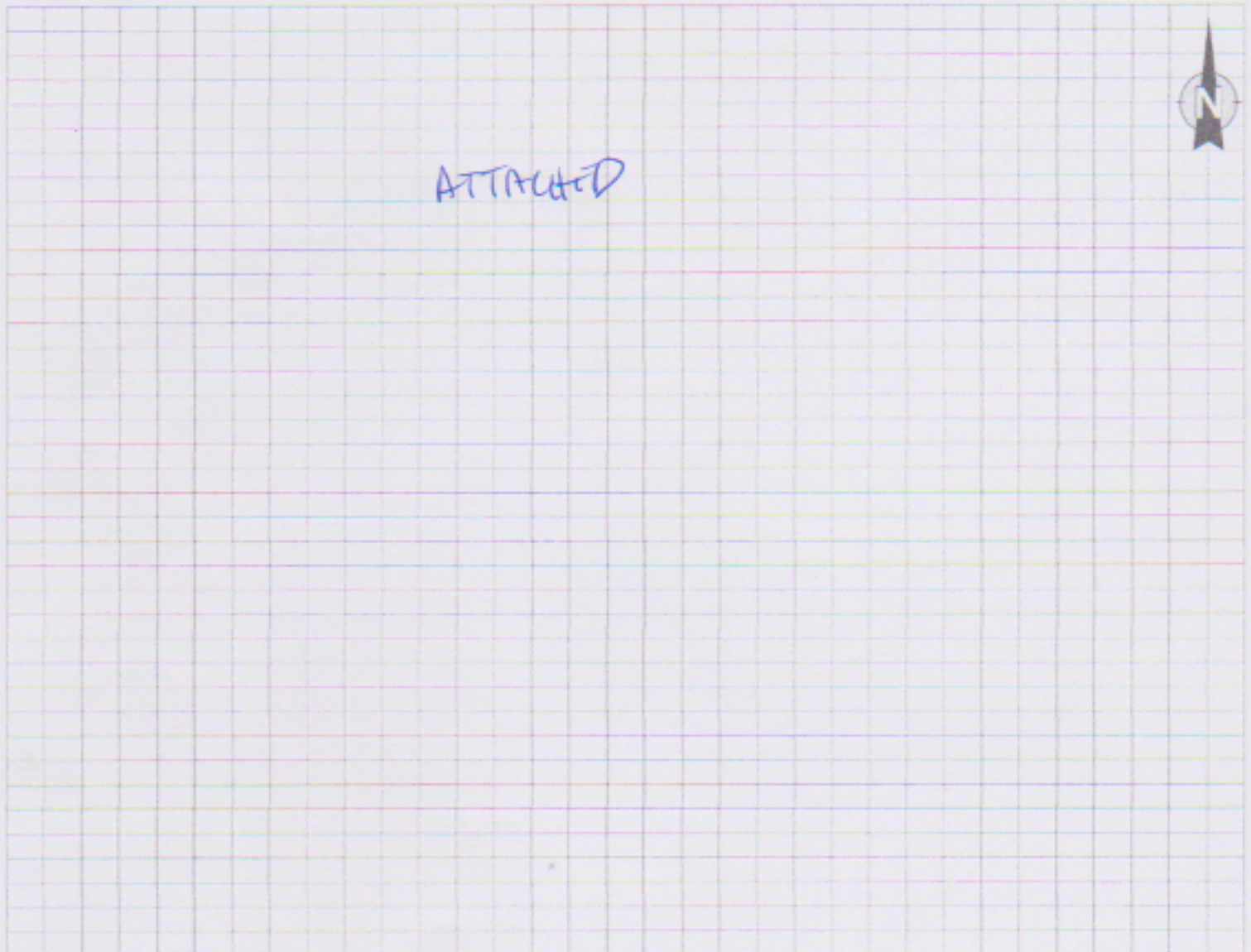
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[Signature]
Property Owner's Signature or Applicant

15 APR 2026
Date

