

From: [Randy Pitre](#)
To: [Jessica Gillis](#)
Cc: [Randy Pitre](#)
Subject: Re: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside (Developer: Strategic Holdings Inc.)
Date: Monday, July 15, 2024 11:24:31 AM
Attachments: [image001.png](#)
Importance: High

Good Morning

There will be a "**Sworn affidavit**" filed with the **Supreme Court** which will then also be filed with the **Commission** on this matter. Sworn Affidavit Represent "**Appellants Position** and further "**Submissions**" the **Supreme Court** and to **The Island Regulatory & Appeals Commission** in this matter. I attach a Picture of the Affidavit of Appellant Materials forthcoming. This which I cannot over emphasize is a **very, very serious matter**. The Commission has the Legal Authority to substitute its decision for one made by a municipality. The Commission is "**responsible to ensure sound planning principles**" so that Land use Planning and development decisions are made with the proper considerations. They help to prevent "**arbitrary decisions**". Sound Planning principles require regulatory compliance but go beyond merely ensuring such 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. In short, sound planning principles **include compliance with the requirements** found in official plans and bylaws. However, strict compliance with prescribed requirements **does not end the inquiry**. The Commission **must also be satisfied** that "**sound planning principles**" were considered and applied when it approved this Developers application for a Major Development. In short,

The problem we have here is that; 1. The **site** and **subdivision plan has changed** on **many numerous multiple times** "**After**" the Public was or had been informed of what the initial development actually was and "**not informed**" at anytime thereafter

of Major Changes taking place or any changes for that matter. Thats a Problem as why have a Public meeting to present a plan to the public if the Plan is not the Plan to be Developed ? The public looses out.

2. That the "**City**" and **Developer** have either one of two things, either has fully **Dismissed** and **disrespected** and any considerations of anyone including that of the Commission and its authority or the Commission is being

influenced by outside sources to which the Developer has been assured at some point in advance that the commission will approve his subdivision and zoning. The Developer has already **proceeded ahead** without Authority as the pictures provided show and Jurisdiction to do so while the **lands for subdivision and zoning** were subject **via appeal before Commission**. I attach **2 Pictures** of one of the Units "**Brown Apt Building**" **Completed**

and a **Second Apartment Building** well under way despite the fact that land zoning and Planning issues for the land have yet to be resolved and gone before a Hearing.

3. The Developer and Its names are not properly or legally before the **Municipality** or the **Commission for an application** to be even approved at any level.

4. **Derek Key** and **Justice Key** are involved with this ***Developer on a Multitude of levels*** as more Companies/amalgamations **have been recently discovered** bearing the Names of the Keys and of **Derek Key** and his Personal Business Interests affiliated with this and other land development projects. as emails clearly show Derek key is still being cc and also being fully informed by Lain McCarville of this file.

5. It is **presently believed** by the **Appellants** that both the "**Judiciary Key (who should not have heard motions with I and this developer)**" and the **Commission**, and the **Municipality** have and are being influenced by

"Outside Sources" in their decision making.

Hence why the Developer felt comfortable enough to proceed with Developemnt in the Millions and millions of dollars as he was aware when the Zoning of the Property was still yet to be determined by Appeal.

6. As far as "**Partial Building Permits**", really no such thing and nonsense..... as one of the Buildings the one in Brown (**attachment**) has now been fully Completed prior to IRAC allowing the Subdivision to even take place..

Fully Completed does not equate to a "Partial" as municipality had implied.

7. There was also a Court Hearing on May 15, 2024, before Justice Mitchell. The Developer did not let the Court know on that date that it had "Dissolved" its Corporate Entity on May 30, while there was Pending Court action against him. Assets and Tradenames associated were Transferred over into a New Numbered Company and Records show the Keys Involved yet again along with Andrew Campbell. These files involve Applications before the Municipalities.

The Above will all be addressed in the Affidavit form and Given to **Justice Coady, Justice Mitchell**, and **Sophia Macdonald** who are presently working on this Developers file. As per **Paragraph # 5**, I do not believe that the commission will render a **fair** and **unbiased decision** on this matter. I believe that the matter will be fully heading to Court with Commission in tow as a result of the Aforesaid. I also filed an Appeal with the Commission several months ago earlier on this developer and it was Stamped and accepted. Within days Philip Rafuse dismissed the Appeal. That will also have to be addressed as well as I never heard of a "**Sole Employee**" of a Commission "**unilaterally rendering a decision**" on a Notice of Appeal Filed by a party against a Developer once accepted.

I would also request a **Oral Hearing on this matter** as I think that the **Public should be fully informed** and aware of the **Circumstances on both sides in this matter** and the matter is a "**PUBLIC PROCESS**" after all.

You should have the Document by **Tuesday Morning** as I have attached and amended the affidavit to Recent Pictures of a Completed building and a well advanced building by this developer prior to the Land Zoning and subdivision appeal being heard for the Development.

Kind Regards

Randy Pitre

I will send the attachment separately Part 2.

From: Jessica Gillis <jgillis@irac.pe.ca>

Sent: Friday, July 12, 2024 12:03 PM

To: 'Randy Pitre' <RandyPitre67@outlook.com>

Cc: Iain McCarvill <iain.mccarvill@keymurraylaw.com>; adcampbell@coxandpalmer.com
<adcampbell@coxandpalmer.com>

Subject: RE: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside
(Developer: Strategic Holdings Inc.)

Mr. Pitre,

Can we expect your materials today?

Thank you,
Jessica



Jessica M. Gillis (she/her)

General Counsel

D. 902.368.7860

irac.pe.ca/about/contact/

From: Randy Pitre <RandyPitre67@outlook.com>

Sent: Wednesday, July 10, 2024 8:34 AM

To: Jessica Gillis <jgillis@irac.pe.ca>

Subject: Re: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside

(Developer: Strategic Holdings Inc.)

Good morning

The appellant additional submissions are at the Printer today being copied and bound for filing. It will be served and filed with the commission once received which I am informed by the printer will be by this afternoon or early morning.

Kind Regards

Randy Pitre Appellant

Sent from my iPhone

On Jul 2, 2024, at 3:25 PM, Jessica Gillis <jgillis@irac.pe.ca> wrote:

Mr. Pitre,

This is to acknowledge receipt of your email. As indicated in my email to the parties on Wednesday, June 26, 2024, the Commission will accommodate one extra week for your written submissions on your appeals respecting the **Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023)** and the **Site Plan approval (Docket LR23026)**.

Accordingly, the timelines initially set are amended as follows:

1. the Appellant is to provide written submissions by **July 10, 2024**; and
2. the City and Developer may provide written submissions by **July 24, 2024**.

If necessary, the Appellant will have one further week to reply to the submissions made by the City and/or Developer (by **July 31, 2024**).

Thank you,
Jessica

<image001.png>

Jessica M. Gillis (she/her)

General Counsel

D. 902.368.7860

irac.pe.ca/about/contact/

From: Randy Pitre <RandyPitre67@outlook.com>

Sent: Tuesday, July 2, 2024 1:43 PM

To: Iain McCarvill <Iain.mccarvill@keymurraylaw.com>; Jessica Gillis <jgillis@irac.pe.ca>; Mary Lynn Kane <mlkane@lspei.pe.ca>; Michelle Walsh-Doucette <mwalshdoucette@irac.pe.ca>; nkember@strategicenterprises.ca

Subject: Re: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside (Developer: Strategic Holdings Inc.)

Good Morning Jessica.

I am in receipt of your email
of June 26, 2024.

I am in the very same mindset and position and have always been that the case should be heard on its merits. Does not eliminate the fact that Derek Key and his interests did not initially “refrain” in the outset of being involved and continuing to be with the Developer.

I will “require the additional week” for the written submissions to be submitted but in addition to the submissions on the merits of the matter maintain our legal Position of the Keys involvement with the Developer.

I have also sought other avenues on that issue to be addressed.

Kind Regards

Randy
Sent from my iPhone

On Jun 17, 2024, at 1:39 PM, Iain McCarvill
<Iain.mccarvill@keymurraylaw.com> wrote:

Thank you, Ms. Gillis:

Please accept what follows as the City of Summerside’s response to your email below:

1. **Partial Building Permit (Docket LR23026)** – Thank you for noting our correspondence of November 2023. It is not the City’s intention to offer additional submissions in relation to this matter;
2. **Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023) and the Site Plan approval (Docket LR23026)** – The City is satisfied to proceed with the process provided by Rule 41 of the Commission’s *Rules of Practice and Procedure*, and at

present does not anticipate issues with meeting the 17 July 2024 deadline for written submissions.

Thank you,
Iain

From: Jessica Gillis <jgillis@irac.pe.ca>
Sent: Monday, June 17, 2024 10:05 AM
To: 'adcampbell@coxandpalmer.com' <adcampbell@coxandpalmer.com>; Iain McCarvill <Iain.mccarvill@keymurraylaw.com>; 'Randy Pitre' <RandyPitre67@outlook.com>
Cc: Nathan Kember <nkember@strategicenterprises.ca>; Philip Rafuse <PJRafuse@irac.pe.ca>; Michelle Walsh-Doucette <mwalshdoucette@irac.pe.ca>; Derek Key <derek.key@keymurraylaw.com>
Subject: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside (Developer: Strategic Holdings Inc.)

RE: Dockets LA23010, LA23023 and LA23026 – Randy Pitre v. City of Summerside (Developer: Strategic Holdings Inc.)

Attn: Randy Pitre, Appellant
Iain McCarvill, Counsel for the City of Summerside
Andrew Campbell, Counsel for the Developer, Strategic Holdings Inc.

All,

I am writing further to the above noted appeal dockets with direction on moving these matters forward.

Re: Docket LR23010

This is an appeal of an Official Plan amendment and Zoning amendment. As you know, on April 25, 2023, Commission staff invited written submissions from all parties on the question of the Commission's jurisdiction as it relates to the Appellant's grounds of appeal. The parties provided submissions in response. In respect of this appeal, the Commission will provide an update in due course.

Re: Dockets LR23023 and LR23026

These two dockets are appeals related to:

1. Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023)
2. Site Plan approval (Docket LR23026)
3. Partial Building Permit approval (Docket LR23026)

1. **Partial Building Permit (Docket LR23026)**

Regarding the appeal of the Partial Building Permit, as you will recall, via email on November 8, 2023 and again via letter dated November 15, 2023, the City of Summerside requested that the appeal be dismissed in respect of the Partial Building Permit on the basis that the Commission lacks jurisdiction to hear appeals of building permits. Mr. Pitre provided a response in writing via email on November 9, 2023, and via letter dated December 4, 2023. The Developer provided their position in writing via letter dated December 27, 2023, to which Mr. Pitre responded in writing on January 2, 2024.

On this matter, the Commission will issue an order in respect of the jurisdictional issue with the Partial Building Permit in due course. In doing so, the Commission will review all submissions already provided by all parties (as outlined above). However, should any party wish to make further written submissions, please advise ASAP.

2. **Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023) and the Site Plan approval (Docket LR23026)**

With respect to the other outstanding items being appealed – being the Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023) and the Site Plan approval (Docket LR23026) – it appears that the grounds of appeal raised by the Appellant are primarily procedural in nature. Therefore, at this time, the Commission is of the view that those matters can also be dealt with by way of a hearing in writing pursuant to Rule 41 of the Commission's Rules of Practice and Procedure. **If any party wishes to comment on the proposed format for hearing these matters in writing, please advise.**

Further to this, the Commission will review all submissions previously provided by the Appellant, the City of Summerside, and the Developer, Strategic Holdings Inc., concerning **the Preliminary Subdivision approval and two Zoning Amendments (Docket LR23023) and the Site Plan approval (Docket LR23026)**. If any party wishes to make additional submissions in writing on these appeal matters, we request:

1. the Appellant provide any additional submissions by **July 3, 2024**;

and

2. the City and Developer provide any additional submissions by **July 17, 2024**.

If necessary, the Appellant will have one further week to reply to any additional submissions made by the City and/or Developer (by **July 24, 2024**).

If any party does not intend to make additional submissions on the issue of jurisdiction, please advise us as promptly as possible so that the Commission can move to deliberation on this matter.

Finally, I should note that in accordance with Rule 41.2.(b) of the Commission's Rules of Practice and Procedure, upon review of the written submissions the Commission may either make a final determination of the matter without an oral hearing, or proceed to an oral hearing.

If any party has any questions about this direction, please feel free to reach out at any time.

Thank you,
Jessica

<image001.png>

Jessica M. Gillis (she/her)

General Counsel

D. 902.368.7860

irac.pe.ca/about/contact/

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From: Randy Price
To: Randy Price
CC: Randy Price
Subject: Randy Price
Date: Monday, July 15, 2024 11:20:20 AM
Importance: High

attachment Pictures

From: Randy Price <randyp@outlook.com>
Sent: Monday, July 15, 2024 11:21 AM
To: Randy Price <randyp@outlook.com>
Subject:





Sent from my iPhone

**AFFIDAVIT
OF
"RANDY PITRE"**