

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 City of Charlottetown (name of City, Town or Community) on the 6th day of November, 2024, wherein the Minister/Community Council made a decision to issue Building and Development Permit 245-BLD-24 (Development Permit aspect only) to Brighton Construction to allow renovation of the former Confederation Centre Library and the addition of a Pavillion. (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)

- The proposed Development will be contrary to the convenience, health or safety of the occupants or residents in the vicinity, contrary to s. 3.3.8(e) of the City's Zoning and Development Bylaw;
- The City failed to follow the process set out in its bylaws, including the duty of procedural fairness;
- The City failed to make a decision in accordance with sound planning principles;
- Such further and other grounds as may be revealed upon full review of the record produced by the City.

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)

The Appellants request that the Commission allow this appeal and quash the issuance of the Development Permit.

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

Name(s) of Appellant(s): Victoria Row Merchants Assn. Signature(s) of Appellant(s): 
Please Print

Mailing Address: c/o Key Murray Law, 80 Grafton St. City/Town: Charlottetown

Province: PE Postal Code: C1A 7L9

Email Address: iain.mccarvill@keymurraylaw.com Telephone: 902-436-4851

Dated this 26th day of November, 2024.
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.

| | |
|-----------------|------------|
| Permit # | 245-BLD-24 |
| File # | 24-861 |
| PID # | 340422 |
| Zone | PC |

Mailing Address P.O Box 98, 70 Kent Street, Charlottetown, PE, C1A 1M9
Contact information Phone 902-629-4158 | Fax 902-629-4156 | planning@charlottetown.ca | www.charlottetown.ca

BUILDING & DEVELOPMENT PERMIT

POST THIS IN A CONSPICUOUS LOCATION DURING CONSTRUCTION

This document certifies that **Brighton Construction** of **99 Pownal Street, Charlottetown, PE C1A 3W4** has a Permit to **Renovation to the former Confederation Library and Addition of Pavilion** at the location of **145 Richmond St.**

Approved Plans Information

| Drawing No.: | Prepared by: | Submittal Date: |
|--------------|--------------|-----------------|
| | | |

Provided that the person accepting this permit shall in every respect conform to the City of Charlottetown Zoning & Development Bylaw, The Building Code Bylaw, and any other provisions set by the City of Charlottetown.

Any violation of the terms or conditions listed below may be deemed cause for revocation of this permit.

| | Division | Condition |
|-----|----------------------|--|
| 1. | Zoning & Development | An Occupancy Permit is required prior to occupying the building. |
| 2. | Zoning & Development | The Applicant must ensure the area surrounding demolition activity is protected and kept secure from illegal or unauthorized access. Ensure sidewalk is closed and direct pedestrian traffic with signage to use the other side of the street. |
| 3. | Zoning & Development | The applicant must ensure alignment with all non-City policies, including Provincial and Federal requirements. |
| 4. | Zoning & Development | The proposed renovation within the existing building is permitted as per the plans prepared by Abbott Brown titled 'Revitalization - Phase One', dated January 26, 2024. |
| 5. | Building | All work shall be done in accordance with the Building Code Bylaw and the 2020 National Building Code of Canada (NBC) for plans provided and agreed amendments. |
| 6. | Building | Part 8 - National Building Code - Safety Measures at Construction & Demolition sites to be followed. This includes protection of site & public and Fire Safety measures as per 5.6 of the National Fire Code. |
| 7. | Building | Fire Protection and Life Safety Protection - Integrated Systems Testing is required at time of final inspection, before occupancy permit is issued. Refer to NBC 3.2.9 and 9.10.1.2 if applicable. |
| 8. | Building | Barrier-free path of travel throughout all normally occupied floor areas as per NBC 3.8. |
| 9. | Building | Firewall Alternative Solution Report shall be revised and resubmitted to address the structural integrity and continuity requirements of NBC 3.1.10. |
| 10. | Building | Doors in all fire separations to have closures to maintain integrity of the fire separation. Doors to be equipped with hold-open devices where determined necessary by design of space. |
| 11. | Building | Openings and penetrations through vertical 2-hour rated fire separation at levels 1 & 2 shall be minimized to mitigate the risk of fire spread. |
| 12. | Building | Emergency Lighting as per NBC 3.2.7.3. |
| 13. | Building | Exit Signs as per NBC 3.4.5. |

As per Building Code Bylaw Section 4.12.1, the Owner/Applicant shall email Building Inspector or contact Planning Department at 902-629-4158 to arrange for REQUIRED INSPECTIONS. (24 hours notice must be given)

| Required Inspections | |
|----------------------|--------------------------------|
| 1. | Progress |
| 2. | Building Code Final Inspection |

Description for inspection types:

- **Pre-backfill** - footings, foundations, draitile, waterproofing, etc...
- **Radon Pipe & Underslab Insulation** - Radon pipe installation, underslab Insulation type and thickness, vapour barrier
- **Framing & Mechanical ventilation** - floors, walls, trusses, bearing points, ventilation, etc...
- **Insulation & Vapour Barrier** - Insulation fitted, vapour barrier with continuous seal (Pre-drywall)
- **Final Inspection** - Smoke alarms, CO alarms, deadbolts, exterior decks, landings, stairs, handrails, guards, etc...

Approved By



Development Officer: David Gundrum Date: 11/6/2024
Name Signature
Building Inspector: Shane Jones Date: 11/5/2024
Name Signature

THIS IS NOT AN "OCCUPANCY PERMIT"

