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For additional information, contact the Commission at 902-892-3501 or by email at info@irac.pe.ca.

Notice of Appeal (Continued)

(Pursuant to Section 28 of the *Planning Act*)

Name of Appellant: R & D Builders & Developers Ltd.

Appellant's Lawyers: Geoff Gibson and Deanna R. Kerry

Heritage Law

5 Prince Street

Charlottetown, PE C1A 4P4

Contact: Geoff Gibson - ggibson@heritagelawpei.com – 902-330-7772

Deanna R. Kerry - dkerry@heritagelawpei.com – 902 330-1127

(continued from previous page) **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:

The Town of Stratford ("**Stratford**"), in its decision to deny the Appellant's re-zoning request, failed to

1. comply with the principles and objectives of the Stratford bylaws and official plan;
2. properly consider and apply sound planning principles;
3. properly consider all evidence presented;
4. provide sufficient reasons; and
5. articulate why the stated reasons for decision support said decision.

The Appellant will advise of any further grounds of appeal as may become apparent and as the Island Regulatory and Appeals Commission may permit.

AND FURTHER TAKE NOTICE that, in accordance with the provisions of Section 28.(5) of the *Planning Act*, we seek the following relief:

- a) The Commission should allow the appeal, quash the June 11, 2025 decision of the Stratford Council to deny the re-zoning of PID 289512, and order that the re-zoning be granted as requested; and
- b) Such further and other relief as the Appellant may advise and as the Island Regulatory and Appeals Commission may permit.

June 26/2025
Date


Geoff Gibson and Deanna R. Kerry
Lawyers for the Appellant, R & D Builders & Developers Ltd.



Imagine that!

June 13, 2025

R & D Builders
1016 Pownal Road, Route 26
Alexandra, PE
C1B 0P5

Dear Mr. Mitch Roggeveen:

Re: RZ001-24 – R & D Builders Rezoning Request – Medium Density Residential (R2) with a Sustainable Subdivision Overlay (SS) to Multiple Unit Residential (R3)

Please be advised that, during the regular Council meeting held on June 11, 2025, Council denied the request from R & D Builders to rezone parcel numbers PID 289512 (approx. 11.34 acres), located at the end of Hollis Avenue from the Medium Density Residential (R2) Zone with a Sustainable Subdivision (SS) Overlay Zone to the Multiple Unit Residential (R3) Zone for the reasons stated below:

1. This proposed rezoning would result in a spot zone with an R3 zone surrounded by R2 zones.
2. The proposed rezoning does not comply with the Official Plan designations (Section 3.2.2(b))
3. The future intended development would negatively impact the road safety and drastically increase traffic along Hollis Avenue (Section 3.2.2(i))
4. The future proposed density and development is not consistent with the original design for the 2014 Forest Trails subdivision and the character of the surrounding neighbourhood (Section 3.2.2(e))
5. Comments received from residents on the proposed rezoning, particularly those that were received from residents living within the area, expressed concerns with the future intended development (Section 3.2.2(f))
6. Part of the future intended development is incompatible with the surrounding environment feature (designated wetland) (Section 3.2.2(j))

Town of Stratford
234 Shakespeare Drive
Stratford PE
C1B 2V8

Section 3.2.2 of the Town's Zoning Bylaw outlines the general criteria that Council considers when reviewing applications of Zoning and Development Bylaw amendments.

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If you are dissatisfied with the decision of Council, you have the right to appeal to the Island Regulatory and Appeals Commission (IRAC). A notice of appeal must be filed with the Commission within 21 days after the date of the decision being appealed.

Should you have further questions please do not hesitate to contact the Stratford Planning Department at (902) 569-6253.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rough', written in a cursive style.

Phil Rough
Town Planner