



Town of
CORNWALL
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15 Mercedes Drive
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Via Email (PJRafuse@irac.pe.ca)

March 14, 2023

Philip J. Rafuse
Appeals Administrator
Island Regulatory and Appeals Commission
National Bank Tower, Suite 501
PO Box 577
Charlottetown PE, C1A 7L1

Re: Appeal #LA23-003 Alan Thompson et al. v. Town of Cornwall

Dear Mr. Rafuse,

This letter is in response to your letter to the Town of Cornwall dated February 15, 2023, regarding an appeal by Alan Thompson et. al. pertaining to Town of Cornwall resolution PL-30-2022. This bylaw amendment was finalized with Town of Cornwall resolution PL-03-2023. Please find enclosed the complete file information as requested.

We would point out that IRAC rule #13.1 requires that every application for appeal shall include, among other things; (e) a clear and concise statement of the facts. The Town of Cornwall suggests that this section 13.1 provision has not been fulfilled in this application. It is difficult for the Town to provide a clear response to the appeal without further detail

The grounds for appeal as stated, with subsequent preliminary Town comment, are as follows:

- 1) The Town of Cornwall did not follow its proper procedure as set out in the bylaws, the Planning Act and the law in general including the duty of fairness. All procedural requirements were met including public resident notification, public meeting, resident feedback and Council meetings. The Town at all times conducted itself as to be fair to all concerned, and no specific argument of breach of the duty of fairness has been provided. (Please see attached documentation to support the procedure conducted by the Town) and,
- 2) The Town of Cornwall's decision in this matter is not consistent with sound planning principles in the area of land use planning. Land use planning is a broad field, and this

general statement lacks particulars. The Town of Cornwall engaged an independent planning professional to provide a professional opinion on this matter and that opinion was followed.

The Town of Cornwall will provide further specifics at such time as greater clarity regarding the grounds of appeal are forthcoming.

Should you require any further information at this time or require clarification regarding anything in this letter or the enclosed file, please contact the undersigned.

Regards,



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Cc: Town of Cornwall Council
Kevin Coady, CAO

Encl. Package - IRAC Appeal #LA23-003