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JUL 23 2021
The Island Regulatory and Appeals Commission

8:45 AM
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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 of Communities, Cultural Affairs and Labour or the Municipal Council of Vernon Bridge (name of City, Town or Community) on the 5th day of July, 2021, wherein the Minister/Community Council made a decision to the request to subdivide our lot in two (PID no. 174094) in Vernon Bridge.
(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)

Refer to 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)

Refer to attachment

Name(s) of Appellant(s): Derek Morgan Signature(s) of Appellant(s): [Signature]
Levent Erdogan
Please Print

Mailing Address: 7521 TCH, City/Town: Vernon Bridge
PE Postal Code: C0A 2E0
Email Address: derekbmorgan@hotmail.com Telephone: 902-978-2845

Dated this 22 day of July, 2021.
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 of Communities, Cultural Affairs and Labour 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.

Attached document for the appeal of case #55859 – 22nd of July 2021

The grounds for the appeal of case #55859:

We bought the property in question (PID# 174094) in 2013, it had two civic numbers, which were 7517 and 7521 TransCanada Highway, and there were already four buildings. Three of the buildings has total four dwellings.

Main building (currently white colored) has been on the property since the early 1930s. Old general store building (currently blue colored) and adjacent storage building (currently green colored) have been on the property at least since the early 1940s. Old general store building has been converted into a house and storage building into two apartments in the 1990s.

There are currently two separate septic tanks serving to two civic addresses. Water well in the main building area has been serving to two civic addresses. When subdivision happens, second water well can also be drilled if needed.


When application was done, The Department of Agriculture and Land had concern about impact on the road traffic. Our application does not intent to build a new dwelling on our property that may increase the traffic. Property in question has already four dwellings in three buildings with ample parking space and enough frontage to the road to get in and out of the property. When old general store building with gas station was running until 1990s, it possibly had heavier impact on the road traffic. Subdivision will not have any additional impact on today's traffic circulation to adjacent road.

We attached possible division plan based on the survey plan completed in 2011. We are open to any recommendation how to implement this division process.

We seek the following relief:

Property in question (PID# 174094) had been already two civic numbers and total four dwellings for a long period with adequate water supply and sewage disposal system under the rules of that time. Subdivision will not bring a new dwelling and no additional impact on today's traffic load on the road. We seek our subdivision application to be approved as we provided on the draft plan.

 22/07/2021
Derek MORGAN

 22nd, July 2021
Levent ERDOGAN



Agriculture
and Land

Agriculture
et Terres



Land Division

31 Gordon Drive
PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Division des terres

31, promenade Gordon
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

July 5, 2021

Derek Morgan
7521 Trans Canada Hwy, Rte 1
Vernon Bridge, PE
C0A 2E0

Dear Mr. Morgan:

Re: Case # 55859 - Lot Proposal - Property # 174094 – Vernon Bridge

The Department of Agriculture and Land has completed evaluation of your application requesting permission to subdivide a lot from property # 174094 at Vernon Bridge.

Your proposal does not comply with the lot size requirements of Section 23 of the Planning Act Subdivision and Development Regulations; therefore, we have no alternative but to deny your application. I have enclosed a copy of Section 23 of the regulations for your information

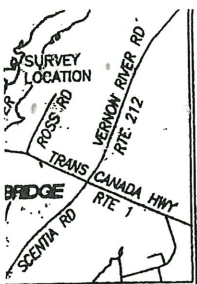
We regret any inconvenience caused by this decision, however, if you feel you have adequate grounds, you may appeal to the Island Regulatory and Appeals Commission, PO Box 577, Charlottetown PE, C1A 7L1. Also, should you wish to appeal, your request for a hearing must be submitted within 21 days of the date of this letter or the Commission is under no obligation to hear your appeal. A Notice of Appeal Form is attached

If you have any questions with respect to this decision, please contact me at (902) 368-4887.

Sincerely yours,

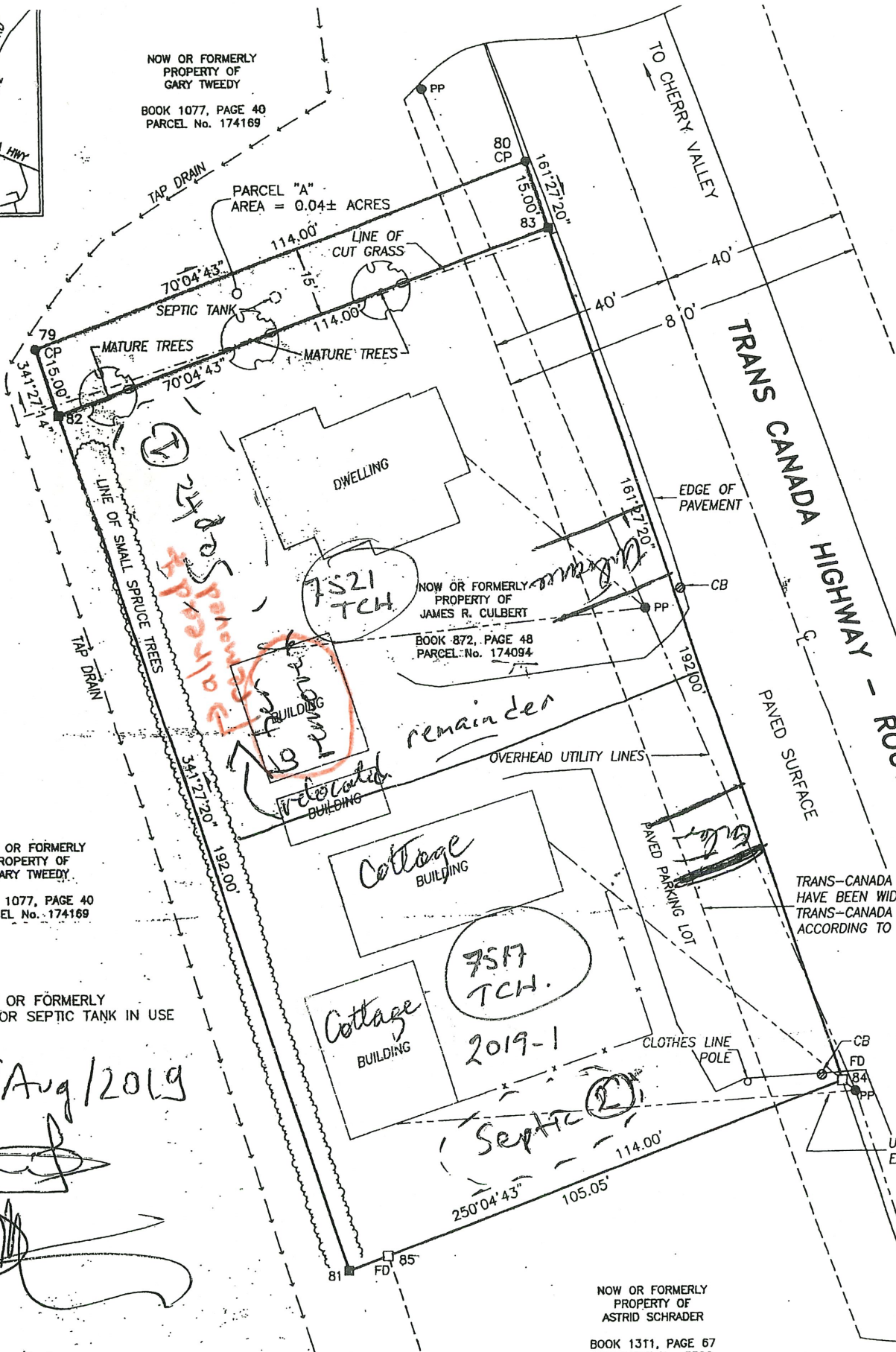
Gerald McMillan
Safety Standards Officer

encl.



NOW OR FORMERLY
PROPERTY OF
GARY TWEEDY
BOOK 1077, PAGE 40
PARCEL No. 174169

SCALE



NOW OR FORMERLY
PROPERTY OF
GARY TWEEDY
BOOK 1077, PAGE 40
PARCEL No. 174169

PROPERTY NOW OR FORMERLY
REQUIRED FOR SEPTIC TANK IN USE
74094

29/Aug/2019

R PLACED
R FOUND

NOTE:
THIS SURVEY WAS TIED INTO P.E.I. GRID MONUMENTS No. 14 AND 15
AND A PREVIOUS SURVEY BASED ON THE DOUBLE STEREOGRAPHIC
PROJECTION SYSTEM. ALL COORDINATES ARE EXPRESSED IN FEET.

NOTE:
I, BRIAN P. POTTER, PRINCE EDWARD ISLAND LAND SURVEYOR, DO HEREBY
CERTIFY THAT THIS SURVEY WAS EXECUTED UNDER MY DIRECTION AND
SUPERVISION AND THAT THIS PLAN IS A TRUE AND CORRECT
REPRESENTATION OF SAID SURVEY.

NOW OR FORMERLY
PROPERTY OF
ASTRID SCHRADER
BOOK 1311, PAGE 67
DOCUMENT No. 3399
PARCEL No. 174086

REFER TO
GULF SURVEYS LTD.
DRAWING No. 048755

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HAVE BEEN WID.
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