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VIA EMAIL - pjrafuse@irac.pe.ca

Philip J. Rafuse
Appeals Administrator
The Island Regulatory and Appeals Commission
National Bank Tower, Suite 501
134 Kent Street, Charlottetown PE C1A 7L1

**Re: Reply to Mrs. Donna Stringer's Application for Added Party Intervenor –
LA23002 Betty Ann Bryanton v. Minister of Agriculture and Land**

Dear Mr. Rafuse:

I am not prepared to consent to the intervention. This is because of the following reasons:

- (1) The Applicant's reasons are not at all relevant to the grounds of my current appeal, but are based on an earlier appeal. — This factor, in itself, will *not* assist the Commission in resolving the issues raised in my appeal (as per IRAC's Rules of Practice & Procedure, S. 20.1.(d)), but will only confuse the situation, but will minimize my own appeal grounds, which is an injustice to me.
- (2) The Applicant's intent to focus not on my grounds, but on an earlier appeal, will greatly add to the complexity (and cost) of the proceeding (IRAC's Rules of Practice & Procedure, S. 20.1.(c)).
- (3) The Applicant has stated that she will 'fully participate, submit evidence, cross examine witnesses and make submissions.' Contrary to the Applicant's assertion, this will materially add to the costs and complexity of the proceeding (IRAC's Rules of Practice & Procedure, S. 20.1.(c)).
- (4) The Applicant continually indicates IRAC Order LA17-06 and the Minister's letter of Oct 24, 2017 are outstanding. — They have been acted upon; they are not outstanding.
 - In LA17-06, re: structures A2 and A3 (permit 88 therein), the rationale provided was, "As the Minister's staff did not consult with a professional planner, the Commission finds that the Minister failed to consider sound planning principles."
 - As the original permit 88 was quashed, new permits were filed for those structures, to force the Minister's staff to consider sound planning principles.
 - The Minister's staff refused to process those permits. Thus, upon receipt of the Minister's letter of October 24, 2017, appeal LA17008 was filed.

As noted above, this is not relevant to the grounds of my appeal and will increase complexity.

- (5) From the content of the Applicant's submission, it appears that the intervention of this Applicant would essentially amount to a rehearing of that earlier appeal. This is supported by the Applicant's statement, "Should it be necessary it is expected that much of the evidence submitted by the Applicant would be similar to that presented at the appeal hearing which proceeded the issuance of Order LA -17 – 06." The rehearing of that earlier appeal would be entirely unnecessary given the recently processed permits for all structures, which make the earlier appeal irrelevant at this time. Again, this would increase complexity and cost, and not assist in resolving my current appeal grounds.
- (6) The Applicant's interest that my property be developed in a way that complies with S. 2.1 (1) (i), (h) and (l) of the Planning Act, and Planning Act Subdivision and Development Regulations subsection 3 (2) (a), (d) and (e), as well as S. 34 is unnecessary. The Minister's staff have already quoted the same legislation in their denials to me; thus, my appeal to them. To my knowledge, neither the Applicant, nor her representative, are employed by the Minister to ensure the Act and its Regulations are followed. Certainly the Minister's staff are able to apply their own Planning Act and Regulations (which is evidenced by their denials to me).

How can any property owner ever improve and seek resolution if individuals continue to appeal and bring up old, now irrelevant, claims? I contend that the Applicant is being vexatious and that the Applicant's interest, at the heart of it, is not rights-based, but is based on personal bias. They simply do not like the aesthetic of my property, as it is different from their aesthetic. Luckily, there is a perimeter of mature evergreens that protect them from the aesthetic of my property.

I respectfully ask that the Commission decline the application.

Sincerely,



Betty Ann Bryanton