



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**

Prince Edward Island
Île-du-Prince-Édouard
CANADA

Docket: LA17006

Order: LA18-01

IN THE MATTER of section 28 of the *Planning Act*,
RSPEI 1988, c P-8;

AND IN THE MATTER of an appeal by Glenna Gallant
against a Decision of the Minister of Communities, Land
and Environment to issue Development Permit No. C-
2017-0265 to Donald A.N. Meldrum Professional
Corporation, to relocate, repair and upgrade a summer
cottage on Provincial Parcel Number 517599 (Lot 2005-
2, Subdivision Case #12857D) located at 15 Meldrum
PL, in the community of Savage Harbour in the Province
of Prince Edward Island.

BEFORE THE COMMISSION ON Tuesday, April 24, 2018

J. Scott MacKenzie, Q.C., Chair

M. Douglas Clow, Vice-Chair

John Broderick, Commissioner

Compared and Certified a True Copy

Philip J. Rafuse
Appeals Administrator
Land and Appeals Division

ORDER

IN THE MATTER of section 28 of the *Planning Act*, RSPEI 1988, c P-8;

AND IN THE MATTER of an appeal by Glenna Gallant against a Decision of the Minister of Communities, Land and Environment to issue Development Permit No. C-2017-0265 to Donald A.N. Meldrum Professional Corporation, to relocate, repair and upgrade a summer cottage on Provincial Parcel Number 517599 (Lot 2005-2, Subdivision Case #12857D) located at 15 Meldrum PL, in the community of Savage Harbour in the Province of Prince Edward Island.

Order

WHEREAS on September 14, 2017 Glenna Gallant (the “Appellant”) filed a Notice of Appeal with the Island Regulatory and Appeals Commission (the “Commission”) pursuant to section 28 of the *Planning Act*, pertaining to an August 22, 2017 decision of the Minister of Communities, Land and Environment to issue Development Permit No. C-2017-0265 (the “appeal”);

AND WHEREAS the Commission will hold a public hearing on this matter;

NOW THEREFORE, pursuant to section 28 of the *Planning Act* and the *Island Regulatory and Appeals Commission Act*, RSPEI 1988, c I-11,

IT IS ORDERED THAT

1. A public hearing will be held at the Commission's main hearing room, located on the 5th floor of the National Bank Tower, 134 Kent Street, Charlottetown, Prince Edward Island, on **Wednesday, June 20, 2018**, commencing at 9:30 a.m. and continuing until **Thursday, June 21, 2018**, unless otherwise determined by the Commission.
2. A party wishing to present expert evidence at the public hearing must file a notice of expert with the Commission no later than **Monday, May 14, 2018 at 4:00 p.m.** The notice

must include the name, address, contact information, and qualifications of the proposed expert together with a brief summary of the expected opinion(s).

3. The parties shall each prepare a witness list, including a brief 'will say' statement for each proposed witness, and deliver a copy to every other party to this appeal and file a copy with the Commission on or before **Monday, June 4, 2018 at 4:00 p.m.**
4. All submissions and expert reports from a party must be delivered to every other party to this appeal and must be filed with the Commission on or before **Monday, June 4, 2018 at 4:00 p.m.**
5. **For the avoidance of doubt, the Commission will not accept submissions and expert reports delivered and filed after 4:00 p.m. Monday June 4, 2018.**
6. The Commission may schedule a pre-hearing case management conference with the parties. The purpose of this conference is to address any procedural issues related to the hearing and to endeavour to focus the hearing process for all parties and the Commission. This conference may be held in person or by conference call.
7. The Notice of Hearing shall be published in the local newspaper, in a form approved by the Commission, and said Notice of Hearing shall be available on the Commission's website at www.irac.pe.ca.

DATED at Charlottetown, Prince Edward Island, Tuesday, April 24, 2018.

BY THE COMMISSION:

(sgd) *J. Scott MacKenzie*

J. Scott MacKenzie, Q.C., Chair

(sgd) *Douglas Clow*

M. Douglas Clow, Vice-Chair

(sgd) *John Broderick*

John Broderick, Commissioner

NOTICE

Section 12 of the *Island Regulatory and Appeals Commission Act* reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Sections 13(1), 13(2), 13(3), and 13(4) of the *Act* provide as follows:

13(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.

(3) The Commission shall be deemed to be a party to the appeal.

(4) No costs shall be payable by any party to an appeal under this section unless the Court of Appeal, in its discretion, for special reasons, so orders.