



**HOUSE USE ONLY**

**CHAIR:**

**WITH  / WITHOUT**

---

---

1st SESSION, 67th GENERAL ASSEMBLY  
Province of Prince Edward Island  
2 CHARLES III, 2023

---

---

**(Bill No. 112)**

**An Act to Amend the Planning Act**

---

Hal Perry  
Leader of the Official Opposition

---

PRIVATE MEMBER'S BILL

---

---

Andrea MacRae  
Acting King's Printer  
Charlottetown, Prince Edward Island

**For House  
Use Only**

**Prince Edward Island  
Legislative Assembly**

**ASSEMBLY / SESSION / YEAR**  
67th General / 1st / 2023

**AMENDMENTS**

**BILL NUMBER: 112** PAGE No. 2 of 6 PAGES

**TITLE: An Act to Amend the Planning Act**

#	SECTION	AMENDMENT	DATE

**NOTED:** \_\_\_\_\_ **CERTIFIED CORRECT:** \_\_\_\_\_  
**COMMITTEE CLERK** **CHAIR, IN COMMITTEE**



## AN ACT TO AMEND THE PLANNING ACT (NO.3)

**BILL NO. 112**

**2023**

---

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

**1. Section 28 of the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, is amended**

**(a) by the addition of the following after subsection (4):**

**(4.1) Exception regarding affordable housing**

No appeal lies from a decision of the council or the Minister respecting a development permit for land in a municipality where the development meets the requirements regarding affordable housing contained in the regulations.

**Regulations**

**(4.2) The Lieutenant Governor in Council may make regulations respecting requirements for affordable housing for the purpose of subsection (4.1).**

**Restriction on appeals**

**(4.3) No person who is not a party to an application for a development permit for land in a municipality may appeal a decision made by a council or the Minister respecting that development permit unless the person resides on or owns land within 100 metres of the land to which the development permit applies.**

**Limit on number of appeals**

**(4.4) No person who is not a party to an application for a development permit for land in a municipality may make more than one appeal of a decision made by a council or the Minister respecting that development permit.**

**(b) by the addition of the following after subsection (5):**

**Fee to accompany notice**

**(5.1) A notice of appeal respecting a decision about an application for a development permit for land in a municipality, filed by**

**(a) an individual;**

- (b) a registered charity; or
  - (c) a non-profit corporation or organization;
- other than the applicant, shall be accompanied by payment of a fee of \$400.

**Fee for a corporation**

- (5.2) A notice of appeal respecting a decision about an application for a development permit for land in a municipality, filed by a body corporate that is not the applicant, shall be accompanied by payment of a fee of \$1,000.

## EXPLANATORY NOTES

**SECTION 1** amends section 28 of the *Planning Act* to

- (a) prescribe the fees payable for appeals of decisions about applications for development permits for land within a municipality;
- (b) provide that no appeals lie from decisions respecting development permits for development permits for affordable housing as set out in the regulations;
- (c) provide that no person who is not a party to an application may appeal a decision respecting a development permit unless the person resides on or owns land within 100 metres of the subject land;
- (d) provide that no person who is not a party to an application may appeal a decision respecting a development permit more than once.

---

---

(Bill No. 112)

**An Act to Amend the Planning Act**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

**SIGNATURES:**

---

Honourable Antoinette Perry, Lieutenant Governor

---

Honourable Darlene Compton, Speaker

---

Joseph Jeffrey, Clerk

---

Hal Perry  
Leader of the Official Opposition

---

PRIVATE MEMBER'S BILL

---

---

2023  
1st SESSION, 67th GENERAL ASSEMBLY