



February 28, 2018

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Dear Parties/Counsel:

**Appeal #LA17012 – Queens County Condominium Corporation No. 40 v. City of Charlottetown**

Enclosed please find a copy of the Revised Notice of Appeal Hearing.

The Commission wants to ensure that all parties and the panel are fully prepared for the hearing. Accordingly, the panel has directed revisions to paragraphs e), f), and g). These revisions affect timelines and requirements for documents, expert testimony and the filing of the witness list.

Any questions or concerns can be directed to myself by telephone at 902-892-3501 or email at [pjrafuse@irac.pe.ca](mailto:pjrafuse@irac.pe.ca)

Yours truly,

  
Philip J. Rafuse  
Appeals Administrator  
Corporate Services and Appeals Division

Enclosure



## REVISED NOTICE OF APPEAL HEARING

(Pursuant to Section 28 of the *Planning Act*)

***Queens County Condominium Corporation No. 40***

**v.**

***City of Charlottetown***

**RE:** Docket LA17012

**APPEAL FILED BY:** Queens County Condominium Corporation No. 40

**HEARING DATE AND TIME:** May 16, 17 and 18, 2018 commencing at 9:30 a.m.

**LOCATION:** 5th Floor  
National Bank Tower  
134 Kent Street  
Charlottetown, P.E.I.

**TAKE NOTICE THAT A PUBLIC HEARING** will be held by The Island Regulatory and Appeals Commission (the Commission) commencing at 9:30 a.m. on **Wednesday May 16, 2018** and continuing, as required, on **May 17 and 18, 2018** at the Commission's Main Hearing Room, National Bank Tower, 5th Floor, 134 Kent Street, Charlottetown, P.E.I.

**AND FURTHER TAKE NOTICE THAT:**

- a) Witnesses should be present in the Hearing Room.
- b) Any party requiring special arrangements for a hearing shall notify the Commission as soon as the party becomes aware of the requirement.
- c) Prior to the date of the hearing, if a party requires a postponement of the hearing, the party shall contact the Commission to request the postponement and provide reasons in support of the request.

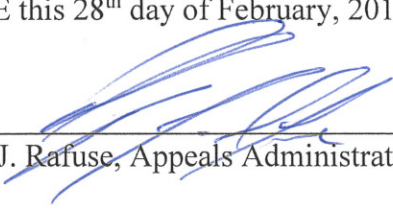
- d) Parties are entitled to be represented by legal counsel at their own expense, present witnesses to provide testimony on their behalf and cross-examine any witnesses who may appear on behalf of opposing parties. If a party does not attend or have a representative appear on their behalf, the Commission may proceed with the hearing in their absence.
- e) Additional documents you intend to rely on shall be filed with the Commission and served on the other parties no later than Friday **May 4, 2018** at 4:00 p.m.
- f) A party who intends to present expert evidence at the hearing shall file a Notice of Expert with the Commission, and shall deliver a copy of the Notice of Expert to every other party, no later than Monday, **April 2, 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 opinion to be included in the forthcoming expert report.

All expert reports shall include the expert's *curriculum vitae*, a concise statement of the facts and assumptions used by the expert and his analysis followed by the expert's opinion. The expert report shall be delivered to every other party and filed with the Commission on or before Monday, **April 16, 2018** at 4:00 p.m.

- g) All parties shall circulate a list of their anticipated witnesses to the Commission and the other parties no later than Friday **May 4, 2018** at 4:00 p.m. When possible, your witness list should include a very brief "will say" statement. The purpose of this statement is to give the Commission and the other parties a general sense of the nature and purpose of the testimony of each witness.
- h) The hearing will be conducted in accordance with the *Rules of Practice & Procedure for Commission Hearings* which can be found at [www.irac.pe.ca/rules/](http://www.irac.pe.ca/rules/).
- i) Unless otherwise indicated, all materials submitted will form part of the Commission's file and will be open to the public. A Notice of Public Hearing will be advertised in the local newspaper and the hearing itself will be broadcasted over the internet.
- j) All witness testimony will be public, unless otherwise ruled on by the Commission.
- k) The names of the parties and all witnesses, unless the Commission rules otherwise, shall appear in the Commission's Order.
- l) All Orders of the Commission are made public through the Commission's website at [www.irac.pe.ca/Orders](http://www.irac.pe.ca/Orders).
- m) **If you have questions or require any clarification, please contact Commission staff as soon as possible.**

**DATED** at Charlottetown, PE this 28<sup>th</sup> day of February, 2018.

Signature: \_\_\_\_\_

  
Philip J. Rafuse, Appeals Administrator