

May 4, 2018

The Island Regulatory & Appeals Commission  
National Bank Tower, Suite 501  
134 Kent Street  
Charlottetown, PEI  
C1A 7L1

**Attention: Philip Rafuse**

**Re: Appeal #LA 17012 – Queens County Condominium Corporation No. 40 v. City of  
Charlottetown**

Dear Mr. Rafuse:

The Respondent, City of Charlottetown (the “City”), intends on calling the following two witnesses at the upcoming hearing of Appeal #LA 1701: Alex Forbes, Manager of Planning & Heritage, and Jesse Morton, former Planning Officer with City of Charlottetown. We are attaching the resume for both parties herein. The City currently intends on calling both witnesses as a panel.

Both Mr. Morton and Mr. Forbes will speak to the documents in the record to the extent of their knowledge, information and belief. They will testify to their interactions with the Developer, APM Construction Services Inc., beginning at the preparation of the initial application with respect to the proposed development, up to their current communications with the Developer regarding the proposed development. Furthermore, they will speak to any interactions or objections made by the Appellant throughout the City’s review and consideration of the application.

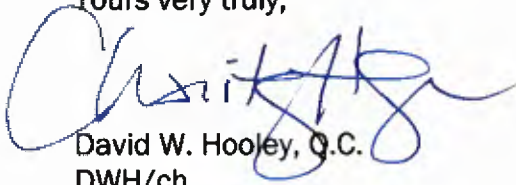
Most importantly, Mr. Forbes and Mr. Morton will attest to the process and rationale for their ultimate recommendations to Council which in turn formed the basis for Council’s decisions. They will speak to the procedural process which the City followed with respect to the Developer’s application, the original rejection by Council of the application, Council’s decision to reconsider the application, and Council’s ultimate approval of the application.

**David W. Hooley, Q.C.**

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Dominion Building 97 Queen Street Suite 600 Charlottetown PEI C1A 4A9

They will provide opinion evidence mainly found in the Planning Department's various reports to Planning Board and Council at each stage of the process.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'David W. Hooley', with a large, stylized flourish at the end.

David W. Hooley, Q.C.  
DWH/ch

cc. Matthew J.W. Bradley  
Tim Banks

## **Alex Forbes**

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Charlottetown, PEI  
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## **Experience**

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- 2013 - **Manager of Planning and Heritage, City of Charlottetown**
- Oversee 10 full time staff in the delivery of planning, building inspection, and heritage services to the citizens of Charlottetown. Charlottetown has adopted a number of secondary plans recently that I have overseen and implemented. This department is presently undertaking a comprehensive review of the Official Plan and Zoning By-law. One of the key components of these recent planning initiatives is the adoption of a form based code in the downtown area.
- 2012 -13 **Assistant Director, Strategic Direction and Internal Consulting City of Fredericton**
- The Strategic Direction and Internal Consulting Department includes three Divisions.
- My primary role in the Internal Consulting Division was to oversee the preparation of all long range planning initiatives including the preparation of secondary and master plans. This Division also offered consulting services to other Departments who were seeking to develop departmental policy or research.
- The Government Relations Division oversees the relationship between Council and the other levels of government. The Labour Relations and Staffing Division oversees contract negotiations, arbitration, grievances, labour relations, recruitment, pensions and human resources advisory.
- 1998 - 2012 **Assistant Director, Development Services, City of Fredericton**
- The Development Services Department (40 full time staff) comprises the Planning and Development function as well as Building Inspection and By-law Enforcement, Parking and Tourism

services. Primary duties are to oversee the daily operation of the Planning and Development Division (20 full time staff) and provide direction to Council and staff with regard to the delivery of planning, building inspection, and by-law enforcement services. Secondary duties are to assist the Director in issues that pertain to parking and tourism (20 full time staff).

**1997-1998    Manager, Building Inspection Division, City of Fredericton**  
Managed eight individuals in the day to day operation of the Building Inspection Division that oversees building, plumbing, and by-law enforcement services.

**1994-1997    Senior Planner, City of Fredericton**  
  
Policy and Development Control  
  
Secretary to the Heritage Preservation Review Board

**1991-1994    Intermediate Planner, City of Fredericton**  
  
Policy and Development Control

### **Teaching Experience**

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**2002-2009**    Travelled on five FCM coordinated missions to Sri Lanka to assist communities with Tsunami Relief. These missions were 3 weeks in duration and focused on business process improvement related to the building permit process.

**2009**            Fall Semester, CE5313 Urban Planning, University of New Brunswick

**2007**            Fall Semester, CE5313 Urban Planning, University of New Brunswick

## **Education**

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- 1991-96 *Masters in Business Administration*, University of New Brunswick,  
Fredericton, New Brunswick
- 1987-90 *Masters in Urban and Rural Planning*, Technical University of Nova  
Scotia / Dalhousie, Halifax, Nova Scotia.
- 1984-86 *Honours Certificate in Economics*, University of Kings College /  
Dalhousie, Halifax, Nova Scotia
- 1980-83 *Bachelor of Arts, Political Science*, University of Kings College /  
Dalhousie, Halifax, Nova Scotia

## **Memberships**

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- 1994 Canadian Institute of Planners
- 1998 American Planning Association

## **Executive Positions**

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- 2018 Organizing Committee for National Trust of Canada, Fredericton,  
New Brunswick, October 2018.
- 2017 Co-Chair of the Atlantic Planners Institute Conference in  
Charlottetown in September of 2017.
- 2016 Member of Charlottetown Community Action Board on  
Homelessness
- 2014 - President of PEI Professional Planning Association
- 2012 - 2014 Co-Chair of the Conference Committee for the Canadian Institute of  
Planners Conference in Fredericton in 2014
- 2009 -13 Member of Fredericton Affordable Housing Committee
- 2007 - 2011 Board Member of the New Brunswick Provincial Capital  
Commission.

- 2007 - 2011 Chairman, Communications Committee, Canadian Institute of Planners
- 2005 - 2006 Vice President, Canadian Institute of Planners
- 2003 - 05 Past President, Atlantic Planners Institute/Canadian Institute of Planners National Council
- 2001 - 2003 President, Atlantic Planners Institute
- 1998 President, New Brunswick Association of Planners
- 1994-1998 Secretary, Atlantic Planners Institute,
- 1993-1999 Executive Member of the New Brunswick Association of Planners
- 1993-1994 Representative for the New Brunswick Planners Association on the Ministers Ad Hoc Heritage Advisory Committee

## **Publications**

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- 2016 Company Houses, Company Towns, Heritage and Conservation, edited by Andrew Molloy and Tom Urbanik, Cape Breton University Press, 2016. *Wrote Chapter 2, A Patriarch's Company Town: Boss Gibson and the Marysville Legacy.*
- 2000 Municipal World, *E-DEMOCRACY: Interactive Technology in Public Decision Making*, June edition, co-authored
- 2000 Plan Canada, *Two Hundred Years of Planning in Fredericton*, April-May-June edition, co-authored
- 1997 Plan Canada, *Case Study on Urban Sprawl in the Fredericton Area*, co-authored.
- 1990 Unpublished Masters thesis, "*The Economic Impact of the Closure of Canadian Forces Base Summerside.*"

# Jesse Morton, MCIP

21 Water Street, Unit 31 | Charlottetown, PE | 902.220.7011 | jesse.r.morton@gmail.com

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## Employment Experience

### **Planner II** | *City of Charlottetown, PE*

**Sep.2014 - present**

- Respond to public & developer inquires, and provide direction on planning projects & initiatives.
- Analyze site & building plans, and process building permit applications, rezoning applications, variance applications, subdivision applications, and demolition requests.
- Monitor projects and conduct site visits to ensure that development adheres to City regulations.
- Enforce, and educate the public on the 500 Lot Area's urban design and heritage regulations. Collaborate with the Heritage Officer to regulate development in the 500 Lot Area and preserve its built heritage.
- Implement the Official Plan and prepare amendments that support Council's development objectives.
- Research and write land use regulations & Zoning Bylaw amendments.
- Prepare staff reports, planning recommendations, and presentations for Council, Planning Board, community stakeholders, and public meetings.

### **Freelance Planner** | *Town of Alberton, PE*

**May.2016 - Oct.2016 | May.2017 - present**

- Led the Town of Alberton's 2016 Official Plan Review (including all public consultation, plan evaluation, and research efforts) and wrote the new Official Plan.
- Prepare amendments to the Town of Alberton's Development Bylaw.

### **Planner** | *Town of Bridgewater, NS*

**Sep.2010 - Mar.2014**

- Managed the Bridgewater's strategic Planning Review process.
- Prepared Bridgewater's community profile, The Community Inventory Report.
- Researched and assessed the land use trends, regulations, and best practices of Canadian municipalities.
- Wrote the new Municipal Planning Strategy (MPS), including strategic policies & objectives that articulate the community's vision for Bridgewater's future.
- Wrote Bridgewater's Land Use Bylaw (LUB), including land use regulations, zoning standards, bicycle & vehicle parking requirements, site plan criteria, architectural controls, urban design requirements, etc.
- Designed and facilitated consultation events, workshops & open houses, and created online surveys.
- Collaborated with, and presented professional planning concepts to Council, advisory committees, municipal departments, consultants, and the community.
- Prepared staff reports, briefing packages, project proposals, and visual materials (e.g., presentations, posters, and sketch-up diagrams) to aid in decision making & educational initiatives.
- Contributed to strategic planning initiatives, including the Municipal Climate Change Adaptation Plan (MCCAP) and the Downtown & Waterfront Master Plan.

### **Cultural Planning Assistant** | *Halifax Regional Municipality, NS*

**Jan.2010 - May.2010**

- Wrote a report detailing annual expenditures on heritage preservation & incentive programs, culture, and public art.

- Produced a Community Arts Strategy, including recommendations & guidelines to improve the Cultural Affairs Division's delivery of community art projects.
- Compiled information and prepared reports on cultural development, funding, policies, and programs to inform the Division's future projects & planning efforts.
- Assessed the Youth Advocate Program, consulted board members, and prepared a Sustainability Plan to guide the program's transition from a pilot project to a permanent service.

**Planning Research Assistant** | *Dalhousie University, NS*

**Sep.2007 - Jun.2009**

- Lead assistant on a nation-wide, Social Sciences & Humanities Research Council (SSHRC) funded project entitled "The Social Dynamics of Economic Performance".
- Conducted research and data analysis on creative cities literature, cultural industries, cultural, music & economic policy, social interaction & innovation, talent attraction & retention, and desirable city characteristics for creative professionals.
- Developed surveys and interview questionnaires, and collected interview data from thirty of Halifax's leaders in the fields of music, art, and design.

**Education**

**Master of Planning (MPLAN)** | *Dalhousie University, NS*

**Apr.2009**

**Bachelor of Science (B.Sc)** | *Acadia University, NS*

**Apr.2006**

*Double Major in Psychology and Mathematics & Statistics*

**Relevant Projects**

**Planning Review** | *Town of Bridgewater*

**Sep.2010 - Mar.2014**

- Devised a five stage Planning Review to re-write Bridgewater's 15 year-old planning documents.
- Created the Planning Review Advisory Committee (PRAC), wrote the PRAC terms of reference, and co-chaired monthly meetings.
- Wrote vision & objective statements for the MPS that were shaped by community input.
- Utilized extensive policy analysis, community & PRAC input, best practice research, departmental collaboration, and the evaluation of development proposals to refine Bridgewater's new planning documents.

**Public Engagement Program** | *Town of Bridgewater*

**Sep.2010 - Mar.2014**

- Created a public engagement program and website to identify the community's vision for the future.
- Designed and facilitated a public workshop to conduct a SWOT analysis of local neighbourhoods.
- Hosted an open house to collect feedback on the Planning Review's progress.
- Developed 17 detailed posters to unveil proposed policy & regulation changes to stakeholders and the community during a two-day open house.
- Coordinated community outreach initiatives for the Planning Review and the Downtown & Waterfront Plan process, such as updating websites and blogs, engaging businesses, and promoting events.



**Community Inventory Report** | *Town of Bridgewater*

**Sep.2010 - Dec.2010**

- Wrote, formatted, and created graphics for the Community Inventory Report, which outlined a community profile for Bridgewater, and provided a rationale for decision making & policy changes.
- Examined and summarized Bridgewater's demographics & growth projections, development history, development & housing needs, prevalent architectural styles, built heritage properties, open spaces & environmentally sensitive areas, and climate change threats.

**Independent Research Project** | *Dalhousie University*

**Dec.2008**

*"There's a Reason Why I Love this Town" - Exploring the Halifax Music Scene*

- Analyzed interview data and conducted independent research on cultural industries and Halifax's unique music scene to determine what makes it unique, attractive, and vibrant.
- Developed a project proposal & schedule, presentations, and a detailed final report.
- Identified what key music figures desire in their cities, what characteristics separate Halifax from other music centres, beneficial cultural policies, and ways the municipality can strengthen Halifax's music scene.

**Memberships & Involvement**

**Member (MCIP)** | *Canadian Institute of Planners*

**Oct.2015 - present**

**2017 API Conference Organizing Committee** | *Charlottetown, PE*

**Apr.2017 - present**

**Co-chair** | *Planning Review Advisory Committee, Bridgewater, NS*

**Oct.2010 - Mar.2014**

**Adaptation Team** | *Climate Change Adaptation Plan, Bridgewater, NS*

**Jun.2012 - Jan.2014**

**Steering Committee** | *Downtown & Waterfront Master Plan, Bridgewater, NS*

**Jun.2012 - Apr.2013**

**Public Outreach Coordinator** | *Downtown & Waterfront Master Plan, Bridgewater, NS*

**Sep.2012 - Apr.2013**

**Publications**

**Grant, J.L., Haggett, J., and Morton, J.** | *Grant, J. L. (Ed), Seeking Talent for Creative Cities*

**2014**

*"Those Hermit Artists": Musical Talent on the Edge of the Continent*

**Hracs, B., Grant, J.L., Haggett, J., and Morton, J.** | *The Canadian Geographer, 55(3)*

**2011**

*A Tale of Two Scenes: Civic Capital and Retaining Musical Talent in Toronto and Halifax*

**Grant, J.L., Haggett, J., and Morton, J.** | *Plan Canada, 50(2)*

**2010**

*Planning for the Creative Economy: The Live Music Scene in Halifax*

**Computer Experience**

Significant experience in the use of Microsoft Office Suite, Google Sketch-up, Adobe InDesign, Adobe Illustrator, and Adobe Photoshop. Possesses a working knowledge of ArcGIS, SPSS, and Minitab.